



SUPPORTING GI PRODUCERS IN PROTECTING & ENFORCING **GI RIGHTS**

PHILIPPINES

MAY 5, 2025, SIEM REAP, CAMBODIA

GI IN THE PHILIPPINES: AN OVERVIEW



1998

- Republic Act No. 8293 (IP Code) – GI is an IPR
- GI protection is implemented through TM system



2022

- Rules and Regulations on GI



2023

- Registered 1st GI: Guimaras Mangoes



OBJECTIVES:



Establish a GI registration system
in the Philippines

Enhance GI protection

Promote respect and effective use
of the IP system

Build the competitive advantage
of our local products





SALIENT FEATURES

Extends TRIPS Art.23.1 high level of protection to goods outside wines & spirits



SALIENT FEATURES

Disclaimer of generic, common or Customary name component of a GI

In general, a name or term is considered generic, customary or common if it is understood by the general public in the Philippines or the relevant consumers of the goods covered by the geographical indication to be the product itself or the name and denomination used to refer to the goods themselves.

DISCLAIMER: WHISKY

Evocation



Case C-614/17

SALIENT FEATURES

Refusal if the name is an evocation of an earlier filed or registered GI

- 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



SALIENT FEATURES

ADMINISTRATIVE REMEDIES

ANY INTERESTED PARTY MAY FILE

- **Pre-registration:** THIRD-PARTY OBSERVATION (opposition)
- **Post Registration:** REVOCATION



SPECIAL PROVISIONS

INDIGENOUS CULTURAL COMMUNITIES/ INDIGENOUS PEOPLES

Waiver of Fees: The Director General is authorized to grant a partial or total waiver of fees for applications filed by recognized indigenous cultural communities/indigenous peoples

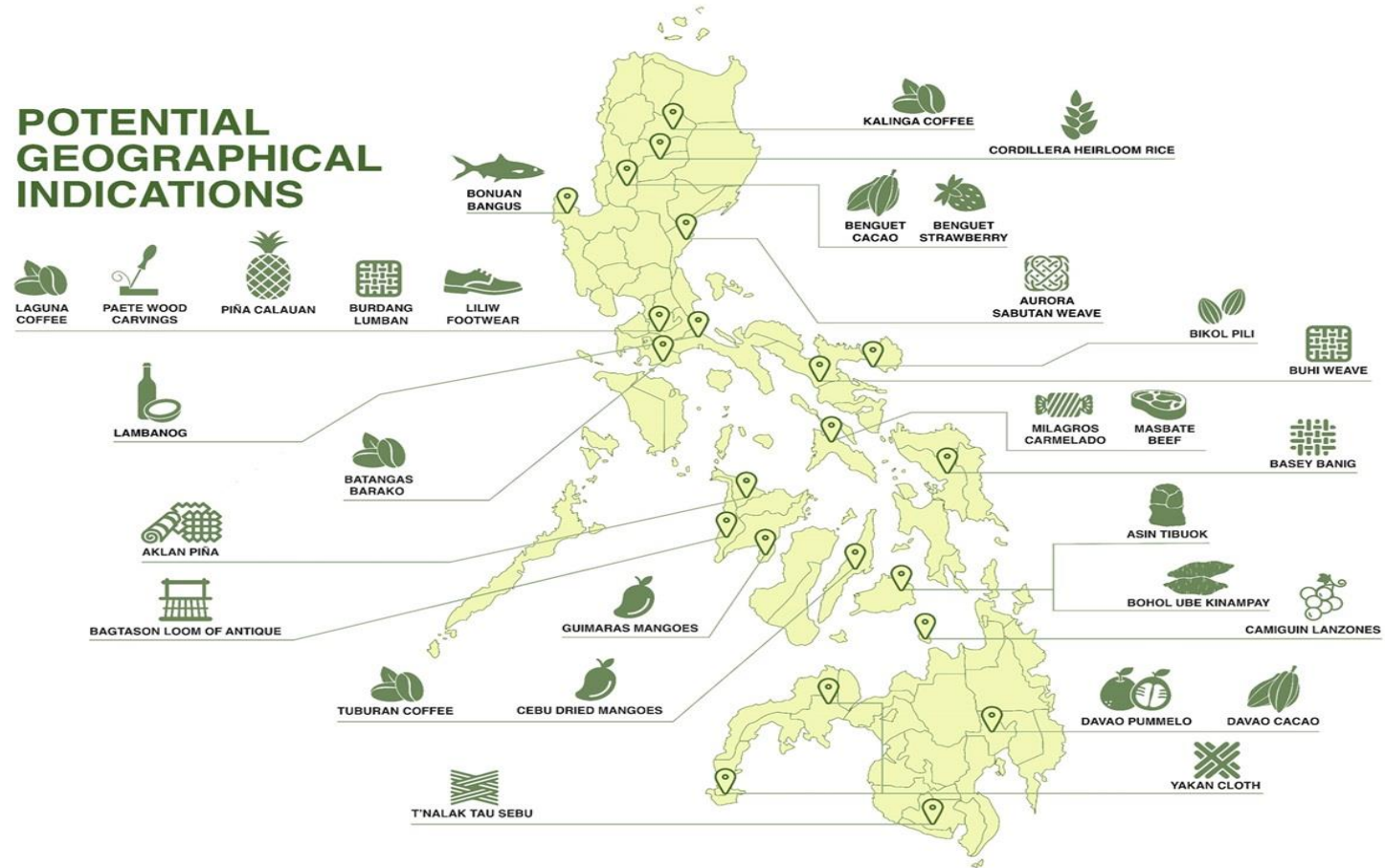
Capacitate and Assist: In the filing of the applications and compliance with the prescribed requirements

