



A STUDY OF THE IMPACT OF GEOGRAPHICAL INDICATIONS IN INDIAN CONTEXT: AN ACCELERATOR TO VOCAL FOR LOCAL

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ABSTRACT

People, who invented things in early times, such as artists, musicians, and writers, composers or recorded their works of fame rather than earning money. They did not intend to commercialize their creation. One type of intellectual property is geographical indicators. Geographical indicators are intellectual property rights that identify something as good as coming from a specific geographic region. The quality and reputation of these goods is largely due to their origin, hence their names refer to their region of production.

The study was done by convenience sampling technique. The sample targeted the merchants from manifolds of sectors in Lucknow, Uttar Pradesh. Questionnaires were used to obtain the relevant primary data. The secondary data has been collected by published records, books, research papers, documents, and websites. The analysis leads to the conclusion that the majority of merchants are unaware of the geographical indications of goods. They are uninformed about the significance and advantages of geographical indications. It has been found that awareness of geographical indications may be the prospective tool for the "Vocal for Local".

KEYWORDS: *Geographical Indications, Merchants, Vocal for Local, Business, Economy*

1. INTRODUCTION

The unprecedented expansion of the global trading platform has brought markets nearer together than it has ever been. Depending on the size of the international trade liberty, concerns are, among other things, based on the protection of intellectual property rights to the commodity market. The World Trade Organization exists in the form of international trade rules in the context of emerging international economies. They include not only major commercial and economic stakes but also important social and historical and cultural values.

The state of the IP environment poses another potential problem in international trade as the product may not be adequately protected in the traditional country due to local legal procedures but not the same or similar level of protection in other areas where the types of protection can be very different. From Darjeeling tea to Basmati rice, India has seen a variety of products from a country that has made a name for itself in world markets. Geographical indicators are therefore shared property rights, identifying as good as coming from a particular local region. The quality and reputation of these goods are largely due to their origin, hence their names refer to their region of production. This Geographical Indications (GI) tag will be an important tool for the campaign "vocal for local".

The formation of a judicial framework for Geographical Indication (GI) protection in India is quite new. The Geographical Indications of Goods (Registration and Protection) Act was enacted in 1999 and came into effect in September 2003 (to be called the GI Act). The Act allows local property norms to be recorded and legally insulated. A GI-registered product is Basmati Rice, for example. Basmati is a one-of-a-kind aromatic rice that is traditionally grown only in the Indo-Gangetic plains of India and Pakistan. Basmati, a fragrance rice with a longer texture and soft grain, has been grown in the Himalayan foothills for a long time. The rare agricultural conditions of the region give the Basmati rice certain characteristics, both physical and emotional, that aren't found anywhere else and can't be reproduced. This distinguishes Basmati as a premium product in the international market, and its diversity must be preserved and protected.

2. LITERATURE REVIEW

Geographical Indication of Goods is an aspect of an industrial area that refers to the representation of a country or place of origin as a country or product area. Geographical Indication (GI) helps the producer community to distinguish its products from other competing products available in the market and to make a positive impression on its products. GI functions as a signalling mechanism by assisting consumers in selecting high-quality products. The sole right to use their product standards in that region is granted by Geographical Indications (GI) to regional producers. It also means that they have the authority to prevent any use or imitation of a brand on a product that does not appear in a designated area or has GI-certified credentials.

Among various GI research studies, the following are highlighted as previous studies in this field which has been selected by the researcher to conduct this study:



2.1 Rangnekar, Dwijen (2003); in accordance to the TRIPS agreement, Rangnekar, Dwijen (2003) described two constraints for the protection of Geographical Indicators. There are two requirements: (a) The sign must be positive and can include non-geographic words, icons, words, or phrases; and (b) a sign should only be used to identify the selected location.

2.2 Hirwade Mangala (2006) refers to the current state of GI in India as well as the list of registered GI as of 31 January 2006. They've seen that three teas from Kenya, Sri Lanka, have been marketed as 'Darjeeling tea,' originally implying a beautiful scented product from North Bengal, whence it gets its name. Companies in France and the United States have been producing rice based on the 'Basmati' varieties in those countries, and they are registering trademarks pointing to 'Basmati,' in order to profit from this well-known local name. A good example of the illicit exploitation of a well-known geographical indications (GI) from India is a US patent on 'Basmati Rice Lines and Grains' granted by Rice Tec Inc. in Texas.

