



KEMENTERIAN PERDAGANGAN DALAM NEGERI
DAN KOS SARA HIDUP



PERBADANAN HARTA INTELEK MALAYSIA
INTELLECTUAL PROPERTY CORPORATION OF MALAYSIA

SUPPORTING GI PRODUCERS IN PROTECTING AND ENFORCING GI RIGHTS



Siem Reap, Cambodia
05 May 2025

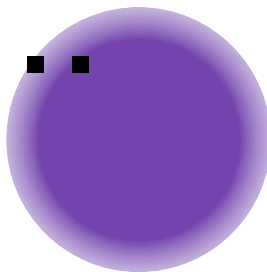


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PERBADANAN HARTA INTELEK MALAYSIA
INTELLECTUAL PROPERTY CORPORATION OF MALAYSIA

Hello! I'm...



- **Name:** Khairul Anuar Ahmad Zaini
- **Job Title:** Intellectual Property Officer
- **Company:** Intellectual Property Corporation of Malaysia (MyIPO)



AGENDA

01

**OVERVIEW OF
GEOGRAPHICAL
INDICATION (GI) IN
MALAYSIA**

02

**OFFENCES,
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**CHALLENGES AND
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GEOGRAPHICAL
INDICATIONS
(GI)**

01



Intellectual property refers to the exclusive rights granted to individuals or entities over their creations in various fields, including art, technology, and business. It is protected by law to encourage innovation and ensure that creators benefit from their work..

