

Talking Points of Mr. Sabur Khan, President, DCCI

at Launching of Community Branding Competition

organized by Build Better Bangladesh

Date: February 01, 2013 at 4:30 pm,

Venue: Rabindra Sarobar, Dhanmondi Lake, Dhaka.

On Geographical Indication Act

Geographical Indication: GIs are indications or sign used on goods which

- Have a **specific geographical origin**;
- Identify the goods as **originating in the territory/region/locality**;
- Pose **quality, reputation, characteristics due to its origin**.

Why GI needs protection:

- Protect the right of the owner.
- Prevent a GI from becoming generic, risk of losing its distinctiveness.
- Consumers may be deceived with inferior quality of products by false use of GI.
- One's achievement if not protected may be misrepresented by dishonest commercial operators.
- Reputation of product may damage if adequately not protected.

How GI can be protected?

- Special laws for the protection of GI or appellations of origin.
- Trademark laws in form of certification marks.
- Laws against unfair competition.
- Consumer protection laws.
- Special laws that recognize individual geographical indications.

Why do GIs Matter to Bangladesh:

- Bangladesh has a wide range of local products like Sundarban's honey, Porabaris chamcham etc which needs to be established rights in the international market.
- India has claimed rights over some products of Bangladesh like Nakshi Katha, Jamdanni Saree, and Fazli Aam. Other Bangladesh origin products are in threat of becoming shift rights to other countries.

- **Thousands of year old Bangladesh heritages should be safeguarded through enacting GI law.**

Recommendation:

- Option of a digital GI Register must be inserted in the draft act.
- GI product fair, GI skill development, GI database, GI portal etc should be undertaken.
- Must have provision for GI advocacy program for the first 2 years.

Economic significance:

- Gaining market access for products using GI e.g. Dhaka Jamdani, Rajshai Silk, Munshiganj-er khoi etc.
- Promising prospective for marketing and sale in international market.

Promote awareness of the Bangladeshi GI Products:

- Implementation and enforcement of new law
- Capacity building
- Training of public and private agencies in GI issue
- Promotion of GI products in local and global market

Protect Intellectual Properties:

IPR: IP refers to creation of mind like inventions, literary and artistic works, and symbols, patents, GI, names, images, and designs used in commerce and trade.

Some examples of Bangladeshi scientist's innovation which needs IP right to protect their achievement:

- Bangladeshi scientist Mr. Maqsoodul Alam, a professor of the University of Hawaii, decoded the genome of papaya in the US and rubber plant in Malaysia, led from the forefront in sequencing the jute genome. The team has already applied for these provisional patent applications to secure the Intellectual Property Right from this genome information. Getting the jute genome intellectual property right would be a revolutionary achievement in the agriculture sector.
- A group of Bangladeshi scientists lead by Mr. Maqsoodul Alam have invented the genetic history of a fungus which causes at least 30 per cent loss in Tossa variety. Necessary measures should be taken for exclusively retaining the rights of the invention in line with the intellectual property rights.

Why protection of IP needed:

- Ensure rights and obligation and protect consumers' interest
- Promote technological innovation; encourage investment in R&D of new technologies
- Stimulate and ensure fair competition among producers

Relevant laws for protecting IPR:

- Customs Act 1969; Trademark Act 2009; Copyright Act 2000 and Copyright (amendment) Act 2005,
- Patent and Design Act, 1911---silent about IPR protection at border
- Industrial Policy 2010----border issues are not addressed
- Export Policy, 2009-2012 and Import Policy 2009-2012----did not refer IP issue