



Coffee Products and the Protections Under the Aspect of Geographical Indication (GI) Law: A Case Study of Doi Tung Coffee

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Abstract

Geographical Indications are granted to products with a particular geographical origin and qualities or a reputation attributable to that origin. It appeared to be an instrument utilized by many countries not only to reassure the consumers of the promised characteristic of products and but also to increase the economic value of specific products including the coffee product which is the most valuable and traded tropical agricultural product planted all around the globe. The purpose of this article is to analyze and demonstrate certain differences in protection for coffee products within the scope of geographical indication law in a variety of jurisdictions, as well as the implications of geographical indication for coffee products. This article will concentrate on the current protections stipulated in Thailand and the European Union as well as using Doi Tung Coffee as a case study that has been established and expanded its market capacity. Due to the fact that Thailand and European Union have jurisdictions that are distinct legal frameworks, obstacles pertaining to Doi Tung Coffee's experience are discussed.

Introduction

Coffee is among the beverage with the highest consumption rate in the world. Excluding water, coffee is the most consumed beverage after the tea (Samuel, 2021). The global market value of coffee in 2020 reached as high as 102.02 billion USD. The market value is expected to reach a CAGR of 4.28% by the end of 2025 (BusinessWire, 2021). The high demand for coffee has made coffee one of the agricultural commodities being planted and traded worldwide. Nevertheless, some consumers may place importance on various preferences for food and related products, such as coffee, that satisfy dietary restrictions, ethical production concerns, or

production location. Food products containing these characteristics, which generate a severe asymmetry in information, are categorized as credence goods. This phenomenon later led to geographical indication or the so-called "GI" tags that emphasized certain information regarding the environment where coffee is grown and the coffee bean processing techniques that are unique to each location. Thus, geographical indication is now recognized as a guarantee of specific characteristics pertaining to a coffee's origin in order to provide consumers with authentic products that meet their preferences (Ram, 2017). A geographical indication can be conferred to product names if they have a specific

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connection to the location where the product is produced. The indication enables consumers to recognize and trust quality products while also assisting producers in their marketing efforts.

Geographical indication has received international attention as it is protected by the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) which is a fundamental cooperation on international protection of intellectual property. The European Union (EU) has long provided protection for goods that have been registered as geographical indications in different names under relevant legislation. Thailand has enacted the Geographical Indication Protection Act B.E. 2546 (2003) to protect such rights under the obligations specified in the TRIPS. Despite the fact that member countries are obligated to provide protections equivalent to those outlined in the TRIPS, each jurisdiction retains strict sovereignty over its territory to implement legislation in accordance with its own policy (Lundstedt, 2016). It consequently results in different legal frameworks and obstacles for business expansion in many respects (Bowen, 2010).

Doi Tung Coffee is the first coffee in Thailand to receive protection under Thai geographical indication and is regarded as one of the most promising coffee producers in Thailand. After the official receipt of geographical indication in Thailand on 2 May 2006, they applied to the EU for the registration of their own coffee product under the name "Doi Tung Coffee" (Kafee Doi Tung) to be protected under EU geographical indication law. The application was ultimately approved on July 14, 2015, with the designations of Protected Designation of Origin (PDO) and Protected Geographical Indications (PGI) being assigned accordingly. However, in order to comply with relevant legislation for being protected under EU geographical indication, they confronted certain obstacles relating to the diverse legal framework of EU law (Wongburanavart, 2021). In light of Doi Tung Coffee's experiences, this article aims to shed light on the impact of legal frameworks' disparity, which potentially obstructs certain coffee producers like Doi Tung Coffee from expanding their business into new potential markets.

Objectives

1. To study and analyze the development of protection under global geographical indication realm as well as certain advantages in terms of product with uniqueness from a specific location.

2. To study and analyze the implication of geographical indication to coffee product.

3. To study and compare current protection under the geographical indication realm, particularly in Thailand and the EU.

4. To demonstrate and address Doi Tung Coffee's potential obstacles of business expansion resulting from the differences of legal frameworks prescribed in Thailand and the EU legislations.

