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Mapping Identities: A Comparative Exploration of India's Geographical Indications Framework Concerning the United Kingdom, the European Union and Japan

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ABSTRACT

Geographical Indications (GIs) serve as powerful tools for preserving regional identities, fostering economic growth, and ensuring product authenticity. This paper undertakes a comparative analysis of India's GI framework in relation to the systems in the United Kingdom, the European Union, and Japan. By examining legal structures, registration processes, enforcement mechanisms, and economic impacts, the study identifies key strengths and challenges within each framework. India's approach is evaluated against international best practices to assess its effectiveness in protecting indigenous knowledge, artisanal heritage, and agricultural diversity. The research also explores how global trade agreements and intellectual property regulations shape the GI landscape, influencing market access and economic sustainability. Through this comparative lens, the study aims to offer insights into policy improvements, international collaborations, and the evolving role of GIs in a globalized economy.

I. INTRODUCTION

Geographical Indications (GIs) are an effective mechanism for safeguarding goods with unique regional identities, guaranteeing that their distinctive traits, reputation, or attributes are associated with their geographic origin. Geographical Indication (GI) registration and protection systems differ significantly between nations and regions such as India, the United Kingdom (UK), the European Union (EU), and Japan, influenced by historical, economic, and legal factors.

The notion of Geographical Indications (GIs) is fundamentally based on the premise that certain products get their worth from the geographic region of their production. Geographical Indications safeguard the originality and tradition of local goods, such as Darjeeling Tea from India, Scottish Whisky from the UK, Parmigiano Reggiano from the EU, and Kobe Beef from Japan. They are crucial

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in bolstering rural economies, safeguarding against consumer fraud, and promoting international commerce.

The acknowledgement and use of geographical indications in the global economy have resulted in comprehensive legal frameworks, trade agreements, and regulatory systems. These systems seek to reconcile protection with accessibility, guaranteeing genuine producers gain advantages while thwarting unjust exploitation by inauthentic manufacturers. Analysing the parallels and distinctions in GI registration and protection across India, the UK, the EU, and Japan facilitates the evaluation of their efficacy in preserving regional cultural and economic interests.

This research will examine the legislative frameworks regulating geographical indications (GIs), the registration procedures in each jurisdiction, the enforcement mechanisms, the obstacles encountered by stakeholders, and the wider cultural and economic implications. This comparative research seeks to elucidate effective practices, pinpoint areas for improvement, and provide insights into the varying approaches to GI protection across various countries in an increasingly linked globe.

II. LEGAL FRAMEWORKS: COMPARATIVE STUDY OF GEOGRAPHICAL INDICATION LAWS IN INDIA, UK, EU, AND JAPAN

Geographical Indications (GIs) are intellectual property protecting products from specific regions, ensuring that their unique qualities, reputation, or characteristics remain linked to their origin. The legal frameworks governing GIs vary across jurisdictions, reflecting historical, economic, and legal influences.

India, the UK, the EU, and Japan have distinct approaches to GI registration and protection, shaped by their trade policies, international agreements, and domestic priorities. While the EU has a **multi-sectoral and highly evolved GI system**, India and Japan have **strong domestic laws**, and the UK has **adapted its framework post-Brexit**. This section provides an in-depth comparative analysis of these regions' legal frameworks governing GIs.

A. India: The Geographical Indications of Goods (Registration and Protection) Act, 1999

India enacted the **Geographical Indications of Goods (Registration and Protection) Act, 1999**, which came into effect in **2003**. This law provides a **statutory framework** for registering and protecting GIs, ensuring that only authorised producers from a specific region can use the GI tag.³

Key Features of India's GI Law

- **Registration Process:** Managed by the **Geographical Indications Registry** under the

³ The Geographical Indications of Goods (Registration and Protection) Act, 1999 ACT NO. 48 OF 1999.

Controller General of Patents, Designs, and Trademarks.

- **Scope of Protection:** Covers agricultural products, handicrafts, foodstuffs, and manufactured goods.
- **Legal Enforcement:** GI holders can take legal action against unauthorised use.
- **International Compliance:** Aligns with the **TRIPS Agreement** under the **World Trade Organisation (WTO)**.

Case Study: Darjeeling Tea⁴

Darjeeling Tea was the **first GI registered in India** under the **GI Act, 1999**. The tea is globally recognised for its unique aroma and flavour, which are attributed to the climatic conditions of the Darjeeling region. The **Tea Board of India** actively enforces GI protection, preventing unauthorised use of the "Darjeeling" name by non-authentic producers.

B. United Kingdom: Post-Brexit GI protection system⁵

Before Brexit, the UK followed the EU's GI framework. However, post-Brexit, the UK established its own **Geographical Indications Scheme**, administered by the **Department for Environment, Food & Rural Affairs (DEFRA)**.

Key features of the UK GI system

- **UK GI Schemes:** Divided into **Protected Designation of Origin (PDO)**, **Protected Geographical Indication (PGI)**, and **Traditional Speciality Guaranteed (TSG)**.
- **Legal Enforcement:** The UK Intellectual Property Office oversees GI disputes.
- **International Recognition:** The UK maintains mutual GI recognition agreements with the EU and other trading partners.