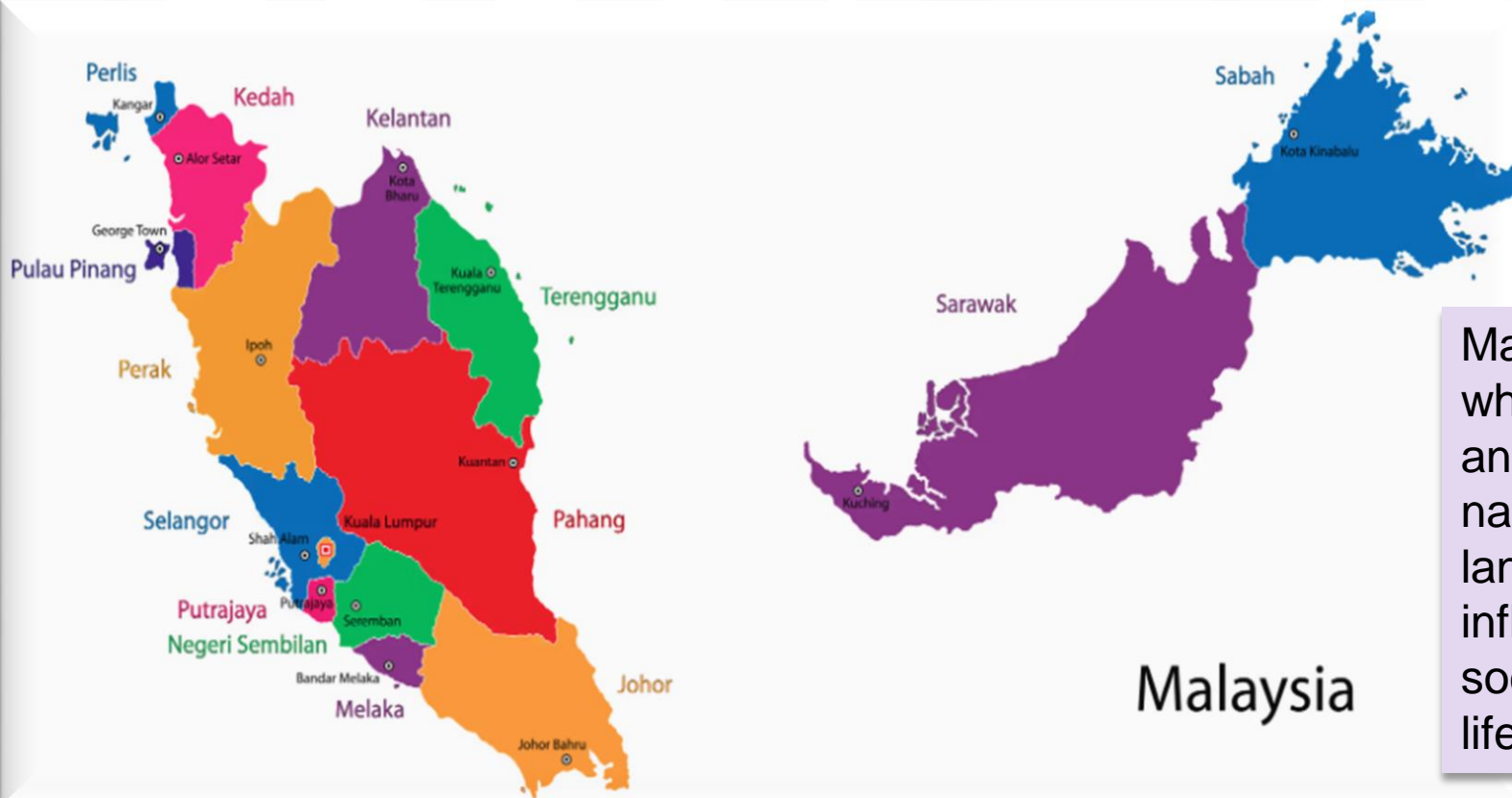


Resource: <https://jadibatek.com/batik/>

OVERVIEW OF GEOGRAPHICAL INDICATIONS (GI) IN MALAYSIA

MyIPO administers and enforces the Legislation, the Geographical Indications Act 2022 and the Regulations thereunder.



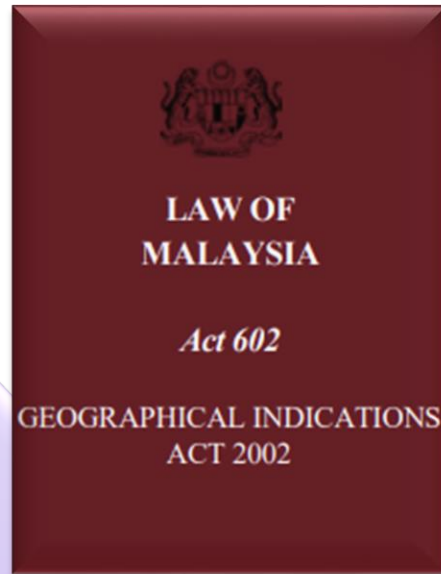


Malaysia is an incredibly diverse country, where the interplay of geography, culture, and ethnicity creates a unique and rich national identity. The combination of its varied landscapes, strategic location, and historical influences has given rise to a multicultural society that is reflected in the nation's way of life, traditions, and values.

Malaysia's geography is not just a physical feature; it is a key factor in shaping the nation's cultural identity. The lush rainforests, towering mountains, beautiful beaches, and vibrant cities each contribute to the country's incredible cultural diversity, making Malaysia a truly unique and dynamic nation where geography and culture are intertwined. The natural environment influences everything from cuisine and customs to art and architecture, resulting in a diverse yet harmonious blend of traditions and practices across the nation.



HISTORICAL BACKGROUND OF GEOGRAPHICAL INDICATIONS LAW IN MALAYSIA

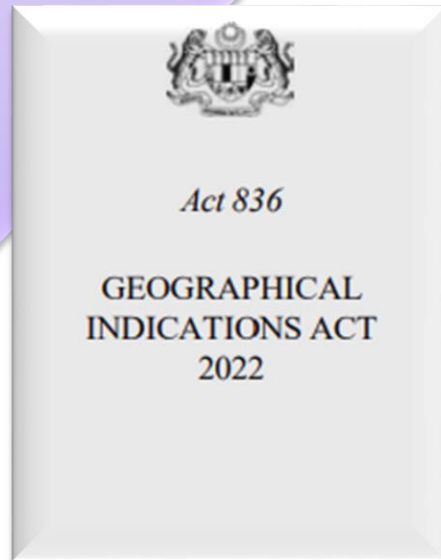


GEOGRAPHICAL INDICATION ACT 2000

- Passed by the Parliament in 2000
- Contained 7 parts, 32 sections and 1 schedule
- Authoritative Text was in Bahasa Malaysia
- Came into force on 15 August 2000

