

Independent Study Title : Protection of Well-Known Geographical Indication  
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## ABSTRACT

This Independent Study focuses on Well-known Geographical Indication which is very important to trade and economic system. Consumers use Geographical Indication as one of the criteria in buying decision. Without proper protection, fame of Geographical Indication can be infringed easily. Consumers cannot differentiate goods or commodity. This might cause defamation of such actual Geographical Indication's producers, confusing consumers of origin and quality of the product, and, finally, unfair trade competition.

The finding from the study indicates that Thailand provides legal protection to the registered Geographical Indication only. Unregistered Geographical Indication will not be protected under Thai Geographical Indication law even in the case that that Geographical Indication is the Well-known Geographical Indication. This concept of protection is different from the Well-known Marks under Trademark Law of Thailand. The similar protection should be provided on the ground that Well-known Geographical Indication and Well-known Marks share one similar characteristic which is public recognition or general acceptance. These intellectual properties can generate income for arduous and strenuous owners who have developed and publicized their own products and eventually gain public recognition.

As a result, additional protection should be offered to the unregistered Well-known Geographical Indication in the same manner as protection of Well-known Marks, including application of passing-off principle, Geographical Indication protection under Paris Convention and under foreign laws.