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## FOCUSED STUDY OF GEOGRAPHICAL INDICATIONS IN TAMILNADU UNDER IPR REGIME

### Article Particulars

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### Abstract

*Geographical Indications identify a good as originating in a region where a given quality, reputation or other characteristics of the good is essentially attributable to its geographical origin. GIs indicate the rootedness of the product in the local environment which confers upon in a quality, Characteristics or a reputation, in such a striking manner that the name of the product itself includes reference to the place of origin. National Laws are increasingly under pressure from the international Laws. Geographical Indications are incorporated into the TRIPS Agreement as a result of the internationalisation of the appellation of origin, the forefather of GIs, protected as such since the beginning of the 20<sup>th</sup> Century in France. In France, the modern regime for the protection of Appellations of Origins was set up in 1905. TRIPS Agreement is fascinating to analyse in the light of the French and the European experience which are the cradle to legal protection of GIs, representing the Old World countries. India, is also an Old World Country due to its ancient culture. After the inception of the 1999 Legislation for the protection of Geographical Indications, since then India has been one of the most dynamic countries among third world countries, registering GIs at National Level, with 248 GIs registered as of June 2015 and also in Europe where Darjeeling Tea is a registered GI since 2011. In the state of Tamilnadu in India, besides, it's well known cultural activities, many valuable treasures have been built up and maintained by the masters of that region with the best combination of nature and men, traditionally trained and handed over from one generation to the next generation of the descendents with much care and dedication to maintain the quality of their traditional innovations. Gradually, specific link between the products and its place of innovative production got evolved, resulting in the growth of Geographical Indications.*

**Keywords:** *Geographical Indications, TRIPS Agreement, Old World countries, ancient culture, GIs, Madurai Malli*

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Infact, a geographical indication explains the consumers that a special product is produced as a measure of traditional innovation in a certain specific place and it has certain special characteristic feature which are mainly due to that place (or) region of its production. The same may be utilised by all the producers of that specific region (or)

place which is designated by a geographical indication whose products share special and specific qualities. For instance, *Madurai Malli* (Jasmine Flower) is a GI product, but in market where it was sold in Tamilnadu all the Jasmine flower are commonly called as 'Madurai Malli' only experts could able to identify, what about the others. Another instance is, there is a 'Collective Marks' to identify the *Channapatna Toys* and *Ranchi Toys*, whether they have been engraved (or) printed on it (or) there is any unique code on every single product to identify its genuinity.

Around 1500 products from India have reportedly been identified as having the potential to get registered as GIs. Till December 15, 2014, 215 GI got registered with the GIs Registry including few foreign GIs. Tamil Nadu has emerged as the top Indian state to protect its natural products and industrial skills by filing the highest number of geographical indications (GI) since India established the system of protecting such intellectual property (IP) rights in 2003 Tamil Nadu has so far registered 24 geographical indications, which include the rights for the popular Kancheepuram silk and Thanjavur paintings. It has filed 26 more applications for geographical indications that are still pending, taking the total to 50. As on January 2015.

In Tamilnadu, there are certain other products of traditional Innovations, which have been adopted by the poor people of Tirunelveli District of Tamilnadu. They are 'Pathamadai mats / Pathamadai Nanal Mats, the product was manufactured traditionally by the descendant generation as an ancestral product of hand oven mats for sleeping on the floors and a decorative material on walls inside the house, palace, etc., infact, Pathamadai mats are produced from the natural straw (*Nanal*) found grown on the banks of river Tamiraparani in Pattamadai river side banks. It was mainly manufactured by the Labbai Muslim weaver families in Pathamadai Village. A hand-woven superfine silk mat was even sent to *Queen Elizabeth II* on the occasion of her coronation in *June 1953*. Apart from these two products, the traditional palm leaf baskets known as '*Chettinad Kottans*' was granted registration following an application filed by "Revive Kottan (Palm Leafs Knitting) Society".

Other traditional innovation such as producing wooden play toys (*Soppu Chamans* or *Cheppu Chamans*, baby Gradles, play tops (*pamparam*), etc., in a neat and colourfully painted manner with specific indications of miniature cart, kitchen items like play pots, hand grinder, kitchen items, utensils. Infact certain group of poor people are being continuously engaged and dedicated themselves to carefully maintain their traditional artisan skills that too meant for poor earnings for their day to day livelihood and they are valuing these products as their ancestral gifts and special techniques rest with them. The fact remains that, they produce such kind of articles from the special wood collected from the special trees grown nearby their village and region.

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