

Abstract

As a rising kind of intellectual properties, geographical indication is attracting increasing attentions. It reveals to the people the close intrinsic relations between a certain product and the humanistic or natural environment of a particular geographic area, such as its quality, reputation, characteristics and so forth.

Geographical indication is like a "High Quality Certificate". As an important content of the International Intellectual Property Protection System, it is gradually playing a powerful economic role in today's international trade.

As an international treaty that makes the most comprehensive rules about the geographical indications protection issue, "TRIPS Agreement" is undoubtedly a milestone of the Geographical Indications Protection System.

This paper is divided into five chapters with approximately 60 million chinese characters.

The first chapter of this article takes the evolution of the international geographical indications protection as the study object to clarify the origin of the concept of geographical indication and discuss the previous international treaties' impact upon and links with the Geographical Indications Protection System in the TRIPS Agreement. It evaluates the positive impact and objective limitation of the previous treaties and at the same time demonstrates the unparalleled decisive role of the TRIPS Agreement in the Geographical Indications Protection System.

The second, third and forth chapters of this article analyze the framework, the principles and spirits, the legal connotations as well as the development trend of the Geographical Indications Protection System by respectively studying in different points of views three aspects of TRIPS Geographical

Indications Protection System: some flaw issues, dispute cases and hot issues of the negotiations and debates. This article studies three main issues of the geographical indications protection, which are the exception provision of common names, the anti-dilution issue and the conflict resolution system of the TRIPS Geographical Indications Protection System, and it also discusses some of the defects and deficiencies. In addition, this article also takes a hot issue, that is, the debate about strengthening the geographical indications protection as one of the study emphases.

Lastly chapter, this article presents the conception of establishing a Geographical Indications Protection System Separate Law by linking to the status and problems of China's geographical indications protection, combining with the study on the TRIPS Geographical Indications Protection System and taking planning a geographical indications protection strategy with Chinese characteristics as the basic point.

[Key words]: geographical indications intellectual property TRIPS Agreement