GEOGRAPHICAL INDICATION ACT 2022

- Act 602 was repealed and replaced by Act 836
- Contained 15 parts, 101 sections and 1 schedule
- Tabled and passed by Parliament in December 2021
- Came into force on 18 March 2022
- Subsidiary legislations : Geographical Indications Regulations 2022, Guidelines of Geographical Indication 2022
- Authoritative Text is in Bahasa Malaysia



RATIONAL AND MAIN OBJECTIVES OF THE REPEAL OF GIA 2000



PERBADANAN HARTA INTELEK MALAYSIA
INTELLECTUAL PROPERTY CORPORATION OF MALAYSIA

01

Strengthen the geographical indications protection system according to international and local development and needs

04

Introduce provisions of offences and criminal jurisdiction to enforce the rights obtained under the act and expand the scope of civil action

06

Refine the procedures of filing application for registration of geographical indications including examination, opposition proceeding, registration and cancellation procedures

02

Expand the scopes of protection of GI in Malaysia

05

Expand the level of protection given to registered geographical indications in Malaysia

03

Introduce new and comprehensive internal procedures in the Geographical Indications Office



Geographical Indication Registration Reference



PERBADANAN HARTA INTELEK MALAYSIA
INTELLECTUAL PROPERTY CORPORATION OF MALAYSIA



GEOGRAPHICAL
INDICATIONS ACT
2022



GEOGRAPHICAL
INDICATIONS
REGULATION
2022



GEOGRAPHICAL
INDICATIONS
GUIDELINES 2022

CONTAINS 101 SECTION,
37 REGULATION AND 60
GUIDELINES.