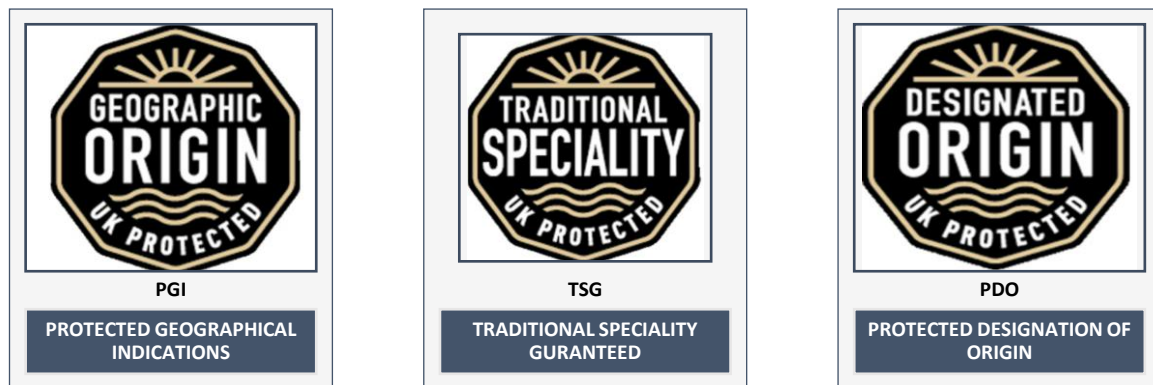
Case study: Scottish whisky

Scottish Whisky is one of the most valuable GIs in the UK. The **Scotch Whisky Association (SWA)** actively protects the GI, ensuring that only whisky produced in Scotland using traditional methods can be labelled as "Scotch Whisky." The UK government enforces strict regulations to prevent counterfeiting and unauthorised use.⁶

⁴ *World Trade Organization* (no date) *WTO*. Available at: https://www.wto.org/english/res_e/booksp_e/casestudies_e/case16_e.htm (Accessed: 26 June 2025).

⁵ *Protected Geographical Food and drink names: UK gi schemes* (no date) *GOV.UK*. Available at: <https://www.gov.uk/guidance/protected-geographical-food-and-drink-names-uk-gi-schemes> (Accessed: 26 June 2025).

⁶ *Sustainable scotch: Case studies* (no date) *Scotch Whisky Association*. Available at: <https://www.scotch-whisky.org.uk/industry-insights/sustainability/sustainable-scotch-case-studies/> (Accessed: 26 June 2025).



At least one production, processing, or preparation stage must occur in the specified area. Products must be traditional, or with names used for at least 30 years, but need not be tied to a specific geographical area. Products must be produced, processed, and prepared in the specified area using local knowledge and traditional skills.

C. European Union: a multi-sectoral approach⁷

The EU has one of the most **comprehensive** GI protection systems, governed by multiple regulations.

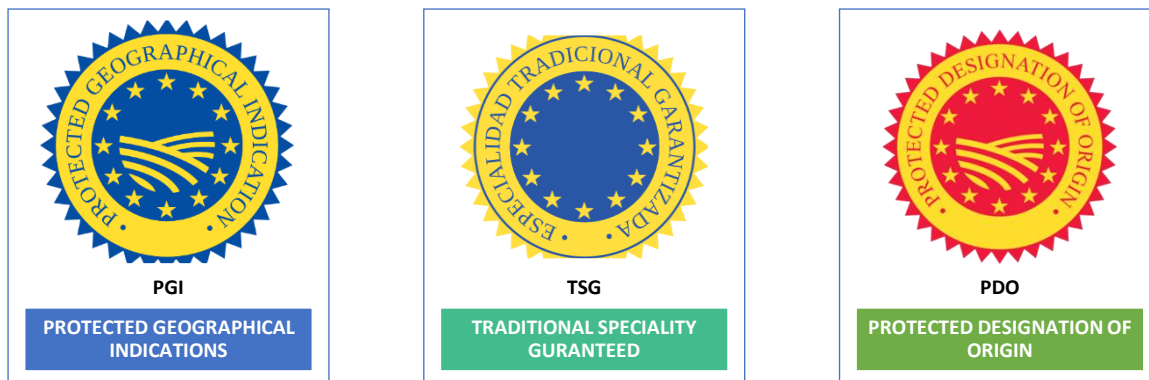
Key EU GI regulations

- **Regulation 1151/2012:** Covers agricultural products and foodstuffs.
- **Regulation 1308/2013:** Protects wines.
- **Regulation 787/2019:** Covers spirits.
- **Registration Process:** Managed by the **European Commission**.
- **Legal Enforcement:** Strong protection against misuse, including cross-border enforcement.
- **Economic Impact:** The EU GI system significantly boosts rural economies and exports.

⁷ *Geographical Indications and quality schemes explained* (no date) Agriculture and rural development. Available at: https://agriculture.ec.europa.eu/farming/geographical-indications-and-quality-schemes/geographical-indications-and-quality-schemes-explained_en (Accessed: 26 June 2025).

