



Journal of Hunan University (Natural Sciences)

Vol. 52 No. 5

May 2025

Available online at

<https://ionuns.com>



ELSEVIER
Scopus



Clarivate
WEB OF SCIENCE

Open Access Article

 <https://doi.org/10.55463/issn.1674-2974.52.5.6>

Shortcomings of Geographical Indication in Indonesia: A Critical Appraisal

Abd Thalib^{1*}, Muhammad Rizal Razman², Rosyidi Hamzah¹, Nur Aisyah Thalib¹

¹ Faculty of Law, Universitas Islam Riau, Indonesia

² Institute for Environment and Development (Lestari), Universiti Kebangsaan Malaysia (UKM), Malaysia

* Corresponding author: thalib@law.uir.ac.id

Article History:

Received: April 5, 2025

Revised: May 4, 2025

Accepted: May 23, 2025

Published online: June 30, 2025

Abstract: Indonesia, an agricultural and maritime country, is known as an emerald on the equator because of the potential and diversity of its natural resources. Coffee, one of the superior products for geographical indications, deserves protection, recognition, and respect. However, out of the 92 registrations for the Geographical Indication product, it seems that the public has not felt the optimal benefits. This is certainly not in accordance with the mandate of Law No. 20 of 2016 concerning Trademarks and Geographical Indications. This study aimed to analyze the shortcomings of Geographical Indications in Indonesia. The research method is predominantly normative legal research, focusing on library research using two approaches: the statutory approach and the comparative approach. The results of this study, it is known that several references show that providing strong support to Geographical Indications for coffee products, including carrying out promotional efforts can produce economic progress. However, this is not the case in Indonesia, as this study found little evidence and a limited likelihood of tangible economic benefits for coffee growers resulting from current GIs in Indonesia. Finally, there is no reliable and credible evidence showing a significant correlation between registration, protection, and promotion of products that may effectively improve the quality of people's lives. This study suggests that it is important for the government to work hard to facilitate Regional Governments to make preparations, arrangements, and accommodate everything to support and increase the productivity of Geographical Indications in their respective regions by involving relevant stakeholders.



Copyright: © 2025 by the authors. Licensee JHU

This article is an open-access article distributed under the terms and conditions of the Creative Commons Attribution License (<http://creativecommons.org/licenses/by/4.0/>)

Keywords: Geographical Indication, Protection, Trademark.

印度尼西亚地理标志的缺陷：批判性评估

摘要：印度尼西亚是一个农业和海洋国家，因其自然资源的潜力和多样性而被誉为赤道上的绿宝石。咖啡是地理标志的优质产品之一，值得保护、认可和尊重。然而，事实是，在 92 个地理标志产品注册中，公众似乎并未感受到最佳效益。这当然不符合 2016 年第 20 号关于商标和地理标志的法律的规定。本研究旨在分析印度尼西亚地理标志的不足之处。研究方法主要是规范法律研究，侧重于图书馆研究，使用两种方法，即法定方法和比较方法。本研究的结果表明，一些参考文献表明，为咖啡产品的地理标志提供强有力的支持，包括开展推广工作，可以带来经济进步。然而，印度尼西亚的情况并非如此。本研究发现，印度尼西亚现有的地理标志几乎无法为咖啡种植者带来切实的经济利益，而且这种可能性也十分有限。最后，没有可靠且可信的证据表明，注册、保护和产品推广与有效改善人民生活质量之间存在显著关联。本研究建议，政府应努力协助地方政府做好一切准备、安排，并通过相关利益相关者的参与，为支持和提高其各自地区的地理标志生产力提供一切便利。

关键词：地理标志、保护、商标。

1. Introduction

Frequently [1][2][3] in industrialized nations, where the supply chain's value-added components are concentrated, tropical crops are utilized as undifferentiated raw inputs for downstream industrial processing [4]. In the global coffee industry, increased end-product differentiation is seen as a potential way for producers to break out from the rut of producing cheap bulk commodities [5]. However, product distinctiveness also raises questions about how regional or product identities are created, negotiated, and managed in global settings as well as if this is a viable alternative in the first place. In addition to analyzing Indonesia's lack of Geographical Indications, this study examines how production-based differentiation can significantly improve growers' living and economic circumstances by analyzing geographically informed specialty coffee products.

We have been proud and mad about *tempe*, which has been innovated and made in other countries. For example, *tempe* was made in Japan because of the innovation of a new method of making *tempe* and was successfully patented in Japan. In another country, the *tempe* is known as a healthy snack for vegetarians. The first reaction of Indonesians because of *tempe* in America and Japan was mad and ridiculed, though their traditional food has stolen by one of the biggest economic countries in the world, afraid those countries would claim Indonesian culture as Malaysia did in the past on commercial tourism. However, of course, those

countries would not do such a thing and still, the world knew that *tempe* is food from Indonesia.

The example above is not directly related to geographic indications, but has the same result as its purpose. Indonesia has many cultures supported by agricultural products, but it has become a weakness because it does not focus on the geographical indications of Indonesian produce. This is a national urgency that needs to be implemented based on the national spirit and knowledge of the benefits of the national products produced.

By regulation, geographical indications have been implemented in Indonesia, as a result, based on data from the Indonesian Geographical Indications from the Direktorat Jenderal Kekayaan Intelektual (DJKI), there have been 92 registered cultural products. However, the 92 products seemed to have no fangs, even though the author did not know until the geographical indication data were available on the website. This is because sellers using geographic indication-based trademarks are not used for domestic purposes but are not heard in world trade. Coffee is an excellent product as well as a mainstay of Indonesia's natural resources, in addition to other products.

Several references show [6],[7],[8],[7] no doubt, that the results of various studies provide strong support and attention to Geographical Indications especially for coffee products in some places, including making promotional efforts for economic progress in general, and particularly in rural areas [7]. However, it is unfortunate that the benefits of developing these

geographical indications, in general, have not yet been proven to give positive results for Indonesia's development, especially in rural areas [9]. Furthermore, Durand and Fournier [10] and Tregear [11] emphasized that there is little opportunity for small business actors to obtain the expected results and profits, while Al-Abdul Kader [12] stated that because coffee goods, in particular, are not covered by Indonesia's agricultural development program, local markets pay higher prices for coffee than export markets, with average prices of \$7.45 thousand per ton versus \$1.98 thousand.

It is undeniable that geographical indications are part of trademarks. However, the difference between the two is that trademarks are more inclined toward individual businesses [13], while geographical indications are trademarks that are owned communally [14]. Therefore, it should be based on the quantity of communal production that is better known by many people because of common ownership. However, the opposite is true. Product trademarks from geographical indications are not heard at the domestic level, considering that the number of geographical indication products is 92.