PARIS
CONVENTION



TRIPs
AGREEMENT



LISBON AGREEMENT
*protection of
appellation of origin*

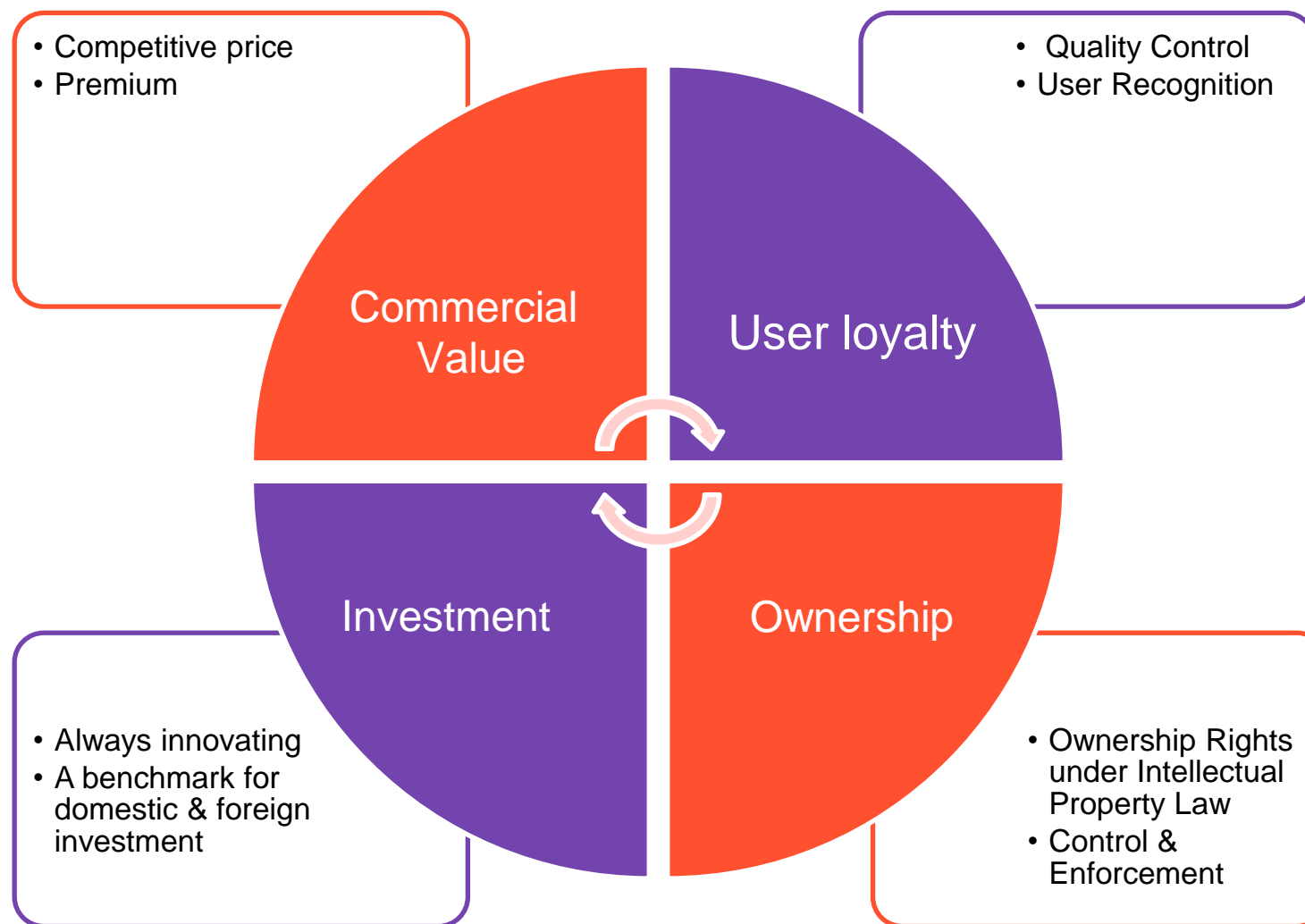


MADRID
PROTOCOL





THE IMPORTANCE OF REGISTRATION OF GEOGRAPHICAL INDICATIONS



02



Resource: www.facebook.com/MyMOTAC/posts/labu-sayongnot

OFFENCES, INVESTIGATIONS AND ENFORCEMENT OF GEOGRAPHICAL INDICATIONS (GI)





OFFENCES

GEOGRAPHICAL INDICATIONS (GI)



GEOGRAPHICAL INDICATIONS ACT 2022

Part IX OFFENCES

Section

- 34. Falsely applying registered geographical indication to goods
- 35. Importing or selling, etc., goods with falsely applied geographical Indication
- 36. Submission of false information to Geographical Indications Office or false entry in Register
- 37. Falsely representing geographical indication as registered
- 38. Offence relating to disobedience to summons or refusal to give evidence





INVESTIGATION AND ENFORCEMENT GEOGRAPHICAL INDICATIONS (GI)

GEOGRAPHICAL INDICATIONS ACT 2022



PERBADANAN HARTA INTELEK MALAYSIA
INTELLECTUAL PROPERTY CORPORATION OF MALAYSIA

Part X INVESTIGATION AND ENFORCEMENT 3 Chapters



Chapter 1- Investigation and complaints Section

- 39. Interpretation
- 40. Powers of Controller, Deputy Controller and Assistant Controller
- 41. Powers of investigation
- 42. Complaints to Assistant Controller



Chapter 2-Power to collect information

- 43. Power of Assistant Controller to require the provision of information
- 44. Assistant Controller may retain documents
- 45. Confidentiality
- 46. Privileged communication
- 47. Giving false or misleading information, evidence or document
- 48. Destruction, concealment, mutilation and alteration of records



INVESTIGATION AND ENFORCEMENT

GEOGRAPHICAL INDICATIONS (GI)



Chapter 3-Powers of arrest, search, seizure, etc.

49. Power of arrest
50. Power to enter premises, inspect and seize goods, etc.
51. Magistrate may issue search warrant
52. Search may be made without warrant
53. Access to recorded information or computerized data, etc.
54. Tipping-off
55. Search warrant valid notwithstanding defects
56. List of things seized
57. Forfeiture of seized goods, etc.
58. Release of seized goods, etc.
59. No cost or damages arising from seizure to be recoverable
60. Obstruction
61. Evidence of agent provocateur is admissible
62. Taking of samples
63. Jurisdiction to try offences
64. Institution of prosecution
65. Compounding of offences
66. Principal liable for acts of servant or agent
67. Offences committed by body corporate
68. Protection of Controller, Deputy Controller and Assistant Controller and other persons



LEGAL ACTION THAT CAN BE TAKEN:



Criminal Action

Compound, fine, imprisonment

The offences of infringement of geographical indications involve the imitation and counterfeiting of REGISTERED geographical indications as follows:

- Using (using) a registered geographical indication incorrectly on goods.
- Selling or importing goods that use (use) a geographical indication incorrectly.



Civil Action

Injunction, profit account, damages, exemplary damages.