Conceptual Framework

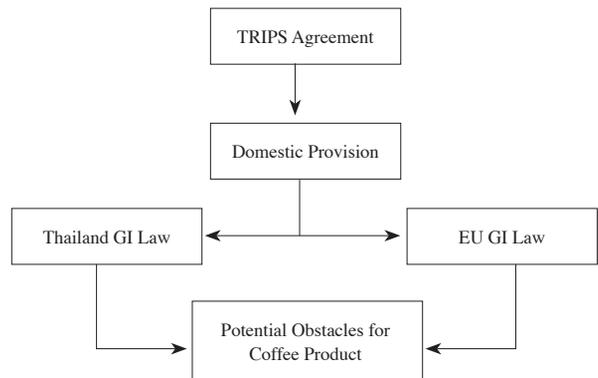


Figure 1 Conceptual Framework

Research Methodology

This study adopted a qualitative study which is mixed design with the following details:

1. Population and Samples: The population in this study are divided into three groups. The first group is personnels involved in the coffee industry, namely, Doi Tung Royal Project and Ahka Ama. The second group is personnels from the Department of Intellectual Property, Ministry of Commerce of Thailand, who directly enforce the geographical indications. And the last group is the academic scholars with extensive geographical indication experiences.

2. Research Instruments: Data was collected by documentary research including legislation, academic research, articles, thesis and governmental statistical publications in relation to the geographical indication law and coffee industry both in Thai and foreign language.

3. Collection of Data: Qualitative data regarding perspectives on the significant role of geographical indication impacting the coffee product was collected by in-dept interviews from 8 individuals in relevant fields. In particular, there were 2 personnels from Doi Tung

Royal Project and Ahka Ama, 3 personnels from the Department of Intellectual Property, Ministry of Commerce of Thailand, and 3 academic experts in geographical indication area.

4. Data Analysis: The analysis consisted of content analysis, analytic induction and constant comparison.

Results

1. The Advantage of Geographical Indication in terms of product with uniqueness from a specific location

Geographical indication poses a diverse range of opportunities far beyond the economic and the interests of their producers at origin. Geographical indication is similar to a trade standard that provides certain information and offers a guarantee to consumers. From customers' perspective, geographical indication represents important characteristics that may not be obvious or evident by simply inspecting the product. For example, it is challenging to determine the qualities of wine from a consumer point of view or determine the production process or whether cheese is made according to a traditional method. A geographical indication confirms a relationship not only between a product and its specific geographical origin but also with unique characteristics, qualities, and production methods that are known to exist in that area. A consumer survey performed in 2006 among the United States citizen found that 72% of the participants agreed that geographic characteristics such as soils have an influence on the quality and taste of the food. (DeCarlo, Franck, & Pirog, 2005) Likewise, a study performed with 20,000 consumers living in the EU on the purchasing of geographical indication products found that the major reason that motivates their purchase behavior is the guarantee of origin (37%). A total of 35% of the participants and 31% of the participants stated that other motivation factors include the expected quality and the particular place the product came from, and the method of production, respectively. Around 16% of the participants stated that tradition is an important purchasing motivator (Berenguer, 2004). Geographical indication also increased the value of goods, which influence consumers' willingness to pay more for the product. As shown in Berenguer's study, over half of the participants, which is equivalent to around 180 million Europeans, stated that they are willing to pay between 10% to 20% more for geographical indications products

than for similar non-geographical indications (non-GIs) products (Berenguer, 2004).

Geographical indication can also reduce the asymmetry of information between producer and consumer. Thus, providing a public benefit by improving market transparency and reducing information costs (Sylvander, Lagrange, & Monticelli, 2007). This benefit is one of the rationales for the legal protection of geographical indications. For producers, geographical indications convey unique characteristics that allow them to differentiate their products and emerge out of the commodity trap of numerous similar and undifferentiated products trading primarily on price (Gordon, 1999). In addition, geographical indication can also provide a measure of protection for the cultural and intellectual property of a particular group or place, and as such, it can contribute to a unique and not easily imitable form of competitive advantage (Giovannucci, Josling, Kerr, O'Connor, & Yeung, 2009).

