



CLAIM to FAME

INDIAN
GEOGRAPHICAL INDICATIONS

Text
and
Cases



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BLOOMSBURY



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Demystifying Geographical Indications: Meaning, Scope, Nature and Role

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Abstract: *This chapter aims at contributing to the understanding of the Geographical Indicators (GIs) in the global as well as Indian context. The present chapter introduces the concept of GI and its importance in the economy. The term GI was coined by TRIPS agreement. The underlying principle was to protect indigenous knowledge and at the same time boost the economy of a particular region. The chapter discusses the registration process of GI in India and its registration trend in the country. The state-wise distribution of GI is highlighted. Along with the Indian GIs, the foreign GIs registered in India are also mentioned in the chapter. The Indian GI economy can be an opportunity for the country to lead the world as a model for ethical capitalism and social entrepreneurship on the back of a robust digital system. The chapter emphasises the role of the government to increase awareness about the importance of GI among consumers and also to incentivise the local craftsmen, etc. The chapter highlights the fact that the government should give export subsidies as well as free legal assistance to small artisans.*

INTRODUCTION

The term ‘geographical indication’ (GI) was first afforded its formal recognition under the Agreement on Trade-Related Aspects of Intellectual Property Rights, the TRIPS Agreement. GI is defined under Article 2.1 of the TRIPS Agreement as ‘place names (in some countries also words associated with a place) used to identify the origin and quality, reputation or other characteristics of products (for example, “Champagne”, “Tequila” or “Roquefort”)’. In essence, it refers to a certification for products that belong to a geographical location to preserve their identity and authenticity. A few examples of Indian GI are ‘Darjeeling’ (tea), ‘Basmati’ (rice) and ‘Alphonso’ (mango).

The object of awarding GI to a particular good is to allow identification of its source or origin, and thereby protecting its identity in the market. GI

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The Grandeur of Indian Handicrafts and Paintings

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Abstract: *This chapter primarily deals with a few of the well-known Indian handicrafts paintings that have gained their instinctive value over the years and are traditionally well known in their particular areas. These paintings range from different parts of the country: Madhubani art from Bihar, Pattachitra art from Bengal and Orissa, Mysore paintings from Karnataka, Warli art from Gujarat and Maharashtra, Kangra art from Himachal Pradesh, Aipan art from Uttarakhand, Srikalahasti Kalamkari from Andhra Pradesh and Thanjavur art from Tamil Nadu have been granted the GI tags and are discussed in this chapter.*

The rural craftspeople of our country have talents and understanding of conventional practices and methods handed down from era to era that needs to be safeguarded and encouraged. The sale of faux products had an intense impact on the handicrafts people. The looms got dumped due to extreme poverty with the decline in demand, and many crafters committed suicide. By enabling producers to distinguish their goods from others in the market and labelling them as 'original', GI tends to improve their income, control product misappropriation, cover traditional understanding and enhance rural growth.

The study further reveals how the government of our country has undertaken various endeavours to certify local artisans and provide them with an international medium to sell their goods. It also clarifies that how initiatives should be taken to educate these artisans, raise awareness amongst them and familiarise them with the advantages they can reap from this endeavour and succeed.

INTRODUCTION

The Department for Promotion of Industry and Internal Trade, to boost the advancement and dealing of Indian products noted as Geographical Indications, embarked on an ordinary GI logo and tagline. India is home to several handlooms and handicrafts paintings that have been stylish for quite a long time. These traditional articles are not only beautiful to look at but are also a reflection of our country's good craftsmanship.

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The Glorious Journey of Indian Handmade Toys

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Abstract: *India is not only the land of agricultural products like wheat, rice and spices, but it's also a place well known for recreation and entertainment. Toys constitute a major part of the recreation and entertainment industry. Since very long ago, India has been the land of unique toys like kathputli and channapatna which not only define the skills and talents of traditional artisans who make them with their hands, but also emphasise upon the history of Indian culture and the values which these toys represent to the masses.*

Today, these Indian hand-made toys and crafts, which represent a valuable treasury which is soon losing its significance, need some protection and promotion. To enhance and preserve their indigenous value, Government of India is giving them a GI tag, alongside handicraft items, spices and other products. This tag not only identifies and relates the toys to the place of their making but also ensures that makers get genuine and better value, more buyers, appreciation and acknowledgement, and constant livelihood to continue with the tradition which is their family legacy since centuries. This study tries to analyse the contribution of the GI tag to the Indian toys' industry, and the challenges faced by artisans before and after the GI tag has obtained, as also the way ahead.

