



Ministry of Science and Technology



# Current Situation in Myanmar concerning Geographical Indications

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# Outlines

- ❖ Introduction
- ❖ IP System in Myanmar
- ❖ Geographical Indications in Myanmar
- ❖ Conclusion



# Introduction

- ✓ World Trade Organization (WTO) - 1 Jan 1995
- ✓ ASEAN - 3 July 1997
- ✓ WIPO - 15 May 2001

**WIPO 176<sup>th</sup> member country - Myanmar**

- **Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement), 1994**
- **ASEAN Framework Agreement on Intellectual Property Co-operation, 15 Dec 1995**



# IP and MOST

- ❖ **A focal Ministry of World Intellectual Property Organization (WIPO) and responsible for IPRs.**

Since 18 August 2004, Ministry of Science and Technology has drafted new IP Laws in cooperation with Union Attorney General's Office, other related ministries based on

- TRIPS
- IP Laws of the ASEAN countries
- WIPO Conventions and Treaties



# New draft laws of IPRs

- ❖ **Patent**
- ❖ **Industrial design**
- ❖ **Trademark ( including GI provisions)**
- ❖ **Copyright**



# Discussion Meetings

- ▶ Government Ministries
- ▶ The Union Attorney General Office
- ▶ The Supreme Court of the Union
- ▶ NGOs (UMFCCI, Computer Federation, other Associations, Experts in IP laws, etc..... )
- ▶ Law Firms



# Geographical Indications (GIs) in Myanmar

- In draft trademark law, there is one chapter for Geographical Indications (GIs).
- After promulgating the draft Trademark Law, GIs can be protected.
- We have a plan to draft the separate GIs law in the future.



# What is Geographical Indications (GIs)?

Geographical indication means any indication which identifies goods as originating in the territory of a country, or a region or a locality in that territory, where a given quality, reputation or other characteristics of the goods is essentially attributable to its geographical origin;

**Geographical area + Specific product + Causal link = GI**



# Geographical Indications Products in Myanmar



**(Myanmar  
Thanakha)**



# Geographical Indications Products in Myanmar

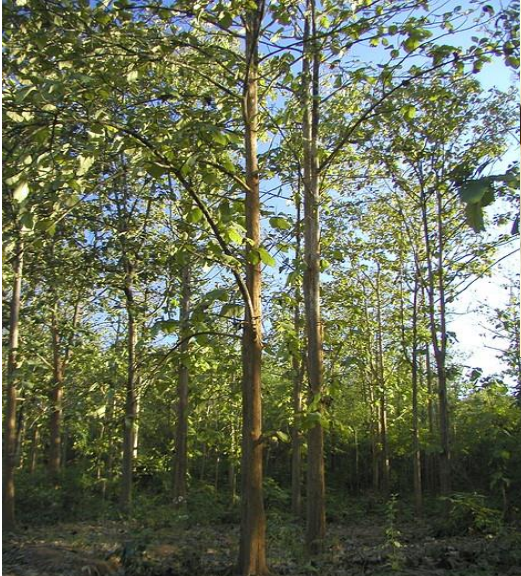


**Silk from Lotus**  
Inlay Lake, Myanmar

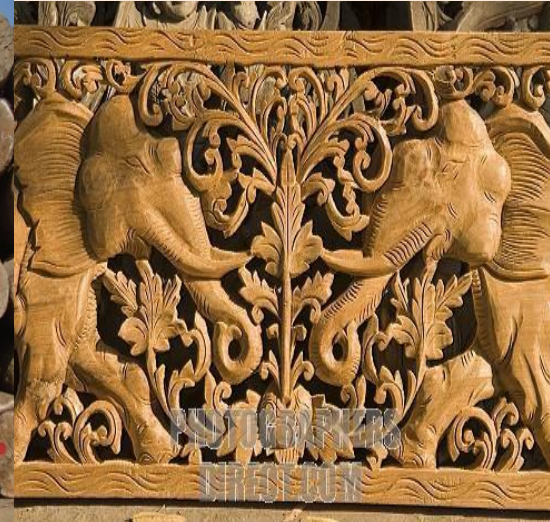
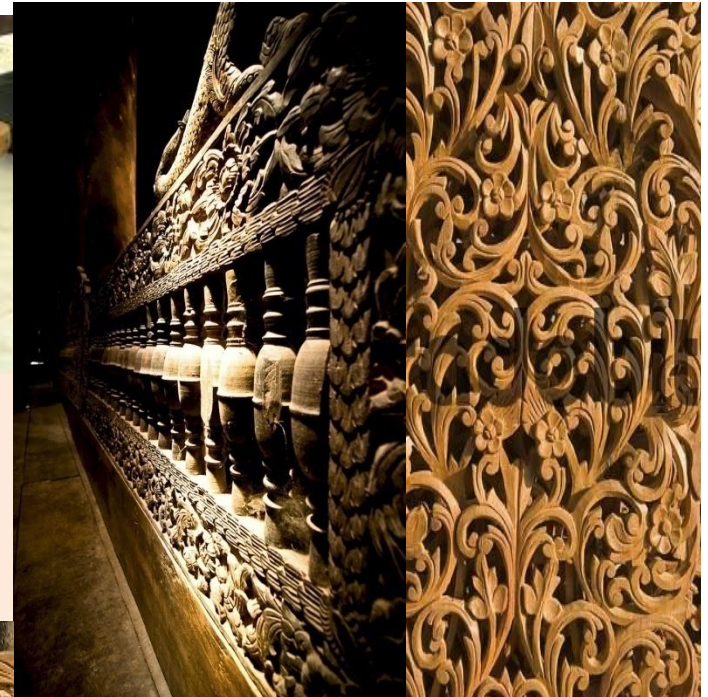