A Communally owned trademark is one owned by an organization that aims to maintain, assist, teach, provide access, and sell products. An example of the illustration is an organization consisting of a group of farmers helping new farmers regenerate so that their products are preserved. Products from geographical indications are traditional products that have been preserved for years so that they have characteristics due to the influence of nature or the results of human hands, so that they have different characteristics from other regions. Because the product has been there for a while and has been selling well, it should be well known initially.

First, Law Number. The 20 Year 2016 concerning trademark and geographic indications, which is related to geographical indications, is the regulation that governs Geographical Indications in Indonesia. It states that Geographical Indications are signs that indicate the place of origin of an item or product that receives its reputation, quality, and characteristics due to geographical environmental factors such as natural factors, human factors, or a combination of these two factors. Thus, those who register and are given the right as exclusive rights based on the law, as long as they have the characteristics of the product. Hence, petitioners, who are classified as institutions that represent the

province, district, or city government as well as the community in a certain geographic area that produces an item or product, are the ones that receive the right.

Furthermore, in the regulation of the law on marks and geographical indications, it regulates registration requirements starting from registration, substantive examination, deletion, period of time, and related violations. Historically, the concept of geographical indications and their protection began to develop locally under national law. Around the 19th century, across borders, the imitation of local products outside the country of origin became a reason the country that has a natural source needs to expand protection beyond national borders. The first multilateral agreement on Intellectual Property Rights was Paris Convention on Protection of Intellectual Property adopted in 1883, which included "indications of source of appellations of origin" as objects of protection. Two special agreements were subsequently adopted: the 1891 Madrid Agreements and the 1958 Lisbon Agreement.

To identify a good as coming from a specific territory, region, or locality within that territory, where a particular quality, reputation, or other characteristic of the good is essentially attributable to its geographical origin, geographic indications were introduced through TRIPS, which provides it with an independent intellectual property rights regime. The location of the product's origin has a significant impact on its worth in the eyes of the general public, especially customers who are aware that the location offers unique resources and circumstances for producing that specific product.

In this connection, as far as Geographical Indication is concerned, Thalib stipulated the following:

"Some of the ASEAN Member States had Geographical Indication protection prior to the TRIPS Agreement and before joining the WTO through i.e., consumer protection, unfair competition, or even appellation of origin (hereinafter AO), adherence to the WTO was for many ASEAN countries the occasion to adopt new legal protection schemes for Geographical Indication, following pressure from the more developed countries in WTO's accession. ASEAN countries are also involved in numerous regional and bilateral free trade agreements (RTAs and FTAs), and have implemented a wide range of initiatives for the protection of Geographical Indication. ASEAN, thus, became one of the most active Geographical Indication protected areas in the world."[15].

Table 1. Status of Protection and Utilization of Geographical Indications in Indonesia

No.	Registered IG Products	Location	Year Registered	Evidence of Economic Improvement	Key Issues
1	Gayo Coffee	Aceh	2008	Limited	International Trademark Dispute
2	Toraja Coffee	South Sulawesi	2004	Unverified	Brand Transfer to Japan

No.	Registered IG Products	Location	Year Registered	Evidence of Economic Improvement	Key Issues
3	Dieng Carica	Central Java	2017	Limited	Lack of Promotion and Education
4	Troso Woven Fabric	Central Java	2016	Undocumented	Lack of Local Government Support
5	Pandanwangi Rice	West Java	2009	Proven Increase	Limited Market Access

Indonesia itself signed TRIP in 1995 as a member of the WTO, and was implemented as a legal system in practice in Law Number 15 Year 2001 Concerning Marks, then upgraded it in Law Number 25 Year 2016 Concerning Marks and geographic indications [16]. As one of the world's largest archipelago countries, Indonesia needed this geographic indication regulation to protect an origin good that growth in it. However, we also do not want cases like Gayo and Toraja coffee to occur again. In this case, the owner of the "Toarco Toraja" trademark filed an application for the protection of a coffee trademark that became increasingly popular in Japan, and Key Coffee Co. registered the coffee trademark under the name Toraja. His 1974 application for trademark protection was motivated by the possibility that a competitor might use a trademark with the same name, and in 1976, registration was approved.

The second case is the Kopi Gayo lawsuit, in which a Dutch trading business is alleged to be the right proprietor of a trademark. It should be noted that Gayo coffee is typical of Nanggroe Aceh Darussalam. Under the name Gayo Mountain Coffee, the Dutch firm Holland Coffee B. V. asserts that it owns coffee trademark rights and is registered internationally. Using only domestic provisions will obviously not suffice if the trademark registration case for Geographical Indications has been ongoing for a long time; international instruments that regulate intellectual property rights, particularly with regard to trademarks and Geographical Indications, must be cited[17].

2. Methods

This study employed a normative juridical problem approach, with descriptive research requirements. To conduct this study, several pertinent national and international laws and regulations were examined. The data were then categorized using deductive reasoning. A literature review is the author's method of gathering data. In general, secondary data are used, including primary legal materials (such as laws and regulations pertaining to geographic indications), secondary legal materials (such as books, journals, proceedings, and papers that deal with the topic of geographic indications), and tertiary legal materials (such as English and legal dictionaries).

3. Result and Discussions

Legal View of Geographical Indication

a. Geographical Indication as Trademark

It is a fact that Geographical Indications are a little behind and neglected from attention and protection, as part of intellectual property, to be precise in the field of industrial property. Unlike copyrights or trademarks, geographic indications are trademarks that show the earliest geographic origin of goods. Empirically, it may be that products from certain regions sell better than the same or similar products from other regions because of certain quality characteristics, natural geographical advantages, such as geology and climate, as well as original raw materials or food processing engineering factors, or local manufacturing skills in an area [18].

To prevent adulteration or the use of inferior ingredients, the original regulations were intended to first establish unique markings attesting to their quality, and then to maintain the commercial reputation of goods by enforcing requirements on local products. Often, a geographic brand disappears, replaced with a trademark in general, due to the climate and market governance mechanisms that occur in various places. This is especially true in Europe, where sizable markets for processed foods and alcoholic beverages rely on the ongoing acceptance of regional names[18].

Article 22-24 of the TRIPs served as the foundation for the decision to protect geographical indications through trademarks. Article 22 defines geographical indications as signs that identify a good as coming from a member's territory or a region or locality within that territory, where a particular quality, reputation, or other attribute of the good is essentially attributable to its geographical origin. On the other hand, in general, it can be emphasized that a trademark is a special sign of several types, whether it consists of a word, name, logo, phrase, image, design, symbol, style, design, or a combination of one or more of these elements. In principle, Geographical Indications are similar to trademarks because they function as indicators for differentiating sources. The main distinguishing factor lies in the fact that while a trademark identifies goods or services originating from a particular manufacturer, geographical indications, on the other hand, relate to the geographical area from which the product originates. This can result in overlapping effects in many cases. If

this happens, it will occur first. This is where it is necessary to classify the two and distinguish them separately so that one does not interfere with the other. In short, trademarks are protected from similar or confusingly similar markings for identical goods or services. However, a trademark serves as an identifier for the manufacturer of a product. If there are still doubts or confusion regarding the product manufacturer, the final solution is for the trademark owner to give the usage order [19].