2.3 Mir, Farooq Ahmad & Ain, Fartual (2010) discussed a different GI that can be considered for registration under the manual sector. They also argued that the government should subsidize South African labor to take up manual labor in the realms of making money. It has been suggested that the protection of traditional craftsmanship in relation to a particular sui generis system be aligned to suit the needs of local artisans.

2.4 Ihikate N., and E Gadge, S.V. (2014) argue that the current GI Registry solely focuses on the physical environment to register GI rather than human capabilities. As a result, it is neither right nor wrong in situations when secure goods are just the result of human factors. If a handeri Sarees weaver can relocate to a better healing place, he can use his skills to make Sarees in a new place where he isn't yet known as a handeri Sarees weaver. The current situation of GI in India was examined in this document, which was licensed till July, 2011.

2.5 Gulati, Shruti (2016) analyzed the popular Indian weave case Banarasi Brocade and pointed out that the reason for getting a GI is that it becomes a market-place with that feature that separates the good from the crowd.

2.6 Manjunatha, N. K. (2016) studied the state of Geographical Indications in India especially in the state of Karnataka to assess the current state of GI in the state of Karnataka from 2003 to 2015. He pointed out that in India 28 provinces have registered their geographical indications (GI), among them Karnataka alone registered with 33 GIs until 18 November 2015.

2.7 Yadav, Sujit Kumar, et al., (2018) describes the GI framework, the product registration process, and the various stages of registration under GI in India. 289 GI tags have been issued in India for agricultural-related products, of which only 24 products have been issued in Uttar Pradesh.

3. OBJECTIVES OF THE STUDY

1. To determine the awareness and understanding level of the merchants about the geographical indications in the intellectual property in Lucknow City.
2. To analyse the various issues faced by the merchants in the State of Uttar Pradesh with special reference to Lucknow City.

4. SCOPE OF THE STUDY

The aim of the study is to understand consumer perception about the knowledge and information regarding geographical indications in the intellectual property. The main scope is to understand the people attitude towards the implications of geographical indications in the State of Uttar Pradesh with special reference to Lucknow City. A survey of 120 merchants was undertaken, and data was gathered using a prepared questionnaire.

4.1. Methodology

The study's data is gathered using a standardised questionnaire from merchants from myriad of industries. The procedure of data analysis was done through the use of percentage. Tables and charts were used to interpret the data.

4.2. Data Collection

The study's data is made up of both primary and secondary sources.

4.3. Primary Data

A Google Form was used to accumulate the primary data for examination. The questionnaire was sent to 120 merchants. But only 100 of them responded.

4.4. Secondary Data

Secondary data for this study was collected from published records, statistical data, research reports and documents. These are also collected from volumes, journals and forums.

4.5. Sample Design-

The study was based on a survey method and the aim was to find the perception of the merchants towards geographical indications. The researcher has collected 100-random responses from vast range of customers by convenience sampling method.

5.DATA ANALYSIS AND INTERPRETATION-

Q1-Do you know the meaning of geographical indication?

Table: 1

PARTICULARS	NO. OF RESPONDENTS	PERCENTAGE VALUE (%)
Yes	32	32%
No	68	68%
TOTAL	100	100%

Chart: 1

INTERPRETATION

Out of a total of 100 respondents in the above-given information regarding the meaning of geographical indication, 68 respondents (68% of the studied representatives) do not have any idea about the concept of geographical indication however 32 respondents knew about it (32% of the studied representatives).

Q2-Geographical Indication provides various rights?

PARTICULARS	NO. OF RESPONDENTS	PERCENTAGE VALUE (%)
Agree	3	3%
Strongly Agree	14	14%
Neutral	63	63%
Disagree	14	14%
Strongly Disagree	6	6%
TOTAL	100	100%

Table: 2

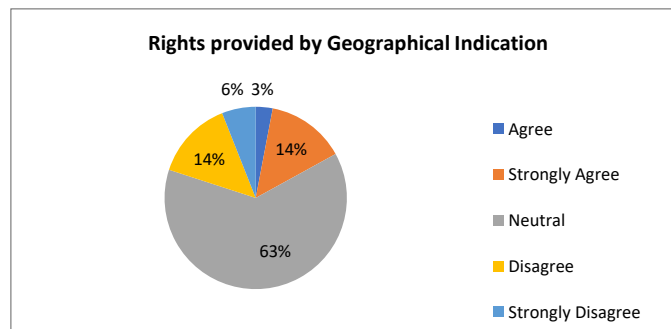


Chart: 2

INTERPRETATION

Out of a total of 100 respondents in the above-given information regarding the various rights of the geographical indications, 3 respondent (3% of the studied representatives) agree with it, 14 respondents (14% of the studied representatives) strongly agree with it, 63 respondents (63% of the studied representatives) were neutral, 14 respondents (14% of the studied representatives) disagree with it, 6 respondents (6% of the studied representatives) strongly disagree with it.

