



**HOUSE OF REPRESENTATIVES**

**House Bill No. 7427**

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Introduced by Hon. Antonio B. Legarda Jr.

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**AN ACT**  
**PROVIDING FOR THE COLLECTIVE PROMOTION AND IDENTITY**  
**PROTECTION OF AGRICULTURAL OR NATURAL (UNPROCESSED OR WILD)**  
**PRODUCTS, LOCALLY PROCESSED PRODUCTS, OR ANY LOCAL PRODUCTS**  
**OF HANDICRAFT OR INDUSTRY WITH GEOGRAPHICAL INDICATIONS**

**EXPLANATORY NOTE**

The Philippines is a home to a variety of goods that are famous because of their origin. Products such as Guimaras Mangoes, Aklan Piña cloth, Asin Tibuok, Bicol Pili, and Baguio Strawberry carry a distinct identity shaped by unique local soil, specific climate conditions, and generations of Filipino craftsmanship. These products are not just commodities; they are expressions of a specific region's heritage and environment.

To protect this unique identity, the Philippines uses Geographical Indication (GI), which serves as an official tool to identify products tied to a specific location.<sup>1</sup> A major milestone in this effort occurred in 2023 when Guimaras Mangoes were officially recognized as the country's first registered GI.<sup>2</sup> This status ensures that the name is legally protected, ensuring that only authentic products from the region can carry that famous label.

Protecting GIs is essential for both economic progress and cultural preservation. By securing this, local producers can better distinguish their goods in a competitive market, and drive economic growth within their communities. It also preserves traditional knowledge, cultural practices, and the country's national heritage.<sup>3</sup>

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<sup>1</sup> Geographical Indication, Intellectual Property Office of the Philippines.

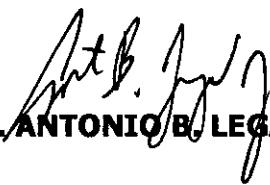
<sup>2</sup> IPOPHL Oks Guimaras Mangoes as PH's first GI, targets legislative reforms against infringement, Intellectual Property Office of the Philippines (2023).

<sup>3</sup> <https://internationalipcooperation.eu/sites/default/files/inline-images/elearning/PDF/session2.2.pdf>

Considering that our current rules on GIs are limited, many Filipino producers are at risk. Cheap imitations can use the same names which confuses and steals income from the rightful local producers.

This bill seeks to establish a clear policy for the protection and registration of GIs. By doing so, it will stop unfair competition and the misuse of local names, support local producers, and make Philippine products more competitive in the global market. It also brings the Philippines in line with international standards under the TRIPS Agreement, and reflects best practices adopted across the European Union and ASEAN.

In view of these reasons, the immediate approval of this measure is earnestly sought.

  
**HON. ANTONIO B. LEGARDA, JR.**

1 **TWENTIETH CONGRESS OF THE** )  
2 **REPUBLIC OF THE PHILIPPINES** )  
3 *First Regular Session* )  
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22 *Be it enacted by the Senate and House of Representatives of the Philippines in*  
23 *Congress assembled:*

24 **Article I**

25 **General Provisions**

26 Section 1. ***Short Title.*** – This Act shall be known as the “Geographical Indications  
27 Promotion and Protection Act.”

28 Section 2. ***Declaration of Policies.*** – The State recognizes the importance of  
29 geographical indications in agricultural, economic, and cultural development. It  
30 increases the competitive advantage of agricultural and industrial products by  
31 facilitating local and foreign recognition, thereby bolstering rural socio-economic  
32 development through the consequent creation of job opportunities from production,  
33 processing, and distribution.

34 The State, therefore, shall endeavor to protect and promote these industries by  
35 helping producers communicate the product characteristics and their attributes to  
36 buyers and consumers to ensure:

- a. Fair competition of producers;
- b. Availability of reliable information to consumers;
- c. Respect for intellectual property rights; and
- d. Integrity of the market.

