



**Registration of Geographical Indications (GIs) Available in Singapore from 1st April 2019:**

Following the European Parliament’s ratification of the European Union-Singapore Free Trade Agreement (EUSFTA), a new Registry of Geographical Indications was launched to allow registration of GIs in Singapore from 1st April 2019, providing GI holders with enhanced protection. Dispute resolution procedures relating to GI applications and registrations have also been introduced.

(A) Application Process for GIs

Applications for GIs will be processed in a similar way as trade mark applications:

Formalities check:	The application is checked to ensure that it meets filing requirements.
Substantive examination:	The application is examined to determine if the GI meets the legal requirements for registration.
Publication:	If the application meets the requirements for registration, it will be accepted and published in the Geographical Indications Journal for opposition purposes. The opposition period is 6 weeks.
Registration:	If there is no opposition to the registration of the GI or all opposition proceedings are resolved in favour of the applicant, the GI will be registered. A certificate of registration will be issued to the applicant.

The total processing time from the date on which the application for registration is filed to the registration of the GI is presently estimated at around nine months, if the application did not contain any deficiency or face any objection.

Once registered, a GI will enjoy 10 years of protection which is renewable every 10 years upon payment of the requisite renewal fees.

(B) Registration Criteria for GIs

To be eligible for registration, a GI must:

- (a) be an indication used in trade to identify goods as originating from a place that is a qualifying country or a region/locality therein, and a given quality, reputation or other characteristic of the goods is essentially attributable to that place;
- (b) identify goods that fall within at least one of the following categories:
  - (i) Wines;
  - (ii) Spirits;
  - (iii) Beers;
  - (iv) Cheese;
  - (v) Meat and meat products;
  - (vi) Seafood;
  - (vii) Edible oils;
  - (viii) Non-edible oils;
  - (ix) Fruits;
  - (x) Vegetables;
  - (xi) Spices and condiments;
  - (xii) Confectionery and baked goods;
  - (xiii) Flowers and parts of flowers;
  - (xiv) Natural gum;
- (c) not be contrary to public policy or morality;
- (d) be protected as a GI in its country or territory of origin;
- (e) not be identical to the common name of the goods identified by the GI. For example, “gouda” and “camembert” may be considered to have become the common name for types of cheeses, rather than GIs;

- (f) not contain the name of a plant variety or an animal breed and be likely to mislead the consumer as to the true origin of the product;
- (g) not be confusingly identical or similar to an existing geographical indication, whether registered or not;
- (h) not be confusingly identical or similar to an earlier trade mark in Singapore, whether registered or not;
- (i) not be identical with or similar to a well-known trade mark in Singapore and likely to mislead consumers as to the true identity of the goods identified by the GI; and
- (j) be applied for registration by a person who is entitled to file the application.

## (C) Entitlement to apply for GIs

The following persons are entitled to apply for registration of a GI:

- (a) a person who is carrying on an activity as a producer in the geographical area specified in the application with respect to the goods specified in the application;
- (b) an association of persons referred to in (a); or
- (c) a competent authority having responsibility for the GI for which registration is sought.

For further details and information on the filing requirements for GIs, please get in touch with us.

We look forward to hearing from you.

### **Jo-Ann See**

DID: (65) 6303 6211  
joann.see@amicalaw.com

### **Winnie Tham**

DID: (65) 63036217  
winnie.tham@amicalaw.com

### **Anna Toh**

DID: (65) 6303 6234  
anna.toh@amicalaw.com