INTRODUCTION

It may seem like toys are insignificant as far as GI tags go, as today's generation is using smartphones, laptops and other devices for entertainment. Still in some parts of the country, these toys hold a very significant position.

Also, today, these toys are becoming a part of the home décor in urban areas where people decorate their drawing rooms, bedrooms, children's rooms with these. These toys also have a huge export market potential as they represent rich cultural heritage of different parts of the nation, which attracts many a foreigners who adore Indian art forms and heritage.

The kathputli represents the tradition and history of Rajput warriors like Prithviraj Chauhan and Vikramaditya. The wooden masks of Kushmandi in West Bengal are used to worship the Goddess, and symbolise the victory of good over evil. Thus, it is important for such toys produced by local artisans to receive the GI tag.

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The Opulence of Indian Pottery

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Abstract: *The globalised world and the growing integration of various cultures and economies have enormously changed the dynamics of traditional industries across the world. The cross-cultural interactions between the local and global have made the possibility of multi-cultural system a distinct reality despite many contradictions over the years. The handicraft sector which has been utilising the skills of artisans and craftsmen from time immemorial plays a major role in continuing and preserving the rich cultural heritage of countries across the world.*

In India, numerous handicrafts are produced all over the country, mostly in rural areas. These crafts are symbolic of our rich and diverse culture and the Geographical Indication tag helps in preserving tradition, exclusive proprietary processes and its unique key ingredients. It is pertinent to protect their indigenous knowledge without hindering the process of free global trade. The chapter is about how GI tags help in socially uplifting the less educated and rural community artisans as they are in no condition to compete with the global industry; their only source of income is manufacturing and trading these regionally renowned handicrafts.

INTRODUCTION

Handicrafts are usually referred to as products or works of traditional artisans and craftsmen. They are pieces of traditional art and craft made by hand using simple non-automated tools such as scissors, hooks or carving implements. Universally there is no agreed definition for handicrafts; however, they can be identified on the basis of their unique characteristics of being made of natural materials, having aesthetic, artistic and creative attributes and representing the artisans' traditional and historic culture. Traditional handicrafts have a common attribute of being passed from one generation to another and are always associated with an indigenous or local community.

In rural India, handicrafts are of different types ranging from pottery, wood craft, shell craft, ivory craft to weaving, silver jewellery, gold jewellery, needle craft embroidery, etc. These are a source of income and occupation for the artisans in Indian villages since ancient times. Different parts of India

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The Glittering Future of Indian Embroidery

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Abstract: *In this chapter, the authors have discussed about granting of Geographical Indicator (GI) tag to some of the handicrafts embroidery forms known as chikankari, zardozi, phulkari, and nakshikantha. The Government of India has granted GI status to chikankari, zardozi, phulkari, and nakshikantha in 2008, 2011, 2005 and 2006 respectively. With the advent of GI, there is an increased demand for the handicraft both at global as well as at national levels. It has generated enormous employment opportunities for the youth, thereby preserving the royal patronage and legacy which is passed on from generations. While there are different government schemes for promoting handicraft embroidered products, yet there is a lack of awareness on the part of the artisans and manufacturers regarding the application and benefits of GI tagging for enhanced advantage.*

The chapter further elucidates the history and uniqueness of the crafts. The contribution of Geographical Indicator in the field of handicraft embroidery has also been discussed. The authors further mention various challenges being faced by the craftsmen and artisans for the existence of embroidery products in the market. The chapter sheds light on the way forward.

INTRODUCTION

Intellectual Property Rights not only provide legal rights that protect one's work but also foster creativity among individuals, and further encourage them to innovate and make better use of their cognizance. India is a land of rich culture; countless unique and creative products add to its heritage and such products are registered as Geographical Indicators (*Intellectual Property India*). In this chapter, the authors have discussed about granting of Geographical Indicator tag to phulkari and nakshikantha. The Government of India has granted GI status to phulkari and nakshikantha in 2005 and 2006 respectively.