Section 3. ***Definition of Terms.*** – For purposes of this Act, the following terms are hereunder defined accordingly:

- a. *Bureau* refers to the Bureau of Trademarks;
- b. *Control System* refers to the verification of the compliance of goods with the Manual of Specifications, by internal authorities and/or by external authorities; internal authorities refer to the applicant/registrant while external authorities refer to any control authority, public or private not being the applicant nor involved in any production activities;
- c. *Director General* refers to the Director General of the IPOPHL;
- d. *E-Gazette* refers to the IPOPHL's own publication where all matters required to be published under the IP Code shall be published;
- e. *Fees* refer to costs imposed on direct recipients of public goods and services provided and performed by the IPOPHL in the exercise of its functions. They also include charges and other costs;
- f. *Geographical Indication (GI)* refers to indications which identify a good/product as originating in a territory, region, or locality, where a given quality, reputation, or other characteristic of the good is essentially attributable to its geographical origin and/or human factors;
- g. *Goods/Products* refer to any agricultural or natural (unprocessed or wild) products, processed products, including foodstuff and alcoholic beverages, or any products of handicraft or industry;
- h. *Indication* refers to a sign which is used to identify a good, either a geographical name (name of a territory, region, or locality, or under exceptional circumstances, the name of a country), a non-geographical name, an emblem or any other distinctive symbol;
- i. *IP Code* refers to Republic Act No. 8293 otherwise known as the "*Intellectual Property Code of the Philippines*;"

- 1 j. *IPOPHL* refers to the Intellectual Property Office of the Philippines;
- 2 k. *Manual of Specifications* refers to a document that contains the name to be
- 3 protected as a geographical indication, description of the goods, the delimited
- 4 geographical area where the goods are produced, and an explanation of the
- 5 link between the said area and its quality, reputation, or characteristics;
- 6 description of its production processes; control system and quality standards;
- 7 labeling rules, among others;
- 8 l. *Paris Convention* refers to the Convention for the Protection of Industrial
- 9 Property signed at Paris on 20 March 1883, and any revision or amendment
- 10 thereto which has become into force in the Philippines;
- 11 m. *Person* refers to any juridical person, organization, association or duly
- 12 constituted government unit, body, or agency;
- 13 n. *Producer* refers to:
- 14 i. Any producer of agricultural product or natural products;
- 15 ii. Any processor of natural or agricultural or agri-food products; and
- 16 iii. Any industry or manufacturer of products of handicraft.
- 17 o. *Registrar* refers to the Registrar of Geographical Indicators;
- 18 p. *Rules* refers to the Rules and Regulations on Geographical Indicators; and
- 19 q. *Use of Geographical Indication* refers to offer for sale, production, sale, export
- 20 or import of geographical indication goods as well as any promotion and
- 21 communication material in relation to the geographical indication goods and
- 22 other preparatory steps necessary to carry out the sale or export of goods
- 23 protected as geographical indicators.

## 24 **Article II**

### 25 **Geographical Indications**

26 Section 4. **Objectives.** – A scheme for protecting and promoting geographical

27 indications shall be established in order to help producers by:

- 28 a. Securing fair returns for the qualities of their products;
- 29 b. Ensuring uniform protection of the product's geographical indication as an
- 30 intellectual property right;

- c. Providing clear information on the value-adding attributes of the product to the consumers;
- d. Regulating or managing the procedure related to the registration of geographical indications;
- e. Protecting geographical indications, including in the unfair competition procedures;
- f. Promoting geographical indication rights and products; and
- g. Protecting producers from anti-competitive practices in the registration and use of geographical indications.

Section 5. ***Names, Symbols, and Indications.*** – Protected Geographical indications may be used by any person marketing a product which conforms to its corresponding Manual of Specifications.

A national logo designed to publicize protected geographical indications shall be established. The Bureau shall constitute a National Logo to certify all registered geographical indication goods in the Philippines.

Section 6. ***Acquisition of Rights.*** – The protection afforded under this Act to any indication constituting a geographical indication shall be obtained through valid registration and a certificate issued to that effect by the Bureau.

