

## Geographical Indication ("GI") Legislation in Singapore

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Following the European Parliament's consent for the European Union-Singapore Free Trade Agreement (EUSFTA), the Registry of Geographical Indications was launched by the Intellectual Property Office of Singapore to allow registration of geographical indications ("GIs") effective from 01 April 2019.

Prior to this, trader or association of such producers or traders of any GI enjoyed automatic protection as long as the GIs were protected in its country of origin that is party to the Paris Convention or a member of the World Trade Organisation and there was no need to file for registration to obtain protection of GIs in Singapore. They could also opt to register the GI as a certification or collective mark under the Singapore Trade Marks Act.

Under the new regime, the Geographical Indications Act 2014 and its subsidiary legislation, the Geographical Indications Rules 2019, will form the legislation governing GIs in Singapore. Producers of GI products, associations of such producers and the relevant competent authorities will be entitled to file applications for registration of a GI used in trade to identify goods as originating from a place that is a qualifying country or a region/locality therein, and a given quality, reputation or other characteristic of the goods is essentially attributable to that place in relation to certain categories of agricultural products and foodstuffs. For GIs from qualifying countries outside Singapore, the GIs filed in Singapore must be protected in the country of origin for the goods for which the GI applies.

For now, only manual submission of forms are available and online filings are not acceptable as yet. The minimum filing information and documents are as follows:

- a) The name, address and nationality of the applicant.
- b) The capacity in which the applicant is applying for registration (e.g. producer / association / a competent authority).
- c) The representation of the GI for which registration is sought.
- d) The precise geographical area (the demarcation of the territory of the country, or region, or locality in that territory) to which the GI applies.
- e) The goods to which the GI applies.

### *Categories of Goods*

An application for registration of a GI may only be sought in respect of goods falling within one or more of the categories of goods set out in the Schedule of the GI Act. The categories of goods are as follows:

1. Wines
2. Spirits
3. Beers
4. Cheese

5. Meat and meat products
  6. Seafood
  7. Edible oils
  8. Non-edible oils
  9. Fruits
  10. Vegetables
  11. Spices and condiments
  12. Confectionery and baked goods
  13. Flowers and parts of flowers
  14. Natural gum
- f) The quality, reputation or other characteristic of the goods and how that quality, reputation or other characteristic is essentially attributable to the place from which the goods originate.
- g) Evidence in the form of a legal document (such as a legislative or regulatory provision, judicial decision and/or national or regional registration) that the GI has obtained recognition or registration as a GI in the qualifying country of origin.
- h) A transliteration in English or an English translation where any of the above information or supporting document is not in English.

An application will be examined and published with opportunity for opposition. If there is no opposition or if all opposition proceedings are resolved in favour of the applicant, the GI will be registered and an electronic Certificate of Registration will be issued. A straightforward application will take approximately 9 months to be registered. The GI will be registered for an initial period of 10 years from the filing date and is renewable every 10 years thereafter.