



Preserving Indigenous Cultures: Analyzing Geographical Indication Registration for Indigenous People Protection in Indonesia

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Info Artikel

Submitted: 19/04/2023

Revised: 10/06/2023

Accepted: 12/06/2023

Keywords:

Geographical Indications;
Indigenous People; Indonesian
Government

DOI:

<http://dx.doi.org/10.37253/jjr.v25i1.7647>

Abstract

Geographical indication ("G.I") is a designation that indicates the unique and original qualities of a product originating from a particular geographical location. The human factor (Indigenous people) plays a big role in the creation of a geographical indication, in addition to environmental and geographical factors. Preserving the intellectual property rights of Indigenous People through G.I will result in a more advantageous impact on their community, especially for those who rely on G.I products for their livelihood. This not only safeguards their cultural identity and dignity but also enables them to benefit from the commercial value of their intellectual property, whether through direct sales or licensing agreement. Indonesia have ratified the International regulation and issued Law No. 20 of 2016 concerning Trademark and Geographical Indications. The purpose of this research is to evaluate and examine the current status of geographical indication protection in Indonesia and assess if it is being implemented in line with the expectations set forth in the relevant legislation based on the supportive data and previous cases. The paper will then illustrate the impact and advantages for Indigenous communities in preserving and registering their geographical indications, using examples of successful geographical indication registrations from around the world. The type of research method is normative while the approaches employed are statutory and conceptual approaches with an analytical and descriptive research design. Based on the research conducted, the legal framework for protecting G.I has been sufficiently established but the government has not fully prioritized based on the data presented and cases documented. This paper will present several recommendations for the government and other relevant stakeholders.



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A. INTRODUCTION

The unique natural resources of each country are shaped by a variety of factors, including geographical diversity, environmental conditions, and the presence of indigenous communities. This diversity plays a critical role in shaping the economic landscape of a nation and has an immeasurable intrinsic value (Cardoso et al., 2022). Every states across the world possesses unique products

that they take pride in, reflecting their distinctiveness. Examples include Champagne from France for sparkling wine made in the Champagne region, Darjeeling tea from India grown in the Darjeeling district, and Scotch Whisky from Scotland made in Scotland. There are many other such products across the world (Adebola, 2022).

The Indonesia is among the fortunate nations that possess abundant natural resources. As archipelagic nation, Indonesia comprises of five major islands, 30 smaller archipelagos, and a total of 18,110 islands, with 6,000 of them being inhabited (Wolters et al., 2023). In addition, the International Work Group for Indigenous Affairs (IWGIA) estimates that Indonesia is home to between 50 and 70 million Indigenous peoples, or 18% to 19% of the country's population (World Vison International, 2022). This diversity results in the richness of resources across different regions in Indonesia, for example, the famous *Apel Batu* from Malang, *Kopi Gayo* from Aceh, *Telur Asin* from Brebes, and many others. This is what known as Geographical Indication (G.I). G.I is a category of Intellectual Property Rights ("IPR") that serves to protect the identity of a product that is intrinsically linked to its geographical origin (Blakeney, 2019; Saidin, 2019). The G.I regime governs the use of signs, such as the name of the region of origin or a symbol that represents the same, to identify the unique qualities or attributes of the product that are essentially derived from its place of origin. By doing so, the G.I regime seeks to preserve the authenticity of the product and prevent misidentification or imitation (Agdomar, 2007).

In contrast to other branches of IPR (such as copyrights, trademark, etc) that are privately held by individuals, G.Is are collectively owned by communities or regions. This collective ownership often leads to disputes over the ownership of G.Is, especially when the claims are made by non-legitimate owners. The legal protection of GIs is essential to secure the rights of the rightful owners, who have invested time and effort in creating a product that is unique to their geographical region. This protection helps to acknowledge and reward the contributions of the people in the region, especially indigenous communities, by granting them exclusive rights over their creations (Kusuma & Roisah, 2022). Hence, it is crucial to critically examine the legal framework that governs the protection of geographical indications to avoid such conflicts.