Section 7. ***Rights conferred to Geographical Indications.*** – Registered Geographical Indications shall be protected against:

- a. Any direct or indirect commercial use of a registered name with respect to products not covered by the registration where those products are comparable to the products registered or where using the name exploits the reputation of the protected name, including when those products are used as an ingredient, thereby exploiting, weakening, diluting or being detrimental to the reputation of the registered name;
- b. Any misuse, imitation, or evocation, even if the true origin of the products or services is indicated or if the protected name is translated or accompanied by an expression such as 'style', 'type', 'method', 'as produced in', 'imitation' or similar, including when those products are used as an ingredient;

- 1 c. Any other false or misleading indication as to the provenance, origin, nature,  
2 or essential qualities of the product that is used on the inner or outer packaging,  
3 advertising material, or documents relating to the product concerned, and the  
4 packing of the product in a container tending to convey a false impression as  
5 to its origin;  
6 d. Any use of a geographical indication which constitutes an act of unfair  
7 competition within the meaning of Article 10 of the Paris Convention; and  
8 e. Any other practice that tends to mislead the consumer as to the true origin of  
9 the product.

10 Where a protected geographical indication contains within it the name of a product  
11 which is considered to be generic, the use of that generic name shall not be considered  
12 to be contrary to sub-paragraphs (a) and (b) of the preceding paragraph.

13 Protected geographical indications shall not become generic.

14 Producers with a demonstrable history of producing the GI-identified product prior to  
15 registration may file an Affidavit of Traditional Goodwill. The affidavit shall be  
16 supported by documentation such as local certifications, testimonies, market records,  
17 or photos to demonstrate their bona fide role in the production community. Upon  
18 verification, the Registrar may authorize conditional use or create a transitional  
19 compliance pathway.

## 20 **Article III**

### 21 **Powers and Authority of Government Agencies**

22 Section 8. ***Geographical Indications Registrar.*** – The Director of the Bureau of  
23 Trademarks shall act as the Registrar of Geographical Indications who has the  
24 authority to examine and register applications for the registration of geographical  
25 indications, and implement the provisions of this Act.

26 Section 9. ***Register of Protected Geographical Indications.*** – The Registrar shall  
27 keep and maintain a register to be known as the Register of Protected Geographical  
28 Indications which shall contain all the recorded particulars as the Registrar deems  
29 appropriate.

1 The Register shall be open to the inspection of the public during business hours, and  
2 accessible/searchable online, subject to certain conditions as the Registrar may  
3 prescribe. A certified true copy or extract of any entry in the Register shall be provided  
4 to any person requiring the copy or extract upon payment of the prescribed fee.

5 The Registrar, as soon as practicable, shall make applications for registration available  
6 and allow for the filing of observation or objections online or in electronic form.

7 Section 10. ***Powers of the Bureau of Legal Affairs.*** – The Bureau of Legal Affairs  
8 (BLA) of the IPOPHL shall have the authority to adjudicate on oppositions to the  
9 application for geographical indication and cancellations of registered geographical  
10 indications. The BLA shall also exercise original and exclusive jurisdiction in  
11 administrative complaints for geographical indication infringement and other violations  
12 of this Act.

13 The BLA shall also have the power to resolve disputes other than the aforementioned  
14 through alternative modes of dispute resolution.

15 Section 11. ***Roles of Relevant Government Agencies.*** – Pursuant to their  
16 respective mandates, the IPOPHL, the Department of Agriculture (DA), the  
17 Department of Trade and Industry (DTI), the Department of Science and Technology  
18 (DOST), the Department of Environment and Natural Resources (DENR), the National  
19 Commission for Culture and the Arts (NCCA), the National Commission on Indigenous  
20 Peoples (NCIP), the Cooperative Development Authority (CDA), and such other  
21 agencies and local government units as may be appropriate, shall collaborate to  
22 support and encourage the development of domestic products with origin-linked  
23 quality, characteristics, or reputation to be granted geographical indication protection  
24 under the provisions of this Act.

25 The IPOPHL, DA, DTI, DOST, DENR, NCCA, NCIP, CDA, or such other relevant  
26 agencies as may be appropriate, shall conduct capacity-building and research and  
27 development activities and/or projects for potential geographical indication producers  
28 and stakeholders, such as but not limited to the formulation of a manual of  
29 specifications, branding, packaging, and marketing of the geographical indication  
30 protected product. The agencies shall assist these potential geographical indication

1 producers and stakeholders and IPOPHL in validating and examining, as needed, the  
2 link of the quality, characteristics, or reputation of the goods to the territory, and shall  
3 provide such other services to support their needs.

