

*Enhancing*  
**GEOGRAPHICAL INDICATIONS**  
**in the Philippines:**  
**Supporting Producers & Navigating Challenges**

16 December 2024, SCOPE IPR, Laos PDR

## SECTION 4. Definitions. –

4.1. The term "intellectual property rights" consists of:

- a. Copyright and Related Rights;
- b. Trademarks and Service Marks;
- c. **Geographic Indications;**
- d. Industrial Designs;
- e. Patents;
- f. Layout-Designs (Topographies) of Integrated Circuits; and
- g. Protection of Undisclosed Information (n, TRIPS).

# The Intellectual Property Code of the Philippines

Republic Act No. 8293, as amended

2015 Edition





GIs are protected under the trademark system – collective marks



No separate registration system for GIs

The  
Intellectual  
Property Code  
of the Philippines  
Republic Act No. 8293, as amended

2015 Edition



# GUIMARAS MANGOES

## IP CODE SEC. 123. . A MARK CANNOT BE REGISTERED IF IT:

(j) Consists exclusively of signs or of indications that may serve in trade to designate the **kind,** quality, quantity, intended purpose, value, **geographical origin,** time or production of the goods or rendering of the services, or other characteristics of the goods or services;



**SECTION 126. DISCLAIMERS.** - The Office may allow or require the applicant to disclaim an unregistrable component of an otherwise registrable mark but such disclaimer shall not prejudice or affect the applicant's or owner's rights then existing or thereafter arising in the disclaimed matter, nor such shall disclaimer prejudice or affect the applicant's or owner's right on another application of later date if the disclaimed matter became distinctive of the applicant's or owner's goods, business or services

**DISCLAIMER REQUIREMENT**

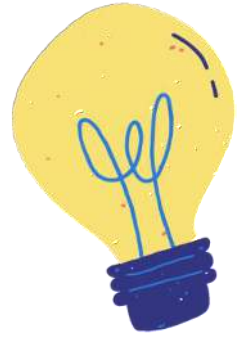


## IPOPHL drafts initial rules on geographical indications

May 12, 2022

IPOPHL MEMORANDUM 2022-022

Rules and Regulations on  
Geographical Indications



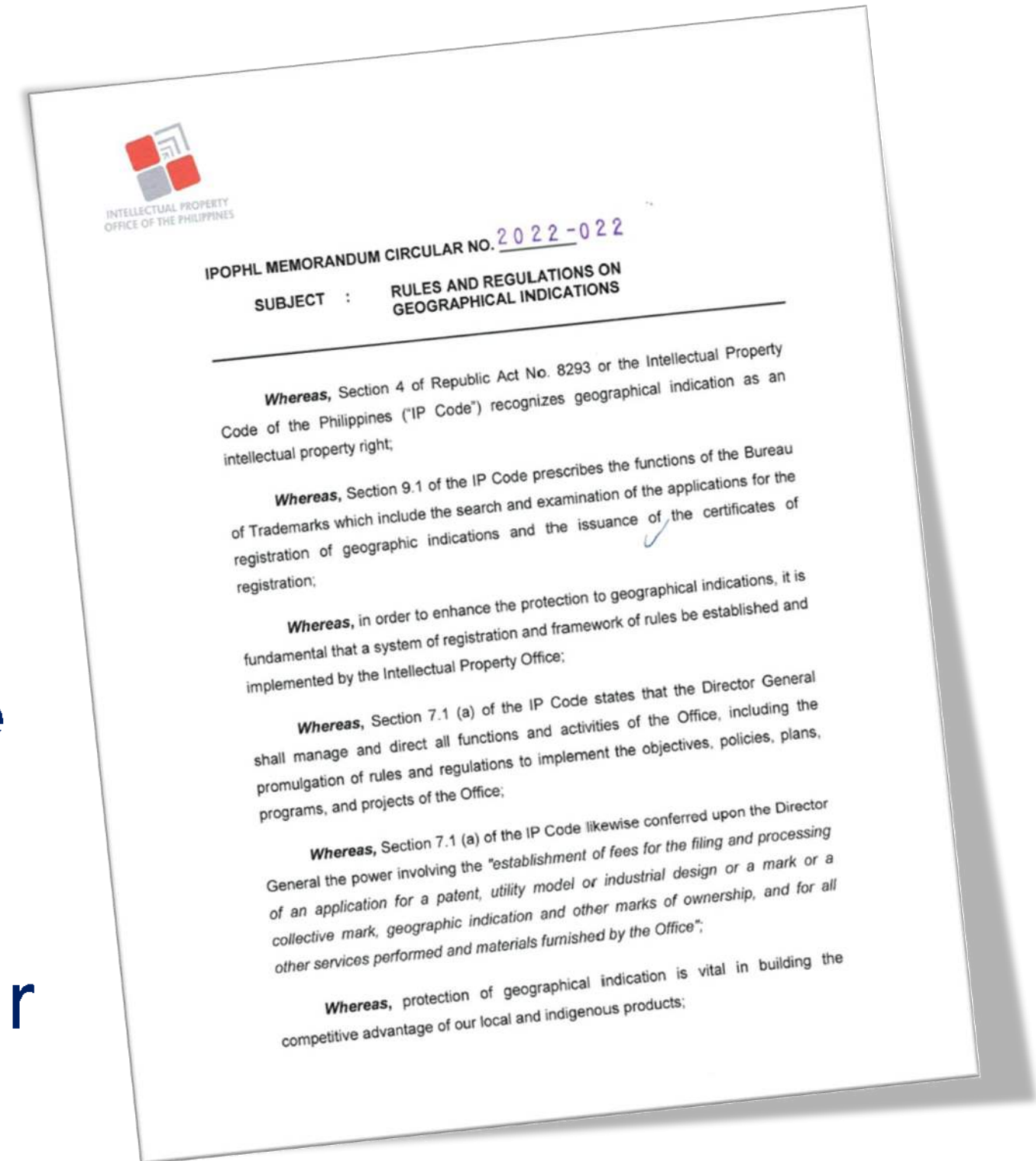
## OBJECTIVES:

Establish a GI registration system in the Philippines

Enhance GI protection

Promote respect and effective use of the IP system

Build competitive advantage of our local products





# *Salient Features*

## Rules and Regulations on Geographical Indications

# 1

## APPLICANTS

- a) Producers or producers' organization or association representing stakeholders directly involved in the extraction, production or manufacture of goods



# APPLICANTS

b) Government agencies or LGUs

- ❖ having area of responsibility covering the geographical origin of the goods



Representatives of foreign governments relative to the GI of its national

# APPLICANTS

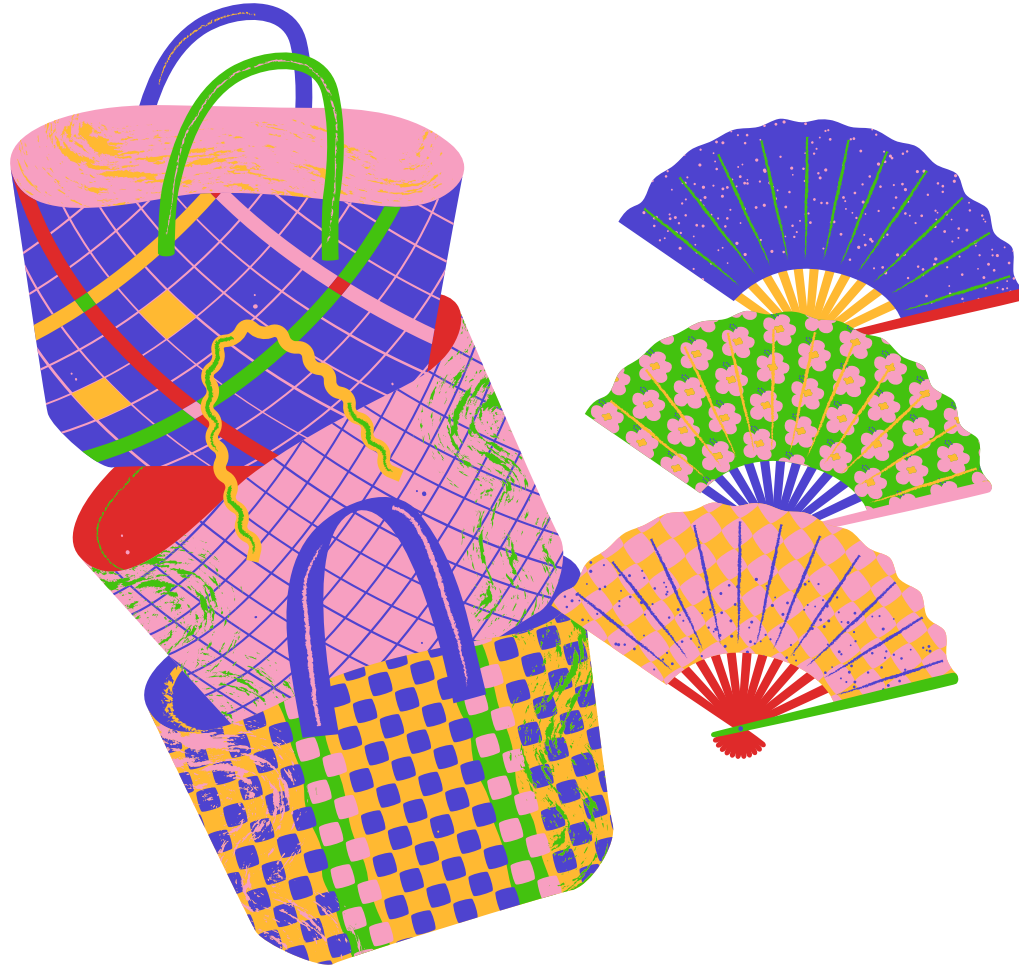
- c) Organizations or associations or indigenous cultural communities/IPs
  - ❖ entrusted with the task of regulating and/or protecting GI by paragraphs (a) and (b)