The constitution assigns the government with the responsibility of utilizing natural resources like land, water, outer space, and its resources (*Ketetapan Majelis Permusyawaratan Rakyat Republik Indonesia Nomor IX/MPR/2001 Tahun 2001*, 2001) for the betterment of present and future generations, with the aim of creating an equitable and prosperous society (*The 1945 Constitution of the Republic of Indonesia*, 1945). Geographical Indications are among the objects that require protection in a state governed by the rule of law (*rechstaat*) principle, which prioritizes legality (*wetmatigheid*) (Nurohma, 2020). Furthermore, the rights of indigenous peoples

regarding IPR can also be viewed as a matter of cultural and intellectual freedom, which fall under the civil rights of these individuals (Hossain & Ballardini, 2021). In 1994, the Indonesian government ratified the World Trade Organization's (WTO) Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) which marked the initiation of the regulation of geographical indicators (Sulistianingsih & Ilyasa, 2022).

The first legal definition of geographical indicators in Indonesia was outlined in Law Number 15 of 2001 and subsequently governed under Regulation Number 51 of 2007. In 2016, Indonesia underwent a transformation in the regulation of geographical indications with the introduction of the new Law Number 20 of 2016 on Trademarks and Geographical Indications ("G.I law"). G.I Law marks a significant milestone in Indonesia as it is the first legislation to include geographical indications as a recognized form of IPR. The law recognizes the importance of G.Is and establishes it as an equivalent to other forms of IP (i.e trademarks, copyrights, etc.) (Palar et al., 2018). Despite the inclusion of G.I as a national law in Indonesia several years ago, the progress of registration has been slow. The first registered G.I product, Kintamani Bali Arabica Coffee, was not established as a G.I until December 5, 2008, a full seven years after the law's inception (Sahindra, 2022). As of 2023, the number of Geographical Indication registrations is still limited and can be easily counted on one's fingers.

The exploration of geographical indications in Indonesia has attracted significant academic attention, as indicated by the existing body of literature on this subject matter. Fuadi et al's research believe that there should be standardization upon the document complexity to ease the registration of G.I by the local communities. Meanwhile the theoretical things concerning the importance and the relation between G.I and indigenous people does not being mentioned (Fuadi et al., 2022). Besides, the limitations of Muh. Ali's empirical data, which lacks current and updated information, and the inadequacy of the research conducted by Rani et al., which falls short in terms of providing a comprehensive and thorough literature review, it becomes evident that a more extensive investigation is required to gain a deeper understanding of the subject matter (Muh Ali Masnun, 2018; Pajrin et al., 2021). In addition, article made by Shavira and Nugroho only focuses in the Baduy indigeneous people (Elfany Shavira & Adhi Nugroho, 2021).

Based on the description above, this paper aims to provide a comprehensive examination of geographical indications from both international and national perspectives. The relationship between indigenous communities and geographical indications are explored to gain insight into the potential positive impacts of G.I registration for these communities. Furthermore, this paper analyzes the alignment between the objectives of the G.I law and the current practical reality of its

implementation in Indonesia, using relevant data and case studies to support the analysis.

B. RESEARCH METHOD

The study employed a normative legal methodology with a combination of statutory and conceptual approaches. Secondary sources were used and obtained from primary, secondary, and tertiary legal materials (Soerjono Soekanto, 2008). The sources used in the research were obtained from a variety of legal materials including international agreements, books, articles, legal journals, and dictionaries to enhance the understanding of certain terms. The research utilized a descriptive qualitative method to analyze factors related to the research object, which aimed to provide more in-depth data.

C. RESULTS AND DISCUSSIONS

Geographical Indication Protection: Legal Framework

Intellectual property law concerns legal rights associated with creative skill and effort, inventiveness also the commercial reputation. The subject matter of IP is very wide includes, *inter alia*, literary and artistic works, films, computer programs and inventive products or processes (Bainbridge, 2018). Apart from the above types, the government also wants to protect the agricultural products and their foodstuffs for its goodwill or brand value reputed regional products. For example, sparkling wine production in the Champagne region of France dates back to the 17th century and the term "*Champagne*" became associated with high-quality sparkling wine from the region. In the late 19th and early 20th centuries, Champagne producers sought to protect the reputation of their product by restricting the use of the term "*Champagne*" to only wines produced in the region according to specific rules (Jay & Taylor, 2018). Therefore the protection of G.I has a long history, beginning with its inclusion in the Art.1(2) of 1883 Paris Convention that protection of industrial property includes the source of appellations of origin (Bently, Lionel Sherman et al., 2022).