4 The agencies shall allocate the necessary appropriations of their respective annual  
5 budget to implement these mandates subject to existing budgeting, accounting, and  
6 auditing laws, rules, and regulations.

7 Private agencies may also support the geographical indication system.

## 8 **Article IV**

### 9 **Registration**

10 Section 12. ***Applicants.*** –The following may make an application to the Registrar  
11 for the registration of a geographical indication:

- 12 a. Producers' organization or association representative of the producers referred  
13 in Section 3(n);
- 14 b. Government agencies or local government units having area of responsibility  
15 covering the geographical origin of the goods and representative of the  
16 producers referred in Section 3(n); and
- 17 c. Organizations or associations or indigenous cultural communities/indigenous  
18 peoples which are specifically entrusted with the task of regulating and/or  
19 protecting geographical indication by paragraphs (a) or (b) and representative  
20 of the producers referred in Section 3(n).

21 The representativeness of the applicant can be evidenced by any means. In particular,  
22 the applicant should demonstrate it is representative of small farmers and social and  
23 sustainable enterprises.

24 Section 13. ***Requirements of Application.*** –The application for the registration of  
25 the geographical indication shall be in the prescribed form, may be in Filipino or in  
26 English and, shall be filed before the Registrar, containing the following details:

- 27 a. Name and address of the applicant;
- 28 b. Manual of Specifications duly formulated and adopted by the Producer's  
29 organization or association. The Manual of Specifications may contain a

grading system or classification method for the goods, based on objective criteria, to recognize and support quality differentiation within the same geographical indication. Such grading system shall also outline minimum compliance thresholds and transitional or inclusive provisions to ensure equitable access for small-scale and traditional producers; and

- c. Validation through a letter of consent from a competent, independent body:
  - i. of the causal link between specific quality, reputation or other characteristic of the goods and the geographical area where it originated or produced as described in paragraph f of this section; and
  - ii. of the technical information pertaining to the product specifications in the Manual of Specifications.

The Registrar may require the submission of other details as may be necessary.

Section 14. **Filing Date.** – The filing date of an application shall be the date on which the Registrar received a fully accomplished application form, containing all the details set forth under Section 13 of this Act, together with the proof of payment of the required fee.

Section 15. **Disclaimer.** – A generic or customary term or common name component of a geographical indication should be disclaimed. In general, a name or term is considered generic, customary or common if it is understood by the general public in the Philippines or the relevant consumers of the goods covered by the geographical indication to be the product itself or the name and denomination used to refer to the goods themselves.

Section 16. **Withdrawal of Application.** – The application may be withdrawn at any time by filing with the Registrar a written declaration of withdrawal signed by the applicant or its authorized representative or agent and upon payment of the prescribed fee.

## **Article V**

### **Examination**

1 Section 17. ***Examination; Deficiencies.*** – The Registrar shall examine the  
2 applications for registration of geographical indications in accordance with this Act or  
3 in accordance with an international treaty to which the Philippines is a party, according  
4 to procedures approved thereunder. Should there be any deficiency in the application,  
5 the applicant shall be notified by the Registrar to remedy the same, and if deemed  
6 necessary, shall be requested to submit additional information or documents within  
7 two (2) months from mailing date of the notice. The period to respond may be  
8 extended upon written request by the applicant and payment of the required fee for  
9 an additional period of one (1) month each but not to exceed the total of four (4)  
10 months from mailing date of the official action. Any request for such extension must  
11 be filed on or before the day on which the response of the applicant is due.

12 In case the deficiencies are not remedied or if the applicant failed to submit the  
13 additional information or documents within the prescribed period, the application shall  
14 be considered withdrawn without prejudice to the right of the applicant to re-file the  
15 same application subject to the requirements set forth under this Act.

16 A consultative group of experts from the relevant government agencies referred to in  
17 Section 11, well versed in the area of the good to be designated by the geographical  
18 indication, shall be constituted by the Registrar to support IPOPHL in conducting the  
19 substantive examination of the link between the quality, characteristics or reputation  
20 of the goods to the territory and the formulation of the Manual of Specifications.