# 2

## DEFINITION OF GOODS

extends to **handicrafts and industrial products**  
[RULE 2 (j)]



# 3

## REQUIREMENTS



Rule 10

- Manual of Specifications (MOS)
- Certification from concerned government agency or equivalent independent body
  - **validating** the causal link between the quality, reputation or characteristics & the geographical area
  - **technical information** pertaining to the product specifications in the MOS

# 4



Rule 14

## DISCLAIMER

- Generic or customary term or common name component of a GI

If it is understood by the general public in the PH or the relevant consumers of the goods covered by the GI to be the **product itself** or the **name** and **denomination** used to refer to the goods themselves



DISCLAIMED

# 5

## REFUSAL

An application is also refused when a GI constitutes an “**evocation**” of a protected GI.



Rule 18

**EVOCAATION** – term, sign, or other labelling or packaging device that *presents a direct and clear link* with the product covered by a protected GI in the mind of the reasonably intelligent consumer, thereby exploiting, weakening, diluting or being detrimental to the reputation of the registered names.



# 6

## RIGHTS OF GI REGISTRANTS

MISLEADING, UNAUTHORIZED USE OF GIs (style, kind, type etc.)  
FALSE REPRESENTATION, UNFAIR COMPETITION,  
Any other use similar to the above that misrepresents the GI.

Rule 4

# 7

## UNLIMITED TERM

A registered GI is protected for unlimited term  
until or unless revoked with finality

Rule 22



Geographical Indication in the Philippines

GUIMARAS MANGOES

# GUIMARAS MANGOES

“The sweetest  
mango in the world”



