

Geographical Indication (GI Tag) Guide (India)

Commercial opportunities and authorised user rights in India's GI system

HOW TO USE THIS TEMPLATE

- | | |
|----|--|
| 1. | This document: Geographical Indication (GI Tag) Guide (India). |
| 2. | Fill all bracketed fields before use. |
| 3. | Template only — not a substitute for qualified legal advice. |

1. GI LEGAL FRAMEWORK

Definition and Law. A Geographical Indication (GI) identifies goods as originating in a specific place where quality, reputation, or other characteristics are essentially attributable to that origin. Protected under the GI Act 1999, administered by the GI Registry in Chennai.

Who Can Register a GI. Only a producers' association, statutory body, or competent authority representing producers in the geographic area can apply for GI registration. An individual company cannot register a GI as its own exclusive trademark. Individual producers can apply for Authorised User status (Form GI-3) once a GI is registered.

India's GI Portfolio. Over 600 registered GIs including: Darjeeling Tea, Alphonso Mango, Coorg Arabica Coffee, Kanchipuram Silk, Channapatna Toys, Blue Pottery of Jaipur, Tirupati Laddu, Kolhapuri Chappal. Full list at ipindia.gov.in/giregistry.

2. COMMERCIAL VALUE FOR STARTUPS

Premium Pricing Power. GI-tagged products command price premiums of 20% to 200% over non-GI equivalents. For D2C startups in traditional crafts, artisanal food, or regional products, GI certification is a powerful brand differentiator.

Export Benefits. Indian GIs receive strong recognition in export markets, particularly the EU which has a robust GI protection framework. GI-certified goods attract premium prices internationally and are prioritised in bilateral trade agreements.

Brand Strategy. Strategy: (1) obtain Authorised User status to use the GI tag; (2) register your company's brand as a separate trademark; (3) build brand equity around the positioning 'the [Brand Name] [GI Product]'; and (4) use the GI tag in marketing as a quality credential while differentiating through your brand's specific story and quality.

3. AUTHORISED USER PROCESS

Eligibility. Any producer of a GI-registered product located in the defined geographic area producing goods conforming to the GI standard can apply for Authorised User status.

Application Process. File Form GI-3 at the GI Registry, Chennai. Documents: proof of being a producer in the geographic area; evidence of adherence to GI production standards; details of how goods are produced and marketed; and certification from the registered GI association's monitoring body.

Authorised User Rights. Right to: use the GI mark on products; take civil or criminal action against misuse of the GI mark; and participate in the GI association's governance.

Monitoring and Enforcement. As Authorised User: civil suit for infringement under Section 22 of the GI Act 1999; criminal complaint under Section 39 (imprisonment up to 3 years and fine up to Rs. 2 lakhs); and consumer complaints under the Consumer Protection Act 2019.

4. INTERNATIONAL GI PROTECTION AND STRATEGY

Lisbon System. India has acceded to the Geneva Act of the Lisbon Agreement administered by WIPO. Indian GIs can be protected internationally through the Lisbon System in member countries. Contact the GI Registry Chennai for current Lisbon System procedures.

EU-India Trade Agreement. The EU-India Free Trade Agreement (under negotiation) is expected to include strong mutual recognition of GIs. For export-focused startups selling to the EU, monitor the FTA progress — EU GI recognition will be commercially valuable.

Combining GI and Trademark Protection. GIs and trademarks operate differently and complement each other. A company selling GI products should: hold the GI Authorised User certification (quality and origin assurance); and register the company's brand as a separate trademark in all relevant classes (brand identity and exclusivity). Neither replaces the other.

GI Misuse and Enforcement. Under Section 22 of the GI Act 1999, it is an infringement to use a false geographical indication or to misrepresent origin. Enforcement: civil suit for injunction, damages, and delivery up; criminal complaint under Section 39; and consumer protection complaints.

IMPORTANT NOTE

Working template for Geographical Indication (GI Tag) Guide (India). Verify requirements with a qualified IP advocate.