## 21 **Article VI**

### 22 **Refusal of the Application**

23 Section 18. ***Grounds for Refusal.*** – The following names shall not be registered as  
24 a geographical indication and shall be refused:

- 25 a. Those which are contrary to laws and regulations, public order, public policy or  
26 morality;
- 27 b. Geographical indications of a foreign country which are not or have ceased to  
28 be protected in their country or territory of origin;
- 29 c. Those which mislead or deceive the public as to the characteristic, nature,  
30 quality, place of origin, production process of the good and/or its use;

- 1 d. Those which consist exclusively of, or identical with, a generic, common or  
2 customary name of the goods in the Philippines and the geographical indication  
3 sought to be registered will be applied for the same goods;
- 4 e. Those which are identical with or confusingly similar to the name of a plant  
5 variety or animal breed and is likely to mislead the consumer as to the true  
6 origin of the goods;
- 7 f. Those which do not fall within the prescribed definition of geographical  
8 indication; and
- 9 g. Those which are identical with, or confusingly similar to, or an evocation of, an  
10 earlier filed or registered geographical indication in the Philippines or in a treaty  
11 or international agreement of which the Philippines is a member in respect of  
12 the same goods or closely related goods as to cause confusion.

13 Section 19. ***Order of Refusal.*** – Upon proper notification, an Order of Refusal shall  
14 be issued by the Registrar to the applicant who may appeal the same to the Director  
15 General in accordance with the Uniform Rules on Appeal. No motion for  
16 reconsideration of the Registrar’s decision is allowed.

## 17 **Article VII**

### 18 **Publication**

19 Section 20. ***Publication.*** – When the Registrar finds that the requirements prescribed  
20 by this Act are satisfied, it shall, upon payment of the prescribed fee, forthwith cause  
21 the application to be published in the e-Gazette for a period of one (1) month. The  
22 publication shall include the following:

- 23 a. Application number;  
24 b. Filing date;  
25 c. All the details set forth under Section 13 of this Act; and  
26 d. Other matters which the Registrar may deem necessary.

## 27 **Article VIII**

### 28 **Opposition to the Registration of Geographical Indication**

29 Section 21. ***Opposition.*** –

1 a. Within three (3) months from the publication of the application of the  
2 geographical indication and upon payment of the prescribed fee, any  
3 interested person who may be damaged by its registration may file a notice  
4 to oppose the registrability of the geographical indication before the BLA of  
5 the IPOPHL.

6 The interested party may, in lieu of a notice, file a written request for  
7 extension of one (1) month for good cause and upon payment of the required  
8 fee.

9 b. Within one (1) month from receipt by the BLA of such notice or request for  
10 extension, a verified and written opposition, including supporting documents,  
11 must also be submitted, without need of any notification from the BLA. Failure  
12 to comply within the prescribed period will result in the dismissal of the  
13 Opposition. In no case shall the filing of the verified opposition exceed four  
14 (4) months from the publication date of the application.

15 c. A copy of the opposition shall be furnished by the BLA to the applicant who  
16 may comment on it within two (2) months from receipt of the order. The  
17 opposition will be taken into consideration by the BLA in deciding whether to  
18 grant or refuse protection to the geographical indication being applied for.

## 19 **Article IX**

### 20 **Term of Protection**

21 Section 22. ***Finality of Decision; Registration and Term of Protection.*** – If no  
22 opposition is filed within the prescribed period, the geographical indication shall be  
23 granted protection on the day immediately after the last day of publication and entered  
24 in the Register of Protected Geographical Indications. In case there is an opposition,  
25 the protection shall be reckoned from the finality of the decision that the geographical  
26 indication is entitled to registration and protection. The registered geographical  
27 indication is protected for an unlimited term until or unless revoked with finality.

## 28 **Article X**

### 29 **Use of the Geographical Indications**

1 Section 23. ***Right to use geographical indications.*** – As referred in Section 5,  
2 protected geographical indications may be used by any person marketing a product  
3 which conforms to its corresponding Manual of Specifications. Traders willing to use  
4 the geographical indications shall be subject to controls on the market by the  
5 competent market control authorities.