Hereinafter, G.I also being protected under the Madrid Agreement Concerning the International Registration of Marks (1891) and in the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (1958) that establishes an international system for the protection. Lisbon agreement provides that member states must protect the appellations of origin of other member states that are registered under World Intellectual Property Organization (WIPO). Article 2 of Lisbon Agreement mentioned that "any denomination protected in the Contracting Party of Origin consisting of or containing the name of a geographical area, or another denomination known as referring to such area, which serves to designate a good as originating in that geographical area, where the quality or characteristics of the good are due

exclusively or essentially to the geographical environment, including natural and human factors, and which has given the good its reputation”.

Based on the above definition from Lisbon Agreement, it distinguishes the definition of G.I from other agreements, there are three key important elements (Kurnianingrum, 2016). Firstly, geographic conditions, which are significant because they give the product a unique identity that reflects its country of origin. Secondly, the product's reputation in society, and thirdly, the connection between the geographical environment and the product, which is influenced by both natural factors such as climate and soil, and human factors. Under the agreement, for a name to be placed on the international register administered by WIPO, it must first be protected in its state of origin. Upon publication, member states have 12 months to object or must protect the geographical indication of origin. Hence, the recognition of such G.I must be mutual.

Upon publication of a G.I, member states are granted a specific period of 12 months to either object or take measures to safeguard the origin of the indication (Bently, Lionel Sherman et al., 2022). This timeframe emphasizes the importance of mutual recognition and the need for all parties involved to uphold their responsibilities in the protection of the G.I. The 12-month period allows member states to review the G.I and ensure that it aligns with their own regulations and standards. If any objections or concerns arise during this period, member states have the opportunity to address them and potentially negotiate with other parties involved to find a suitable resolution.

Finally and perhaps the most important international agreement in this area is the 1994 Agreement on Trade Related Aspects of Intellectual Property Rights (“TRIPS”), which Indonesia become one of the party. Article 22(1) of The TRIPS agreement provides a clear definition of G.I, which are “An indication which identifies a good as originating in the territory of a member, or a region or locality in that territory, where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin”.

Furthermore, it requires member states to provide legal means for interested parties to prevent the use of false origin claims that mislead the public (Calboli, 2006). TRIPS offers participating countries the opportunity to provide protection for geographical indications at a minimum of the standards, or even higher. However, all member countries must meet the minimum protection requirements outlined in the agreement (Rahmawati et al., 2016). Subsequently, the safeguarding of geographical indications (G.I) has progressed, with the emergence of numerous bilateral agreements between countries aimed at protecting agricultural products and foodstuffs. A notable example is the agreement between the European Union, African countries, and other relevant stakeholders, which seeks to preserve the unique cultural and traditional heritage associated with G.I (Bently, Lionel Sherman et al., 2022). Moreover, the bilateral agreements not only promote

the protection of the G.I, but also contribute to the development of rural communities and the enhancement of their economic well-being. This is achieved by supporting the marketing and exportation of high-quality products associated with the G.I, thus increasing the value of the products and their contribution to the local economy (Calabrese, 2023).

Indonesia Prevailing Laws

Indonesia, being a party of the TRIPs agreement, recognizes the importance of implementing geographical indication regulations in its laws. The most recent regulations regarding geographical indications can be found in the G.I Law of 2016, which outlines the definition as below (Law of the Republic of Indonesia Number 20 of 2016: Marks and Geographical Indications, 2016): “Geographical Indication means any indication which identifies goods and/or a product as originating from a particular region of which its geographical environment factors including nature, labor, or combination of both factors are attributable to a given reputation, quality, and characteristics of the produced goods and/or product”.

Indonesia's system for protecting goods and products is similar to the Lisbon System, even though Indonesia is not a member of the Lisbon Agreement and has not ratified it. In this case, G.I can encompass a variety of products, including natural resources, handicrafts, and industrial goods. Examples of goods classified as geographic indications include coffee, agricultural products, herbs and spices, fruits, woven goods, tobacco, and mixed commodities. In Indonesia, registration of geographic indications has been accepted for wine and spirits, cheese, and silk (Palar et al., 2021). In addition, Indonesia has adopted the TRIPS system alongside its domestic framework for protecting G.I The TRIPS system recognizes reputation, quality, and specific attributes as interconnected factors, reflecting international standards for G.I protection. At the same time, the influence of the Lisbon Agreement cannot be overlooked, as its principles of protecting the name and origin of a product and its unique characteristics have been incorporated into many national and international G.I frameworks. The incorporation of both TRIPS and Lisbon Agreement principles in Indonesian G.I regulations demonstrates the country's commitment to balancing national interests with international obligations and promoting a comprehensive and integrated approach to the protection of G.I (Palar et al., 2018).