Geographical indication is also beneficial for rural areas. It provides part of the physical and conceptual structure for affirming and valuing the unique socio-cultural and agroecological characteristics of a certain place. Moreover, geographical indications also tend to have positive spillover effects and help enhance the region's reputation and influence other products in those other areas to achieve better standards. Moreover, geographical indications enhance the tourist capabilities of those particular areas. As markets and rural policy increasingly come to grips with local products and local values, geographical indications can sometimes provide the essential framework for discussing and managing such processes (Danielle, Barham, & Pirog, 2009). Several countries and regions have been exceptionally successful in enhancing the incomes of their processors, farmers, and suppliers by capitalizing on the advantages they have of being associated with a particular geographic location. Such unique and renowned products like Jamaica Blue Mountain coffee, Cognac, Scotch Whisky, Parmigiano-Reggiano cheese, and Florida citrus bear are examples of the unmistakable stamp of their region or place of origin (Giovannucci et al., 2009). These regions and their participants have benefited from significant economic development by raising the returns gained from utilizing their natural resources and establishing a solid form of competitive advantage. Many geographical indications have come to be especially valued in the global marketplace. While geographical indication as a form of intellectual property have been prominent in

several countries, the systems are relatively novice in multiple countries, especially in developing countries.

2. Development of Protection under Global Geographical Indication Realm

Geographical indications are long protected by several multilateral cooperation, which are explained below based on separate protections:

a.) The Paris Convention for the Protection of Industrial Property

The Paris Convention is the first international legal framework to provide protection for geographical indication of origin in 1883 (Bodenhausen, 1967). The Paris Convention does not utilize the term “geographical indications.” Nonetheless, it is the first multilateral agreement to safeguard “indications of source” and “appellations of origin.” Thus, it is the foundation for the current development of geographical indication (Bandyopadhyay, 2018). Due to certain limitations, such as the lack of a definition of appellation of origin or an indication of source and the absence of protection outside of the country of origin, it was unable to provide the product with effective protection (Shukla, 2016).

b.) The Madrid Agreement for the Repression of False or Deceptive Indication of Source on Goods

It was adopted in 1891 to reduce the limitations of the Paris Convention by requiring proof of fraudulent and deceptive source indication. The Madrid Agreement prohibits false representations on the product itself, as well as in advertising and other forms of public announcements (World Intellectual Property Organization, 1979b).

c.) The Lisbon Agreement for the Protection of Appellations of Origins

The agreement was adopted in 1958 and established a relatively higher level of protection and served as a paradigm for the TRIPS provisions on geographical indications. However, the term “geographical indications” did not exist in the agreement. Overall, the Lisbon Agreement filled the numerous voids left by the Paris Convention and the Madrid Agreement such as the definition of appellation of origin (World Intellectual Property Organization, 1979a).

d.) Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)

As the most recent international agreement regarding indications of geographical origin, TRIPS was adopted in 1994 and was the first international legal

instrument to explicitly include the term geographical indications. TRIPS stipulated a minimum level of protection that all member nations are obligated to meet, but member nations retain the right to modify their protection to their national policies (World Trade Organization, 2020).

Throughout the development of geographical indications, a newer protection agreement has evolved in response to the limitations of previous agreements. For instance, TRIPS expanded the concept of appellation of origin, which is solely mentioned in the Lisbon Agreement and omitted in the Madrid Agreement, as well as other new protections that did not exist in the previous agreements (World Trade Organization, 2020). But it can be concluded that the ultimate intent of developing prior agreement are not only to protect both the producer and consumer but also to enhance the economic value of the registered product (Giovannucci et al, 2009).

3. Current Protection under Geographical Indication Realm in Particular Jurisdictions

Basically, geographical indications safeguard registered products against misuse or imitation of the registered name and assure the consumers of the genuine origin of the product. As long as certain conditions are met, these rules ensure that the producers in the specified geographical area have collective rights over the product (Buckwell, 1997). However, certain protection prescribed in the EU and Thailand might be different resulting from territoriality principle which each jurisdiction strictly retains over their territory (World Intellectual Property Organization, 2009).

