

Australian Government

Consultation on a Possible New Geographical Indications Right

Geographical Indications and Indigenous Knowledge 22 October 2020

Introduction

We would like to seek your views on how a GI could protect authentic Indigenous products



Please Note: Nothing in this consultation means the Australian Government has agreed, or will agree, to make any changes to its existing GI regulatory framework or policy.

What is a GI?

A GI is a name that identifies a product as originating in a country, region or locality where a particular quality, reputation or other characteristic of the product is essentially attributable to that geographic origin.

Application to Indigenous products

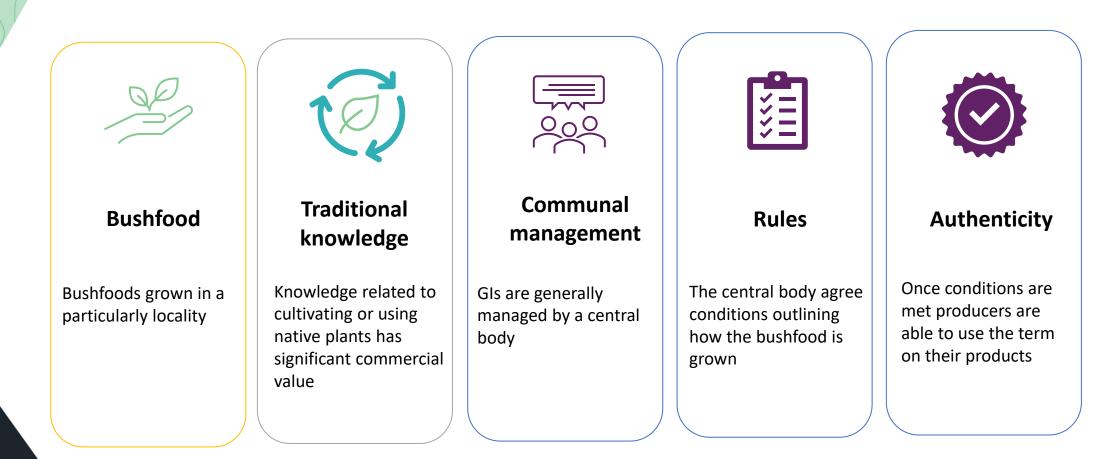


Bushfoods grown in a particular area or locality



Arts and crafts with a close connection with country, protecting a local image or identifier

How the rights may work



Benefits

- Help consumers identify and buy authentic products
- Enables Indigenous governance
- Can be communally owned
- Flexibility to accommodate innovation and development

Risks

- GIs protect the use of a name or image not the use or sale of the products
- GIs do not provide wholistic protection to Indigenous Knowledge and culture
- Central body needed to maintain the GI including enforcement against unauthorised use

Discussion questions

- Do you see benefits in GI rights for products that you or your community produce?
- 2. What do you think would help you apply for and use a GI?
- 3. Are there particular activities or industries where you think this would be more relevant than others?
- 4. Do you see any risk or sensitivities that might arise in providing GIs protection? How might these risks be managed?

- 5. What kind of rules do you think would work if GIs where going to be used in relation to IK? Do you see any particular organisations as being well-placed to help design and enforce those rules?
- 6. How might a GI apply where knowledge is shared by more than one community?
- 7. How might an Indigenous Advisory Panel be able to help?

Conclusion

• Consultation will be open until 30 November



 Details are available on our consultation hub: <u>https://consultation.ipaustralia.gov.au/policy/geographical-indications/</u>