According to Article 1 of Law No. 20 of 2016 concerning Trademarks and Geographical Indications, a mark is any symbol that can be used to distinguish goods and/or services produced by private individuals or legal entities while trading goods and/or services. These symbols can take the form of letters, numbers, words, names, images, logos, color arrangements, two or three dimensions, sounds, or a combination of two or more of these elements.

In the explanation of Government Ordinance No. 51 of 2007, which was used to rule expressly for Geographical Indication, this is the rationale behind the placement of geographical indications as trademarks. This is an unnoticed indication that has existed for a long time and can subtly convey the uniqueness of a product made in a particular location. The origin of an item can thus be indicated by the aforementioned mark, whether it is in the shape of food items, handicrafts, agricultural products, or other things, including raw materials and/or processed products, both from mining and agricultural products. Furthermore, when an item is protected as a sign of its place of origin (whether due to human activity, natural conditions, or a combination of both) and has certain uniqueness and quality due to a number of distinctive factors that are exclusive to a particular area, this is known as geographic indication protection. Protection of geographical indications is crucial for consumers and corporate entities. Geographical indications must be preserved for a number of reasons, including the fact that they serve to identify a product's origin. Informing customers that a product originates from a location or region that offers quality, reputation, or other crucial attributes that may be linked to its geographic origin is the second way to demonstrate product quality. In addition, it ensures that a product is authentic and possesses local qualities, all of which represent the interests of business people [20].

Government Regulation No. 51 of 2007 was modified to Law No. 20 of 2016, regulating Marks and Geographical Indications. Trademarks are a type of intellectual property that includes geographic indicators. Nonetheless, geographical indications can be used to determine the place of origin of an item. Law No. 20 of 2016 concerning Trademarks and Geographical Indications states in Article 1 Point 6 that a sign designates the place of origin of a product or products that, as a result of geographical environmental factors,

including natural and human factors, or their combination, give the goods and/or products their reputation, quality, and specific characteristics. Geographical indications are protected to enhance the economic value, particularly in the local community. This is consistent with Djulaeka's view that the protection of geographical indications is a result of the effect of environmental and geographical variables that provide products originating from unique features instead of personal intellectual property [21].

The priority is to apply for registration of geographic indications by claiming rights in a trademark, even though the protection of geographic indications in trademarks is still debated. This is dependent on a number of factors, including goodwill or good faith, to protect geographic indications over an extended period of time. Ideally, when it comes to the issue of geographical indications in intellectual property, a separate identification should be made [18].

b. Geographical Indication Need to Be Respected

On the one hand, geographical indicators and trademarks are similar, yet they also differ. Generally, trademarks are used by businesses to set their products and services apart from those of other businesses. Similarly, a geographical indication is a "collective sign" that distinguishes it from the region or the product's true origin and has certain qualities. Unlike trademarks, geographical indicators are owned collectively rather than individually. It is available to all firms that produce goods of the same calibre and location identified by geographic indications. Furthermore, "appellations of origin" are another type of geographical indication applied to goods that possess certain attributes that are mostly or completely a result of the geographic setting in which they were made. Geographical indications are therefore a sort of "collective sign" of a region's farmers and artisans. Contrary to geographic indications, trademarks are tradable and delocalized [22],[23],[19]. Because of their reputation for quality, Geographical Indications can be recognized by their product features, which serve as the foundation for their protection. Which aspect of the geographical indication should take precedence over the product to foster respect for it?

Numerous international laws deal with geographical indications [24],[25],[26],[27], namely the Paris Convention for the Protection of Industrial Property Rights established in 1883. The convention's essential tenet is that, regarding the protection of industrial property, parties may not discriminate against local residents and citizens of other parties. Therefore, the Convention distinguishes between Geographical Indications and trademarks that do not define either term. As stated in Article 1 (2), trade names, service marks, patent objects, simple patents, trademarks, industrial designs, indicators of origin or sources, and the prosecution of unfair competitors are all included in

the protection of industrial property. Therefore, every manufacturer or trader, whether a legal entity or an individual involved in trading or manufacturing these goods carried out by falsifying the region, source, or in the wrongly indicated country, will, in any case, be considered an interested party. Article 10 states that the provisions of the previous article apply in the case of the direct or indirect use of false indications from the source of goods or traders or the identity of producers. Articles 1(2) and 10 provide an idea where Geographical Indications and trademarks aim at identifying and not limited to any number of procedures coming within the qualifying specifications; then, based on identifying, the member must provide an understanding that product geographical indications that have a trademark from the sourced location must be protected from the same product, which is from different locations [19].

Second, The Madrid Agreement, in 1891 explain the indications of source, which highlights that any commodities with false indications that list one of the nations covered by this agreement, or the location therein, as a place of origin or country, will be confiscated upon importation into any country for acts of fraud, whether direct or indirect. This convention was the first international agreement to provide precise guidelines for misleading and deceptive source indications. Following this, there was a law in 1891 concerning the international registration of marks, which explained the procedure for trademarks, including geographic indications, to be registered internationally. This law is not generally applicable, with the exception that only nations that protect geographic indications may use it [19].

Geographical indications and appellations of origin are both protected by the World Intellectual Property Organization (WIPO), which comes third. There are two chapters that contain substantive draft provisions. The first chapter governs the ban on using denominations, signs, or expressions that directly or indirectly identify the source of goods or services using false or fraudulent geographic indications. Internationally compliant geographical indication registration processes are governed by the second chapter [19].

The final one is the Agreement on Trade-Related Aspects of Intellectual Property Rights, which aims to incorporate non-discrimination rules on national and most-favored nation treatment as well as the protection of intellectual property rights, including geographic indications[19].

Therefore, the granting of rights to Geographical Indications here is similar to the granting of other industrial property rights, such as object patents and trademarks, in that all legitimate users whose names are on file will simultaneously have the exclusive right to use the Geographical Indication, provided that registration has been completed, and the terms and restrictions that apply to registration also apply to this

right. Additionally, it stipulates that the rights of two or more authorized users of registered Geographical Indications must be equal [19].

c. Geographical Indication as A Communal Rights

Communal words related to law are known as communal rights. In Indonesia, these words are taken from the term agrarian law, based on the ATR Ministerial Regulation Number 10 Year 2016, joint ownership rights over land granted to indigenous peoples who live in certain areas. The status or position of these collective or communal rights can be inherited but cannot be transferred to individuals. The legal actors who are allowed to do so are customary law communities. Communal rights can also be registered, and certificates issued[28].

