



Research Paper

The impact of Geographical Indication on rural entrepreneurship: A case study of Channapatana toys

Yathindra Lakkanna

PhD Scholar

Karnataka Janapada Vishwavidyalaya
Gotagodi, Shiggaon, Haveri, Karnataka

Abstract: India is known for diversity. Incredible India, the incredibility comes for the unique cultural diversity of rural India. Every village has definitely unique tangible or intangible products. The unique tangible or intangible products are now commoditized and are in a great demand by the urban folks. The cultural ethnicity forms the basis of these traditional products that hold promising business possibilities. Geographical indications (GI) are legal entities that point to the origin of such products. Over the years GI has not only connected people to the authentic products and their ethnic roots, but has played a vital role in promoting the entrepreneur spirit among the rural youth. Registration of GI has brought in tremendous amount of value and recognition. The paper analyses the value created by GI and its potential in enabling the rural entrepreneurship and strengthen the local economy.

Keywords: Handicrafts, Geographical Indication, Channapatana Toys.

Received 09 Feb, 2022; Revised 21 Feb, 2022; Accepted 23 Feb, 2022 © The author(s) 2022.

Published with open access at www.questjournals.org

I. Introduction:

The WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) stipulates the definition of geographical indications as follows: Geographical indications (GI) are indications which identify a good as originating in the territory of a country, or a region or locality in that territory, where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin. (WTO/TRIPS Article 2.1) A place-related name often provides meaningful information about the quality or characteristics of a good (WIPO 2006; www.geographicindications.com 2007).

A geographical indication refers to the name of a country, region or locality that serves to designate a product originating therein (Botha 2004). The quality and characteristics of the product are exclusively or essentially derived from the geographical environment, including natural and human factors (Hopperger 2000; Escudero 2001). A geographical indication is regarded as an important symbol of intellectual property because it is based on the fact that the quality or characteristics of a good, particularly an agricultural product, is closely related to the geographical attributes of the production location. Such attributes include climate, soil and unique methods of cultivation or production (Josling 2005). A geographical indication can have a significant impact on a region's economic performance and cultural heritage because it protects the identity of indigenous products (Girardeau 2000; Niekerk 2000; ORIGIN 2006; Stern 2000; Vital 2000).

Handicraft and GI

Historically India is among the oldest cultures across the world. India can be comprehended as a country with diverse religions and traditions. These diverse traditions spins off unique cultural practices leading to distinct language, food, art, worship methods, farming and other occupational practice. Many of these distinct practices have often been developed in tandem with the locally available resources and every day necessities, evolving with unique product or practices. Every kilometer in India has either a product or a practice quite distinct within those culturally defined geographies. These local flavors are patronized and given an identity tagged with the name of the village or place. The tagging of the village name was necessarily done to identify the authenticity of the product / services from the rest. Indian folk are now more aware of the formal Intellectual property systems and realize that there are several of these unique practices which have the right to be called as Geographical Indication. India has grown and is still growing up to the international challenges and the

communities realize the importance of registering the Geographical Indication, which is evident by the large number of applications received every year.

Definition and overview of Geographical Indications: Geographical indications (GIs) are defined in the TRIPS Agreement, Article 22.1 as:

...indications which identify a good as originating in the territory of a Member, or a region or locality in that territory, where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin.

Geographical Indications of Goods are defined as that aspect of industrial property which refers to the geographical indication referring to a country or to a place situated therein as being the country or place of origin of that product for example Banaras Saree.




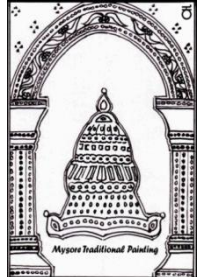

Typically, such a name conveys an assurance of quality and distinctiveness which is essentially attributable to the fact of its origin in that defined geographical locality, region or country. Under Articles 1 (2) and 10 of the Paris Convention for the Protection of Industrial Property, geographical indications are covered as an element of IPRs. They are also covered under Articles 22 to 24 of the Trade Related Aspects of Intellectual Property Rights (TRIPS) Agreement, which was part of the Agreements concluding the Uruguay Round of GATT negotiations.

What is a Geographical Indication?