# Geographical Indications Products in Myanmar



**Myanmar  
Teak**





# Geographical Indications Products in Myanmar





# Geographical Indications Products in Myanmar

Rice imports (in tons)

2007	1.3 million
2008	0
2009	0
2010	1.8 million
2011	1.9 million





# Geographical Indications Products in Myanmar



**Myanmar  
Tea Leaf**



# Current Fruits for Export

**Our Current Products :**  
**Fresh Fruit**



**Seintalone**



**Honey Melons**



**Yinkwae**



**Watermelons**



## Who can register?

Any legal entity representing the following persons of the locality in which the relevant good is produced, desirous of registration a geographical indication shall apply to the Intellectual Property Office of Myanmar for registration in conformity with the stipulations:

- (a) persons who produce goods of natural products or natural resources;
- (b) producers of agricultural products;
- (c) producers who make handicrafts or industrial products;
- (d) All national competent authorities on behalf of the persons indicated under (a) to (c).





# Requirements for Application

- name, nationality and address of the applicant
- the geographical indication for which registration is sought
- the geographical area to which the geographical indication applies
- the goods designated by the geographical indication
- the elements justifying the link between the specific quality and the resources in the geographical area (natural and humans factors)



# Future Registration Procedure for GIs

- Step 1: Filling the application
- Step 2: Examination
- Step 3: Publication
- Step 4: Opposition
- Step 5: Examination
- Step 6: Publication for Grand/Refuse
- Step 7: Issue the Certificate



# Grounds for Examination

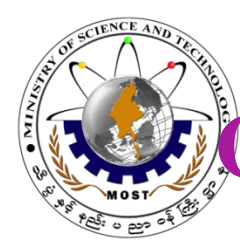
The geographical indication that involves any of the following points shall not be entitled for registration:

- (a) not complying with definition of geographical indication;
- (b) being a generic terms or customary in common language in Myanmar of the goods that are to use such geographical indication;
- (c) being a geographical indication which is contrary to public order or good morals or public policy.



# Activities in GIs

- Workshop on Sustainable Agriculture in Myanmar (Green Lotus, French) (20-7-2014)
- GIs Seminar cooperation with French (20-5-2014)
- One Village One Brand Project(OVOB) (Working Group Meeting) cooperation with KIPO & KIPA (30-9-2014)-(2-10-2014)
- Survey on OVOB (3-10-2014)
- OVOB Project (Branding Promotion Seminar on Myanmar Sein-Ta-Lone mango) (30-10-2014)
- International Training Module Geographical Indications (GIs) Inter GI 2014 (22-9-2014)-(22-10-2014 ), Sète, France



# Geographical Indications (GIs) in Myanmar (Expectation)

- difference between registration of Trademark and registration of GIs.
- specific points of GI registration needed for regulation.
- logo system for GIs
- workflow for GI registration system
- national survey on potential GIs
- identification of priority GIs
- technical assistant to producers



# Technical Assistance on Geographical Indications (GIs) for Myanmar

- Trainings for GI registration and examination
- Drafting the GI Regulation
- Seminars/ Awareness programs for public sectors
- GI Survey
- Branding Project
- GI Enforcement (Case Study)



# Conclusions

- It is an important issue to have legal protection of the GI products of Myanmar
- It will need to educate and awareness to understand about GI for the local producers and community
- It is also need to cooperate and coordinate with local and international organizations to promote the reputation and enter the international market of our GI products



# THANK YOU

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