Case Study: Parmigiano Reggiano ⁸

Parmigiano Reggiano, a famous Italian cheese, is protected under the EU's **PDO system**. The **Consorzio del Formaggio Parmigiano-Reggiano** ensures that only cheese produced in specific regions of Italy using traditional methods can bear the GI label. The EU enforces strict regulations to prevent imitation products from using the name.



Products: craft and industrial, agricultural products and wine where a given quality, reputation or other characteristic of the product is essentially attributable to its geographical origin, and at least one of the production steps takes place in the defined geographical area.

For a food name to be registrable under the TSG scheme, it must (a) have been traditionally used to refer to the specific product or (b) identify the traditional character or specific character of the product.

Products: agricultural products and wine where the quality or characteristics of the product are essentially or exclusively due to a particular geographical environment.

D. Japan: Protection Under Trademark Law and GI Act ⁹

Japan protects GIs through two primary mechanisms:

1. **Trademark System:** GIs can be registered as **regional collective trademarks** under the **Japanese Trademark Act**.

⁸ *Digitalisation strategies in the Agri-Food System: The case of PDO Parmigiano Reggiano (2024) Agricultural Systems*. Available at: https://www.sciencedirect.com/science/article/pii/S0308521X2400146X?ssrnid=4740227&dgcid=SSRN_redirect_SD (Accessed: 26 June 2025).

⁹ Available at <https://www.japaneselawtranslation.go.jp/en/laws/view/4032/en>

2. **Geographical Indications Act (2015):** Provides **direct agricultural and food products protection**.

Key Features of Japan's GI System

- **Registration Process:** Managed by the **Ministry of Agriculture, Forestry, and Fisheries (MAFF)**.
- **Legal Enforcement:** Strict penalties for unauthorised use.
- **International Agreements:** Japan recognises GIs under trade agreements with the EU and other nations.

Case Study: Kobe Beef ¹⁰

Kobe Beef is one of Japan's most prestigious GIs, known for its **high-quality marbling and unique flavour**. The **Kobe Beef Marketing & Distribution Promotion Association** ensures that only beef meeting strict production standards can be labelled "Kobe Beef." Japan enforces stringent regulations to prevent counterfeit products.

behaviour.

III. REGISTRATION PROCESS: STEP-BY-STEP COMPARISON OF GEOGRAPHICAL INDICATION (GI) REGISTRATION IN INDIA, UK, EU, AND JAPAN

Geographical Indications (GIs) are a vital category of intellectual property that safeguards goods from designated locations, assuring their validity and deterring illegal use. The registration process for geographical indications differs throughout countries, indicating varying legislative frameworks, administrative processes, and enforcement measures. This section offers a comprehensive comparative examination of the GI registration process in India, the United Kingdom (UK), the European Union (EU), and Japan, emphasising the sequential processes, principal authorities involved, and obstacles applicants encounter.

A. India: Geographical Indications of Goods (Registration and Protection) Act, 1999

India has a well-delineated Geographical Indication (GI) registration procedure established by the Geographical Indications of Goods (Registration and Protection) Act, 1999, which was implemented in 2003. The Geographical Indications Registry, operating under the Controller General of Patents, Designs, and Trademarks, manages the registration procedure.

Sequential Procedure Process of GI Registration in India

¹⁰ *Geographic indications and international trade (Giant)* (no date) *TED Case Study: Kobe Beef*. Available at: <https://mandalaproyects.com/giant-project/kobe.htm> (Accessed: 26 June 2025).

1. **Application Submission:** The applicant must be an association of individuals, producers, or an organisation advocating for the interests of the product. The application is filed with the Geographical Indications Registry located in Chennai. The application must include product description, geographical origin, manufacturing methodology, and historical relevance.¹¹
2. **Preliminary Examination:** The Registry evaluates the application for adherence to the GI Act 1999. If problems are identified, the applicant is given time to correct them.
3. **Publication in the GI Journal:** Upon acceptance of the application, it is disseminated in the Geographical Indications Journal for public examination. Interested parties may submit oppositions for three months.¹²
4. **Opposition Proceedings:** The Registry conducts hearings and evaluates evidence if an opposition is submitted. If no objections are presented, the application advances to registration.¹³
5. **Grant of Registration:** Upon completing the procedure, the Geographical Indication (GI) is registered, and the applicant is issued a GI certificate. The registration remains valid for a decade and is eligible for renewal.¹⁴

Obstacles in India's Geographical Indication Registration Procedure

- Prolonged approval durations are attributable to bureaucratic processes.
- Insufficient understanding among manufacturers of the advantages of Geographical Indications.
- Challenges in enforcing measures to prevent counterfeit goods.

B. United Kingdom: post-brexite geographical indication registration system

Before Brexit, the United Kingdom adhered to the European Union's Geographical Indication system. Following Brexit, the UK established its own Geographical Indications Scheme, overseen by the Department for Environment, Food & Rural Affairs (DEFRA).

Sequential GI Registration Procedure in the United Kingdom

1. **Application Submission:** The applicant must be a collective of producers or an organisation. The application has been submitted to DEFRA. The application must have

¹¹ The Geographical Indications of Goods (Registration and Protection) Act, 1999, sec. 11.