- Use of Geographical Indications on goods that do not originate from the geographical area and mislead the public about the true place of origin of the goods
- Use of geographical indications constitutes an act of unfair competition as defined in Art 10bis of the Paris Convention.
- Use of GI on wines or spirits that do not originate from the place indicated including types, styles, imitations and other expressions.

03



Source: www.tembagaterengganu.com/

CHALLENGES AND INITIATIVE OF GEOGRAPHICAL INDICATIONS (GI)





CHALLENGES IN GI ENFORCEMENT:



✓ 1. Limited Awareness Among Producers & Consumers

- Many producers, especially in rural areas, are **unaware of the importance of registering and enforcing GI rights**.
- Consumers may not know how to differentiate authentic GI products from fakes.

✓ 2. Difficulties in Identifying Infringements

- GI infringements can be **hard to detect**, especially for products with similar appearance or packaging.
- **Physical similarity** between genuine and fake products makes enforcement tricky.

✓ 3. Weak Supply Chain Traceability

- **No formal system for tracking GI products** along the supply chain.
- Makes it harder to prove origin or authenticity during enforcement actions.



CHALLENGES IN GI ENFORCEMENT:



✓ 4. Limited Resources for Enforcement Authorities

- Enforcement agencies may **lack manpower, expertise, or budget** to actively monitor and act against GI infringements.
- GI enforcement often competes with other higher-priority IP enforcement tasks

✓ 5. Cross-border Enforcement Challenges

- GI infringements sometimes occur **outside Malaysia's jurisdiction**, especially for export markets.
- Requires international cooperation, which can be complex and time-consuming.

✓ 6. Online Sales of Counterfeit GI Products

- Rise in **e-commerce platforms selling fake GI-labeled products**.
- Enforcement against online sellers is harder due to **anonymity and borderless transactions**.



INITIATIVE IN SUPPORTING GI PRODUCER:



🛡️ 1. Implementation of the Geographical Indications Act 2022 (GIA 2022)

- **Enhanced Legal Framework:** The GIA 2022 replaced the previous 2000 Act, introducing stricter criteria for GI registration and enforcement. It includes provisions for criminal penalties against unauthorized use of registered GIs, such as fines and imprisonment.
- **Court-Based Cancellation:** Under the new Act, cancellation of a registered GI must be pursued through the High Court, providing a more robust legal process.

📢 2. Awareness and Capacity Building

- **GI Tour Program:** MyIPO initiated the GI Tour Program to raise awareness by traveling nationwide to identify potential GIs and assist in their registration.
- **Training Sessions:** Conducted for both MyIPO officers and GI holders to enhance understanding of GI registration and enforcement processes.



INITIATIVE IN SUPPORTING GI PRODUCER:



3. Support for GI Producers

- **Specification Framework Assistance:** MyIPO provides guidance to applicants in developing the required GI specifications, ensuring compliance with registration standards.
- **Encouraging Producer Associations:** Supports the formation of producer groups or cooperatives to collectively manage and enforce GI rights.

4. Enforcement Measures

- **Collaboration with Enforcement Agencies:** MyIPO works with other government bodies to monitor and act against GI infringements, including those occurring online.
- **Legal Actions:** Pursues legal proceedings against unauthorized use of registered GIs to protect the interests of legitimate producers.



CASE

Geographical Indication TENOM COFFEE

Status

Registered

Submission Date

01 Nov 2006

Application Number

GI2006-00005

Filed/Designation Date

01 Nov 2006

Case Type

Geographical Indication

Applicant's GI	Offending Product
<p>TENOM COFFEE</p>  	

04



REGISTERED GI, STATISTICS AND PROGRAMS OF GEOGRAPHICAL INDICATIONS



REGISTERED GEOGRAPHICAL INDICATIONS



KEMENTERIAN PERDAGANGAN DALAM NEGERI
DAN KOS SARA HIDUP



PERBADANAN HARTA INTELEK MALAYSIA
INTELLECTUAL PROPERTY CORPORATION OF MALAYSIA

Gambus Johor



Terubuk Mulut Besar Sarawak



Babeh Lundayeh Sipitang



REGISTERED GEOGRAPHICAL INDICATIONS



KEMENTERIAN PERDAGANGAN DALAM NEGERI
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PERBADANAN HARTA INTELEK MALAYSIA
INTELLECTUAL PROPERTY CORPORATION OF MALAYSIA

Sulaman Keringkam Sarawak



Tekat Benang Emas Perak



REBANA PERAK

"Rebana Perak dikaitkan dengan alat muzik yang berasal dari negara Arab dan dipercayai dibawa masuk 200 tahun lebih oleh pedagang Arab. Ia menjadi hiburan kepada baginda Sultan Perak yang sering mudik di Sungai Perak untuk menyantuni rakyat jelata."