Geographical Indications (GIs) can be legally protected through registration by the Minister under Article 21(1)(d) of the G.I Law. This protection can be requested by community representative institutions, local governments, and for natural resources, handicrafts, or industrial products under Article 53(1)-(3) of the G.I Law. GIs are indications that identify a product as originating from a specific geographical area, and possess qualities or a reputation that are attributable to that origin. Registration of GIs allows for their protection from unauthorized use,

imitation, or misuse. This is important in maintaining the reputation and quality of the product associated with the geographical indication, while also promoting the economic and cultural interests of the community that produces it. The Geographical Indication is considered registered after a formal review, announcement, inspection, and approval by the Minister for a Geographical Indication certificate (Directorate General of Intellectual Property, 2022).

Under the G.I Law, once a G.I is registered, it will be protected as long as the unique characteristics and qualities that led to its registration continue to exist. This protection is granted indefinitely, as specified in Article 61 of the G.I Law. The Indonesian Geographical Indication system is also regulated by the Ministry of Law and Human Rights Regulation No. 12 of 2019, which outlines the procedures and necessary documents for registering a Geographical Indication. The regulation sets out the requirements for applying for a GI, which includes submitting an application form, a description of the product, evidence of the product's characteristics, and a statement of the region's distinctive qualities. The regulation also requires applicants to provide evidence of the product's historical and cultural significance to the region. In addition, Government Regulation Number 51 of 2007 concerning Geographical Indications is also still valid as an implementing regulation.

The Intersection Between Indigenous People and Geographical Indications

Regulation G.I (Geographical Indication) is a label that indicates the geographical origin of a product and represents specific qualities and characteristics associated with that location. The term usually refers to a product that is made in a specific place and possesses qualities that are unique to that area. The specific qualities involved are the result of local natural or human factors (WIPO, 2021a). Human factor in this case is the communities that develop along with the G.I Products, which are indigenous communities. Indigenous Peoples are individuals or communities who have lived in a particular region for generations and have a shared ancestral background, cultural identity, traditional laws, and close connection to the land and natural environment. They have a strong connection to their place of residence and have established a unique cultural identity over time (Bruchac, 2014).

For instance, the *Lepo Lorun Ikat* weaving products from East Nusa Tenggara, Indonesia. The woven fabric has a close relationship with the local people, because it requires special skills (at least 45 steps to become a beautiful cloth) and specific materials to make (WIPO, 2021). The next example is the Kintamani coffee which is a well-known variety of coffee that is grown in the highlands of Kintamani. However, the quality of this coffee is not solely dependent on its geographical location. The local communities in the area also play a significant role in maintaining the quality of the coffee. This implies that the unique characteristics

and qualities of Kintamani coffee are a result of both its geographical location and the practices and knowledge of the local community (Ardana, 2019). The indigenous people follow traditional customs which require them to practice organic farming and avoid using any chemical fertilizers or pesticides. This not only improves the soil quality and boosts production but also helps to meet the standards for organic products. Additionally, the community has a rule that coffee cannot be harvested unless it has fully ripened to red, preserving its quality and reputation (Wulandari, 2021). The same goes to Arabica Gayo coffee that needs local communities to maintain the quality of its product (Nazzai, 2016). In Jepara, it produce a unique of woodcraft that differ its product from other region (Nangoy & Sofiana, n.d.). These are a few instances that demonstrate the connection between local communities and G.I in Indonesia, which has a wealth of such resources.

Consequently, the protection of geographical indications can have a favorable impact on indigenous communities by enabling them to preserve and advance their cultural heritage and unique products. The safeguarding and recognition of the geographical origin and distinct characteristics of these goods can increase their value and marketability, thereby providing economic benefits to the local community. This can help to sustain traditional practices and maintain local livelihoods, while also creating incentives for preserving local cultural heritage.

It is also important to note that G.I is differ from trademark. Trademark ownership is considered private because it is created by the individual or company behind a product, and not by the public or local communities. In contrast, protection for geographic indications is communal and not controlled by individuals (Almusawir, 2021). Many geographic indication products are managed collectively over generations and are known by the name of their place of origin. All producers in the region that is identified by the G.I are able to use the G.I label and benefit from its recognition. The development of geographic indications is advantageous for local communities as it increases the value of their products and can encourage improvement in their quality. The final characteristic that sets G.I apart from trademarks is that the G.I are attached to specific locations, but trademarks are not. It should be noted that the implementation of geographical indication protection can sometimes be intricate, making it imperative to guarantee that the perspectives and rights of local communities are taken into account and revered. This aspect will be delved into further in the subsequent section of this paper.