(a) European Union (EU)

Geographical indication in EU protects the specific product as prescribed in the relevant regulations of the EU, namely, agricultural products and foodstuffs, wines, spirits, and aromatized wines (Giovannucci et al., 2009). Certain products must undergo the registration process, which includes examination by the commission, publication in the EU official journal, and opposition procedures, in order to be protected under EU law. This procedure could take up to a year from the date the application was received (European Commission, 2021).

The scope of protection of geographical indication as defined in EU law includes the false or misleading use of a protected GI and the marketing of geographical indication products that do not originate in place indicated by the geographical indication in question. In legal terms, infringement is considered as

any unauthorized use by other person other than the producer. Specifically, infringements, as defined in the particular regulation, include the following actions (Arfini & Bellassen, 2019):

a) Any direct or indirect commercial use of a registered name in respect of products not covered by the registration where those products are comparable to the products registered under that name or where using the name exploits the reputation of the protected name, including when those products are used as an ingredient (Arfini & Bellassen, 2019);

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 (Arfini & Bellassen, 2019);

c) Any other false or misleading indication as to the provenance, origin, nature, or essential qualities of the product that is used on the inner or outer packaging advertising material of documents relating to the product concerned, and the packing of the product in a container liable to convey a false impression as to its origin (Arfini & Bellassen, 2019); and

d) Any other practice liable to mislead the consumer as to the true origin of the product (Arfini & Bellassen, 2019).

When a geographical indication product is counterfeited in the EU, a wide range of actions can be taken (Arfini & Bellassen, 2019). In general, civil and/or penal measures can be taken. However, procedure and sanctions vary from one member state to the other. In some EU countries, penal actions are available, for instance, in France. However, the actions are not specific to geographical indications. The geographical indication owners must demonstrate either that consumers are misled on the origin or the quality of the product or that there is an infringement of their intellectual property rights. Actions before civil courts are also available to geographical indication owners that have identified abuse of their registered name (Buckwell, 1997).

In terms of the product quality control and traceability system, the EU defines it as a condition for the registration of geographical indication. It is required the establishment of an external audit control body and an internal audit control body to act exclusively and ultimately to the duty of the government agency to perform traceability functions.

(b) Thailand

The reputation and uniqueness of geographical indication goods result in the unlawful impersonation of geographical indication names for other goods. As a result, the European, as a group of countries with strong laws for the protection of geographical indications, have introduced the matter into multilateral trade talks around Uruguay. This resulted in an Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). Other countries that are members of the WTO must comply with this, including Thailand. However, Thai law relating to the protection of geographical indications at the time could only be accommodated with the provisions of the TRIPS Agreement to protect consumers from misconduct in the origin of goods under article 22(2)(a) and the prevention of unfair trade competition under article 22(2)(b). But the provisions cannot be accommodated with article 22 of the other Agreement. A subcommittee on this matter was formed on June 9, 1994. Finally, the Geographical Indications Protection Act B.E. 2546 (2003) was enacted by notification in the Royal Gazette and came into force on April 29, 2000 (Ngokkuen & Grote, 2011).

The products legitimate to be protected under the Act shall include natural or agricultural products, handicraft and industrial products which is relatively broader than those of EU (Nakakorn, 2003). In order for a certain product to be protected, the examination officer must submit the examination report to the registrar within 120 days of receiving the application. The registrar will then evaluate the report and decide whether or not to register the product in question as a geographical indication. If the registrar determines that all conditions inherent to the GI registration application have been met, the Department of Intellectual Property will announce the registration application. Given that a certain product has been registered, the Act defines the following criminal offenses:

a. use of an indication to show or make others believe that goods do not originate from the geographical origin indicated; and

b. use of an indication to cause confusion or misunderstanding in the geographic origin of the goods and in the quality, reputation, or character of goods in order to cause loss to others (Nakakorn, 2003).