Chikan also known as chikankari is a famous and notable contribution of artisans and craftsmen in the form of most intricate, beautiful, traditional

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The Ancient Culinary Crafts of India

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Abstract: *Enabling GI tags for Food products help in preserving the sanctity of the product and the inherited culture. India as a rich country in its food and culture, requires GI tagging for its food products to propagate the qualified value of the products. GI protection to foodstuffs integrally protects the cultural and traditional value attached to the products which have essential attributes to the place of origin. In a country like India, the cultural diversity also gives rise to diverse food products.*

This chapter primarily deals with few of the well-known food stuffs which have gained their instinctive value over the years and are traditionally well known to their particular regions. These food products range from different parts of the country, The Banglar Rasogolla and the Bardhaman Mihidana from West Bengal, Tirupathi Laddu and Bandar Laddu from Andhra Pradesh, Kovilpatti Kadalai Mittai and Srivilliputtur Palkova from Tamil Nadu, Silao Khaja from Bihar, Bikaneri Bhujia from Rajasthan and Ratlami Sev from Madhya Pradesh have been granted the GI Tags and are discussed in this chapter by the authors. The chapter also delves into the key factors for organically gaining of the GI Tags for the rich variety of food stuffs, the recipes and the controversies involved.

INTRODUCTION

India as a country is well known for its rich and diverse culture and historic traditions, with a great emphasis towards the range of food and culture. The diversity of food stuff and ingredients has been the most crucial backbone of the country's rich resources. Nevertheless, food stuffs only contribute to Three-point nine percent of the GIs that are registered. The number of Indian enterprises and entrepreneurs using the GI tagging system is quite low. Due to this, relatively few GI tagging products or services have been registered in India to date.

In terms of food, India has a variety of traditional and unique food products that offer great chances for GI labelling. It is crucial that the originality of the food ingredients is to be protected by both public and private players. Primarily, given how popular Indian cuisine is worldwide,

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The Illustrious Catalogue of Manufactured Goods in India

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Abstract: *A deep dive into the complexities of Indian products which host a long string of the history which carry inventive ideas, this Chapter aims to engross the reader into the lesser known, small-scale industries of India and how Geographical Indication Tag enriches their production, business growth and preserves the heritage. Moreover, the revenue brought by these tags is also remarkable in nature to the local areas which again becomes a means of their sustenance which is fulfilling the aim of providing the GI tag to the products. Manufactured Goods of India exist in a variety of purposes, including beauty, gastronomy, daily utilities, and machinery. Starting with the Mysore Sandal Soaps, Dindigul locks, Kannauj perfume, Ganjam Kewda Rooh, Nashik Valley wine, Feni and Meerut Scissors, the authors have covered a number of tags and the chapter also aims to explore a few famous examples of geographical tags to highlight their connection to the areas in which they originate, how intellectual property protection affects their sustainability and what is the future for these one-off products. The authors closely examine the origination, development and growth of the tags in the specific sphere and the predictive value addition to the Indian and world economy. Lastly, the chapter also highlights the challenges faced by the people and the way forward, which is based on the challenges faced by the tags and the ways to overcome it.*

INTRODUCTION

A large number of products are available in the Indian market which are derived from the nature and can be treated as a gift from the nature and second comes the products which are famous for the quality as they are prepared by the class of people for time immemorial now. In this chapter we will be looking through in total seven such products are the mixture of the both the things which can either be derived from the nature or developed by the people of a particular area. The role of the stakeholders in allotting the

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The Majestic Drapes of India

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Abstract: *The handloom sector is among the oldest and second-largest source of income in rural India after agriculture. It has a lengthy history of exquisite and unmatched artistry that has been passed down from master weavers in the family to their apprentices through the generations. The handloom industry in India offers a wide variety of textiles and related designs and products across the majority of the nation thanks to the country's diverse and rich historical traditions and historical influences. These entirely unique and remarkably varied techniques and styles were created throughout the course of several historical periods under the impact of various cultural influences. A wide range of textiles and products with distinctive designs are produced in various states and are unique in comparison to those from other parts of the world due to the varied resource availability and cultural influences in different parts of India, as well as the varied location cultural and climatic influences. The weaves are typically vibrant, and the fabrics are frequently embellished with extraordinarily complex embroidery techniques that are particular to that region of the country.*

Protecting these distinct and unique art forms through GI is therefore very essential. In this chapter, we have attempted to look at the journey of various kinds of sarees before and after the obtainment of GI. An attempt has been made to analyse the uniqueness of these handlooms, the contribution of GI and the various challenges faced.