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



30 POTENTIAL GEOGRAPHICAL INDICATIONS

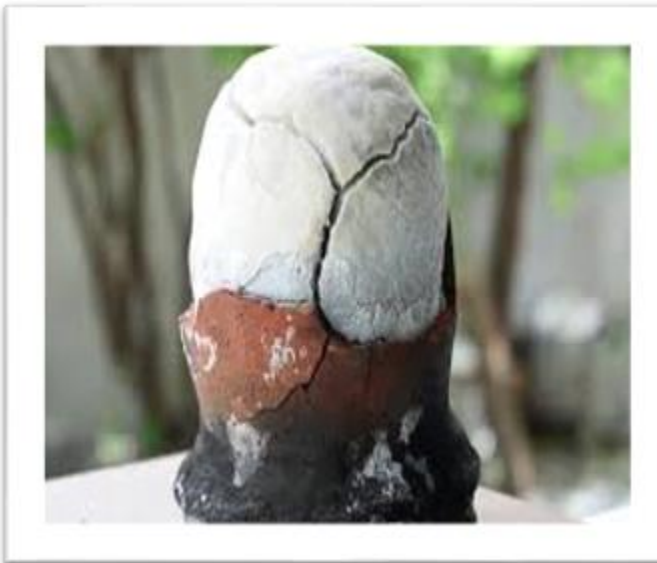


GI applications

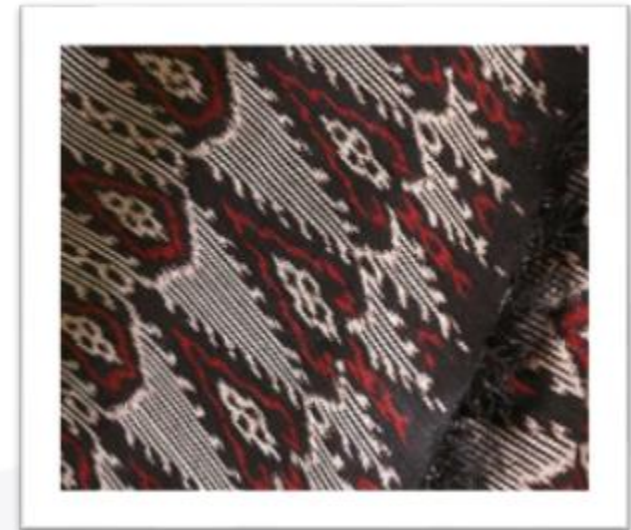
AKLAN PIÑA



ALBURQUERQUE ASIN TIBUOK



LAKE SEBU TNALAK



CHALLENGES

Low awareness of GI
and its benefits

Organizational development of
producers and other key players
in the value chain

Building entrepreneurial
culture among GI groups

Acquiring collective action
to sustain GI initiatives

ENFORCEMENT



CONSULTATIONS AND CAPACITY BUILDING INITIATIVES



CONSULTATIONS AND CAPACITY BUILDING INITIATIVES



Documentation, Information &
Technology Transfer Bureau

Date	Potential GI
March 23, 2023	Ifugao Baya Rice Wine
August 17, 2023	Batangas Barako Coffee
October 24, 2023	Dagupan <u>Bangus</u>
November 9, 2023	Bukidnon Products
November 10, 2023	<u>Bagtason Handwoven Patagyong</u> of Antique
July 10, 2024	<u>Camiguin Lanzones</u>
August 14-16, 2024	<u>Bohol Ubi Kinampay</u>
2025	<u>Inaul weave (BARMM)</u>

GI initiatives

INTER-AGENCY COOPERATION ON PHILIPPINE HANDLOOM WEAVING



National Handloom Weaving Framework to support and strengthen the Philippine Weaving Industry.

National Handloom Weaving Council – develop the handloom weaving industry roadmap, promote Philippine handloom woven textiles, and **strengthen intellectual property protection**, among others

