

ABSTRACT

Geographical Indications (GIs) have received increasing interest since its recognition by the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS Agreement). The nexus between the product and place of geographical origin of GIs has the potential of bringing socio-economic benefits to Sri Lanka. Sri Lanka possesses many valuable GIs including Ceylon Tea, Pure Ceylon Cinnamon, Ceylon Sapphire, Jaffna Mango, *Paruthithuai thatti vadai*, Dumbara mats and weavings, Ambalgoda masks and Ceylon Pepper which could be recognized as GIs. Nevertheless, incidents were reported where GIs were misappropriated at the national and international markets and many competitors have been free-riding over them in the recent past. Therefore, the main objective of this research is to examine the GI provisions of the current Intellectual Property Act of Sri Lanka and the challenges of protecting Sri Lankan GIs. The international GI legal framework and its impact on Sri Lankan GIs is also analysed in this research. Furthermore, this research aims to evaluate the lessons that can be gained to Sri Lanka from the jurisdictions of European Union (EU) and Indian legal framework in protecting Sri Lankan GIs. Lastly, this research proposes suggestions for law reform for the policymakers to strengthen the GI legal framework in Sri Lanka. This research is mainly based on the black letter law approach. Besides, in order to gain insights into the strengths and weaknesses of the GI protection system in Sri Lanka, interviews were conducted with private and public sector stakeholders. Moreover, comparative legal analysis concerning the jurisdictions of the EU and India was done to draw lessons in recommending suggestions for law reform in Sri Lanka. The EU and India have shown better progress in according an effective protection for GIs and have registered a larger number of GIs. Even though Sri Lanka has a GI legal framework in compliance with the TRIPS Agreement, it has failed to provide a comprehensive GI registration system. Hence, the protection granted by the Sri Lankan legal framework is grossly inadequate. Based on the findings, *sui generis* law accompanied by GI registration and administrative and institutional reform is proposed in this research which may be utilized by the policymakers. Furthermore, future research can unveil the areas such as protecting traditional knowledge under the purview of GIs, the impact on the environment and food quality in protecting GIs and identification of actual GIs.