

**GOVERNMENT OF INDIA
MICRO, SMALL AND MEDIUM ENTERPRISES
LOK SABHA**

UNSTARRED QUESTION NO:642
ANSWERED ON:26.11.2014
INTERNATIONAL TRADEMARK FOR INDIAN KHADI
Reddy Shri Ponguleti Srinivasa

Will the Minister of MICRO, SMALL AND MEDIUM ENTERPRISES be pleased to state:

- (a) whether the Khadi and Village Industries Commission has applied for international trademark for Indian Khadi for IPR rights under the World Intellectual Property Organisation's Madrid Protocol;
- (b) if so, the details thereof;
- (c) whether the Government is facing a trademark hurdle in promoting Khadi, as the brand 'Khadi' has already been registered abroad in various countries like Germany, Spain and Hungary etc;
- (d) if so, whether the Government proposes to take up the matter with the concerned authorities to amicably settle the issue; and
- (e) if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES (SHRI GIRIRAJ SINGH)

(a): No, Madam.

(b): Does not arise.

(c) to (e): KVIC is directly not exporting Khadi products to countries abroad. However, merchant exporters and traders are exporting Khadi products. In view of the brand 'Khadi' being registered by German company (M/s. Khadi Natureprodukte GbR) as a Trade Mark with the Office for Harmonisation in the Internal Market (OHIM, Spain) in the EU region thereby granting it exclusive rights for use of the term 'Khadi' in EU, the traders and merchant exporters are not able to market Khadi products under khadi brand. This issue has been brought to the notice of the government by the Indian Embassies in Germany, Poland, Belgium, Luxembourg and European Union as also some persons of Indian origin who are in the business of marketing of Khadi products. Indian Embassies abroad have been in touch with the authorities of European Union for cancellation of the registration of Khadi as a Trade Mark and the only available means to cancel the registration is through a request for a declaration of invalidity or of revocation to be filed at the Office of the CMTR. KVIC, Mumbai has authorized M/s. Swati Gramudyog Sewa Sansthan, Kanpur to file the request for deregistering the Trade Mark along with the requisite fees, which has been filed. The Government of India, KVIC and the Embassies of India abroad are working in tandem to expedite the process of de-registering the Trade Mark of 'Khadi'.

The process to register for International Trademark for 'Khadi' for IPR rights under the World Intellectual Property Organization's Madrid Protocol, is of two stages, first at National level and subsequently at International level. KVIC has applied for registering the Trademark for 'KHADI' under appropriate classes in the list of classifications issued by IPR, Government of India.