Whoever uses a registered indication without authorization or to deceive consumers is subject to a fine of up to THB 200,000. Any person who commits

any of the specified offenses is subject to a fine of up to 5,000 Thai Baht.

In terms of the product quality control and traceability system, there is no such rule expressly enacted as law whereas only section 25 provides that it is the discretion of the Registrar to impose conditions on quality control and traceability.

4. Implication of Geographical Indication towards Coffee Products

Coffee is one of the most valuable and widely traded tropical agricultural products (Samoggia & Riedel, 2018) As Thailand is one of the top coffee producers in the world and also ranked third among the coffee-producing countries of Asia especially for growing the Robusta coffee tree (*Coffea canephora*) (Smith, Suthitakon, Gulthawatvichai, & Karnjanakit, 2019). It is one of the few types of goods that are grown or produced and has a high correlation with the quality and reputation of the coffee flavor (Donfrancesco, Guzman, & Chambers, 2018). Doi Tung and Doi Chaang are the two most popular coffee producers in Thailand. Both of them grow Arabica coffee trees in the northern province of Chiang Rai. Doi Tung is a single-origin, harvested only from the hills of Doi Tung in Chiang Rai. It is shade-grown and undergoes careful processing starting from the selection of coffee species to roasting and packaging. Doi Chaang coffee is produced in a village called Ban Doi Chang. Villagers, particularly Akha hill tribe farmers, were given Arabica coffee plants of good quality for cultivation from the royal initiated program. After 20 years of successfully growing coffee, villagers became frustrated at being exploited by middlemen when it came to pricing. Thus, they decided to form their own business group and registered as Doi Chaang Original Company (Suwanvijit & Promsa-ad, 2017).

Doi Tung Coffee is the first coffee in the country to receive Thai geographical indication. It is from Chiang Rai province and applied for Thai geographical indication on the 15th August 2005 and was certified on the 2nd May 2006. Doi Tung coffee is produced from coffee trees grown by the Doi Tung Development Project about 800-1,200 meters above sea level in Chiang Rai. Doi Chaang coffee is produced from trees grown in a valley about 1,000-1,200 meters above sea level in Doi Chang, Village of Vavee in the Mae Suai District of Chiang Rai. (Bangkok Post, 2020) Arabica-based Doi Tung coffee is an example of Thailand coffee's success with international recognition. It is well-known as a high-quality coffee producer with many carefully

designed procedures behind the scenes. Consistent processing methods, self-processing with strict quality control throughout the entire value chain, high-standard facilities are the main factors contributing to their fine taste. They also pay attention to the link between coffee with its origins and the story of relevant people (Smith, Suthitakon, Gulthawatvichai, & Karnjanakit, 2019).

In terms of the economic roles, coffee contributes greatly to the Thai economy. As of 31st of October 2021, revenue generated from the Thai coffee industry amounted to \$2,811,000 USD (Statista, 2021). The market is also growing rapidly each year, with forecasted annual growth of 12.35% (CAGR 2021-2015) (Statista, 2021). In 2020, the total export value of Thai coffee, whether decaffeinated, roasted, coffee substitutes composing of coffee, or coffee husks and skins totaled at \$3,020,000 USD (TradeEconomy, 2021). The top three export destinations of Thai coffee in the same year included Japan, Cambodia, and the USA. The export value of Thai coffee in Japan was \$680,000 USD, which is equivalent to 22% of the entire export value. In terms of coffee product type, the product with the highest export value is the unroasted and non-decaffeinated coffee bean. The export value of the product was equivalent to \$1,900,000 USD in 2020, which is approximately 63% share of the entire Thai coffee export market (TradeEconomy, 2021).

Although it is explicitly shown from the economic reports that coffee is one of the products that plays a significant role not only in Thailand's market but also in the global market, many potential obstacles arising from the laws and regulations regarding the geographical indication still remain. The intended goals of implementing the geographical indications as ratified in various jurisdictions around the world are not only to protect the products having uniqueness related to the specific regions but also to encourage the producers to be able to increase their products' economic values which would eventually provide a great benefit to the domestic economy as a whole. It has turned out to be that the relevant laws and regulations became one of the potential barriers for the producer of the registered geographical indication products like Doi Tung Coffee who endeavors to increase their products' economic value in the global market.