Practical Approach in Indonesia: Current Data & Case Learned

Despite Indonesia being recognized as a country with high levels of biodiversity, the protection of communal intellectual property, specifically

geographical indications, remains relatively low. As of January 2023, the data shown under the *E-Indikasi Geografis*, a platform under the Directorate of Intellectual Property of Indonesia mentioned that the current registered G.I are 122 and 10 of them come from abroad. Indonesia Law on G.I was already in place since 2001, which was revised in by Law Number 20 Year 2016. Furthermore, Law Number 20 Year 2016 aims to offer robust protection and expedite the registration process for products created by non-individual producers (Apriansyah, 2018).

In 2018, the Director General in charge at that time, Mr. Freddy Haris stated that there were three reasons for registering a geographically indicated product. Firstly, the protection of geographic names, meaning that once a product has been registered as a G.I, the geographic name cannot be used for similar products. Secondly, to ensure the authenticity of the product. And thirdly, for product quality assurance (Qur'ani, 2018). This can be seen as the example of The price of Gayo coffee is IDR 50,000 before it is registered, but it increases to IDR 120,000 once it has been registered. The author will try to compare the G.I registration worldwide with Indonesia based on the database produce by WIPO in 2022, shown below:

Table 1. WIPO IP Facts and Figures 2022

Locations	2021
China	9,052
Hungary	7,743
Czech Republic	6,272
Bosnia and Herzegovina	6,087
Portugal	6,051
Italy	5,868
France	5,716
European Union	5,076
U.S	620
India	417

Source: *Wipo statistics database 2022, accessed December 2022 (edited)*

According to the given information, China had the highest number of legally protected Geographical Indications within its borders in 2021, with a total of 9,052, followed by Hungary with 7,743, then the Czech Republic with 6,272, and lastly Bosnia and Herzegovina with 6,087. Compared to other South-East Asian countries, Indonesia ranks lower than Thailand, which in 2022 had 174 registered geographical indications, with 156 of them being local registrations (Marchal & Chaipanya, 2022). It is worth noting that Thailand's geographical indications registration system has been in place since 2004, three years after the establishment of the system in Indonesia. Despite Indonesia's wealth of diverse

cultural heritage and traditional products, it has yet to fully leverage and protect its geographical indications. This is reflected in the number of registered geographical indications in Indonesia which is far lower compared to other countries in the region and globally.

In addition to the information provided above, the author also examines several past cases related to geographical indications for Indonesia from the 1900s. The first was the case involving the registration of the coffee by Key Coffee Co. using '*Toarco Toraja*' which had gained popularity in Japan (Fokky Fuad, 2017; Ridla, 2019). Six of the eleven trademarks containing the word Toraja are owned by Key Coffee. Key Coffee registered the Toraja trademark on July 22, 1974, and it was officially recognized as a registered trademark with number 1311224 on July 20, 1977. The trademark has been regularly renewed and remains valid until November 14, 2027. Whereas Toraja Coffee is a type of well-known coffee that originates from the Toraja region in South Sulawesi, Indonesia. Toraja Coffee is renowned for its distinct flavor and high quality, featuring a robust coffee aroma that has been cultivated by local communities. In essence, Toraja coffee is a product with a potential geographical indication, possessing a high economic value.

The registration of the Toraja mark in Japan has legal implications for coffee exporters from Indonesia (Hamidi & Faniyah, 2019). It prevents them from importing coffee products that use the Toraja name. It is indeed that IP protection are territorial and when the coffee with the brand and image of the Toraja traditional house was registered as a Mark in Japan, the development of IP law in Indonesia was not advanced enough to understand the concept of G.I protection. Therefore, the basis by the applicant to register the brand in this case is on the basis of a public domain. The controversy over the inappropriate use of the name Toraja as a trademark reached the Urawa court in Japan in 1997 (Koentjoro, 2012). Despite the case being resolved through a peaceful agreement, Key Coffee remained the authorized party to use the Toraja name in Japan. This is an irony for Indonesia, as foreign parties are now vying for control over this valuable product (Fokky Fuad, 2017).