PMNA/KBPN Number 9 Year 2015 with the understanding granting of land in a certain area to a group of people, also known as ulayat rights, means that the existence of the land in question is the common property or communal rights of the customary community group. Then was revoked by PMATR/KBPN Number 10 Year 2016 which provides a different meaning, the difference is that in addition to customary rights to land, this includes joint ownership of the land of a customary law community, but also grants of land to people who live in certain areas[29].

So, what does this communal right mean? A group can be formed depending on several factors, such as interests, and have the same character. The existence of a community cannot be separated from the importance of something that identifies it. A group of people who come together in a manner happens to be somewhere; for example, both have an interest in getting something, but this community of interests is far less important than any other community that might also belong to the same person. The same group of people is a member of the national community, whose interests are quantitatively and qualitatively stronger than those of most other communities. Furthermore, just as the above groups of persons may collectively comprise partial membership in a number of different communities, they may individually belong to several communities. For example, one place can represent a number of different cultural communities (associations, organizations, etc.). This incident provides an explanation as to why, with as many communities in the world as there are groups of people who share the same interests, and with anyone who is a member of many communities, it is important to know something about the mechanism by which interests that conflict with one another are made to exist in equal competition. If the law is the tool, good understanding and insight are required to deal with different interests that can be controlled for the sake of calm and peace[30].

A number of people or parties with similar basic interests are called the community. For example, the

common interest in security and order and increasing harmony in a positive way for all with an interest in a particular area. Starting from here, the law is used as a means for society to realize its most basic interests in maintaining security, order, and peace.

Furthermore, all communities of interest within the region are included in political communities whose sole interest is to reconcile the interests of these other communities[30]. The view of realism towards a society lies in the level of satisfaction of its interests with the use of law as its device. If the community in question (for example, Village, District, Province, or nation) is responsible for the common interest in managing security, order, and peace within regional boundaries and make the law a supreme commander. Of course, the legal instruments referred to are those that can be applied to various situations, conditions, and where various communities are located [30].

From the description above, it can be seen that to gather a community, there must be a meeting point that forms an attitude of togetherness with social and cultural ties. If communal property in agrarian has sociocultural ties, it is called ulayat right, which is an area owned by the community. Thus, this adds value to the geographical indication that recognizes ownership of communal rights. The words that attract communal rights are sociocultural. The point is to gather people in the form of a community; then, there must be something familiar that the community understands. In this case, it can lead to traditional knowledge.

Traditional knowledge is a type of skill or knowledge that is preserved, cultivated, and transmitted from one generation to the next within a community as a component of cultural or spiritual identity. In summary, it is generally stressed that traditional knowledge encompasses the knowledge's actual contents and traditional cultural expressions, symbol forms, and distinguishing signals that accompany them. On the contrary, in a narrow sense, it is stated that any knowledge resulting from traditional intellectual activity refers to such knowledge, especially knowledge resulting from intellectual activities such as knowledge, innovation, practice, and innovation, such as knowledge of medicine, biodiversity, agriculture, science, technology, ecology, and so on. Traditional knowledge-based innovations may be safeguarded as trade secrets or confidential information, or secured by patents, trademarks, and geographical indication protection. However, traditional knowledge — that is, knowledge with a long history that is frequently passed down orally — is not covered by typical intellectual property laws[31].

Patents and trade secrets have similarities in knowledge; the difference lies in the action of the inventor to publish. However, this knowledge cannot be denied will always be attached to culture because the problems that are solved are problems related to

everyday life. However, there are parties who use traditional knowledge for their own benefit and admit that their innovation comes from themselves or uses Indonesia's natural wealth as a raw material for innovation and then resold at a higher price. For example, the Shiseido company uses spices for the production of beauty equipment, uses Indonesian plants as raw materials for cosmetic products, and registers its patents in Japan. Among the raw materials are pule (*Alstoniascholaris*), pulowaras (*Alycia reindwartii* Bl), belantas (*Pluchea indica* L), tempuyung (*Sonobus arvensis* L), kemukus (*Piper cubeba*), kayurapet (*Paramerialaerigata*), and sintok (*Cinamomumsintoc* Bl). Legi wood, kelabet, lempuyang, remujung, and brotowali are the names of additional plants that are covered by the patent. Each plant is separated into three patents, all of which include chemicals that prevent aging. Tanaman Wolo (*Borassus flabellifer*), regulo (*Abelmoschus moschatus*), and bunga cangkok (*Schima wallichii*) were registered as skin care products, and a patent for a hair tonic was filed for cabaijawa extract from Piperaceae. However, Indonesians have long been using herbs [32].

Subsequently, it has to do with trademarks and geographical indications, which fall within the same category of intellectual property rights as trademarks, but are treated differently. For example, the process of registering a mark is submitted by completing the general requirements plus an image of the mark (two-dimensional or three-dimensional), but in the submission of geographical indications other than the requirements that must exist, are legal subjects in the form of legal institutions that have been established in accordance with statutory provisions; in other words, individuals are not included as legal subjects for geographical indications. Moreover, to apply for geographical indications, one must complete a description of the product that contains details, some of which include product features, the reason for the product to be special, and the difference with other products.

Furthermore, "geographical indications are signs that indicate the area of origin of a product or goods that have their own uniqueness, reputation, special quality, and features, compared to other similar products born from the earth (geo) where the product originates," according to Article 1 Number 6 of Law No. 20 of 2016 concerning Trademarks and Geographical Indications. This can be due to natural or environmental factors, human factors, or a combination of these two factors [33].

This means that this is different from ordinary marks, which are individual property rights that are self-registered and used by themselves after obtaining the rights to the mark (both trade and services), so that everything is determined by the trademark holder who is granted rights by the state. However, geographical

indications are communal property rights, in which the status is contrary to individual property rights. Individual property rights do not apply in the geographical indication mechanism; therefore, this mark must be used and owned jointly.

It can be illustrated that the concept of individuals who fit behavior patterns that prioritize individual egos will be defeated by group ego, and then individual behavior will become second only to group interests. Thus, in communal property rights, each individual's behavior represents his position as a member of the community. If this is related to geographical indications, it means that interested parties are recognized as rights holders, which in geographical indications who are entitled to register are institutions that represent the community and local government of a certain geographical area.

The principle of providing common property rights legal protection and the content of economic rights define communal property rights in intellectual property rights. To increase the welfare of their community, community groups are actively looking for products as owners and users using geographical indicators [34].