Rebana Perak dimainkan oleh 12 pemain dalam satu kumpulan membabitkan tiga (3) jenis rebana iaitu Peningkah, Penalu dan Penyalang.

Kebiasaannya Rebana Perak berukuran tinggi 4 - 5 inci dan berdiameter 10 - 13 inci. Bagi mendapatkan hasil bunyi yang baik dan berkualiti, penggunaan kulit lembu atau kerbau adalah sangat sesuai berbanding kulit kambing. Ia akan menghasilkan gema yang lebih merdu dan padu.

- Mohd Sapri Bahari -
Usahawan Rebana Perak



Mangga Harum Manis Perlis



Musang King



GEOGRAPHICAL INDICATIONS STATISTICS as at 30 April 2025

Dalam Negara	
	Jumlah
Johor	2
Kedah	3
Kelantan	4
Malaysia	2
Melaka	8
Pahang	5
Perak	6
Perlis	1
Pulau Pinang	2
Sabah	31
Sarawak	32
Selangor	2
Terengganu	11
Negeri Sembilan	1
Jumlah	110

Luar Negara	
	Jumlah
China	2
France	2
Ireland	1
Italy	5
Japan	1
Mexico	1
Peru	1
South Korea	1
Thailand	3
United Kingdom	1
Jumlah	18

Status	Jumlah
Registered	82
Archieved	17
Removed	12
Expired	17
Jumlah	128



GEOGRAPHICAL INDICATIONS PROGRAMS



KEMENTERIAN PERDAGANGAN DALAM NEGERI
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PERBADANAN HARTA INTELEK MALAYSIA
INTELLECTUAL PROPERTY CORPORATION OF MALAYSIA



TEMBIKAR PULAU TIGA

Negeri Perak sangat terkenal dengan seni tembikar di daerah Sayong. Tahukah anda, pasu Pulau Tiga juga adalah tembikar tradisional negeri Perak. Tembikar ini terdapat di Kg. Pulau Tiga, di dalam daerah Kampung Gajah.

Pembuatan tembikar di mukim Pulau Tiga telah dicatatkan dalam *Royal Journal Anthropological of Great Britain and Ireland* tulisan *Leonard Wray* pada tahun 1903, sebagai salah satu daripada empat kawasan yang terkenal dengan perusahan labu di Perak.

Tembikar Pulau Tiga pada asalnya hanya mengekalkan warna tanah, tidak dihitamkan dan menggunakan bunga timbul dan bunga tampal. Motif dibentuk dengan tangan atau ditekan pada acuan plaster untuk mendapatkan tekstur dan kuntuman bunga.

Bunga tanah liat ini akan ditampal pada permukaan labu atau pasu yang dibentuk terlebih dahulu dan pelbagai hiasan kayu terap bermotif bunga padi, cakar ayam, siku keluang dan susur kelapa di tambah sebagai hiasan pada permukaan badan labu. Ia menjadi identiti utama tembikar Pulau Tiga.



Gelek Bunga Tampal
Pulau Tiga, Perak
1990-an



GEOGRAPHICAL INDICATIONS PROGRAMS

The MyIPO delegation visited the traditional production site of gula apong in Kampung Pingan Jaya, Kuching, Sarawak. They also toured the SPL Foods Industries factory in Samariang, where they learned about the manufacturing and production process of gula apong sugar syrup. The factory manager provided a comprehensive briefing on the production process, marketing, and branding of the gula apong-based syrup, which was attended by MyIPO officers and researchers from UiTM.



GEOGRAPHICAL INDICATIONS PROGRAMS



KEMENTERIAN PERDAGANGAN DALAM NEGERI
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PERBADANAN HARTA INTELEK MALAYSIA
INTELLECTUAL PROPERTY CORPORATION OF MALAYSIA

MANGROVE CHARCOAL, KUALA SEPETANG



Photo Source: Ryzul
Osman

Visit to the Perak State Forestry Department and Matang Mangrove Eco Centre.