6 Section 24. ***Use of geographical indications.*** – Producers willing to use the  
7 geographical indications shall be subject to controls before the product is put into the  
8 market by the competent control authorities, as referred to in Section 3 (b), and  
9 according to the control system described in the Manual of Specification. The  
10 applicant/registrant and/or the competent control authorities shall be in charge of  
11 maintaining the list of the producers of the geographical indications product.

## 12 **Article XI**

### 13 **Amendment**

14 Section 25. ***Amendment of an Application or Registration.*** – The application for  
15 registration or the registration of a geographical indication may be amended, at the  
16 request of the applicant or registrant, to correct the formalities in the application or  
17 registration and the details in the Manual of Specifications.

## 18 **Article XII**

### 19 **Cancellation of Registration; Dispute Resolution**

20 Section 26. ***Cancellation of Registration.*** – At any time, upon payment of the  
21 prescribed fee and upon a verified petition by any interested person that the protection  
22 of geographical indication accorded under Section 7 of this Act is no longer warranted,  
23 due notice and opportunity to be heard shall be given to the registrant and if the same  
24 petition is found to be meritorious, the BLA shall cancel the registration based on any  
25 of the following grounds:

- 26 a. The conditions for protection specified under Section 3(f) of this Act have not  
27 been fulfilled;
- 28 b. There has been a change in the geographical origin of the goods including the  
29 natural and human factors, which are determinative of the quality, reputation

1 or characteristics of the goods bearing a geographical indication and such  
2 change results in the disqualification;

3 c. Based on the ruling or decision of the court or tribunal, the applicant-registrant  
4 referred to under Section 12 of this Act has no effective control over the use  
5 of the geographical indication, standards of production of the goods and other  
6 product specifications;

7 d. The registration of the geographical indication was obtained through false  
8 statements and documents during the course of the application; and

9 e. The registered or protected geographical indication has been proven to be  
10 generic or a common or customary name of the goods covered thereby in the  
11 Philippines prior to the grant of protection.

12 Section 27. **Notice of Verified Petition.** – The BLA shall notify and furnish a copy  
13 of the verified petition to the concerned registrant of the geographical indication who  
14 may comment to it within one (1) month from receipt of the order.

15 The period to file the comment may be extended for another one (1) month upon  
16 written request of the registrant for good and sufficient cause and upon payment of  
17 the required fee. Thereafter, the petition shall be submitted for decision of the Director  
18 of the BLA. In no case shall the filing of the comment exceed two (2) months from  
19 the date of receipt of the notice to comment.

20 Section 28. **Appeal.** – The decision of the BLA shall be final and executory unless  
21 appealed to the office of the Director General as provided under the uniform rules on  
22 appeal. No motion for reconsideration of the BLA Director's decision is allowed.

23 Section 29. **Dispute Resolution.** – Notwithstanding any contrary provision in the  
24 Manual of Specifications, if the approval of the Producers organization or association  
25 cannot be obtained as regards the formulation and/or implementation of any of the  
26 provisions and requirements in the Manual, including control systems and standards,  
27 and labeling rules, the same shall also be referred to the BLA for mediation as provided  
28 under the implementing rules.

1 In case of any dispute, or any issue on the use and/or misuse of the geographical  
2 indication on the products specified in the registration, these may be referred to the  
3 BLA for mediation as governed by the relevant implementing rules and regulations.

4 If the settlement involves the implementation of the Manual of Specifications, the  
5 same is subject to review by the Registrar and/or any validating government agency  
6 if the issue relates to the causal link of the products with the geographical area or any  
7 content embodied in the Manual of Specifications. Upon clearance by the Registrar  
8 and/or validating government agency, the settlement agreement shall be deemed final  
9 and will be incorporated in the Manual of Specifications.

10 In the event mediation proceedings fail, the parties may be referred to the BLA for  
11 arbitration as provided in the rules and regulations.