Geographical Indication Approach

a. Law Approach of Geographical Indication

As far as geographical indications and trademarks are concerned simultaneously, TRIPs have regulated them in detail and in full, and are binding to its members. This was confirmed at a meeting in the City of San Francisco, California, United States, on 9-11 July 2003. According to Article 22(3) of the TRIPs multilateral agreement, geographical indications for goods other than wine and liquor are shielded against the abuse of their designations. The clause says this: that "A Member shall, ex officio, if its legislation so permits or at the request of an interested party, refuse or invalidate the registration of a trademark which contains or consists of a geographical indication with respect to goods not originating in the territory indicated, if use of the indications in the trademark for such goods in that Member is of such a nature as to mislead the public as to the true place of origin." With this safeguard, each member nation is required to monitor and evaluate any application that deceives consumers because of its similarity to the geographical indications in question. There may be some issues here, such as a designation that is (still) a geographical indicator in its country of origin, but has become or has always been a broad term in other countries, or a designation that causes issues in other countries is very similar to a geographical indication. Customers view these identifiers as trademarks and are protected. In this instance, it is interpreted as referring to the maker rather than the product's place of origin. Buyers will not be duped because they interpret the designation as generic rather than as a clue to the product's place of origin.

Indonesia's trademark law approach to geographic indications is based on Law No. 20 of 2016 concerning trademarks and geographic indication regulations. The trademark must adhere to the industry's intellectual property principle, which states in Article 53 that Geographical Indications are protected after they are registered until the product characteristics and reputation for quality that serve as the basis for their protection cease to exist, as stated in Article 61. Article 66 states that the use of a sign is prohibited in order to protect geographical indications. The use of a sign as the primary principle is concerned with geographical indications that need to be protected, either directly or indirectly, reflecting the product, such as demonstrating that the product is of similar quality to the product protected by the Geographical Indication, which benefits the product and creates an environment that misleads the public about its origin and imitation. As the owner of the Geographical Indication, the user will face legal action for these actions.

In general, WTO institutions together with WIPO try to pay attention to protecting biodiversity, whether the arrangements are left to the respective national provisions, or the establishment of international norms that will provide protection for intellectual property related to genetic resources, biodiversity, and biotechnology that might be generated. The main issue that must be considered is whether to establish a *sui generis* system to establish guidelines and standards for protection. Examples include the protection of creations, art, music, history, inventions, models, drawings, petroglyphs, designs, and other traditional artistic expressions [35]. However, a *sui generis* system only provides for the registration of geographic indications. Normally, administrative procedures are indispensable with regard to the submission of documents, either by the producer directly or through local agents. The main thing they need to understand is whether the protection covers the name used in the translation and/or the name used with expressions such as style. They also need to know whether ex officio procedures are in place. Producers are required to detect possible violations by operators and take all necessary legal actions to claim their rights. Manufacturers face additional difficulties when they must rely on laws protecting consumers or unfair competition, circumventing regulations, or when they attempt to obtain protection by registering collective or certification marks[36].

b. Protection from Society Which Legal Organization

The approach must be carried out with geographical indications because until now, there has been a discrepancy between the economic rights granted and the activities of producers who cultivate products produced from traditional knowledge. Thus, some descriptions of the approach to geographical indications

are expected to be used for the progress of an agrarian country.

The first approach involves control and organization issues. The rules governing the protection of geographic indications and trademarks vary. As a trademark is a unique symbol that distinguishes a company's products, it is not constrained by geographic or territorial boundaries. On the other hand, because geographical indicators are spatially inseparable, there are some implications for how supply networks identified as origin are organized and controlled; that is, products are defined by a "collective dimension," [37] in that they pertain not only to the abilities of numerous producers and/or processors but also to products made for the general public utilizing regional culture, history, and customs. Naturally, a cooperative network can manage shared products in a manner similar to that of an entrepreneur or business [38].

Control refers to a product's quality, which is achieved by a process that is unique to nature and human hands. It also refers to the application of controls to promises made by producers. A variety of controls could be implemented to ensure that producers adhere to production conditions. This also assumes that community members would accept the limitations of the collective discipline. There are two ways to organize the products of geographical indications. The first is through the dedication of government agencies, such as official labs or fraud control organizations, and the second is through a third-party private certification and monitoring system. In general, certification is costlier than public controls. Particularly in underdeveloped nations, not all producers of geographical designations can afford this. Due to the communal approach, it is not necessary to provide control to every producer in the geographical indication system. The geographical indicator community provides an internal control, whereas the control plan can predict the percentage of producers to be regulated annually. The cost to producers can be significantly reduced by this community[39].

Because ownership of geographical indications is in the form of communities, associations, or groups, what needs to be considered is the legality of the community, position of the individual in the community, membership marks, member rights, regeneration, and so on. This is because there are differences in the treatment between individual trademarks and geographical indication trademarks, which are related to the validity period of the trademark. The law on marks and geographical indications specifies the validity period, which is 10 years for individual trademarks, and may be extended. The protection period for geographical indications is not based on a specific timeframe, but rather on how long the product is in use. Therefore, it is logical to demand the ownership of a geographical indication in the form of an association community that has the opportunity to

live longer as a legal subject to maintain product quality.

However, the organizational and control approach alone is not enough, But the organizational and control approach alone is not sufficient. It must be realized that geographical indications are the same as other intellectual properties, which contain economic value as the embodiment of exclusive rights.

In WIPO's text on its website, it stated that it is necessary to prevent and safeguard the use of products by third parties that do not adhere to the current criteria for specific geographical designations. In accordance with established rules for geographical indication, Darjeeling tea manufacturers, for instance, may not use the term "Darjeeling" for teas that are not cultivated or manufactured in their tea gardens.

Additionally, the holder cannot forbid a third party from producing a product that follows the indication standard's process or approach. Undoubtedly, gaining the right to the sign that makes up the indication is the usual way to preserve geographical indicators[26].

Only a portion of the above description is accurate. Geographical indicator rights are territorial and precise. This implies that certain rights are exclusive to the nations in which they are protected. Currently, there are no "international" or "world" geographical indicator rights[40].

In fact, between trademarks and geographical indications, although they have differences in the process and treatment, their roles and functions are almost the same, only that they may have differences in terms of reputation. It can be described when a trademark takes time and hard work to gain the trust of consumers. Geographical indications already have a reputation before registration.

In addition to quality and reputation, information on an item from geographical indications is a determinant in reducing problems between producers and consumers. Disputes often arise in addition to the lack of study or research, especially regarding products labeled as originating, as well as because of a lack of information, even though product quality is determined based on a collective reputation that can generate income based on tradition [39].