¹² Ibid, sec 13.

¹³ Ibid, sec 14.

¹⁴ Ibid, sec 16.

information on product attributes, geographical provenance, and manufacturing techniques.¹⁵

2. **Initial Examination:** DEFRA assesses the application for thoroughness and adherence to regulations. Should shortcomings be identified, the applicant is requested to provide more information.
3. **Public Consultation:** The application is disseminated for public review. Interested parties may submit objections for three months.
4. **Review and Decision:** DEFRA evaluates concerns and holds hearings if required. If no objections are presented, the GI is sanctioned.
5. **Registration and Protection:** The Geographical Indication (GI) is registered, and the applicant is issued a registration certificate. The geographical indication is protected by UK legislation, prohibiting unauthorised use.¹⁶

Obstacles in the United Kingdom's Geographical Indication Registration Procedure

- Transition challenges after Brexit, impacting mutual recognition agreements.
- Inadequate international recognition relative to the EU framework.
- Complicated enforcement arising from regulatory overlap.

C. European Union: extensive multi-sectoral geographical indication system¹⁷

The EU has one of the most extensive systems for protecting geographical indications, regulated by several statutes.

Sequential Procedure for GI Registration in the EU

1. **Application Submission:** The applicant must be a producing group or organisation. The application is filed with the national authority of the corresponding EU member state. The application must include product attributes, geographical provenance, and manufacturing techniques.
2. **National Examination:** The national authority evaluates the application for adherence to regulations. If sanctioned, the application is sent to the European Commission.
3. **EU-Level Examination:** The European Commission evaluates the application. If shortcomings are identified, the applicant is requested to provide more information.

¹⁵ *Protected Geographical Food and drink names: UK gi schemes* (no date a) GOV.UK. Available at: <https://www.gov.uk/guidance/protected-geographical-food-and-drink-names-uk-gi-schemes#product-names-on-the-uk-gi-scheme-registers> (Accessed: 26 June 2025).

¹⁶ *Id.*

¹⁷ Available at <https://www.euiipo.europa.eu/en/gi-hub>

4. **Publication in the Official Journal:** The application is disseminated for public comment. Interested parties may submit objections for six months.
5. **Conclusive Determination and Registration:** The European Commission evaluates complaints and holds hearings if required. If no objections are presented, the GI is sanctioned and recorded.

Obstacles in the EU's Geographical Indication Registration Procedure

- Protracted approval durations resulting from multi-tiered evaluation.
- Challenges in enforcement across various member states.
- Cross-border conflicts about geographical indication recognition.

D. Japan: dual geographical indication protection system ¹⁸

Japan safeguards GIs via two main mechanisms:

1. **Trademark System:** The Japanese Trademark Act may register geographical Indications (GIs) as regional collective trademarks.
2. **Geographical Indications Act (2015):** Offers direct safeguarding for agricultural and food items.

Sequential Procedure Process of GI Registration in Japan

1. **Application Submission:** The applicant must be a collective or organisation of producers. The application is filed with the Ministry of Agriculture, Forestry, and Fisheries (MAFF). The application must have product attributes, geographical provenance, and manufacturing techniques.
2. **Initial Examination:** MAFF assesses the application for thoroughness and adherence to regulations. If shortcomings are identified, the applicant is requested to provide more information.
3. **Public Consultation:** The application is made available for public review. Interested parties may submit objections for three months.
4. **Review and Decision:** MAFF evaluates concerns and holds hearings if required. If no objections are presented, the GI is sanctioned.
5. **Registration and Protection:** The geographical indication (GI) is registered, and the applicant is issued a registration certificate. The geographical indication (GI) is protected by Japanese legislation, prohibiting unauthorised usage.

¹⁸ Available at <https://pd.jgic.jp/en/outline.html>

Obstacles in Japan's Geographical Indication Registration Procedure

- Restricted scope of the EU system.
- Enforcement complexity arising from overlapping trademark legislation.
- Challenges of international recognition in commercial agreements.

IV. PROTECTION MECHANISMS: HOW INDIA, UK, EU, AND JAPAN ENFORCE GEOGRAPHICAL INDICATION (GI) RIGHTS

Geographical indications, often known as GIs, are very important for preserving the genuineness of region-specific products and ensuring their continued economic value. Not only does registration offer legal recognition, but enforcement processes assure the preservation of these rights, therefore discouraging unauthorised use, counterfeiting, and misrepresentation. Geographical indications are protected in a manner that differs from one jurisdiction to another, depending on the legal frameworks, regulatory agencies, and international trade laws to which they are subject. The Geographical Indications of Goods (Registration and Protection) Act, 1999, which provides both civil and criminal remedies for infringements, is the legislation that ensures the protection of geographical indication rights in India. Monitoring market conformity is the responsibility of the Geographical Indications Registry, which works in concert with regulatory authorities such as the Tea Board of India. In spite of the fact that domestic law is solid, problems like as inadequate enforcement and the existence of counterfeit items continue to exist. This is shown by the Darjeeling Tea case, in which the Tea Board has taken aggressive measures to safeguard the originality of the product.