Discussion

Certain differences between legal frameworks of the EU and Thailand has hindered the expansion of

Doi Tung Coffee's business in terms of the undergoing of being protected under relevant legislation. These differences may hinder the future of Thai geographical indication products to be registered abroad. Set forth below is the table showing the summary of comparable significant protection in each specific matter.

Table 1 The summary of some significant protection under geographical indication laws in EU and Thailand

Matter/Jurisdiction	The EU	Thailand
Product quality control and traceability system	It is a condition for the registration of geographical indication.	No rule is expressly enacted as law. It is only the discretion of the registrar to impose conditions on quality control and traceability.
Inspection of the properties of goods before release	Registered goods must be verified for product specification before being sold.	No provision contains this matter.
Scope of protection	Only the agricultural and food products, including coffee, are protected.	Agricultural, food, handicraft or industrial products are protected which is relatively broader than EU.
Common name	Providing detailed definitions and elements to be considered as common names. This makes it easier and faster to determine which geographical indication are common names prohibited from being registered.	Providing short stipulation and requiring an interpretation from the Supreme Court's decision.
Synonym	Providing the names that are synonymous with the names of plant or animal species and may confuse consumers in realizing the actual origin of the products are prohibited.	Proving the names that are synonymous in the Ministerial Regulations are prohibited but it does not include plant or animal species names like EU.
Period of examination of the registrar's request	Within 12 months upon the receiving of the completed application	Within 120 days upon the receiving of the completed application

Further to the above table, there are some major differences of legal frameworks enacted in both the EU and Thailand. In particular, the EU takes the product control and traceability system very seriously, defining it as a condition for the registration of obtaining geographical indication of the EU while it is the discretion of the registrar to impose conditions on quality control and traceability. In terms of the inspection of the properties of goods before release, it is the duty of the responsible organization to carry out the inspection

of the product before being sold. While Thai law does not contain provisions relating to this matter. The scope of protection of Thai geographical indication is relatively broad and more beneficial to the country than the implementation of the EU Regulation as Thai law protects agricultural, food, handicraft or industrial products which are protected and is relatively broader than EU protections. The EU Regulation protects only the agricultural and food products. In terms of the protection relating to the synonyms, EU law provides that names that are synonymous with the names of a plant or animal species could confuse consumers into the actual origin of the goods and cannot be registered. Whereas, Thai law does not specifically define a plant or animal species names to be prohibited to register. However, only plant and animal species names are already common names, the consideration of an application for registration is no different from the principle of considering an application for registration in other cases. Whether or not to impose or not to name a plant or animal species does not impede the registrar's consideration.

Moreover, as there are detailed definition and element of common names prescribed in the EU legislation, it easier and faster to determine which geographic indications are common names that must be prohibited from being registered. As for Thai law, it only defines a name commonly known as a name used to refer to a particular type of product. It is a short stipulation and requires an interpretation of the law or must be based on a Supreme Court ruling on another issue discussed, so the common name is considered based on the elements. In addition, the different period of examination from the registrar in both jurisdictions would inevitably impact the requester to bear certain costs.

Although TRIPS was adopted in domestic legislation of both the EU and Thailand, certain differences of legal frameworks among them still obstructed the expansion of the Thai business into the global market. This is demonstrated in the case of Doi Tung Coffee, they needed to prepare numerous documents showing evidence that they were eligible to be registered and protected under the EU geographical indication. They needed to inevitably bear certain costs in doing so i.e., the registration costs, period costs and legal costs. These different legal frameworks results in legal costs which inevitably impacted Doi Tung Coffee to engage skilled practitioners for implementing their plans causing more costs of operating their business.

In summary, a different legal framework on geographical indication in the EU and Thailand have certain effects on the expansion of Doi Tung Coffee's business. This obstruction would significantly hinder the achievement of intended goals under the geographical indication realm which is not only to enable consumers from utilizing quality product but also to assist the producers in their marketing efforts.

