



EXPORT PROMOTION COUNCIL FOR HANDICRAFTS

"EPCH HOUSE" POCKET-6 & 7, SECTOR-C, L.S.C., VASANT KUNJ, NEW DELHI-110070

Tel: 91-11-26135256

Email: kolkata@epch.com

Fax: 91-11-26135518, 26135519

Web: www.epch.in

EPCH ORGANIZED A SEMINAR ON BRAND BUILDING, DESIGN PROTECTION AND UNDERSTANDING NEW INTELLECTUAL PROPERTY CHALLENGES IN HANDICRAFTS SECTOR AT KOLKATA ON (SATURDAY) 30.11.2013 AT THE CONFERENCE HALL, EPCH – ER OFFICE, AT 53/1, SAMBHUNATH PANDIT STREET, KOLKATA – 700 025

A Seminar on brand building, design protection, and understanding of new intellectual property challenges in handicrafts sector organized at Kolkata on (Saturday) 30.11.2013. Following senior members from the industry who have build successful brands; Advocate and Patent attorney along with more than 40 participants including members, Artisans, and NGOs took part in the seminar.

1. Shri Hardeep Singh - Ex-chairman, Polar Fans and Marketing Consultant, LUMINOUS
2. Shri Anil Shunglu - Advocate – Calcutta High Court
3. Dr. M. H. Choudhury - Patent and Trademark Attorney. Scientist. Patent Information Centre. West Bengal State Council of Science & Technology.
4. Shri A. K. Hota - Asst., Director – DC(H)
5. Shri O. P. Prahladka - Convener (EPCH – ER)
6. Shri Yogesh Gupta - Prominent Exporter

The objective of the Seminar was to apprise the participants on the primary interest of gaining the protections with a view to seeking the best return on their investment in their produced designs of Handicraft products. The Convener – Eastern Region, Shri O P Prahladka chaired the above seminar.

The Convener – Eastern Region, Shri O P Prahladka welcomed the dignitaries and participants. While welcoming the dignitaries, Mr. O. P. Prahladka stressed on the necessity of brand building, design protection, and understanding new intellectual property challenges in handicrafts sector and how the same will be beneficial in longer run and lead to form sustainable model for business opportunities for the member exporters.

Shri A. K. Hota, Asst., Director – DC(H) congratulated EPCH for conducting 3rd Seminar successively for export promotion from Eastern Region. He also indicated in his address the importance of IPR as its not only empowers to compete but also add value to traditional products to make it commercially viable.

He further informed that in international markets, the consumers do not buy products they buy brands and Branding does not cost much and implementation of few important marketing strategy is the only solution for the small entrepreneurs.

Shri Hardeep Singh, Ex-chairman, Polar Fans and Marketing Consultant, LUMINOUS during his presentation stressed on the need of on specializing business with focus on selecting products and buyers.

Shri Anil Shunglu, Advocate – Calcutta High Court and Ex Legal Consultant to J.K group, Swaraj Paul group companies) highlighted that segmentation of market is very necessary because brands are maintained according to segment and value created over a period of time. He also stated that local community has merged with global economy that is why attentiveness to the subject is really

necessary. While speaking, he stressed on the need for Patent and copyright in US and India is necessary in the present scenario.

Dr. Mahuya Hom Choudhury focused on the history, technicalities & definitions of IPR. She proposed to make a proper road map to identify INTELLECTUAL PROPERTY in handicrafts sector. She further stated that Govt. of West Bengal have been able to protect the Geographical Indication of Murshdabadi Silk, Baluchari Saree of Bishnupur, Chaniakhali Taant, Phulia Saree etc. The participants came to know that due to technical complexities, a registration of Patent may take 2 to 5 years depending on the cases, but procedures for protecting a design is very less complicated. She informed the participants about countrywise Patent Information Center and encouraged the participants to protecting their IP through registration.

This seminar focused on the significance of IPR, Brand building & Design protection as something integral to learning. The themes of the presentations included the benefits from the learning, to think thoroughly about issues, to practice and challenge in areas of weakness, to work constructively. Following questions were asked during above seminar:-

Questions Answeres:

Q. How do we manage, in case of violation of handicraft designs?

A. To avoid the legal obligation amicable settlements between original designer and producer doing malpractices, may be an option.

Q. What is the cost of design protection and filing?

A. The cost of filing varies from company to company depending on the volume or types, and country to country.

Q. What is the difference between “TM” & “R”?

A. “TM” means the trade mark is applied for and “R” means trade mark is granted and registered.

Q. How can we protect the designs from handicrafts?

A. “Original will be Original” – Keeping this in view, one need to keep on registering the designs. Since it is the handicrafts sector and deals with natural, organic and traditional knowledge, the distinct feature is not always possible to be copied, and the copied may be found as dissimilar.

Q. Does EPCH have the power to resolve any “Patent” disputes?

A. No. May be in near future this is required to be established.

Q. When does the applicant for registration of design get the registration certificate?

A. When an application for registration of a design is in order, it is accepted and registered, and then a certificate of registration is issued to the applicant. However, a separate request should be made to the Controller for obtaining a certified copy of the certificate for legal proceeding with requisite fee.

Q. Who can apply for GI's registration?

A. Any association of persons or producers or any organization or authority established by or under any law for the time being in force representing the interest of the producers of the concerned goods, who are desirous of registering geographical indication in relation to such goods shall apply in writing to the Registrar in such' form and in such manner and accompanied by such fees as may be prescribed for the registration of the geographical indication (www.ipindia.nic.in).

Q. Who is a registered proprietor of a geographical indication?

A. Any association of persons or of producers or any organization or authority established by or under the law can be a registered proprietor. Their name should be entered in the Register of Geographical Indication as registered proprietor for the Geographical Indication applied for.

Q. Who can use the registered geographical indication?

A. An authorized user has the exclusive rights to the use of geographical indication in relation to goods in respect of which it is registered.