The Department for Environment, Food, and Rural Affairs (DEFRA) is in charge of the United Kingdom's own geographical indication protection mechanism, which was formed following Brexit. Legislation pertaining to trademarks and consumer protection laws make it possible for businesses to take legal measures against unauthorised usage. Additionally, market inspections and trade agreements are factors that contribute to the reduction of counterfeit items. Despite this, the complexities of enforcement continue to be a hurdle, particularly when it comes to transactions conducted over the internet and foreign wars. With industry associations assuring that only whisky that is created in Scotland using traditional processes is eligible for geographical indication certification, the Scottish whisky case is a prime example of the severe geographical indication enforcement that the United Kingdom employs.

The European Union has the most complete system for the enforcement of geographical indications, which includes both trade agreements and regulations that apply across international borders. Legal measures, customs legislation, and market inspections in member states are the means by which the European Commission ensures the protection of geographical indication (GI) rights against outside interference. This multi-tiered system ensures strong compliance; nevertheless, legal concerns and counterfeiting in markets outside of the EU provide challenges to the implementation of the plan for compliance. Parmigiano Reggiano, an Italian cheese, is safeguarded by the Protected Designation of Origin (PDO) system of the European Union (EU), which imposes severe requirements to prevent counterfeit items from using its name fraudulently.

Both the Geographical Indications Act (2015) and the Trademark Law are used in Japan's implementation of a dual system for the protection of Geographical Indications. Law enforcement is overseen by the Ministry of Agriculture, Forestry, and Fisheries (MAFF), which also conducts market inspections and is responsible for the administration of penalties for violations. The GI framework of Japan offers severe protection on the home front; but, in comparison to the system of the European Union, its international extent is only somewhat expansive. The case of Kobe Beef is a prime example of Japan's stringent enforcement of geographical indications. Officials in Japan ensure that only beef that satisfies stringent production specifications is granted GI certification.

In every jurisdiction, the techniques of enforcement have been adapted to match with the economic and cultural objectives of that particular jurisdiction. In spite of the fact that India and Japan continue to uphold strict domestic regulation, and the United Kingdom has amended its policy following Brexit, the European Union (EU) has the most comprehensive framework for cross-border trade. In spite of this, the adoption of Geographical Indications throughout the world is continually hampered by challenges such as counterfeiting, legal disagreements, and disparities in trade policy. In order to ensure the consistent protection of Geographical Indications (GIs), it will be necessary to strengthen international cooperation, increase consumer awareness, and refine enforcement procedures.

V. SIGNIFICANT GASTROINTESTINAL DISPUTES AND CASE ANALYSES

1. Basmati rice controversy (India, Pakistan, and the United States) ¹⁹

The Basmati Rice geographical indication controversy is a prominent international conflict

¹⁹ Utsav Mukherjee, A Study of the Basmati Case (India-US Basmati Rice Dispute): The Geographical Indication Perspective. Available at <https://ssrn.com/abstract=1143209>

about geographical indications. Basmati rice, recognised for its unique fragrance and elongated grains, is historically cultivated in India and Pakistan. In 2008, India and Pakistan together sought GI protection inside the EU. The conflict intensified when RiceTec, an American corporation, sought to patent the designation "Basmati" for rice types cultivated in the United States. India and Pakistan disputed this assertion, contending that Basmati rice is native to the Indian subcontinent and cannot be copyrighted or branded by foreign organisations. Following several legal disputes, India acquired Geographical Indication (GI) protection for Basmati rice in 2020, guaranteeing that only rice cultivated in certain locations of India and Pakistan may be sold as "Basmati."

2. Darjeeling Tea Controversy (India)²⁰

Darjeeling Tea was the first Geographical Indication recognised in India under the Geographical Indications of Goods (Registration and Protection) Act of 1999. Nonetheless, despite its Geographical Indication classification, counterfeit Darjeeling Tea is extensively marketed worldwide. The Tea Board of India has initiated legal proceedings against unauthorised vendors, including a conflict with ITC Limited, which used the designation "Darjeeling Lounge" for its hospitality services. The Tea Board contended that this use deceived customers into linking the lounge with Darjeeling Tea. The Calcutta High Court found in favour of ITC, holding that "Darjeeling" is a geographical designation and cannot be exclusively monopolised for tea production.

3. Scotch Whisky Controversy (United Kingdom) ²¹

Scotch Whisky is a very important geographical indication in the UK, making substantial contributions to the economy. The Scotch whisky Association (SWA) diligently safeguards the geographical indication, guaranteeing that only whisky produced in Scotland using traditional techniques may be designated as "Scotch Whisky." Counterfeit Scotch Whisky is a chronic problem, with replica goods marketed under deceptive labels. In 2018, the SWA triumphed in a court dispute against an Indian firm that sought to label their whisky as "Scotch Whisky" without adhering to the requisite manufacturing standards.

²⁰ IP, Z. (2022) *The GI dispute involving Darjeeling Tea*, ZestIP. Available at: <https://www.zestip.in/the-gi-dispute-involving-darjeeling-tea/> (Accessed: 26 June 2025).