INTRODUCTION

When it comes to the Indian handloom business, geographical indication has proven to be a crucial factor. The handloom sector has been impacted by and thrust into the spotlight by the shifting global economic structure. The handloom market and industry must be safeguard against counterfeiters and/or infringers who might try to take advantage of the local and traditional weavers who have been working to preserve the heritage and rich culture of Indian handloom and handloom crafts. This is necessary due to the ongoing

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The Luxurious Wool-Based Handloom Textiles of India

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Abstract: *A diversified product offering in the handloom segment has provided India with an opportunity to flourish globally in terms of trade. A weave of intersection between different geographical terrains dictated with a penchant of crafts developed over different ruling dynasties, infusing their cultural traditions into the way of life of its residents has been captured in their handlooms. We have skillfully articulated the use of these handloom products in the woolen handloom segment who have received a geographical indication (GI) based on their unique preparation style. By virtue of this case-let, we aim to also determine the economic impact of GI for the said segment of products.*

INTRODUCTION

It was the year 1997, when a US based company RiceTec, in Texas applied for a patent for its unique rice varieties – ‘Texmati’ the American style basmati and ‘Kasmati’ the Indian style basmati rice. The palpable controversy between Indian NGOs and RiceTec cropped up as Indians filed objections to a private company aiming to appropriate the indigenous knowledge of traditional Indian farming, also called ‘Biopiracy’. Thereby the firm was forced to withdraw after the Indian Government raised its claim and objections through the ‘TRIPS’ agreement of the WTO. This was one of the earliest glimpses of geographical indications and the power they withhold in protecting the domicile of a product or the manner of production.

Geographical indication tags (GI) were predominantly established as a mechanism to foster and preserve the craftsmanship behind the manufacturing or production of a particular good. The uniqueness of techniques behind the art of creating a product needed protection as they depict a symbol of heritage and have a large impact over the socio-cultural fabric of the geographical spot.

The module IV of the TRIPS (Trade Related Intellectual Property Rights) advocated through the part II of section 3 define the GI as ‘indicators that identify a good originating in the territory of a member, or a regional locality

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The Secrets of Aromatic Spices of India

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Abstract: *Indian spices are representative of the unique culture and tradition of India. They not only add to the flavour of the dishes but also put India on a global platform. Geographical indication in spices is necessary as it preserves the exclusivity in the characteristics of these spices due to their geographical, sensory, and textural peculiarities. Each spice also is a major contributor to the financial and social facets of an economy since they add to the employment and export sector. The challenge however is faced in maintaining the authenticity given the domestic and international competitors as well as the atmospheric difficulties. This chapter aims to elaborate upon six major spices that are popular across the globe for their unusual features and distinctive trait which have helped them get GI tagged and bring national and international fame and recognition.*

INTRODUCTION

Spices of India augment the uniqueness of Indian cuisine. They not only enhance the taste but are an inseparable part of the long history of the delicacies prepared in different parts of the country. Specific spices are grown in geographically differing terrains and the variety of the same spices in the different regions adds to the exceptionality of that spice. The intricate difference such as colour, texture, and aroma change the effect the particular spice can have on the dish. In India, each spice has an exclusive identity and has a different purpose be it aromatic, therapeutic, medicinal use or for cooking, India is termed as 'Land of Spices' and hence Geographical Indications (GIs) in spices help preserve the distinctiveness of the spice as well as protect its origin.