The existence of geographic indication products with certain brands is the beginning of recognition and a means of exploitation for traders towards their consumers because their quality or reputation is different from what they have[18]. Legal protection for geographic indication products is largely determined by their reputation in the process of developing unique products. The collective reputation generated for a product has specificity created because of the close relationship between social elements and the exogenous factors of unintended events. Unlike in the premium quality model, its reputation is exclusive or a choice determined by the company itself.

A number of crucial steps are involved in

developing and focusing on the collective aspect of regional indications, such as agreement structures and methods for guaranteeing adherence to product criteria. Controls are necessary because of the collaborative nature of the manufacturing process to avoid opportunistic behavior and free riding, as well as control activities. To guarantee the caliber and reputation of the goods bearing the mark, any business that is allowed to use it must rely on the ethical behavior of every other business. Meanwhile, either internal or external organizations may perform the control function[38].

The main purpose of a trademark is to guarantee the identity of the origin of the product to the end user or consumer, without any doubt to distinguish it from the product of other origins [41],[42],[43][44],[45], which is very important the product was sold to him beforehand without the intervention of other parties, without permission from the trademark owner, for example, affecting the original condition of the product, causing loss or reduced consumer confidence in the use of the product in question [46].

As part of the trademark, geographical indications also take on the function of the trademark, namely, as an identification of product sources so that consumers can imagine product quality through symbols that project a self-image, in this case, providing guarantees related to internal and external search costs for products when needed at the same time as a form of responsibility for manufacturers and distributors. Thus, reducing risk is a form of promise or special bond with the manufacturer [46].

In the field of geographical indications, its activities are more profitable than trademarks because, from the beginning, it was supported in terms of quantity so that it had to be done by several members of the community. Meanwhile, quality control needs to be achieved by maintaining traditional knowledge and having a reputation known to the public from the start. However, adding a sign to a product will give buyers a sense of security and assurance regarding product quality based on geographical indications.

4. Conclusion

Several studies have shown that providing strong support for Geographical Indications for coffee products, including promotional efforts, can result in economic progress for the community. However, this does not happen in Indonesia, and there is no reliable and credible evidence that shows there is a significant correlation with the above in improving the quality of life of the GI coffee farming community currently in Indonesia. It is important that the government work hard to facilitate Regional Governments to make preparations, arrangements, and accommodate everything to support and increase the productivity of Geographical Indications in their respective regions by

involving relevant stakeholders. The approach must be carried out with geographical indications because until now, there has been a discrepancy between the economic rights granted and the activities of producers who cultivate products produced from traditional knowledge. The first approach involves control and organization issues. The legal framework that protects each geographical indicator is different; this is the form of control and organizational difficulties faced. However, the organizational and control approach alone is not enough; to maximize the right to geographical indications, it is necessary to know the exclusive rights or economic rights related to geographical indications.

Numerous studies have shown that the Indonesian coffee industry has failed to effectively exploit the place-related value inherent in specialty coffee products due to the misalignment of lead business priorities and regional organizations supporting Geographical Indications. In other words, the level of cooperation and coordination between relevant stakeholders is still low, in addition to a minimal entrepreneurial spirit, especially among government officials. Based on the conclusions above, a Local Regulation is needed to implement Law No. 20 of 2016 Concerning Trademarks and Geographic Indication. The organization must protect its geographical indications, control, supervision, and maintenance. Thus, it can be considered as traditional knowledge that is protected by the state.

The authors' contribution to this article reflects an active role in analyzing the weaknesses of Geographical Indication implementation in Indonesia. Abd Thalib, as the main author, led the normative legal study with a comparative and statutory approach and initiated the importance of strengthening legal and institutional support for geographical indication products, especially coffee. Other authors have also contributed to literature reviews, collecting national and international legal data, and formulating policy recommendations that encourage synergy between local governments, local communities, and other stakeholders.

References

- [1] F. G. Castro, M. B. Jr, and C. R. M. Jr, "The Cultural Adaptation of Prevention Interventions: Resolving Tensions Between Fidelity and Fit," in *Prevention Science*, 2004.
- [2] T. P *et al.*, "A Classification of Motivation and Behavior Change Techniques Used in Self-Determination Theory-Based Interventions in Health Contexts," *Motiv. Sci.*, vol. 6, no. 4, 2020.
- [3] P. T. P. Carrion, "Exploring the acceptance of VR technology for meetings and business-related contexts," *Rio Janeiro*, 2021.
- [4] K. P. Ri *et al.*, "Bahan pembelajaran dinamika kelompok," *Kementerian. Pertahanan Ri Badan Pendidik. dan Pelatih.*, p. 52, 2020.