²¹ *Warning over 'devastating' plans that could change Scotch Whisky Forever* (2025) *The Independent*. Available at: <https://www.independent.co.uk/life-style/food-and-drink/scotch-whisky-english-malt-definition-b2701928.html> (Accessed: 26 June 2025).

4. Parmigiano Reggiano Controversy (EU) ²²

Parmigiano Reggiano, a renowned Italian cheese, is protected by the EU's Protected Designation of Origin (PDO) system. The Consorzio del Formaggio Parmigiano-Reggiano guarantees that only cheese produced in certain areas of Italy via traditional procedures may carry the GI designation. Counterfeit variants of Parmigiano Reggiano, sometimes designated as "Parmesan," are extensively marketed in non-EU regions, especially in the United States. The EU has initiated legal proceedings against firms selling fake Parmesan cheese, contending that the designation "Parmesan" deceives customers into thinking they are acquiring genuine Parmigiano Reggiano.

5. Kobe Beef Controversy (Japan) ²³

Kobe Beef is one of Japan's most esteemed geographical indications, known for its superior marbling and distinctive flavour. The Kobe Beef Marketing & Distribution Promotion Association guarantees that only beef adhering to stringent production criteria may be designated as "Kobe Beef." Counterfeit Kobe meat is prevalent in overseas markets, especially in the US, where restaurants misleadingly label their meat as "Kobe Beef" without any GI certification. Japan has had difficulties in asserting Kobe Beef geographical indication rights internationally owing to discrepancies in trademark legislation.

VI. THE CULTURAL INFLUENCE OF GEOGRAPHICAL INDICATIONS

1. Safeguarding Traditional Knowledge and Cultural Heritage

Geographical Indications function as a cultural protection, preserving traditional knowledge and skill from dilution or extinction. Numerous GI items have profound historical importance, embodying skills that have been passed down through families for decades. By conferring legal protection to these items, GIs guarantee that artists and farmers may continue in their skills without the risk of imitation.

Kobe Beef from Japan is known for its rigorous breeding and feeding methods, refined over decades. GI protection guarantees that only beef according to stringent production criteria can be designated as "Kobe Beef," so safeguarding the integrity of this cultural heritage. Likewise, Banarasi Silk Sarees from India are crafted using ancient techniques originating from the

²² *Parmesan has nothing to share with the traceability of 'The king of cheeses': Parmigiano Reggiano PDO* (no date) *Parmigiano Reggiano*. Available at: <https://www.parmigianoreggiano.com/news/parmesan-has-nothing-to-share-with-the-traceability-of-the-king-of-cheeses-parmigiano-reggiano-pdo> (Accessed: 26 June 2025).

²³ Olmsted, L. (2016) *Food's biggest scam: The Great Kobe Beef Lie*, *Forbes*. Available at: <https://www.forbes.com/sites/larryolmsted/2012/04/12/foods-biggest-scam-the-great-kobe-beef-lie/> (Accessed: 26 June 2025).

Mughal Empire, and Geographical Indication designation aids in preserving this artisanal practice.

2. Enhancing Regional Identity and Cultural Pride

Geographical Indications enhance regional identity by linking items to their origin, therefore cultivating local community pride. Upon obtaining the GI designation, a product symbolises cultural heritage, strengthening the bond between individuals and their customs. This cultural pride motivates younger generations to uphold ancient behaviours, so as to safeguard the legacy for posterity.

French Champagne is not only a beverage; it embodies the esteemed winemaking heritage of the Champagne area. Swiss timepieces are internationally esteemed for their accuracy and artistry, solidifying Switzerland's status as a preeminent authority in horology.

3. Advancing Cultural Tourism and Economic Development

Geographical Indications (GIs) significantly contribute to cultural tourism by attracting tourists seeking genuine experiences associated with traditional goods. Numerous geographical indication areas have established tourist businesses focused on their distinctive products, enhancing local economies and generating job possibilities. Tourists in Darjeeling often visit tea estates, while tourists to Scotland engage in whisky-tasting trips.

Cultural tourism provides cash and promotes cross-cultural interaction, enabling tourists to appreciate the history and artistry of GI items. Governments and local authorities often provide resources to historical festivals, artisan fairs, and educational initiatives to enhance GI-related tourism, therefore amplifying the economic benefit.

VII. OBSTACLES IN OPTIMISING GI ADVANTAGES

Notwithstanding the many benefits of GIs, some obstacles impede their full economic and cultural potential:

- **Insufficient Awareness and Education** – Numerous producers, particularly in rural regions, are unaware of the advantages of Geographical Indications and encounter difficulties in the registration procedure.
- **Counterfeiting and Misuse** – The unauthorised utilisation of geographical indication names persists as a worldwide concern, with counterfeit goods inundating marketplaces and deceiving customers.
- **Complicated Legal Frameworks** – The acquisition of GI recognition entails bureaucratic

obstacles, complicating the ability of small-scale manufacturers to receive protection.

- **Disproportionate Allocation of Advantages** — In some instances, middlemen and corporations get more benefit from the Geographical Indication designation than the genuine craftsmen and farmers.