GI initiatives

“PROMOTION OF GI IN THE PHILIPPINES” PROJECT



- Legislative support for the GI national scheme
- Reinforcement of the capacities of national authorities responsible for the administration, protection and verification of GIs
- Strengthening Guimaras Mango as the first registered GI
- Selection of 2 high-potential GI products
- Development of local capacities for accompanying value chain actors and GI groups in their GI development

CHALLENGES IN ENFORCEMENT



GAP IN THE CURRENT LEGAL FRAMEWORK

Lack of Explicit Enforcement Mechanisms

- ❑ **Administrative penalties** for unauthorized use of GIs
- ❑ **Ex-officio actions** by the Registrar to investigate violations without a complaint



GAP IN THE CURRENT LEGAL FRAMEWORK

INADEQUATE QUALITY CONTROL PROVISIONS

The Regulations require a **Manual of Specifications**, but does not mandate the establishment of a control system




PROPOSED GI LEGISLATION

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

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

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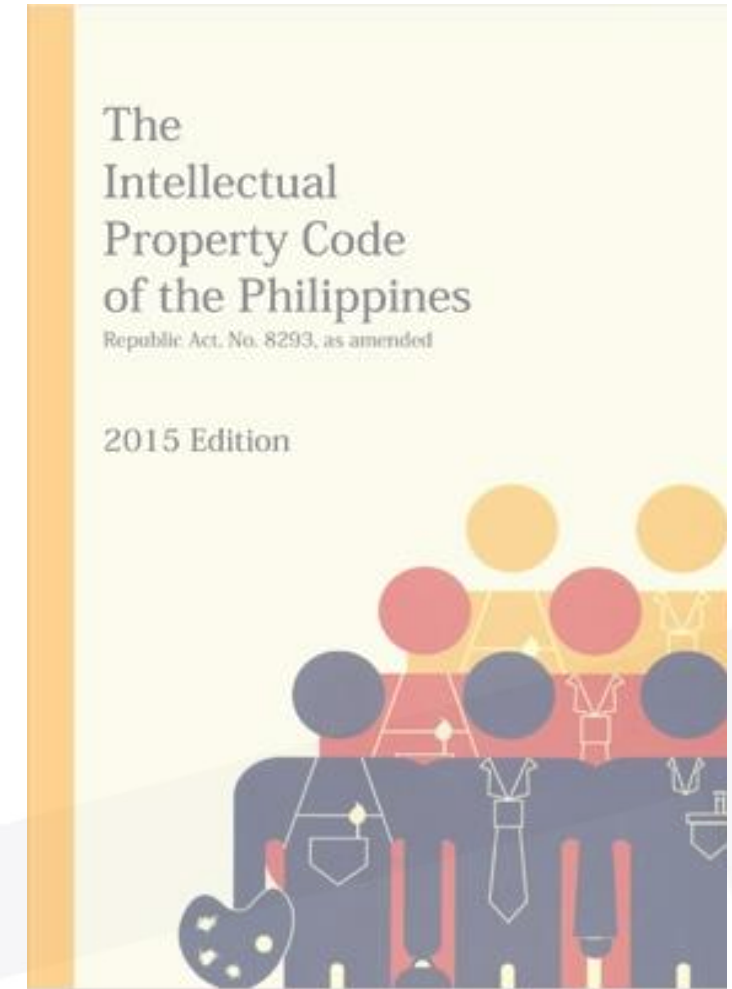
Prepared by the Committee on Trade, Commerce and Entrepreneurship with
Senators Sonny Angara, Mark Villar, Loren Legarda, and Joel Villanueva,
as authors thereof