Q3-Geographical Indications can be used for all types of products.

PARTICULARS	NO. OF RESPONDENTS	PERCENTAGE VALUE (%)
Agree	10	10%
Strongly Agree	14	14%
Neutral	6	6%
Disagree	47	47%
Strongly Disagree	23	23%
TOTAL	100	100%

Table: 3

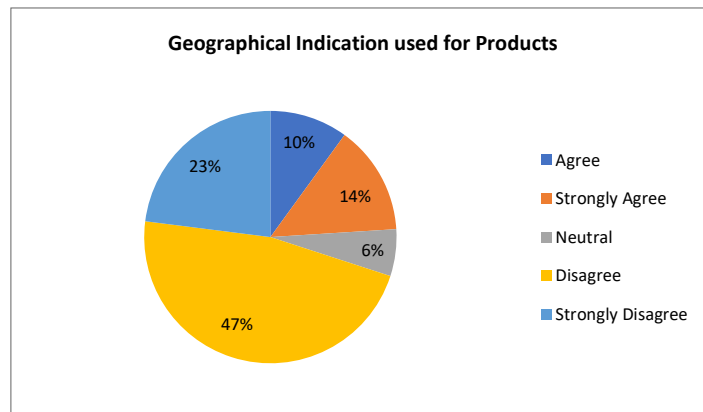


Chart: 3

INTERPRETATION

Out of a total of 100 respondents in the above-given information regarding the types of products in the geographical indications, 10 respondents (10% of the studied representatives) agree with it, 14 respondents (14% of the studied representatives) strongly agree with it, 6 respondents (6% of the studied representatives) were neutral, 47 respondents (47% of the studied representatives) disagree with it, 23 respondents (23% of the studied representatives) strongly disagree with it.

Q4- Do you know that how is geographical indications protected?

PARTICULARS	NO. OF RESPONDENTS	PERCENTAGE VALUE (%)
Yes	24	24%
No	76	76%
TOTAL	100	100%

Table: 4

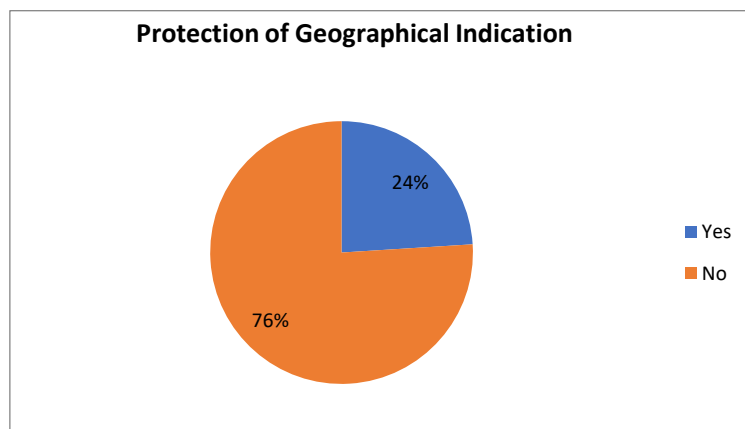


Chart: 4

INTERPRETATION

Out of a total of 100 respondents in the above-given information regarding the process of the protection of geographical indications, 23 respondents (76.67% of the studied representatives) do not have any idea about the concept of geographical indication however 7 respondents knew about it (23.33% of the studied representatives).

Q5-Do you know that how long geographical indication protection does lasts?

