

**Geographical Indications Act
(CHAPTER 117B)**

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GEOGRAPHICAL INDICATIONS ACT

(CHAPTER 117B)

(Original Enactment: Act 44 of 1998)

REVISED EDITION 1999

(30th December 1999)

An Act to provide for the protection of geographical indications in relation to goods.

[15th January 1999]

Short title

1. This Act may be cited as the Geographical Indications Act.

Interpretation

2. In this Act, unless the context otherwise requires —

“Court” means the High Court;

“geographical indication” means any indication used in trade to identify goods as originating from a place, provided that —

- (a) the place is a qualifying country or a region or locality in the qualifying country; and
- (b) a given quality, reputation or other characteristic of the goods is essentially attributable to that place;

“goods” means any natural or agricultural product or any product of handicraft or industry;

“interested party”, in relation to goods identified by a geographical indication, means a producer of the goods, a trader of the goods, or an association of such producers or traders or of such producers and traders;

“Paris Convention” means the Paris Convention for the Protection of Industrial Property signed at Paris on March 20, 1883, as revised or amended from time to time;

“place” means a country or territory and includes a region or locality in that country or territory;

“producer” means —

- (a) in relation to agricultural products, a person who produces those products for sale or other commercial purposes;
- (b) in relation to natural products, a person who exploits those products for sale or other commercial purposes; or
- (c) in relation to products of handicraft or industry, a person who manufactures those products for sale or other commercial purposes;

“qualifying country” means any country or territory which is —

- (a) a member of the World Trade Organisation;
- (b) a party to the Paris Convention; or
- (c) designated by the Minister as a qualifying country under section 11;

“trade mark” has the same meaning as in the Trade Marks Act (Cap. 332);

“trader”, in relation to goods, means any person —

- (a) who sells the goods in Singapore; or
- (b) who supplies the goods in Singapore for the purpose of their being sold by another person in Singapore;

“use” means use as part of, or in connection with —

- (a) any transaction, including a purchase, sale or exchange;
- (b) any importing or exporting;
- (c) any advertisement; or
- (d) any invoice, wine list, catalogue, business letter, business paper, price list or other commercial document.

Interested party may bring action for certain uses of geographical indication

3.—(1) Subject to the provisions of this Act, an interested party of goods identified by a geographical indication may bring an action against a person for carrying out an act to which this section applies in relation to the geographical indication.

(2) This section shall apply to the following acts:

- (a) the use of a geographical indication in relation to any goods which did not originate in the place indicated by the geographical indication, in a manner which misleads the public as to the geographical origin of the goods;
- (b) any use of a geographical indication which constitutes an act of unfair