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

- Provision on GI infringement - offense against the economic interest of the State, and prescribes the corresponding penalty therefor [Sec.39, 40]
- Manual of Specifications – control system [Sec.3 (h)]
- Provision re: Roles of Relevant Government Agencies – development and protection of GI [Sec.12]

SEC. 169 (FALSE DESIGNATIONS OF ORIGIN; FALSE DESCRIPTION OR REPRESENTATION) SEC. 170 (PENALTIES)

- ❖ Use of **false/misleading designations of origin**, descriptions, or representations in commerce that:
 - Cause **confusion/deception** about affiliation, origin, or approval of goods/services.
 - **Misrepresent** the nature, quality, or **geographic origin** of goods/services in advertising.
- ❖ **Liability:** Civil action for **damages and injunctions** (Sec. 156–157) by affected parties.



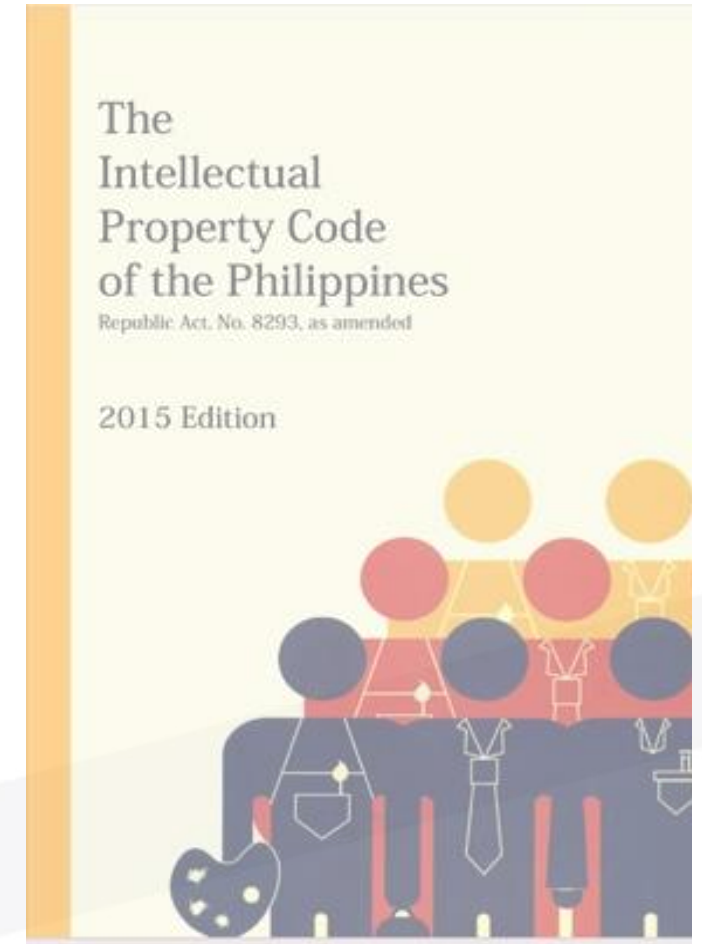
SEC. 169 (FALSE DESIGNATIONS OF ORIGIN; FALSE DESCRIPTION OR REPRESENTATION) SEC. 170 (PENALTIES)

❖ Customs Enforcement (Sec. 169.2):

- Goods with **false origin labels** are **barred from importation** into the Philippines.
- Importers may appeal under customs laws or seek remedies under the IP Code.

❖ Penalties:

- Imprisonment 2-5 years
- Fines – P50,000-P200,000



THE PATH FORWARD FOR GI ENFORCEMENT



Cultural Preservation



Collaborative Action



Economic Opportunity



Enhanced Legal Framework



The Philippines stands at a critical juncture for GI development.

With proper enforcement mechanisms, Filipino GIs can drive sustainable rural prosperity.



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