GEOGRAPHICAL INDICATIONS PROGRAMS



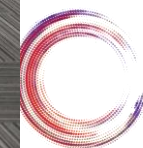
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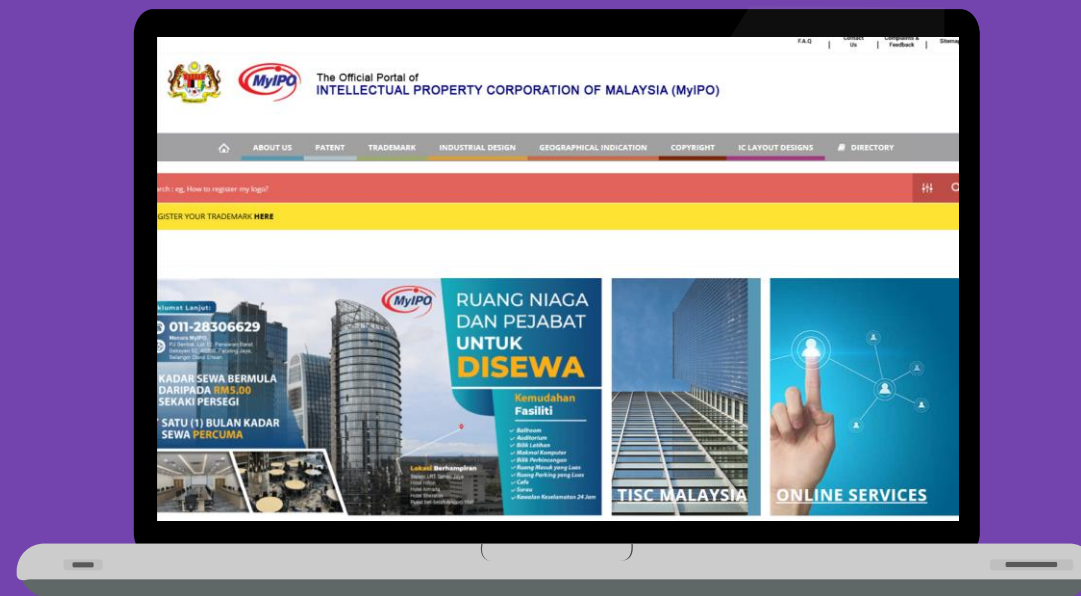
INVITATION AS SPEAKERS FOR BRIEFING ON THE
ENFORCEMENT OF THE GEOGRAPHICAL INDICATIONS ACT 2022



THAT'S ALL, THANK YOU

INTELLECTUAL PROPERTY CORPORATION OF MALAYSIA (MyIPO)

Aras 5, Menara MyIPO, PJ Sentral,
Lot 12, Persiaran Barat, Seksyen 52,
46200 Petaling Jaya,
Selangor Darul Ehsan
Telefon: +603-74968900
Faks: +603-74968999
Emel: ipmalaysia@myipo.gov.my



WILAYAH TIMUR

A21-GF, No 1&2,
Blok A, Kuantan
Perdana,
Commercial
Centre, Jalan Tun
Ismail 1, 25000
Kuantan, Pahang

WILAYAH UTARA

No 77, Tingkat
Bawah, Jalan Todak
6, Sunway Perdana,
13700 Seberang
Perai Tengah, Pulau
Pinang

WILAYAH TENGAH

Lot 1-24 & 1-25
Aras 1, Menara
MITC Jalan
Konvensyen,
Kompleks MITC,
75450 Ayer Keroh,
Melaka

WILAYAH SELATAN

P3-UTC-03 & 04,
Podium 3, Menara
Ansar, Jalan Trus
80000 Johor
Bahru,
Johor

WILAYAH SABAH

Unit No 11, Tingkat
2 & 3, Blok B,
Warisan Square,
Jalan Tun Fuad
Stephens,
Beg Berkunci 2068,
88999 Kota
Kinabalu, Sabah

WILAYAH SARAWAK

Lot 9936 (Sub Lot
5), Tingkat 3,
Queen's Court,
Blok E, Jalan Wan
Alwi,
93350 Kuching,
Sarawak