- **Cross-Border Enforcement Challenges** – Variations in legal frameworks result in enforcement complications, especially in international trade conflicts. To tackle these issues, it is essential to implement robust government rules, provide financial assistance to producers, conduct consumer awareness initiatives, and foster international collaboration to guarantee that Geographical Indications achieve their intended objectives.

VIII. CONCLUSION: ANALYTICAL EXAMINATION OF GEOGRAPHICAL INDICATIONS (GIs) IN INDIA, THE UK, THE EU, AND JAPAN

Geographical Indications (GIs) have become an effective mechanism for safeguarding items that possess distinctive features, reputation, or attributes linked to their geographical origin. The comparative research of geographical indication registration and protection systems in India, the United Kingdom, the European Union, and Japan finds substantial disparities in legislative frameworks, enforcement techniques, and economic implications. Although each state has created its own strategy for GI protection, prevalent difficulties such as counterfeiting, cross-border enforcement, and consumer awareness remain. This conclusion offers an analytical assessment of the data, emphasising the merits and shortcomings of each system, the wider implications for global commerce, and suggestions for enhancing GI protection.

Legal frameworks and registration procedures: advantages and disadvantages

The legal systems regulating Geographical Indications in India, the UK, the EU, and Japan reflect their distinct economic interests and trade strategies. The EU's multi-sectoral strategy offers the most extensive protection, including agricultural goods, foodstuffs, wines, and spirits under separate rules. The European Commission supervises GI registration, guaranteeing robust cross-border enforcement. Nevertheless, the protracted certification procedure and regulatory obstacles sometimes impede GI recognition, complicating navigation for small-scale manufacturers.

The Geographical Indications of Goods (Registration and Protection) Act, 1999, in India establishes a legal framework for GI registration, allowing only sanctioned manufacturers to use the GI designation. The Geographical Indications Registry supervises the procedure;

nevertheless, enforcement poses difficulties owing to little consumer knowledge and inadequate market monitoring. The Tea Board of India has diligently safeguarded Darjeeling Tea; yet, counterfeit items persist in inundating global markets.

The United Kingdom's post-Brexit Geographical Indication protection system, overseen by DEFRA, has adjusted to new trade agreements, guaranteeing ongoing recognition of UK GIs. Nonetheless, transition obstacles and restricted international recognition relative to the EU framework present difficulties. The Scotch Whisky Association (SWA) has effectively upheld geographical indication rights; yet, internet counterfeit sales continue to pose a significant issue.

Japan's dual Geographical Indication protection scheme, integrating trademark law with the Geographical Indications Act of 2015, guarantees robust domestic enforcement. The Ministry of Agriculture, Forestry, and Fisheries (MAFF) manages GI registration; nonetheless, challenges about international recognition remain. The Kobe Beef Marketing & Distribution Promotion Association has encountered challenges in curbing counterfeit Kobe Beef sales outside Japan's borders.

Enforcement mechanisms and challenges in geographical indication protection

Notwithstanding robust legislative frameworks, the enforcement of geographical indications encounters several problems across countries. Counterfeiting and unauthorised use persist as the foremost concerns, with copycat items deceiving customers and being detrimental to real manufacturers. The Basmati Rice dispute among India, Pakistan, and the US underscores the intricacies of cross-border geographical indication enforcement, as foreign entities seek to trademark GI designations for crops cultivated outside specified areas.

Consumer awareness and misrepresentation offer issues, since some purchasers lack understanding of the importance of geographical indications (GIs). Certain firms utilise geographical indication names for marketing reasons without complying with quality requirements, as shown by the Scotch Whisky dispute, in which counterfeit goods were marketed under deceptive labels.

Legal and bureaucratic intricacies impede GI protection, especially in the EU, where multi-tiered approval procedures prolong registration. Small-scale producers have difficulties in navigating the system, so restricting their capacity to gain from GI recognition. In India, enforcement measures in rural marketplaces are inadequate, hindering the prevention of counterfeit sales.

Trade agreements and international recognition are essential for the enforcement of

geographical indications. The UK's post-Brexit transition necessitated the revision of geographical indication recognition agreements, resulting in doubts about protection. Japan's Geographical Indication system, while robust nationally, has difficulties in obtaining worldwide recognition for items such as Kobe Beef.

Economic and cultural implications of geographical indications

Geographical Indications (GIs) play a crucial role in economic sustainability, cultural preservation, and international commerce. Geographical Indications (GIs) safeguard traditional goods, empower local people, improve market access, encourage sustainable practices, and reinforce regional identity.

Financial advantages

1. **Enhancing Local Economies** - Geographical Indication recognition enables producers to get elevated pricing, augmenting earnings and fostering rural development.
2. **Augmenting Market Access** - Exclusive rights inhibit unauthorised use, therefore safeguarding the authenticity of GI goods in international markets.
3. **Promoting Sustainable Practices** - Conventional agricultural techniques foster biodiversity preservation and ethical production.