PARTICULARS	NO. OF RESPONDENTS	PERCENTAGE VALUE (%)
Yes	7	7%
No	93	93%
TOTAL	100	100%

Table: 5

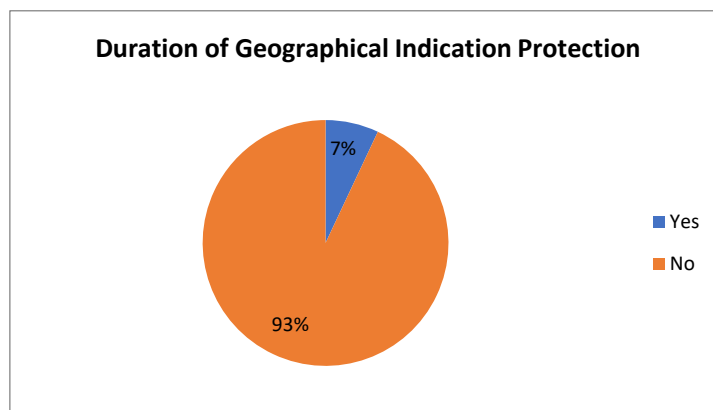


Chart: 5

INTERPRETATION

Out of a total of 100 respondents in the above-given information regarding the duration of geographical indication protection, 93 respondents (93% of the studied representatives) do not have any idea about the concept of geographical indication however 7 respondents knew about it (7% of the studied representatives).

Q6-Everyone can use a Protected Geographical Indication.

Table: 6

PARTICULARS	NO. OF RESPONDENTS	PERCENTAGE VALUE (%)
Agree	20	20%
Strongly Agree	14	14%
Neutral	13	13%
Disagree	23	23%
Strongly Disagree	30	30%
TOTAL	100	100%

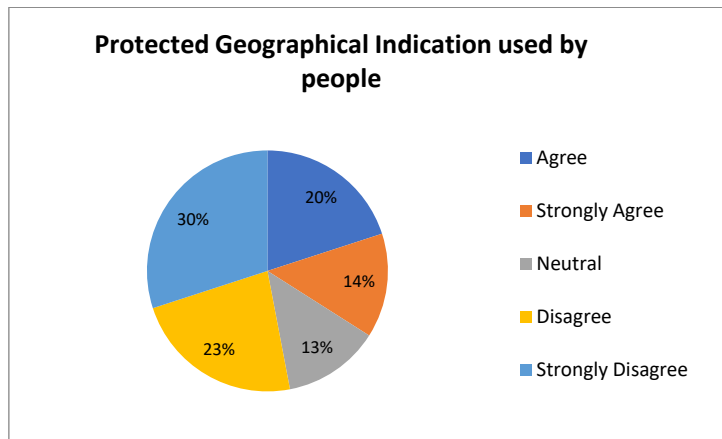


Chart: 6

INTERPRETATION

Out of a total of 100 respondents in the above-given information regarding the use of protected Geographical Indication, 20 respondents (20% of the studied representatives) agree with it, 14 respondents (14% of the studied representatives) strongly agree with it, 13 respondents (13% of the studied representatives) were neutral, 23 respondents (23% of the studied representatives) disagree with it, 30 respondents (30% of the studied representatives) strongly disagree with it.

Q7- Do you know that how are geographical indication rights enforced?

Table: 7

PARTICULARS	NO. OF RESPONDENTS	PERCENTAGE VALUE (%)
Yes	17	17%
No	83	83%
TOTAL	100	100%

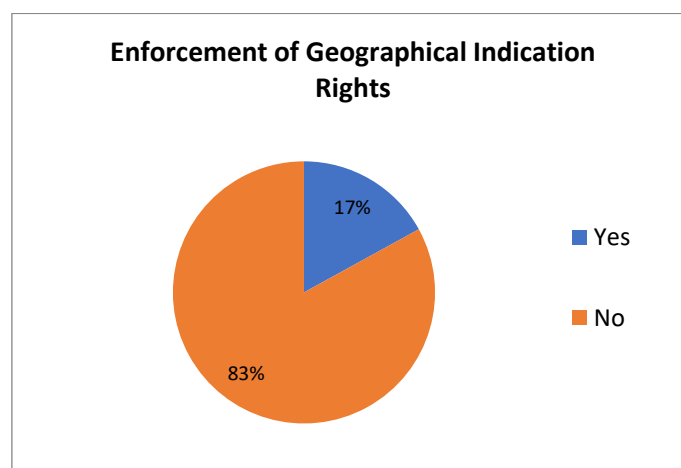


Chart: 7

INTERPRETATION

Out of a total of 100 respondents in the above-given information regarding the enforcement of geographical indication rights, 83 respondents (83% of the studied representatives) do not have any idea about it however 17 respondents knew about it (17% of the studied representatives).