- [5] B. Lewin, G. D, and V. P, "Coffee Markets: New Paradigms in Global Supply & Demand," *SSRN Electron. J.*, 2011.
- [6] A. S. Ningsih, W. Waspiyah, and S. Salsabilla, "Indikasi Geografis atas Carica Dieng sebagai Strategi Penguatan Ekonomi Daerah," *Suara Huk.*, vol. 1, no. 1, pp. 1–14, 2019.
- [7] G. Belletti, A. Marescotti, and J. M. Touzard, "Geographical Indications, Public Goods, and Sustainable Development: The Roles of Actors' Strategies and Public Policies," *World Dev.*, vol. 98, pp. 45–57, Oct. 2017, doi: 10.1016/j.worlddev.2015.05.004.
- [8] M. T. Giovannucci, D., Josling, T. E., Kerr, W., O'Connor, B., & Yeung, "Guide to geographical indications: linking products and their origins," *Int. trade Cent.*, 2009.
- [9] D. Marie-Vivien and E. Biénabe, "The Multifaceted Role of the State in the Protection of Geographical Indications: A Worldwide Review," *World Dev.*, vol. 98, pp. 1–11, Oct. 2017, doi: 10.1016/j.worlddev.2017.04.035.
- [10] C. Durand and S. Fournier, "Can Geographical Indications Modernize Indonesian and Vietnamese Agriculture? Analyzing the Role of National and Local Governments and Producers' Strategies," *World Dev.*, vol. 98, pp. 93–104, Oct. 2017, doi: 10.1016/j.worlddev.2015.11.022.
- [11] A. Tregear and S. Cooper, "Embeddedness, social capital and learning in rural areas: The case of producer cooperatives," *J. Rural Stud.*, vol. 44, pp. 101–110, Apr. 2016, doi: 10.1016/j.jrurstud.2016.01.011.
- [12] A.-A. Kader, A.-N. A, A. T, and A.-D. A, "Optimizing Coffee Cultivation and its Impact on Economic Growth and Export Earnings of the Producing Countries: The Case of Saudi Arabia," *Saudi J. Biol. Sci.*, vol. 25, no. 4, pp. 776–782, 2018.
- [13] D. D, *Konsep Perlindungan Hak Kekayaan Intelektual Perspektif Kajian Filosofis HaKI Kolektif Komunal*. Malang: Setara Press, 2014.
- [14] Darwance, R. Sari, M. S. Anwar, and D. Saputra, "Study of the Problems of Efforts to Protect Geographical Indications in the Bangka Belitung Islands Pre-Sertification," in *IOP Conference Series: Earth and Environmental Science*, 2023.
- [15] A. Thalib, A. Admiral, R. Hamzah, and N. A. Thalib, "Variety of geographical indications and value capture for Indonesian," *Asian J. Environ. Hist. Herit.*, vol. 3, no. 1, pp. 165–176, 2019.
- [16] M. M. G. Warokka, "Geographical Indications under International Intellectual Property Law: An Indonesian Perspective," *Indones. J. Int. Law*, vol. 9, no. 1, Oct. 2011, doi: 10.17304/ijil.vol9.1.335.
- [17] Devica Rully Masrur, "perlindungan hukum indikasi geografis yang telah didaftarkan sebagai merek berdasarkan instrumen hukum nasional dan hukum internasional," *Lex journalica*, vol. 15, no. 2, p. 197, 2018.
- [18] Bernard O'Connor, "The Law of Geographical Indications," *Cameron May Ltd.*, pp. 21–22, 2004.
- [19] B. J. Kiran and P. Ghosal, "When Is A Trademark A Geographical Indicator And When It Is Not?," *Legal service india*, 2018.
- [20] Badan Pembinaan Hukum Nasional, "Hasil Penyelarasan Naskah Akademik RUU Tentang Merek," 2015.
- [21] Dian Ety Mayasari, "Protection of Geographical Indications as a Form of Consumer Rights Protection," *Yuridika*, vol. 35, no. 1, p. 5, 2020.
- [22] Badan Pembinaan Hukum Nasional, *Hasil Penyelarasan Naskah Akademik RUU Tentang Merek*. 2015, p. 20.
- [23] W. Sasongko, "Indikasi Geografis: Rezim Hki Yang Bersifat Sui Generis," *J. Media Huk.*, vol. 19, no. 1, 2012.
- [24] W. C, *Agreement on Trade-Related Aspects of Intellectual Property Rights*. 2012.
- [25] D. Rangnekar, "The Pros and Cons of Stronger Geographical Indication Protection," *BRIDGES*, 2002.
- [26] Wipo, "Geographical Indications," WIPO publication.
- [27] F. Addor, N. Thumm, and A. Grazioli, "Geographical Indications: Important Issues for Industrialized and Developing Countries," *The ITPS Report*, no. 74. pp. 24–31, 2003.
- [28] N. P. Arvianti, "HAK KOMUNAL SEBAGAI OBYEK PERALIHAN HAK ATAS TANAH," *J. Univ. Airlangga*, 2018.
- [29] A. D. Daldiani and R. Sesung, "Kepastian Hukum Hak Komunal Berdasarkan Peraturan Menteri Agraria dan Tata Ruang/Kepala Badan Pertanahan Nasional Republik Indonesia Nomor 10 Tahun 2016 ditinjau dari Hukum Pertanahan Indonesia," *J. Pemikir. dan Pembaharuan Huk. Islam*, vol. 21, no. 1, 2018.
- [30] G. M. Bergman, "The Communal Concept Of Law," *Yale Law J.*, vol. 57, no. 1, 1947.
- [31] P. Hegde, "Traditional knowledge," *Economic and Political Weekly*, vol. 44, no. 31. Economic and Political Weekly, Aug. 2009. doi: 10.26512/dasquestoes.v10i1.32550.
- [32] T. Destanto, "Hubungan Antara Paten dan Pengetahuan Tradisional Berdasarkan UU No. 14 Tahun 2001 tentang Paten," *J. Univ. Mitra Indones.*, no. 14, pp. 1–8, 2018.
- [33] P. W. H. Hananto and R. R. Prananda, "THE URGENCY OF GEOGRAPHICAL INDICATION AS A LEGAL PROTECTION INSTRUMENT TOWARD TRADITIONALKNOWLEDGE IN INDONESIA," *Law Reform J. Pembaharuan*