Cultural advantages

1. **Safeguarding Traditional Knowledge** — Geographical Indication protection guarantees the preservation of age-old practices, thwarting large-scale industrial exploitation.
2. **Enhancing Regional Identity** - Geographic Indication recognition cultivates cultural pride, motivating younger generations to uphold traditional customs.
3. **Advancing Cultural Tourism** — GI-related tourism produces income and facilitates cross-cultural interaction, enhancing local economies.

Notwithstanding these advantages, obstacles like as counterfeiting, legal intricacies, and inequitable profit distribution impede the full realisation of GIs' potential. Enhancing enforcement procedures, elevating consumer awareness, and promoting international collaboration will be crucial in optimising the effect of GIs.

IX. RECOMMENDATIONS FOR ENHANCING GEOGRAPHICAL INDICATIONS PROTECTION

To improve the preservation and enforcement of geographical indications, the following suggestions should be taken into account:

1. **Enhancing International Collaboration** – Nations need to develop mutual recognition agreements to facilitate cross-border enforcement of geographical indications.
2. **Enhancing Legal Frameworks** - Streamlining registration procedures and minimising bureaucratic obstacles would make GI protection more attainable.
3. **Augmenting Consumer Awareness** - Educational initiatives may assist purchasers in identifying genuine GI items, therefore mitigating the effects of counterfeiting.
4. **Allocating Resources for Market Surveillance** - Governments should dedicate resources to monitor markets and prevent unauthorized use of Geographical Indications (GIs).
5. **Assisting Small-Scale Producers** — Financial and technical support may aid craftsmen and farmers in navigating the GI registration procedure.

Comparison chart of geographical indications law of India, United Kingdom, European Union and Japan: an analysis

Aspect	<i>India</i>	<i>United Kingdom</i>	<i>European Union</i>	<i>Japan</i>
Legal Framework	Geographical Indications of Goods (Registration and Protection) Act, 1999.	UK GI schemes under the Department for Environment, Food & Rural Affairs (DEFRA)	EU quality schemes under the European Commission	Act on Protection of the Names of Specific Agricultural, Forestry and Fishery Products and Foodstuffs (GI Act).
Definition of GI	A GI indicates that goods originate in a specific geographical area, where a given quality,	A GI is a name used on products that have a specific geographical origin and possess	A GI is a name used on products that have a specific geographical origin and possess	A GI is the name of a product that has obtained a high quality and reputation through unique

	reputation, or other characteristics are attributed to their geographical origin.	qualities or a reputation due to that origin.	qualities or a reputation due to that origin.	production methods and natural characteristics of the production area.
Types of Products	Agricultural products, foodstuffs, handicrafts, and manufactured goods.	Food, drink, agrarian products, spirit drinks, wine, aromatised wines.	Food, agricultural products, spirit drinks, wines, and aromatised wines.	Agricultural, forestry, and fishery products, foodstuffs.
Examples of GI Products	Darjeeling Tea, Kullu Shawl, Mysore Silk.	Scotch Whisky, Cornish Pasty, Jersey Royal Potatoes.	Kalamata Olive Oil, Champagne, Parmigiano Reggiano	Kobe Beef, Yubari Melon, Matsusaka Beef.
Registration Process	Application to the Geographical Indications Registry	Application to DEFRA	Application to the European Commission	Application to the Ministry of Agriculture, Forestry and Fisheries.
Protection Scope	National and International	National Protection (Great Britain), EU protection for Northern Ireland	EU-wide protection	National Protection
Inspection and Compliance	Regular inspection by authorised	Control bodies, local authorities, and	Compliance checks by designated	Compliance checks by the Ministry of

	bodies	UKAS- accredited bodies do compliance checks.	authorities.	Agriculture, Forestry and Fisheries.
Penalties for Misuse	Legal action, fines, imprisonment	Compliance notices and non- compliance penalties up to £ 40,000.	Legal action, fines.	Legal actions, fines.
Duration of Protection	10 years, renewable	Indefinite, as long as the product continues to meet the required standards	Indefinite, as long as the product continues to meet the required standards	Indefinite, as long as the product continues to meet the required standards
Certificate Mark	GI logo	PDO, PGI and TSG logos	PDO, PGI and TSG logos	Japan GI Logo
Application Fees	Varies based on the type of product	No Fees	No Fees	No Fees
Appeal Process	Appeals can be made to the IPAB.	Appeals can be made to the First-tier Tribunal (General Regulatory Chamber)	Appeals can be made to the Court of Justice of the European Union	Appeals can be made to the Ministry of Agriculture, Forestry and Fisheries.

Each jurisdiction has tailored its GI protection system to suit economic and cultural needs. While the EU has the most **comprehensive** framework, India and Japan have **strong domestic laws**, and the UK has **adapted its system post-Brexit**.

Concluding reflections

Geographical Indications transcend mere intellectual property rights; they serve as potent instruments for economic sustainability, cultural preservation, and worldwide commerce. India, the UK, the EU, and Japan have established unique GI protection schemes; yet, they face shared concerns including counterfeiting, enforcement difficulties, and consumer awareness. Enhancing international collaboration, refining enforcement systems, and promoting consumer knowledge will guarantee that geographical indications continue to support local economies and heritage for future generations.