Q8- Do you know that who grants protection for geographical indications?

PARTICULARS	NO. OF RESPONDENTS	PERCENTAGE VALUE (%)
Yes	27	27%
No	73	73%
TOTAL	100	100%

Table: 8

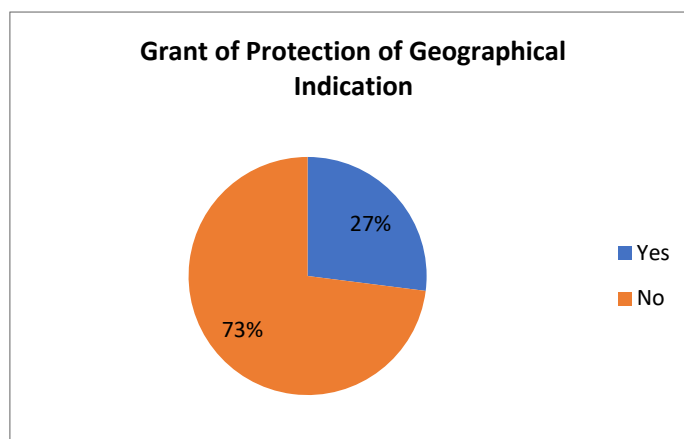


Chart: 8

INTERPRETATION

Out of a total of 100 respondents in the above-given information regarding the protection for geographical indications, 73 respondents (73% of the studied representatives) do not have any idea about it however 27 respondents knew about it (27% of the studied representatives).

Q9-The process of obtaining the geographical indication protection is costly.

PARTICULARS	NO. OF RESPONDENTS	PERCENTAGE VALUE (%)
Agree	23	23%
Strongly Agree	30	30%
Neutral	37	37%
Disagree	6	6%
Strongly Disagree	4	4%
TOTAL	100	100%

Table: 9

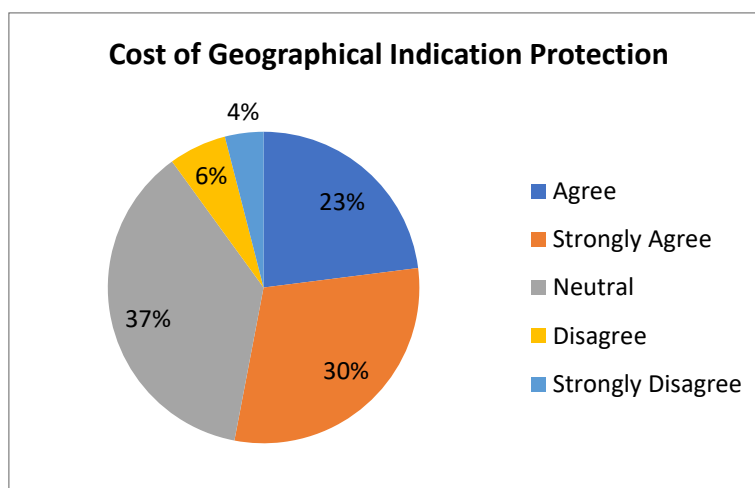


Chart: 9

INTERPRETATION

Out of a total of 100 respondents in the above-given information regarding the process of obtaining the geographical indication protection is costly, 23 respondents (23% of the studied representatives) agree with it, 30 respondents (30% of the studied representatives) strongly agree with it, 37 respondents (37% of the studied representatives) were neutral, 6 respondents (6% of the studied representatives) disagree with it, 4 respondent (4% of the studied representatives) strongly disagree with it.

Q10- Do you know that what practical steps one has to take to obtain geographical indication protection?