Suggestions

1. Policy Suggestion: It is necessary to mitigate certain obstacles arising from the differences between the EU and Thailand legislation. The protection under Thai law should be improved to be similar to the particular level of the EU law which is considered as a high level of protection in geographical indication regime. Thai law should be amended in the following matters:

a. The rules and conditions regarding the establishment of a quality control and traceability system should be added. The traceability as one of the instruments for quality control which required specific information regarding coffee strain, coffee bean selection, plantation, harvesting and processing would potentially reassure the consumers of the promised characteristic of coffee. It includes explicitly designating the agency as an organization that monitors such a system.

b. The criteria regarding the qualification system of products should be added before being sold and the agency which is responsible for controlling the inspection should be clearly defined.

c. The registrar's period of consideration should be extended to reflect the obligations which are currently inadequate and which may be impaired by the amendments to some of the above-mentioned rules.

2. Managerial Suggestion: Currently there are distinct differences between the legal systems of the EU and Thailand. The expansion into a new market, such as the EU, may take some time and incur particular expenses for Thai producers of products whose distinctiveness is based on their location-specific characteristics. These expenses might be included as costs of expanding the business.

3. Academic Suggestion: The territorial sovereignty is a fundamental principle of geographical indication law. However, if Thailand's relevant laws and regulations were modified to be consistent with EU law, Thai products with registered geographical indications could gain additional advantages, including the ability

to expand into such jurisdictions and recognition as one of the countries with high protection standards. As a result, it would considerably reduce some potential obstacles arising from laws that prevent producers from improving the quality of their products and potentially overcome some greater challenges posed by the global market's high competitiveness and value.

Reference

- Arfini, F., & Bellassen, V. (2019). *Sustainability of European Food Quality Schemes: Multi-Performance, Structure, and Governance of PDO, PGI, and Organic Agri-Food Systems*. Cham: Springer.
- Bandyopadhyay, D. (2018). *Securing Our Natural Wealth: A Policy Agenda for Sustainable Development in India and its Neighboring Countries*. Singapore: Springer.
- Bangkok Post. (2020). *2 Thai coffee brands win EU geographic trademarks*. Retrieved from <https://www.bangkokpost.com/business/623400/2-thai-coffee-brands-win-eu-geographic-trademarks>
- Berenguier, F. (2004). Analisis critico de la Directiva Gaceta Juridica de la Union Europea y de la. *Competencia*, 231, 12-28.
- Bodenhausen, G. H. C. (1967). *Guide to the application of the Paris Convention for the protection of industrial property*. Geneva: World Intellectual Property Organization Retrieved from <https://tind.wipo.int/record/28637>
- Bowen, S. (2010). Embedding Local Places in Global Spaces: Geographical Indications as a Territorial Development Strategy. *Rural Sociology*, 75(2), 209-243.
- Buckwell, A. (1997). *Towards a Common Agricultural and Rural Policy for Europe*, Reports and Studies No. 5, European Commission, Directorate General for Economic and Financial Affairs, Brussels.
- BusinessWire. (2021). *Coffee Market Report 2021 – Global \$100+ Billion Market Growth, Trends, Covid-19 Impacts, and Forecasts to 2026*. Retrieved from <https://www.businesswire.com/news/home/20210601005832/en/Coffee-Market-Report-2021---Global-100-Billion-Market-Growth-Trends-COVID-19-Impacts-and-Forecasts-to-2026---ResearchAndMarkets.com>
- Danielle, G., Barham, E., & Pirog, R. (2009). Defining and marketing 'local' Foods: Geographical Indications for U.S. Products. *Journal of World Intellectual Property*, 13(2), 94-120.
- DeCarlo, T. E., Franck, V. L., & Pirog, R. (2005). *Consumer perceptions of place-based foods, food chain profit distribution and family farms*. Leopold Center for Sustainable Agriculture Marketing, Iowa State University. Retrieved from <https://dr.lib.iastate.edu/server/api/core/bitstreams/a4e60c0c-953c-423b-9576-bffd02a82df9/content>
- Donfrancesco, B., Guzman, N., & Chambers, E. (2018). Similarities and differences in sensory properties of high-quality Arabica coffee in a small region of Colombia. *Food Research International*, 116(1), 645-651.