- It is an indication
- It originates from a definite geographical territory.
- It is used to identify agricultural, natural or manufactured goods
- The manufactured goods produced or processed or prepared in that territory.
- It should have a special quality or reputation or other characteristics

A geographical indication is an indication or a sign which specifies the geographical origin of the product and links it with the essential qualities that are present in the product due to that place of the origin. It is mainly used to identify the agricultural, handicraft, manufacturing goods from the particular territory which has developed a good will in the market due to the special characteristics like temperature, humidity, soil etc. associated with the territory that are unique, eg. Nagpur Orange. The geographical indication is generally owned by a community which belongs to that particular location. A geographical indication can be a mark defined by the words or numbers or may be combination of both. Goods or packages used to indicate the place of origin of the goods. In international transaction, marks of origin include marks of the country of origin and geographical indications.

The responsibility of registration is taken up by association of people, producers, and registered organisations, where in the intention is to protect the interest of the producers. Once a GI is registered the registration would be valid for Ten years and further could be renewed with a frequency of ten years thereon. GI products can be easily identified by the visual GI mark which reflects on the products, the GI mark also certifies the authenticity of the origin and the special characteristics the product may have.

				
Bidar Bidriware	Chennapatana toys and dolls	Dharwad Kasuti	Mysore traditional painting	Mysore Rosewood inlay

Example: GI Marks of Bidriware, Channapatna Toys, Kasuti, Mysore traditional Paintings, and Mysore Rosewood inlay of Karnataka (GI Marks designed by NIFT Bangalore) See annexure for GI Certificates.

Relevance to India

India has started to refine many of its business methods, production methods, legal methods and many structural and policy changes. These changes are necessity driven by the early experience of the business and products at the Global markets. India had always remained silent about certain business and the ways of dealing business, but after the globalization and some exposure to the global market and its nuances of the complexities the business are facing, situations prompts us to relook and refine our policies.

GI is one such act where India learnt from the direct firsthand experience in the global scenario. The intention to frame the GI act was to protect the authenticity of products and services which are developed through history and enabling the dependents to leverage the edge of these goods. This would also mean to protect its business from the counterfeits and fakes that could take way the credibility of the products and the possible exploitation of business potential emerged due the specific geographical value and efforts.

The GI has enabled India to emerge as a significant contributor to the worlds business through its unique offerings and flavors of culture laced goods. India by protecting its GIs is now offering the world with the most exciting and famed products outs its huge repository of possessions.

India has always been known as the resource center for the world in terms of its goods like agriculture based, tradition based, and manufacturing based, art and aesthetic based etc. Time and again Indian product bases have been exploited through the history in the disguise of free and open trade. There are innumerable foreign companies and traders have been found to be free-riding on the goodwill and reputation associated with such renowned geographical names, for years.

It is now that India has learnt through its experience to protect its rich resources and know-hows and be a competitive player on the level world business field through the enactment of the Geographical Indications of Goods (Registration and Protection) Act, 1999' (henceforth the GI Act)

With the legal systems in support, the legitimate users of each and every GI of Indian origin can take on the Global market challenges and turn them into advantage.

Handicraft and culture

Culturally crafts were and are social in nature. Various communities bring their share of value to the holistic assemble of craft practice. Rachel Mason (2005) has linked the meanings and values of home-based crafts to personal wellbeing, household economics, gift-giving, social circles, family traditions and worthwhile leisure activity. In this regard, Sirpa Kokko and Patrick Dillon (2010) have studied the meaning-related cultural reverence of crafts and have examined crafts as reflections of both individual experiences and collective values. Handcrafted products convey the vernacular substance emphasize the subjective interpretation, understanding and reclaim of cultural values.

Handicrafts play very important role in representing the culture and traditions of any country or region. Handicrafts are a substantial medium to preserve of rich traditional art, heritage and culture, traditional skills and talents which are associated with people's lifestyle and history.

GI and local economy

The Significant factors that GI contributed to the local product, that was directly observed and insights gained during the field visit and interaction with the artisans of channapatana were:

- a. The registration GI reflected in the production and sales;
- b. The rising of exporter level competition due to the global recognition of GI.
- c. The amount of foreign tourists inflow to the craft cluster
- d. The government (through KSHDC) measures to protect and preserve the local cultural heritage.
- e. The Quality consciousness and improvement in the Toys and artifacts

II. Conclusion

People prefer more authentic and traditional products with respect to agricultural products, traditional products and ethnic dishes. They are more interested in historical and cultural background of the products that they buy. GI has led to more commercialization of these unique products and has created more demand. The demand has opened up an array of opportunities to the rural youth to encapsulate their traditional offerings and commoditize at the same time maintaining the uniqueness and quality. Thus GI has contributed to the local economy through value added products through local differentiation and responsibility to protect the indignity. GI also enhances and preserves the identity and cultural heritage of the region.