PARTICULARS	NO. OF RESPONDENTS	PERCENTAGE VALUE (%)
Yes	16	16%
No	84	84%
TOTAL	100	100%

Table: 10

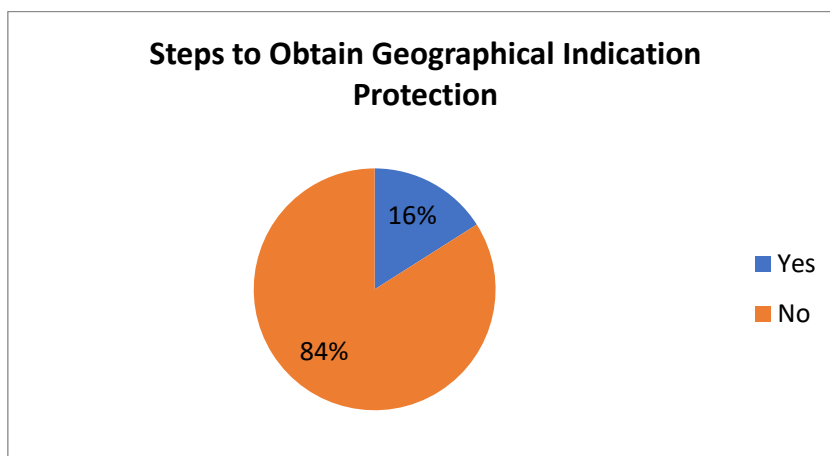


Chart: 10

INTERPRETATION

Out of a total of 100 respondents in the above-given information regarding the practical steps, one has to take to obtain geographical indication protection, 84 respondents (84% of the studied representatives) do not have any idea about it however 16 respondents knew about it (16% of the studied representatives).

Q11-Geographical Indications impact your business and the relevant State.

PARTICULARS	NO. OF RESPONDENTS	PERCENTAGE VALUE (%)
Agree	7	7%
Strongly Agree	6	6%
Neutral	64	64%
Disagree	13	13%
Strongly Disagree	10	10%
TOTAL	100	100%

Table: 11

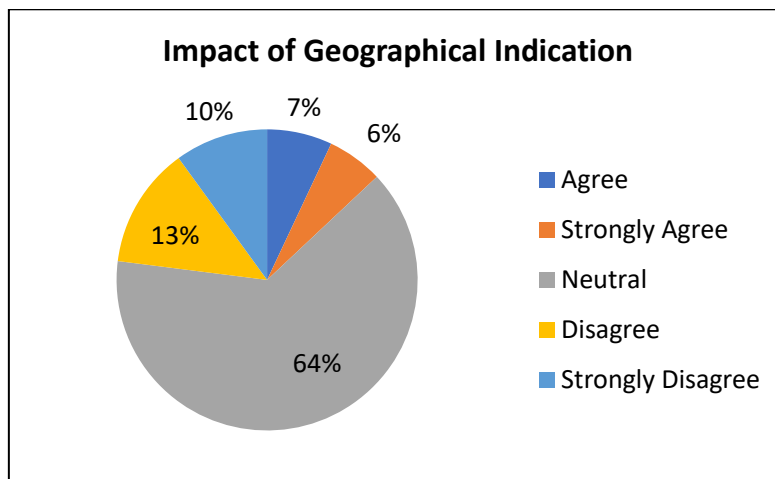


Chart: 11

INTERPRETATION

Out of a total of 100 respondents in the above-given information regarding the Geographical Indications that impact your business and the relevant State, 7 respondents (7% of the studied representatives) agree with it, 6 respondents (6% of the studied representatives) strongly agree with it, 64 respondents (64% of the studied representatives) were neutral, 13 respondents (13% of the studied representatives) disagree with it, 10 respondents (10% of the studied representatives) strongly disagree with it.

Q12-It is advantageous to the business of that product that has obtained the protection for a geographical indication.

PARTICULARS	NO. OF RESPONDENTS	PERCENTAGE VALUE (%)
Agree	10	10%
Strongly Agree	9	9%
Neutral	57	57%
Disagree	11	11%
Strongly Disagree	13	13%
TOTAL	100	100%