Total Soluble Solids  
(TSS) test yields 16°  
Brix and up

# GUIMARAS MANGOES



## GUIMARAS MANGO GROWERS & PRODUCERS DEVELOPMENT COOPERATIVE

# GUIMARAS MANGOES

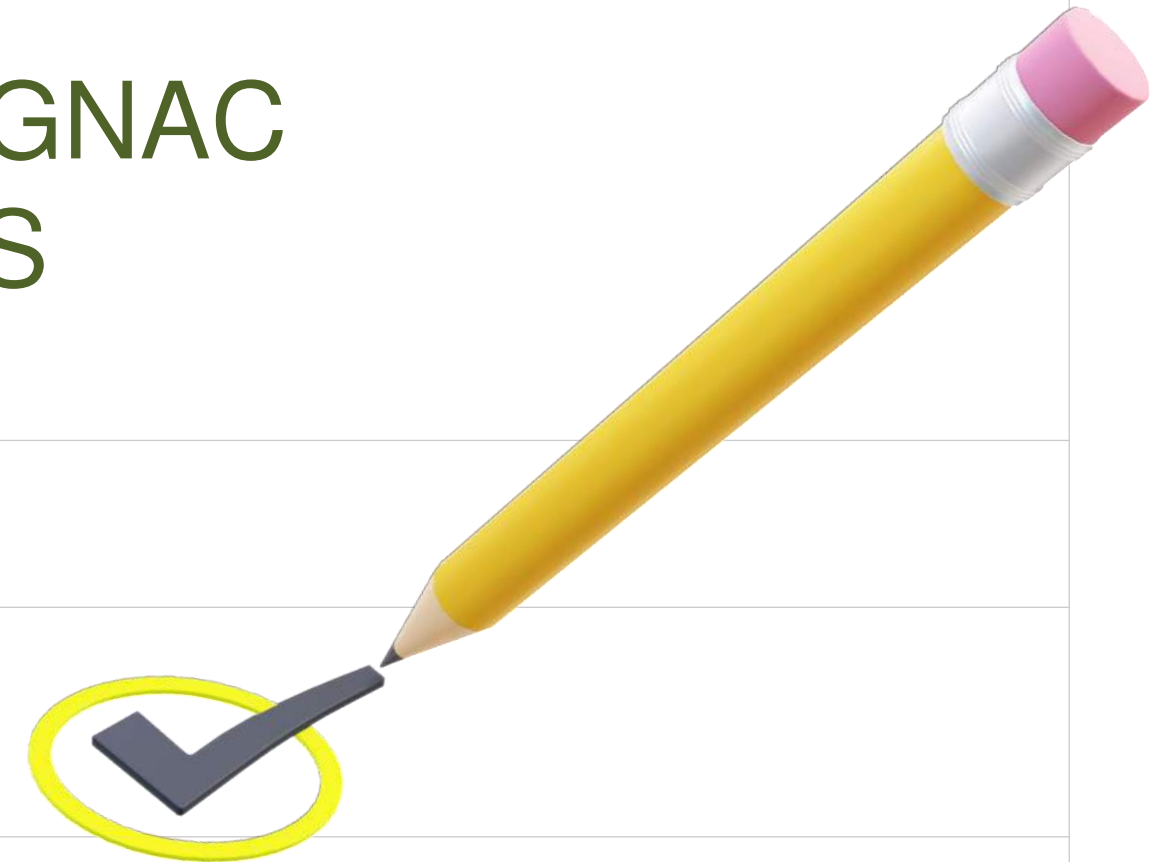


## TRADE RELATED TECHNICAL ASSISTANCE PROJECT



# Registered Geographical Indications

- GUIMARAS MANGOES
- COGNAC or EAU-DE-VIE DE COGNAC  
or EAU-DE-VIE DES CHARENTES
- SCOTCH WHISKY
- PARMIGIANO REGGIANO
- PROSECCO
- CÔTES DE PROVENCE