The second landmark case involving one of the famous coffees, namely Gayo Coffee, which is grown in the Central Aceh region, specifically in the Gayo highlands. In 1999, the Dutch firm European Coffee BC registered the brand "Gayo Mountain Coffee" in the class 30 category at the Office for Harmonization in the Internal Market. This instance highlights the challenges faced by local producers in protecting their geographical indications and traditional products, particularly when they are in competition with large multinational corporations. In this case, the Dutch company's registration of the "Gayo Mountain Coffee" brand, which misappropriated the geographical indication of the coffee produced by the local communities in the Gayo highlands, posed a threat to the authenticity and marketability of the coffee. This has resulted in several Indonesian coffee exporting

companies being unable to export coffee to the Netherlands that uses the word 'Gayo,' as it resembles a registered trademark in the Netherlands (Effida, 2019; Herviandi et al., 2017). This is one of the biggest downsides of such G.I holders that is not being registered in Indonesia but have been registered by others in their respective countries.

The next recent case is known as '*Lada Putih Muntok*' (english: muntok white pepper). The name "white pepper" has been replaced by numerous similar products from Vietnam, China, or other regions that are traded under the name "Muntok White Pepper." White pepper is a staple agricultural product in the Bangka Belitung Province. It has been grown by farmers in the region for generations, and has been known by Europeans as Muntok White Pepper for a long time. Muntok is a city in the Bangka Belitung Province, located in the western region. Pepper was initially brought by Chinese merchants and was first grown near the mining areas by the Chinese, then later became a hereditary crop among the Bangka Malays. Today, pepper cultivation remains the main source of livelihood for the rural areas in the Bangka Belitung Province. However, research conducted by Elvita (2015) indicates that the government needs to play an active role in protecting and sustaining this product (Elvita, 2015).

The lack of understanding about the importance of protecting valuable assets is often seen when people only realize the ownership of such assets after foreign parties, who have a keen eye for their commercial value, claim them. The case of Toraja, gayo coffee and muntok white pepper highlights that foreign countries have identified potential economic value and view it as a profitable investment opportunity of Indonesia G.I. As a commodity for export, these goods have a high financial value, making their impact on the regional and national economy significant also provide employment opportunities. Furthermore, the disparity data above that the authors found highlights the need for the Indonesian government to prioritize the exploration and development of the abundant geographical indication potential throughout the country, to maximize its benefits for the regional and national economy, including generating foreign exchange and employment opportunities. By prioritizing the exploration and development of these geographical indications, the Indonesian government can help to boost the country's economy by generating foreign exchange and creating employment opportunities. This can be achieved by promoting these products to both local and international markets, thereby increasing their visibility and demand. Furthermore, by promoting the use of geographical indications, the Indonesian government can help to protect and preserve the unique cultural heritage and traditional knowledge associated with these products, which are often passed down from generation to generation.

Why Bother? – Effectiveness of Geographical Indications

This section will provide why exactly should we concern about geographical indications? Geographical Indications have a long history of serving as indicators of origin in European food law. They represent a collective intellectual property right of a label, which is owned by all communal peoples in a specific region. The laws surrounding GIs protect the reputation of indigenous people (producers) and provide assurance to consumers that a product with a specific origin on the label is genuine. This type of protection is intended to preserve the reputation and authenticity of products that are produced in specific regions and have a unique cultural and historical significance (Jay & Taylor, 2018).

The author would like to seek the example regarding the importance of G.I from the famous product from France named 'champagne'. Champagne is a well-known and highly sought-after type of sparkling wine that is known for its distinctive taste, bubbles, and cultural significance. The wine is produced in the Champagne region of France, which is located in the northeastern part of the country and is known for its cool climate and chalky soil. It's a province that's full of grapes and all sort of varieties. The method of producing Champagne, which involves a secondary fermentation in the bottle to create the bubbles, was developed in the Champagne region in the 17th century (Cartwright, 2021). The term 'champagne' has been long recognized legally and registered globally as G.I, reserved exclusively for sparkling wines from the champagne region, made in accordance with *Comité Interprofessionnel du Vin Champagne (CIVC)* rules. Therefore, only sparkling wines produced in the Champagne region following specific production methods can legally be labeled as "Champagne" (Hughes, 2006). By doing so, they aim to maintain the quality and reputation of Champagne, as well as to preserve the cultural heritage of the Champagne region and of France as a whole.