India grows more than 60 different spices out of which 21 are of importance from a commercial perspective (Malhotra et al., 2021). Among these, this chapter focuses on six major spices namely saffron, turmeric, cardamom, pepper, chilli, and tejpat. A number of GIs have been procured

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The Ambrosial Fruits of India

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Abstract: *Geographical Indications (GIs) are an important part of rural development because they can foster financial and commercial interests while also boosting cultural values like environmentalism, culture, and tradition. In India, many distinct fruit crops grow under specific climates and in specific climate zones. This distinct type of climate is responsible for a variety of fruit crops having some uniqueness, which is one of the advantages Indian fruits can have when entering worldwide markets. In this paper, we discuss geographical indicators in fruits that are important to develop countries, including misappropriation, protecting traditional and indigenous knowledge and culture, expanding market access, developing a marketplace, protecting fame, possible revenue effects, and rural development. The lack of an efficient post-GI mechanism to stop unscrupulous marketing is arguably the major concern. The government plays a critical role in developing strategies for product branding, marketing, and promotion, especially abroad.*

INTRODUCTION

India boasts a rich range of natural horticulture products, primarily fruits. Mango, banana, citrus, guava, grape, pineapple, and apple are among those fruits grown in India. Many distinct fruit crops grow in India under specific climates and in specific climate zones. This distinct type of climate is responsible for a variety of fruit crops having some uniqueness, which is one of the advantages Indian fruits can have when entering worldwide markets. Alphonso variety of mango in Konkan region, Kesar variety of mango in Gujarat, Nagpur mandarin of citrus in Nagpur region of Maharashtra is some instances of fruit crops that are grown in distinct climates. Certain fruit cultivars had already picked up steam in their homeland and were recognized with individual geographical names under the Geographical Indication of Goods (Registration and Protection) Act 1999. This act is designed to protect localities from unauthorized use of registered geographical indications by others, allowing producers of items produced in a geographical territory to reap economic advantages. Article 22.1 of the TRIPS Agreement defines

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The Abundance of Great Granaries of India

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Abstract: The present chapter throws light on the Geographical Indication of a few Agricultural products, namely Darjeeling Tea, Kangra Tea, Assam Tea, Nilgiri Tea, Naga Cucumber, Basmati Rice, Monsooned Malabar Arabica and Robusta Coffee, Sojat Mehendi and Magahi Paan. It talks about the uniqueness and contribution of these products in Indian Economy. Further, it also talks about the challenges being faced in these products.

INTRODUCTION

A Geographical Indication separate that product from others, since it has a specific quality, use of any conventional techniques in their creation, partake in a standing because of their topographical beginning. The GI labels in India are given according to the arrangements of the Geographical Indications of Goods (Registration and Protection) Act 1999 which came into effect from 15 September 2003.

The motivation behind this study is to comprehend the GIs for the following agricultural products and record the impact it has on the economy and partners.

- **Darjeeling tea:** Darjeeling Tea is the costliest and extraordinarily seasoned tea in the world. It is a vital piece of India's social and aggregated scholarly legacy.
- **Kangra tea:** Kangra tea owes its origin to Kangra area in Himachal Pradesh, India. Both dark tea and green tea have been created in the Kangra Valley since the mid-nineteenth century.
- **Assam tea:** The logical name for the tea plant is *Camellia Sinensis*. The Assam assortment is known as *Assamica*.
- **Nilgiri tea:** Nilgiri tea is a beverage made by mixing leaves of *Camellia Sinensis*. It is developed and handled in the Nilgiris region of India's Tamil Nadu. The area produces both rolled and smash, tear, twist tea and it is predominately utilized for mixing.
- **Naga cucumbers:** Naga cucumbers are 15 to 20cm long and 14-16 cm in measurement. Nagaland's position as fifth in region and third

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Claim to Fame: Problems, Opportunities, and Prospects

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Abstract: *An array of rich and diverse GI-tagged products is discussed in the previous section. They all accede to a common point that the grant of GI has spill over benefits and has contributed in many ways to the overall development of the stakeholders. However, we are still far from realizing their full potential. This chapter encapsulates the various challenges concerning GI. They are grouped into Legal Challenges, Economic Challenges, Geographical challenges, Social Challenges, Technical Challenges. Next, we present a discourse on the impact of GI and prospective solutions to the prevailing predicament and legal shortcomings. The outlook for the future is presented in the conclusion section.*

INTRODUCTION

It is evident from the previous chapters and cases that Geographical Indication (GI) is a crucial form of intellectual property used in the world of commerce to emphasize a product's distinctive connection to the place or region in which it was created. As an indicator of quality, GIs are used to designate products as coming from that region. Consequently, there is an immutable relationship between the items' locality, value, and reputation.