References

- [1]. Albayrak Mevhibe & Melda Ozdemir2, July 2012, "The role of Geographical indication in brand making of Turkish handicrafts"; Indian Journal of Traditional Knowledge Vol. 11 (3), pp. 420-426
- [2]. All India Artisans and Craft workers Association (AIACA). 2011. Geographical indications of India: socio-economic and development issues, Policy Brief, New Delhi: AIACA.

- [3]. Botha L 2004 Multilateral issues relating to geographical indications (<http://www.tralac.org>)
- [4]. Commission on Intellectual Property Rights. 2004. Integrating Intellectual Property Rights and Development Policy, London: Commission on Intellectual Property Rights.
- [5]. Das, A. 2008. Geographical indications: UNCTAD's initiative in India, Presentation at UNDP RCC, UNDP Cambodia and Economic Institute of Cambodia, Phnom Penh, September 4. http://hdru.aprc.undp.org/ext/regional_workshop_2008/pdf/Das_s3.pdf.
- [6]. Das, K. 2009. Socio-economic implications of protecting geographical indications in India. New Delhi: Centre for WTO Studies. http://wtocentre.iift.ac.in/Papers/GI_Paper_CWS_August%2009_Revised.pdf.
- [7]. Dwivedi, K., S. Bhattacharjya. 2012. Restore glory of the Banarasi sari, The Hindu Business Line, December 21, 2012. <http://www.thehindubusinessline.com/opinion/restore-glory-of-the-banarasi-sari/article4226412.ece>
- [8]. Girardeau J M 2000 The use of geographical indications in a collective marketing strategy: the example of cognac Symposium on the International Protection of Geographical Indication WIPO, Geneva 69-78
- [9]. Gopalan R & Sivakumar S, (2007) Keeping cashmere in Kashmir-The Interface between GI and TK, Journal of Intellectual Property Rights, 12 581-588.
- [10]. Hopperger M 2000 International protection of geographical indications - the present situation and prospects for future developments Symposium on the International Protection of Geographical Indication WIPO, Geneva 11- 17
- [11]. Josling T, Roberts D and Orden D 2004 Food regulation and trade Institute for International Economics, Washington DC
- [12]. Luthria, Manjula and Keith E. Maskus, (2003) "Protecting Industrial Inventions, Authors' Rights, and Traditional Knowledge: Relevance, Lessons, and Unresolved Issues," in Kathie Krumm, ed., Trade and Poverty: A Regional Agenda, (Washington DC: The World Bank), forthcoming.
- [13]. Nitya Nanda, The Protection of Geographical Indications in India: Issues and Challenges, India, March 2013.
- [14]. Niekirk J 2000 The use of geographical indications in a collective marketing strategy: the example of the South African Wine industry Symposium on the International Protection of Geographical Indication WIPO, Geneva 79-88
- [15]. ORIGIN (Organization for an International Geographical Indications Network) 2005 The future of geographical indications Position paper of the European Chapter of Origin (<http://www.origin-gi.com/index.php>)
- [16]. PrabuddhaGanguly, Geographical Indication and its evolving contours, India July 2009
- [17]. Reddy KN, Pattanaik C, Reddy CS, Murthy EN & Raju VS, (2008) Plant used in traditional handicrafts in North eastern Andhra Pradesh, Indian Journal of Traditional Knowledge, 7 (1) 162-165
- [18]. Sharma TP & Borthakur SK, (2010) Traditional handloom and handicrafts of Sikkim, Indian Journal of Traditional Knowledge, 9(2375-377).
- [19]. Stern A 2000 The protection of geographical indications in South Africa Symposium on the International Protection of Geographical Indication WIPO, Geneva 31-8
- [20]. Vital F 2000 Protection of geographical indications: the approach of the European Union Symposium on the International Protection of Geographical Indication WIPO, Geneva 51-8
- [21]. WIPO (World Intellectual Property Organization) 2006 Intellectual property handbook WIPO.