# Applications: Geographical Indications

AKLAN PIÑA

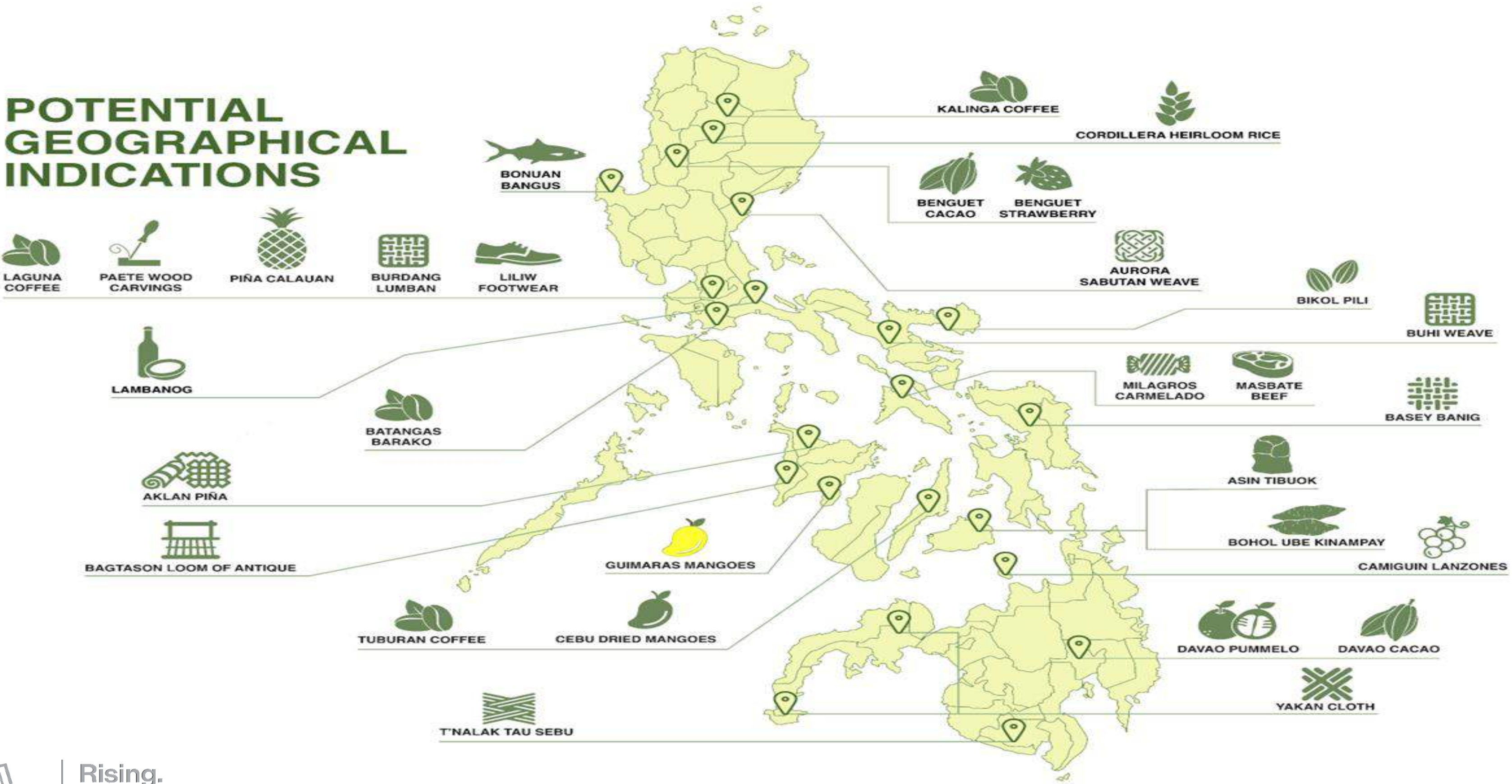


ASIN TIBUOK





# POTENTIAL GEOGRAPHICAL INDICATIONS



# THE CHALLENGES



# Addressing the low awareness of GI and its benefits



# Consultations & Capacity Building of Stakeholders



# NATIONAL FORUM ON GEOGRAPHICAL INDICATIONS



# NATIONAL FORUM ON GEOGRAPHICAL INDICATIONS



# Consolidating the producers, producers' groups & other key players in the value chain



# Building entrepreneurial culture among GI groups





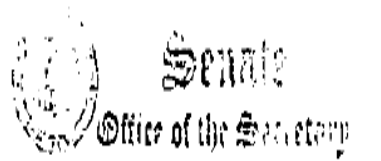
# Acquiring collective action to sustain GI initiatives



# NAVIGATING THE CHALLENGES

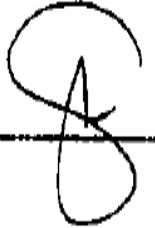
# Legislative Agenda: GEOGRAPHICAL INDICATIONS LAW

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Second Regular Session* )



23 AUG -3 P4:33

SENATE  
S. B. No. 2387  
(In substitution of Senate Bill No. 1868)

RECEIVED BY: 

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Prepared by the Committee on Trade, Commerce and Entrepreneurship with  
Senators Sonny Angara, Mark Villar, Loren Legarda, and Joel Villanueva,  
as authors thereof

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**AN ACT**  
**PROVIDING FOR THE PROTECTION OF GEOGRAPHICAL INDICATIONS FOR**  
**AGRICULTURAL OR NATURAL (UNPROCESSED OR WILD) PRODUCTS,**  
**PROCESSED PRODUCTS, WINES AND SPIRITS, OR ANY PRODUCTS OF**  
**HANDICRAFT OR INDUSTRY**

# Continued Engagement of Government Agencies & Key Stakeholders

- 🏢 Establishment of collective organizations
- 📄 Capacity building of GI stakeholders in the value chain (MOS, organizational & enterprise development)
- ★ Formalization & registration of GI groups