Although India has a large number of GI-tagged products the efforts to capitalize on their potential began only recently with the passage of the GI Goods (Registration and Protection) Rules 2002. It is a step toward fulfilling the optimization of the saying *Caveat Emptor*, as consumers have access to certified goods and services that meet the quality parameters. The quest of optimising the availability of GI in India is not only a resource-driven task but also poses a considerable number of challenges for the stakeholders in a developing nation like India (Das, 2010). When utilised proactively a well-protected GI may be a powerful marketing tool since it represents to customers a recognized level of the quality, reputation, and distinctiveness.

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CLAIM to FAME

INDIAN GEOGRAPHICAL INDICATIONS

From the warmth of Kashmiri Pashmina, invigorating Darjeeling Tea, calming Arabica (for the coffee lovers), absorbing artworks from Rajasthan and Gujarat, savories of Bengal and Odisha, this book pulls together something quite simple that still holds the power to enhance your knowledge about India, the country that boasts of such a rich culture.

We live in a world that is changing by the minute, and in this situation, it is a challenging task to know for sure, the heritage and origin of a particular food, an item of clothing or a beautiful piece of handcraft. It should be of great interest and pertinence for the progenitors that India has nearly 400+ Geographical Indications (GIs) with many already in the pipeline that provides legal rights to the people whose trade or craft become available only due to their geographical factors. GIs provide commercial security to our indigenous products and processes that are uncommon.

The book reflects the heritage of social norms, traditional knowledge, and economic enhancement. It unfolds the nuances of GIs in India by the standards of expanding TRIPS and WTO apparatus. Further, it is a combination of caselets of prominent GIs from the heartland of India covering handicrafts (paintings, toys, pottery, and embroidery), food products, handlooms, and agricultural products (beverages, fruits and spices, etc.). The implications for the stakeholders, opportunities and challenges, evidence from the experiences of artisans and farmers, consumer shopping patterns, the role of traditional and digital media marketing, and brand building aspects are also encapsulated. To be clear, the idea is quite simple, the research behind it was incredibly complex, and the ramifications are profound. With its interdisciplinary approach, the book will be invaluable for the producers, new age entrepreneurs, supply chain stakeholders, policymakers, researchers, academicians, and students from all domains, peculiarly of legal and management studies.



Prof. Dr. Ravikant Swami has a decorated and diverse educational background—a Phd in Management, MBA and Bachelors in Economics from prestigious universities in India, and certifications and trainings from B-schools like IIM Bangalore, IIM Calcutta and IIFT New Delhi. Dr Swami has an eclectic list of subjects at his command that credit him with the excellence of a multi-variate teaching style. He has published numerous research papers and supervised PhD thesis, dissertations at M Phil as well as MBA levels. He is the honorary director at Delhi Metropolitan Education and leads the management school with his guidance and inspiring style of teaching. He motivates a team of remarkable faculty to practise better teaching and assure better learning outcomes. His visionary attitude helps drive the institute a step closer to its mission each day.



Prof. Dr. Poorva Ranjan is the head of department, DME Management School. She has over sixteen years of rich and diverse teaching experience at premiere B-schools. She has an MBA in International Business and a Phd in Retail Marketing Management. Alongside, Dr Ranjan is a Google certified digital marketing and content management expert/ trainer. She has over thirty journal publications and also actively writes articles for various magazines. Entrepreneurship development, business plan writing and new venture strategies are her areas of expertise.



Ms. Shanu Jain is currently associated with Delhi Metropolitan Education as an assistant professor, teaching management students. A postgraduate in Commerce from University of Delhi, she completed her M Phil from Department of Commerce, Delhi School of Economics, University of Delhi, in 2018 and is currently pursuing a Phd. She is passionate about teaching and research, especially in the areas of consumer behaviour and marketing, using qualitative and quantitative methods.

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