## 12 **Article XIII**

### 13 **Exceptions**

14 Section 30. ***Prior Users of Geographical Indications and Trademarks.*** –

15 a. Nothing in this Act shall prevent the continued or similar use of a particular  
16 geographical indication of another country identifying goods in connection  
17 with goods or services by any national or domiciliary of the Philippines or any  
18 national with real or effective commercial establishment in, or doing business  
19 in the Philippines, who have used said geographical indication in a continuous  
20 manner with regard to the same or related goods or services in the Philippines  
21 either –

22 i. For at least 10 years before April 15, 1994; or

23 ii. In good faith before April 15, 1994.

24 b. Where the trademark has been applied for or registered in good faith, or  
25 where rights to a trademark have been acquired through use in good faith  
26 either –

27 i. Before the effectivity of this Act; or

28 ii. Before the geographical indication is protected in its country of origin.

Measures adopted to implement this Act shall not prejudice the eligibility for, or the validity of the registration of the trademark, or the right to use a trademark, on the basis that such trademark is identical with or similar to, a geographical indication.

#### Article XIV

##### Infringement of Geographical Indications, Sanctions and Penalties

Section 31. ***Infringement of Geographical Indications.*** – Any willful use of registered geographical indications in a manner prescribed under Section 7 of this Act, for a good not complying with the Manual of Specifications, is considered as an infringement and offense against the economic interest of the State. The State can *motu proprio* take administrative or legal measures to enforce protection of geographical indication against the infringers.

Section 32. ***Penalties.*** – Independent of civil and administrative sanctions imposed by law, a criminal penalty of imprisonment from two (2) to five (5) years and a fine ranging from Five hundred thousand pesos (P500,000.00) to One million pesos (P1,000,000.00), shall be imposed on any person who is found guilty of committing infringement of geographical indications.

#### Article XV

##### Final Provisions

Section 33. ***Appropriations.*** – The amount necessary for the conduct of activities and projects in relation to capacity-building, research and development, and assistance to potential and registered geographical indication producers shall be sourced from the budgets of the different government agencies tasked to implement the same.

Section 34. ***Implementing Rules and Regulations.*** – Within ninety (90) days after the effectivity of this Act, the IPOPHL, in consultation with the relevant stakeholders, shall formulate the implementing rules and regulations (IRR) necessary to carry out the provisions of this Act.

The IRR shall include, but not be limited to, the following:

- a. Procedures and requirements for the registration, use, and protection of geographical indications;
- b. Additional qualifications for Non-Filipino applicants;
- c. Mechanisms towards the recognition of the full ownership, control and protection of the cultural and intellectual rights of indigenous cultural communities/indigenous peoples;
- d. Preferential mechanisms for the registration of Sustainable and Social Enterprises;
- e. Procedures for registrant of generic nature, with conflicts with names of plant varieties and animal breeds, or with homonyms and trademarks;
- f. Differentiation and protection of homonymous geographic indications;
- g. Guidelines for the formulation and approval of the Manual of Specifications, including provisions for grading systems and inclusive mechanisms for small producers;
- h. Mechanisms for dispute resolution and enforcement;
- i. Procedures for recognizing traditional goodwill through affidavit and community-based documentation; and
- j. Eligibility criteria and indicators for sustainable and social enterprises in coordination with relevant authorities and stakeholders.

Section 35. ***Communication and Education Plan.*** – The IPOPHL shall develop and publish a National Communication and Education Plan for Protected Geographical Indications within ninety (90) days from the effectivity of the Implementing Rules and Regulations (IRR). This plan shall serve as a foundational tool for promoting understanding, compliance, and accessibility of the GI system for all stakeholders, especially small producers and local communities.

The penal provisions under this Act shall not take effect until the Communication and Education Plan has been completed, published, and made publicly accessible in accordance with this section.

