



GEOGRAPHICAL INDICATIONS PROTECTION SYSTEM

CAMBODIA



DECEMBER 2014



RECEIPT OF THE APPLICATION

APPLICATION FOR REGISTRATION

The application shall be filed with the Department of Intellectual Property of the Ministry of Commerce following the form in Annex 1;

The application shall be in Khmer or English. The documents required for the registration, if not originally in Khmer or English, shall be accompanied by Khmer or English translations.

Required documents for registration are as follows:

- a. An application;
- b. A book of specifications;
- c. Power of Attorney issued by the Geographical Indications association notarized by a Lawyer, Notary Public, or Public Administrator located in location of the Geographical Indications;
- d. And other relating documents stipulated in the application.

EXAMINATION

ADMINISTRATIVE EXAMINATION

1. Department of Intellectual Property shall organize the preliminary examination procedure on the application within a period of no later than 90 days from the date of filing;
2. Department of Intellectual Property shall review the application as accurately completed in compliance with the conditions stipulated previously and shall issue an Acknowledgment of Filing Instruction or Rejection officially.
3. The Acknowledgment of Filing Instruction shall be identified by the filing date and application number.
4. The Rejection of Application shall be clarified the reason of rejection and notify the applicant. The applicant may correct the application within the correction period, or the application will be deemed abandoned.
5. The following Geographical Indications are not allowed to be registered:
 - The indication that become a General Term;
 - The indication that affects the name of plantation or any type of animals.
6. The registration of Geographical Indications shall be published in Official Gazette.



SUBSTANTIVE EXAMINATION

1. If necessary, the ministry of commerce has the authority to determine any additional provisions for reviewing the substance of application.
2. The Department of Intellectual Property shall supervise the efficiency of the certification body issued from the Ministry of Commerce.
3. In reviewing the substance of application, the Department of Intellectual Property may invite the applicant or any related person to provide an additional explanation or evidences. If necessary, the Department of Intellectual Property may seek advice from experts in the field in order to consider and make decision.
4. The verification of conformity of the Geographical Indication with the book of specifications shall be guaranteed by the competent and impartial public authority, or public organization, or private organization officially recognized by the International Standard Organization 65. The verification must comply with the guidelines of ISO 65, or of any other ISO with the agreement from the ministry of commerce.

REGISTRATION AND OPPOSITION

Opposition and counterstatement procedure, provisional and border measure, agent, and punishment related to Geographical Indication shall be implemented in compliance with other related provisions stipulated in the Law Concerning Marks, Trade Names and Acts of Unfair Competition.

TERM OF PROTECTION

CONTACT

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