BUILDING A GI-BASED BRAND STRATEGY FOR STARTUPS

For D2C and e-commerce startups working with Indian traditional products, GI tags offer a powerful authentication and brand differentiation tool that is unavailable to competitors outside the geographic area. Building a GI-based brand strategy requires understanding how GI certification interacts with digital commerce, international trade, and brand storytelling. Digital commerce and GI verificati

on: on digital platforms, GI tags face the challenge of verification — how does a consumer confirm that the GI-labelled product they are buying online is actually authentic? Solutions: (1) Blockchain-based provenance tracking — some GI associations and startups are implementing blockchain records linking each product unit to its production origin; (2) QR code verification — a consumer-facing QR co

de on each product that links to the GI registry's Authorised User record; (3) Platform certification badges — Amazon India's 'GI Products of India' store and similar features provide platform-level verification. Storytelling is the commercial amplifier of GI certification. GI status alone increases prices; GI status combined with a compelling origin story, artisan relationship narrative, and sust

ainability credentials can increase prices dramatically. Invest in: content creation around the origin story (documentary videos, artisan profiles, production process documentation); transparent supply chain information (which specific cooperative or artisan group produced each batch); and third-party editorial coverage in food, craft, and sustainability media. International distribution of GI pro

ducts: for export, GI certification is a commercial signal that resonates particularly strongly in the EU, UK, Japan, and premium US markets where provenance and terroir are valued. EU Geographical Indications protected through the EU-India trade framework (once in force) will carry significant premium. For current export, use the APEDA GI portal for agricultural GI products and the GI Council of

India's export support resources. Engage the Indian Trade Promotion Organisation (ITPO) and FICCI for export facilitation support.

ADDITIONAL COMPLIANCE GUIDANCE AND BEST PRACTICES

ADDITIONAL GUIDANCE ON COMPLIANCE AND BEST PRACTICES. Indian IP law continues to evolve rapidly, with the Patent Office, Trade Marks Registry, and Copyright Office all implementing digital transformation initiatives that affect how IP is filed, prosecuted, and enforced. The Patents Amendment Rules 2024 introduced new provisions for startup fee concessions and updated the examination procedure timelines. The Trade Marks Act 1999 has been interpreted by courts in a growing body of decisions that clarify how confusion is assessed, how well-known

marks are recognised, and how bad faith is established. The DPDP Act 2023 has implications for IP-linked customer data and product development processes. For each IP action described in this document, the Company should consult a qualified IP advocate licensed to practice before the Indian Patent Office and Trade Marks Registry. IP advocates combine technical expertise with legal training specific to Indian IP law. When selecting an IP advocate, assess: their specific experience in your technology sector or product category;

their track record at the relevant Patent Office branch or Trade Marks Registry; and their ability to coordinate international filings through their network of foreign associates. The IP Manager should maintain a master calendar tracking all IP filing deadlines, prosecution response deadlines, renewal dates, and opposition window close dates. IP deadlines are typically non-extendable and missing them can result in permanent loss of rights. Use a dedicated IP management tool or a carefully maintained calendar system with triple-reminder alerts. Document

all IP decisions and the reasoning behind them. When the Company decides not to file a patent application for a particular technology, document the decision and reasoning. When a trademark opposition is decided not to pursue, document the decision. This decision trail is important for investor due diligence, management continuity, and defence of subsequent IP disputes. Build a quarterly IP Committee meeting cadence: the IP Manager, CTO or Head of Product, CFO, and CEO should review IP programme status, upcoming

decisions, and strategic IP priorities every quarter. This keeps IP on the leadership agenda and ensures that commercial and technical strategy is aligned with IP investment decisions. The IP Committee meeting should produce a brief written record of decisions taken and actions assigned. International IP coordination requires proactive management of priority deadlines. The Paris Convention priority period of 12 months for patents and 6 months for trademarks and designs starts from the Indian filing date. If international protection is planned,

calendar these priority deadlines immediately on the Indian filing date. The cost of filing internationally increases significantly if priority is not claimed because prior art in the intervening period may destroy novelty. Budget for professional indemnity insurance for the IP function. As IP becomes a larger component of the Company's value and IP decisions involve significant financial stakes, the IP Manager and the Company's IP counsel should be appropriately insured against errors and omissions. Review the IP programme's documentation quality

annually. The best IP strategy is undermined by poor documentation. Every IP right should have a complete file: the registration or application document, all prosecution history, all renewal receipts, and all related agreements. Files should be backed up in at least two locations and access-controlled to prevent inadvertent deletion. Template only. Not legal advice. Consult a qualified IP advocate for all decisions affecting the Company's intellectual property rights.