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The New Progress on Protection for Geographical Indications in China

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New Development of GI Protection in China

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I. Chinese Government attaches great importance to the registration and protection of GIs

- With a long history and vast territory, China possesses numerous traditional cultural heritages and multiple material resources.
- In respect of registration, the Trademark Office under the State Administration for Industry and Commerce (SAIC) received over 600 applications for GI registration from 1995 to last May.
- In respect of protection, the Trademark Office put GI protection on its top priority in the Campaign for Protecting Trademark Exclusive Rights.



Application of GIs in China (1995-May,2005)

- Total: over 600
- foreign:32
- the United States 8
 - Italy 8
 - Thailand 5
 - Mongolia 4
 - Jamaica 2
 - Germany 2
 - Mexico 2
 - the United Kingdom 1



GIs Registration in China (1995-May,2005)

- Total: 117
- preliminarily approved: 25
- Foreign: 17
 - The United States 3
 - Jamaica 2
 - Thailand 5
 - Italy 4
 - Germany 1
 - Mexico 2



II. China protects GIs via trademark system, which effectively promotes the development of local economy.

Case Study: Anxi Tieguanyin Tea

One of the best oolong Teas.



The registration for “Anxi Tieguanyin” as a certification mark (GI) greatly promoted the development of Anxi County :

- **tea output has increased continuously.**

In 2005, the tea output in Anxi County was 42,000 tons, with an output value involving tea totaling 4.5 billion RMB. Tea industry has become the pillar industry of Anxi County.

- **with enhanced quality the tea prices keep going up.**

qualifying rates over 98.5% during sample tests.

price doubled compared with that of 2000



- **the tea market has been further explored.**

four large domestic markets: Fujian, Guangdong, the Yangtze River Region and the North

gradually extended to the central and western regions.

overseas markets: Japan, Southeastern Asia, other 60 countries and regions in Europe and America.

- **the tea industrial chain has been extended.**

serial products: canned tea and health tea

tea culture tourism, tea machinery and tea food industry also developed.



- **tea growers' income has risen by a large scale.**

In 1999, when the GI was granted protection, only 790 yuan RMB per capita

In 2005, 3400 yuan RMB per capita with an increase of more than 4.3 times.



The above-mentioned facts illustrate that the registration and use of GI “Anxi Tieguanyin” has contributed to the development of Anxi tea industry.

A county head of Anxi, “Anxi Tieguanyin has changed the destiny of millions of farmers in Anxi and transformed the history of Anxi social and economic development.



III. The Chinese Government takes an active part in international exchanges.

- In May 2005, “**APEC Technical Assistance Program: Geographical Indications**” was held in Beijing.
- In November 2005, the State Administration for Industry and Commerce (SAIC) and the World Intellectual Property Organization (WIPO) jointly held the “**Inter-regional Symposium on the Strategic Use of Trademarks for Economic Development, with Particular Reference to Rural Development**”
- From May 22 to 26,2006, the Trademark Office under the SAIC held **seminars on GI protection** in Beijing and Xiamen jointly with the United States Patent and Trademark Office (USPTO).



Participants agree that protecting GI through trademark system has the following advantages:

- A. It can make full use of the current trademark registration system so that no extra implementing bodies or human, financial resources are needed in respect of GI registration and protection.
- B. Domestic registration can form the basis for foreign registration.
- C. The domestic registration can be put on record in the administrative authorities of customs , thus preventing the importation of foreign infringing products .
- D. The trademark law system complies with the national treatment principle enshrined in the WTO.
- E. The fact of using trademark system to protect GI defines the nature of GI as private right.



IV. The important role of GI should be brought into full play to promote the economic development of Asia and the Pacific region.

GI protection is conducive to diversification of the market, to exerting nations' comparative advantages, to promoting a nation's comprehensive competitiveness and to the enhancement of international economic exchanges. APEC economies have long histories of civilization and have accumulated rich resources with GI factors. We should bring the advantages of the nations into full play and promote the economic development of the region by joint efforts and enhanced cooperation.