# Technical cooperation on GI projects with bilateral partners



## **SCOPE IPR**

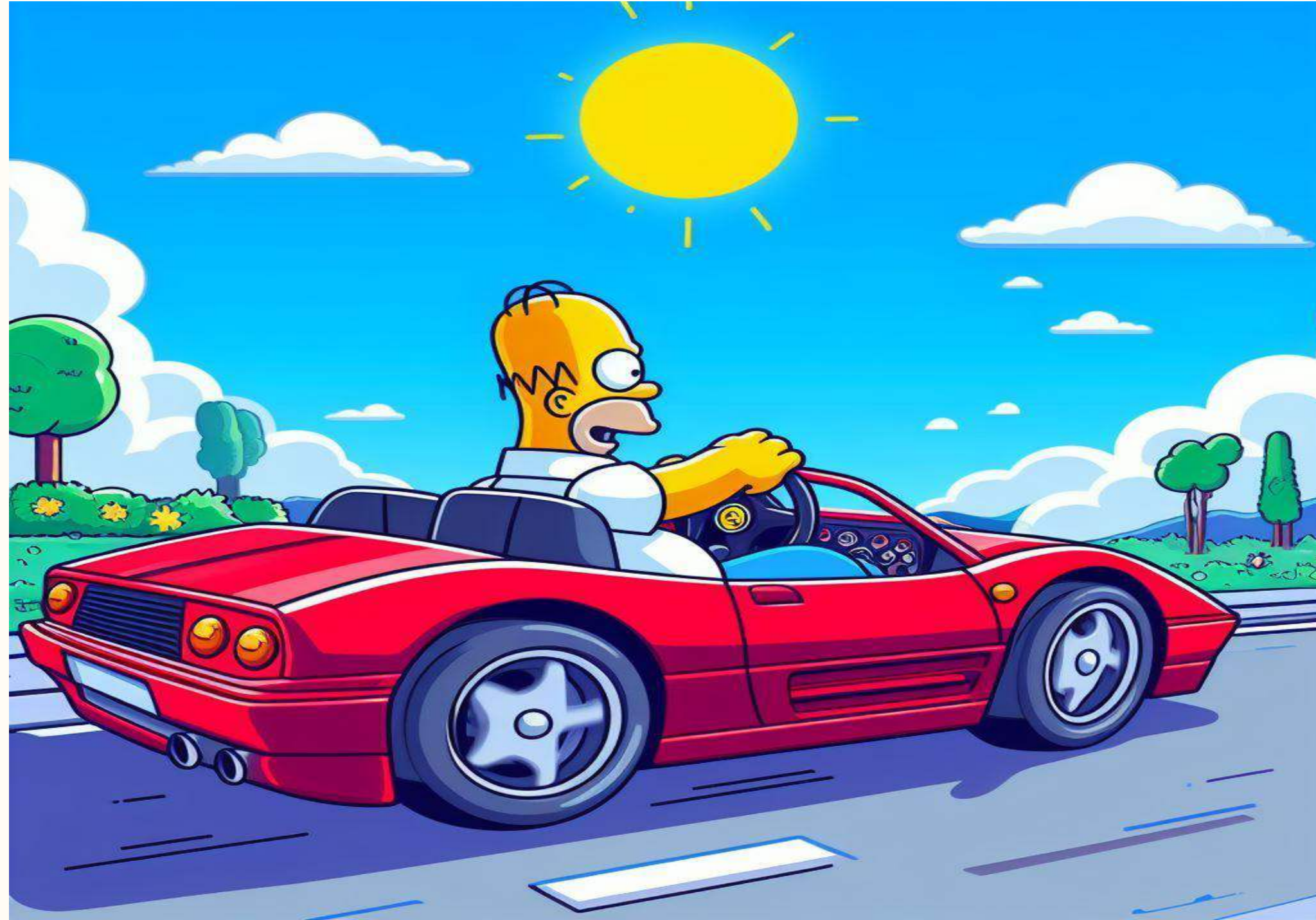
EU-ASEAN Sustainable Connectivity  
Package - Intellectual Property Rights



Develop strong market partners for the commercialization & access of GI products



# GEOGRAPHICAL INDICATIONS



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*Thank  
You!*

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