Table: 12

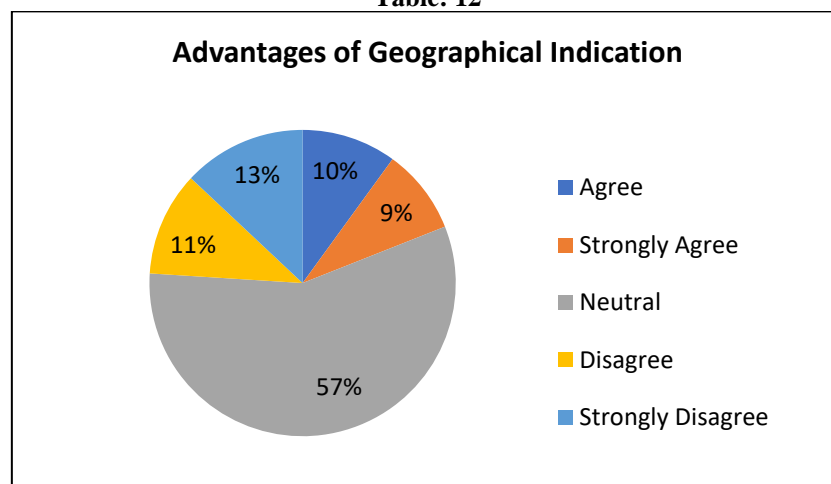


Chart: 12

INTERPRETATION

Out of a total of 100 respondents in the above-given information regarding the advantages to the business of that product which has obtained the protection for a geographical indication, 10 respondents (10% of the studied representatives) agree with it, 9 respondents (9% of the studied representatives) strongly agree with it, 57 respondents (57% of the studied representatives) were neutral, 11 respondents (11% of the studied representatives) disagree with it, 13 respondents (13% of the studied representatives) strongly disagree with it.

6. FINDINGS

- 1- Only 32% of the total 100 respondents knew the meaning of geographical indication, while 68% of the total respondents of the study do not have any idea about the concept of geographical indications.



- 2- Most of the respondents do not have any idea about the various rights of the geographical indications while only 17 respondents agree with it.
- 3- Most of the respondents were disagree about the types of products in the geographical indications however only a few respondents knew about it.
- 4- 76% of the respondents have no idea about the process of the protection of geographical indications however only a few respondents knew about it.
- 5- Most of the respondents have no idea about the duration of geographical indication protection however only a few respondents knew about it.
- 6- 30% of the respondents were strongly disagreeing with the idea of the usage of protected Geographical Indications while very few respondents agreed with it.
- 7- Most of the respondents do not have any idea about the enforcement of geographical indication rights however only a few respondents knew about it.
- 8- Most of the respondents do not have any idea about the protection for geographical indications however only a few respondents knew about it.
- 9- Most of the respondents have no idea about the process of obtaining the geographical indication protection is costly while a few respondents agreed about it.
- 10- Most of the respondents have no idea about the practical steps one has to take to obtain geographical indication protection while very few respondents knew about it.
- 11- Most of the respondents have no idea about the impact of the Geographical Indications on the business and the relevant State while few respondents disagreed with it.
- 12- Most of the respondents have no idea about the advantages to the business of that product which has obtained the protection for a geographical indication while few respondents strongly disagreed with it.

7. LIMITATIONS OF THE STUDY

The present study has the following limitations:

- The research was limited to Lucknow city.
- As Geographical Indications (GI) is a comparatively new concept in India, the amount of literature available on the topic is minimal.
- At this time, a lack of knowledge and cognizance does not provide the business unit with significant growth augmentation.
- The empirical studies on Geographical Indications (GI) are scarce.
- The lack of access to scholarly papers is a significant gap.
- The producing market and trading market are separated.

8. CONCLUSION

India has a long history of thriving cultures that have endured for centuries. In addition, it is biologically diversified and has a huge spectrum of agricultural conditions, leading to a plethora of agricultural IRR products and other sectors. Because most GIs are tied to rural ethnicities, geography, and healthcare, they have a lot to do with creating a product image of these unique products by emphasising the cultural aspects associated with them. The majority of registered items take advantage of market opportunities, which benefits manufacturers. Effective coordination and collaboration among organizations is critical to reducing redundancy of effort and increasing return on investment in the process of maximising the financial and commercial potential of GIs in India.

In a country like India, GI registration is crucial, as evidenced by the case of Basmati rice, where foreign earnings are worth Rs. 38,443 pounds. The Chikankari sector generates \$600 million in annual revenue. Uttar Pradesh produces about 15% of the country's total textile production. The Chikankari sector employs over 30% of India's total artist population. Chikankari contributes 8.12 percent of U. GD (annual revenue: \$ 1.2 billion). The direction of han clothing shipment is estimated to be 60 kilometres. Indirect efforts can be worth at least 200 crores per year. India produces nearly 45 percent of all manga in the world. Andhra Pradesh, Uttar Pradesh, Maharashtra, Karnataka, Bihar, Gujrat, West Bengal, Disha, Kerala, and Tamil Nadu are some of the major mango producing. Currently, only a small number of goods are registered under the GI, and many other products from various locations have the ability to register.

Knowledge of potential products in relation to the registration process and its socio-economic benefits, as well as the necessity of collaboration between producers and suppliers, should all be improved in order to acquire a GI mark. It will be crucial in raising awareness for the local campaign.

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