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EXTRAORDINARY

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PART II—Section 3—Sub-section (i)

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48) 87 3) , , भौगोलिक उपदर्शन (रजिस्ट्रीकरण
और संरक्षण) , 2002 , , II, , i)
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भौगोलिक उपदर्शन (रजिस्ट्रीकरण और संरक्षण) ,
भौगोलिक उपदर्शन (रजिस्ट्रीकरण और संरक्षण),
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— (1)

भौगोलिक उपदर्शन (रजिस्ट्रीकरण और संरक्षण)

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8 , 2002

MINISTRY OF COMMERCE AND INDUSTRY
(Department for Promotion of Industry and Internal Trade)

NOTIFICATION

New Delhi, the 26th August, 2020

G.S.R. 528(E).—Whereas the draft rules, further to amend the Geographical Indications of Goods (Registration and Protection) Rules, 2002 were published as required under sub-section (3) of by Section 87 of the Geographical Indications of Goods (Registration and Protection) Act, 1999 (48 of 1999), *vide* notification of the Government of India in the Ministry of Commerce and Industry (Department For Promotion Of Industry And Internal Trade) number G.S.R. 645 (E) dated the 12th September, 2019 in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i), for inviting objections and suggestions from all persons likely to be affected, before the expiry of a period of thirty days from the date on which copies of the Gazette containing the said notification were made available to the public;

And whereas, the copies of the said Gazette notification were made available to the public on the 12th September, 2019;

And whereas, no objections and suggestions received from the public in respect of the said draft rules;

Now, therefore, in exercise of the powers conferred by section 87 of the Geographical Indications of Goods (Registration and Protection) Act, 1999 (48 of 1999), the Central Government hereby makes the following rules further to amend Geographical Indications of Goods (Registration and Protection) Rules, 2002, namely:-

1. **Short title and commencement.**— (1) These rules may be called the Geographical Indications of Goods (Registration and Protection) (Amendment) Rules, 2020.
 (2) They shall come into force from the date of their publication in the Official Gazette
2. In the Geographical Indications of Goods (Registration and Protection) Rules, 2002 (hereinafter referred as the “said rules”), for Rule 56 following Rule shall be substituted, namely:-
“56. Authorised User.—(1) An application for registration of authorized user under section 17 may be made to the Registrar in Form GI-3 accompanied by a statement of case as to how the applicant claims to be the producer of the registered geographical indication.
 (2) A copy of application made under sub-rule (1) shall be forwarded to the registered proprietor of geographical indication and intimate the same to the Registrar.”

3. In the said rules, in rule 59 for sub-rule (1), the following sub-rule shall be substituted, namely:-

(2) “Where no notice of opposition is filed to an application advertised or re-advertised in the Journal within the period specified under sub-clause (e) of sub-section (3) of Section 17 or where an opposition is filed and it is dismissed, the Registrar shall enter the authorised user in Part B of the register and shall issue a registration certificate with the seal of Geographical Indication Registry”.

4. In the said rules in rule 59, in sub-rule (2), clauses (f) and (g) shall be omitted.

5. In the said rules, in rule 59, in sub-rule (3), the words:-

“An unmounted representation of the geographical indication exactly as shown in the form of application for registration thereof at the time of registration shall accompany such request.” shall be omitted.

6. In the said rules, in the FIRST SCHEDULE-,

a) for the entry 3A, the following entry shall be substituted, namely:-

“

3A	On application for the registration of an authorised user of a registered geographical indication under section 17, Rule 56(1)	10	GI-3
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”

b) the entry 3B shall be omitted ;

c) for the entry 3C, the following entry shall be substituted, namely:-

“

3B	For renewal of an authorised user (sub-section (2) of section 18 sub-rule(1) of rule 60)	10	GI-3
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”

7. In the said rules, in the SECOND SCHEDULE-,

a) the following Form number, :

“

GI-3	Section 18(5), rule 59	Request for issuance of a registration certificate as an authorised user.	3B
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”

shall be omitted;

b) for the Form number

“

GI-3	Section 18(2), rule 60(1)	For renewal of an authorised user	3C
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”

the following form number shall be substituted, namely:-

“

GI-3	Section 18(2), rule 60(1)	For renewal of an authorised user	3B
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”

8. In the said rules, for Form GI 3, the following form shall be substituted, namely:-

Geographical Indications of Goods (Registration & Protection) Act, 1999 Geographical Indications of Goods (Registration & Protection) Rules, 2002 Form GI 3A Application for the Registration of an Authorized User [Section 17 (1), Rule 56 (1)] Fee: Rs. 10 [See entry No.3A of the First Schedule]
(1) Name of the Applicant (proposed Authorized user): _____ (2) Address of the applicant: _____ (3) Address of service (if different from Above): _____ (4) Registered Geographical Indication for which application is made: _____ (5) Email id: _____ (6) Phone/mobile number : _____ Declaration: (1) I hereby declare that I have enclosed the statement of case and evidence of due service of copy of my application to the registered proprietor (<u>Name of registered proprietor</u>) for _____, registered as a Geographical Indication. (2) I also declare that all the above information is true and correct to the best of my knowledge and belief. (3) I undertake that if any of the information is found incorrect or false, my application may be rejected and if already accepted, my registration maybe revoked and my name removed from Part B of the register. Date: _____ Place: _____ SIGNATURE

Geographical Indications of Goods (Registration & Protection) Act, 1999 Geographical Indications of Goods (Registration & Protection) Rules, 2002 Form GI 3B Application for Renewal of Registration of an Authorized User [Section 18 (2), Rule 60 (1)] Fee: Rs. 10 [See entry No.3B of the First Schedule]
(1) Name of the Applicant (Authorised User): _____ (2) Address of the Applicant: _____ (3) Address of service (if different from above): _____ (4) Registered Geographical Indication for which application is made: _____ (5) Email id: _____

(6) Phone/mobile number : _____

DECLARATION:

I acknowledge that my registration as an authorised user will be valid after renewal for a period of 10 years, or for such period as the geographical indication continues to be registered, whichever is lesser.

Date:

Place:

SIGNATURE

[F. No. P-24027/4/2018-IPR-IV(Pt-1)]

RAVINDER, Jt. Secy.

Note : The principal rules were published in the Gazette of India; Extraordinary, Part II, Section 3, Sub-section (i) *vide* notification number G.S.R. 176 (E), dated 08th day of March 2002.