- a. A plain-language overview of the Geographical Indications Promotion and Protection Act, its purpose, core protections, and the roles of various

1 stakeholders, including producers, associations, LGUs, certifiers, and  
2 enforcement agencies;

3 b. Step-by-step guides to registration, including documentary requirements,  
4 indicative fees, timelines, and simplified pathways for small producers and  
5 Indigenous communities;

6 c. Illustrative examples of acceptable and prohibited uses of GIs across multiple  
7 sectors (e.g., agricultural goods, handicrafts, beverages), and how these  
8 apply in marketing, labeling, and packaging;

9 d. Multiple real-life or hypothetical case scenarios of GI infringement, misuse,  
10 and evocation—including examples involving rebranding, false origin claims,  
11 and dilution through unfair competition;

12 e. Illustrative benefits of GI registration, such as increased market value, access  
13 to niche export markets, preservation of traditional knowledge, consumer  
14 trust, and community-level development—highlighting successful local and  
15 international models (e.g., Guimaras mango, Cordillera rice, Kampot pepper,  
16 Darjeeling tea);

17 f. Clear messaging that encourages producers to register, join recognized  
18 associations, and participate in the GI system, emphasizing long-term  
19 benefits over compliance burdens;

20 g. Materials translated into Filipino and major regional languages as necessary,  
21 tailored for varying literacy levels and cultural contexts;

22 h. Printable and digital versions of all materials, made publicly available through  
23 the IPOPHL website and official portals, and disseminated to local  
24 government units (LGUs), producers' cooperatives, and relevant government  
25 agencies;

26 i. Dedicated training toolkits for small producers, local certifiers, and technical  
27 facilitators—including visual materials, FAQs, videos, and learning modules  
28 suited for field deployment; and

29 j. A set of standard application forms, affidavits, compliance checklists, and  
30 grievance submission templates, available in English, Filipino, and, where  
31 applicable, translated into major regional or indigenous languages to ensure  
32 accessibility by traditional producers and local communities.

Section 36. ***Open Data and Public Access.*** – To foster public trust and transparency, the IPOPHL shall maintain an Open GI Information Portal containing up-to-date and searchable information on:

- a. The Register of Protected Geographical Indications;
- b. Approved Manuals of Specifications;
- c. Grading criteria, if applicable;
- d. Issued certificates of registration and compliance;
- e. Petitions for cancellation or opposition;
- f. Reported and adjudicated violations and resolutions.

All information shall be made publicly accessible online, subject to applicable data privacy and trade secret exceptions under the law.

Section 37. ***Monitoring and Evaluation (M&E).*** – The IPOPHL shall establish a Monitoring and Evaluation Framework for the implementation of this Act, in coordination with relevant government agencies and civil society stakeholders.

The results of these evaluations shall guide policy refinements and supplemental programs to improve the effectiveness and inclusivity of GI protection in the Philippines.

Section 38. ***Non-Discrimination.*** – The implementation of this Act shall be guided by the principles of equity, inclusiveness, and non-discrimination. No producer, producer's organization/association, Indigenous Cultural Community/Indigenous Peoples (ICC/IP), cooperative, or enterprise shall be denied access to the benefits and protection of a geographical indication on the basis of size, capacity, ethnicity, gender, economic status, provided they meet the requirements of the Manual of Specifications. Equity, inclusiveness and non-discrimination is ensured by the requirement of representativeness of the applicant in charge of elaborating the Manual of Specifications.

In the formulation and enforcement of the Manual of Specification and control processes, implementing agencies and registered associations shall ensure that no provision shall unjustly exclude qualified smallholders, marginalized producers, or historically recognized local actors. The Registrar shall have the authority to review

1 and invalidate any content of the Manual of Specifications and the control processes  
2 that result in unjust or arbitrary exclusion.

3 Section 39. ***Transitory Provision.*** – Geographical indications registered by the  
4 IPOPHL under Republic Act No. 8293 and its regulations prior to the effectivity of this  
5 Act shall remain valid and effective. They shall automatically be transferred to, and  
6 form part of, the register created under this Act.

7 Section 40. ***Separability Clause.*** – If any part or provision of this Act is held invalid  
8 or unconstitutional, the other provisions not affected shall remain in full force and  
9 effect.

10 Section 41. ***Repealing Clause.*** – All laws, executive orders, issuances, decrees, rules  
11 and regulations or any part thereof which are inconsistent with or contrary to the  
12 provisions of this Act are deemed amended, modified, or repealed accordingly.

13 Section 42. ***Effectivity.*** – This Act shall take effect fifteen (15) days after its  
14 publication in the *Official Gazette* or in a newspaper of general circulation.

*Approved,*