As a matter of facts, champagne represents only 0.5 percent of world vineyard acreage and 4 percent of France's total vineyard area (*Champagne*, n.d.). However, the industry may employ 30,000 people especially those who lived there (local communities), plus some 120,000 seasonal workers at harvest time (*Comité Champagne*, n.d.). Currently, champagne is exported to over 190 countries, representing 12% by volume of world consumption of sparkling wines (Karlsson & Karlsson, 2020). Based on the data above, it can be seen that protecting champagne as G.I has a significant positive impact on the French economy. The Champagne industry is a major contributor to the economy of the Champagne region and of France as a whole, generating billions of euros in revenue each year. The French government ensures that only sparkling wines produced in the Champagne region following specific production methods can be labeled as such. This helps to maintain the quality and reputation of Champagne, and therefore, to support the demand for and the price of Champagne wines.

The protection of Champagne as a GI also helps to promote the cultural heritage of the Champagne region and of France, which can attract tourists and

generate additional economic benefits especially for the indigenous people or local communities that depend on the resources. Moreover, the protection of Champagne as a GI provides a legal framework for the local communities in the Champagne region to defend their intellectual property rights, which is essential for the sustainability of their businesses and for the protection of their livelihoods. Moreover, the protection of Champagne as a GI also encourages investment in the local economy, as producers strive to meet the high standards required by the regulations. This investment creates jobs and boosts economic growth in the region, benefiting both producers and the local community.

In sum, the author believes that there are three main effectiveness by protecting and concern the issue of Geographical Indications. First is to give legal protection and assurances that the quality can only be obtained from a particular place, which is often designated as the country of origin. For example, once the distinctive woodwork from Jepara has been registered as a G.I., other regions or even countries cannot use the same element containing 'Jepara' in their products. Secondly, protection of G.I can serve as a marketing tool to enhance the reputation of the product. Since many geographical indications are based on agricultural products or foodstuffs, they can be used by developing countries, such as Indonesia, to boost their economies and the respective region. The economic value of using geographical indications on a product is due to the fact that it clearly portrays the quality and reputation of the product, which results in a good reputation in society. This is exemplified by the history of Champagne. Besides the increase in price seen with Gayo coffee, another example of the economic value being raised is the Sumbawa honey, whose price rose by 40% after it was registered as a geographical indication (Eno & Yusa, 2019). The last effectiveness of G.I is for the consumer protection from any misuse or imitation by the third parties. This protection helps to preserve the reputation and authenticity of the original product, ensuring that consumers are able to make informed purchasing decisions and obtain genuine products of high quality.

D. CONCLUSION

The research conducted argue that Geographical Indications hold a crucial position in a nation's economy. They protect their intellectual property rights and prevent inappropriate use or exploitation, which is important for those who rely on G.I products for their livelihood. The author believes that the legal framework for protecting G.I has been sufficiently established through the ratification of international treaties, the enactment of laws, and the issuance of relevant government regulations. Despite the existence of a legal framework for G.I protection, the research note that the government has not fully prioritized based on the data presented and cases documented. Under Indonesian law, Geographical Indications receive protection once they have been registered by stakeholders

through a process governed by legislation. However, the use of a first-to-file constitutive system for Geographical Indications is not widely supported due to a lack of public awareness regarding the need to register their Geographical Indication products. The government should take note of the example discussed in this paper regarding how Geographical Indications can positively impact a country's economy.

Therefore, the paper suggest that *first*, It is necessary for the Indonesian government and relevant stakeholders, who have responsibilities in the field of intellectual property and the protection of Indigenous People, to focus on this issue and raise awareness about the significance of Geographical Indications. One approach to support local communities is by providing them with resources from various central agencies relevant to their needs. This allows indigenous people to make informed decisions in terms of production, quality assurance, marketing, and promotion. This includes encouraging parties to register their Geographical Indication products. *Second*, with regards to G.I that registered as Marks in the foreign countries, the Indonesian government should utilize the international registration system for Geographical Indications. *Third*, it is crucial for communities, especially those who rely on Geographical Indication resources, to take an active role in protecting these resources by registering their products for protection. This will lead to economic benefits, as demonstrated by the example of champagne mentioned in this paper.

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ACKNOWLEDGMENTS

The author would like to extend my heartfelt gratitude to my parents, whose unwavering love and support have been a constant source of inspiration throughout my academic journey. Their sacrifices and encouragement have played a vital role, and for that, I am eternally grateful.

COMPETING INTEREST

The authors of this research article declare no competing interests.