- European Commission. (2021). *Applications for food and agricultural products*. Retrieved from https://ec.europa.eu/info/food-farming-fisheries/food-safety-and-quality/certification/quality-labels/registration-name-quality-product/applications-food-and-agricultural-products_en
- Geographical Indications Protection Act B.E. 2546 (2003)
- Giovannucci, D., Josling, T., Kerr, W., O'Connor, B., & Yeung, M. T. (2009). Guide to geographical indications linking products and their origins. Geneva: *International Trade Centre*, 7(15), 21-25.
- Gordon, I. (1999). Internationalisation and Urban Competition: *Urban Studies*, 36(5-6), 1001-1016.
- Lundstedt, L. (2016). *Territoriality in Intellectual Property Law*. Stockholm: Stockholm University.
- Ngokkuen, C., & Grote, U. (2011). The prediction of household's behaviour in adopting geographical indication certification for Jasmine rice from northeastern Thailand. *International Journal on GSTF Business Review*, 1(1), 173-178.
- Ram, S. (2017). *Geographical Indications on Coffee*. Paper presented at the First Dali Binchuan International Coffee Forum, Zhukala, China. Retrieved from https://www.researchgate.net/publication/323014375_Geographical_Indications_on_Coffee
- Samoggia, A., & Riedel, B., (2018). Coffee consumption and purchasing behavior review: Insights for further research. *Appetite*, 129, 70-81.
- Samuel, S. (2021). *Top 10 Widely Consumed Drinks in the World!!*. Retrieved from <https://besttoppers.com/top-10-widely-consumed-drinks/>
- Shukla, V. (2016). Historical development of geographical indication law under international arena. *International Journal of Law*, 2(4), 1-4.
- Smith, N., Suthitakon, N., Gulthawatvichai, T., & Karnjanakit, S. (2019). Creating a coffee tourism network in the north of Thailand. *Local Economy: The Journal of the Local Economy Policy Unit*, 34(7), 718-729.
- Statista. (2021). *Coffee: Thailand*. Retrieved from <https://www.statista.com/outlook/30010000/126/coffee/thailand#market-revenue>
- Suwanvijit, W., & Promsa-ad, S. (2017). *Adding Value to Thailand Robusta Coffee through Geographical Indication*. Paper presented at the IAFOR International Conference on the Social Science, Hawaii Conference Series 2017, Hawaii, the United States. Retrieved from https://papers.iafor.org/wp-content/uploads/papers/iicsshawaii2017/IICSSHawaii2017_33912.pdf
- Sylvander, B., Lagrange, L., and Monticelli, C. (2007). Les signes officiels de qualite et d'origine Europeens. Quelle insertion dans une economie globalisee?, *Economie rurale* 299(3), 7-23.
- TradeEconomy. (2021). *Thailand: Imports and Exports of Coffee*. Retrieved from <https://trendeconomy.com/data/h2/Thailand/0901>
- Wongburanavart, A. (2021). Measures and Guidelines for Protection of Geographical Indication of Agricultural Products in Chiang Rai. *Chulalongkorn Law Journal*, 39(2), 213-235.
- World Intellectual Property Organization. (1979a). *Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (as amended on September 28, 1979) (Official translation)*. Retrieved from <https://wipolex.wipo.int/en/text/285838>
- World Intellectual Property Organization. (1979b). *Madrid Agreement Concerning the International Registration of Marks (as amended on September 28, 1979) (Official translation)*. Retrieved from <https://wipolex.wipo.int/en/text/283529>
- World Intellectual Property Organization. (2009). *The Economics of Intellectual Property. Suggestions for Further Research in Developing Countries and Countries with Economies in Transition*. Geneva: World Intellectual Property Organization.
- World Trade Organization. (2020b). *Overview: the TRIPS Agreement*. Retrieved from https://www.wto.org/english/tratop_e/trips_e/intel2_e.htm