- Huk.*, vol. 15, no. 1, pp. 62–84, Mar. 2019, doi: 10.14710/lr.v15i1.23355.
- [34] A. Nansa and B. Madiong, *Hukum Hak Kekayaan Intelektual: Hak Ekonom Pemegang Indikasi Geografis*. Celebes Media Perkasa, 2019.
- [35] Knowledge, “New York City Is a Sui Generis System Necessary?” IPTF Luncheon, 2024.
- [36] Knowledge T, “New York City Is a Sui Generis System Necessary? -Benefit Sharing Agreements,” *IPTF Luncheon*, 2004.
- [37] B. G, B. G, M. A, and R. A, “Individual and collective levels in multifunctional agriculture,” *Montpellier*, pp. 16–18, 2002.
- [38] C. Bramley, E. Biénabe, and J. Kirsten, “THE ECONOMICS OF GEOGRAPHICAL INDICATIONS: TOWARDS A CONCEPTUAL FRAMEWORK FOR GEOGRAPHICAL INDICATION RESEARCH IN DEVELOPING COUNTRIES.”
- [39] M. Blakeney, “Geographical Indications, Traditional Knowledge, expressions of culture and the protection of cultural products in Africa,” in *Extending the protection of Geographical Indications*, Routledge, 2013, pp. 120–134.
- [40] WIPO, “Frequently Asked Questions: Geographical Indications,” WIPO Website.
- [41] D. Sautier, E. Biénabe, and C. Cerdan, *Geographical indications in developing countries*. CABI Publishing, 2011.
- [42] X. Quiñones Ruiz, H. Forster, M. Penker, G. Belletti, and A. Marescotti, “How are food Geographical Indications evolving? An analysis of EU GI amendments,” *Br. Food J.*, vol. 120, no. 8, pp. 1876–1887, 2018.
- [43] G. C. Moschini, L. Menapace, and D. Pick, “Geographical Indications and the Competitive Provision of Quality in Agricultural Markets,” *Am. J. Agric. Econ.*, vol. 90, no. 3, pp. 794–812, 2008.
- [44] EU, “Geographical Indications—State of play in Africa,” 2011.
- [45] A. Union, “Continental Strategy for Geographical Indications in Africa 2018-2023,” 2017.
- [46] M. Peguera, “Trademark Functions and Trademark Rights,” *SSRN Electron. J.*, p. 4, 2020.
- 业语境中的接受度”，里约热内卢，2021年。
- [4] K. P. Ri 等人，“小组动力学习材料”，印度尼西亚国防部教育与培训局，第52页，2020年。
- [5] B. Lewin、G. D 和 V. P, “咖啡市场：全球供需的新范式”，《SSRN电子期刊》，2011年。
- [6] A. S. Ningsih、W. Waspiyah 和 S. Salsabilla, “基于Dieng Carica的地理标志作为加强地方经济的战略”，《法律之声》，第1卷，第1期，第1–14页，2019年。
- [7] G. Belletti、A. Marescotti 和 J. M. Touzard, “地理标志、公共物品与可持续发展：行为者策略与公共政策的作用”，《世界发展》，第98卷，第45–57页，2017年10月，doi: 10.1016/j.worlddev.2015.05.004.
- [8] M. T. Giovannucci 等人，《地理标志指南：产品与原产地的联系》，国际贸易中心，2009年。
- [9] D. Marie-Vivien 和 E. Biénabe, “国家在地理标志保护中的多重角色：全球回顾”，《世界发展》，第98卷，第1–11页，2017年10月，doi: 10.1016/j.worlddev.2017.04.035.
- [10] C. Durand 和 S. Fournier, “地理标志能否使印尼和越南农业现代化？——国家与地方政府以及生产者策略的作用分析”，《世界发展》，第98卷，第93–104页，2017年10月，doi: 10.1016/j.worlddev.2015.11.022.
- [11] A. Tregear 和 S. Cooper, “嵌入性、社会资本与乡村学习：生产合作社案例研究”，《农村研究杂志》，第44卷，第101–110页，2016年4月，doi: 10.1016/j.jrurstud.2016.01.011.
- [12] A.-A. Kader 等人，“优化咖啡种植对生产国经济增长和出口收入的影响：以沙特阿拉伯为例”，《沙特生物科学杂志》，第25卷，第4期，第776–782页，2018年。
- [13] D. D, 《知识产权保护理念：集体性与哲学性视角》，玛琅：Setara出版社，2014年。
- [14] Darwance 等人，“邦加勿里洞群岛地理标志保护中的问题研究——认证前阶段”，载于《IOP地球与环境科学会议论文集》，2023年。
- [15] A. Thalib 等人，“印尼地理标志的多样性与价值获取”，《亚洲环境史与遗产杂志》，第3卷，第1期，第165–176页，2019年。
- [16] M. M. G. Warokka, “国际知识产权法下的地理标志：印尼视角”，《印尼国际法期刊》，第9卷，第1期，2011年10月，doi: 10.17304/ijil.vol9.1.335.
- [17] Devica Rully Masrur, “地理标志作为商标注册后基于国家与国际法律制度的法律保护”，《Lex Jurnalica》，第15卷，第2期，第197页，

参考文献:

- [1] F. G. Castro、M. B. Jr 和 C. R. M. Jr, “预防干预措施的文化适应：在忠实性与契合性之间的张力”，载于《预防科学》，2004年。
- [2] T. P 等人，“健康情境中基于自我决定理论的干预所使用的动机与行为变化技术分类”，《动机科学》，第6卷，第4期，2020年。
- [3] P. T. P. Carrion, “探讨虚拟现实技术在会议与商

- 2018年。
- [18] Bernard O'Connor, 《地理标志法》, Cameron May出版社, 第21–22页, 2004年。
- [19] B. J. Kiran 和 P. Ghosal, “何时商标是地理标志? 何时不是?”, *Legal Service India*, 2018年。
- [20] 国家法律建设局, “关于《商标法草案》的学术文件协调结果”, 2015年。
- [21] Dian Ety Mayasari, “将地理标志保护作为消费者权利保护形式”, 《*Yuridika*》, 第35卷, 第1期, 第5页, 2020年。
- [22] 国家法律建设局, 《关于〈商标法草案〉的学术文件协调结果》, 2015年, 第20页。
- [23] W. Sasongko, “地理标志: 一种独特的知识产权制度”, 《*法律传媒杂志*》, 第19卷, 第1期, 2012年。
- [24] 世界贸易组织, 《与贸易有关的知识产权协议》, 2012年。
- [25] D. Rangnekar, “更强地理标志保护的利与弊”, 《*桥梁*》, 2002年。
- [26] WIPO, 《地理标志》, WIPO出版物。
- [27] F. Addor、N. Thumm 和 A. Grazioli, “地理标志: 工业化国家与发展中国家的重要议题”, 《*ITPS报告*》第74号, 第24–31页, 2003年。
- [28] N. P. Arvianti, “集体权利作为土地权利转让的对象”, 《*艾尔朗加大学期刊*》, 2018年。
- [29] A. D. Daldiani 和 R. Sesung, “根据印尼2016年第10号农业和土地规划部长条例对集体权利法律确定性的分析”, 《*伊斯兰法律改革与思考期刊*》, 第21卷, 第1期, 2018年。
- [30] G. M. Bergman, “法律的集体概念”, 《*耶鲁法律杂志*》, 第57卷, 第1期, 1947年。
- [31] P. Hegde, “传统知识”, 《*经济与政治周刊*》, 第44卷, 第31期, 2009年8月, doi: 10.26512/dasquestoes.v10i1.32550。
- [32] T. Destanto, “根据印尼专利法第14号 (2001年) 分析专利与传统知识的关系”, 《*印尼Mitra大学期刊*》, 第14期, 第1–8页, 2018年。
- [33] P. W. H. Hananto 和 R. R. Prananda, “地理标志作为印尼传统知识法律保护工具的紧迫性”, 《*法律改革期刊*》, 第15卷, 第1期, 第62–84页, 2019年3月, doi: 10.14710/lr.v15i1.23355。
- [34] A. Nansa 和 B. Madiong, 《*知识产权法: 地理标志持有人的经济权利*》, Celebes Media Perkasa出版社, 2019年。
- [35] Knowledge, “纽约市是一个特殊制度 (Sui Generis) 系统吗?”, IPTF午餐会, 2024年。
- [36] Knowledge T, “纽约市是否需要一个特殊制度系统? ——利益共享协议”, IPTF午餐会, 2004年。
- [37] B. G 等人, “多功能农业中的个体与集体层面”, 蒙彼利埃, 第16–18页, 2002年。
- [38] C. Bramley、E. Biénabe 和 J. Kirsten, “地理标志经济学: 为发展中国家地理标志研究构建概念框架”。
- [39] M. Blakeney, “地理标志、传统知识、文化表达与非洲文化产品的保护”, 载于《*扩展地理标志保护*》, Routledge出版社, 2013年, 第120–134页。
- [40] WIPO, 《*地理标志常见问题解答*》, WIPO官方网站。
- [41] D. Sautier、E. Biénabe 和 C. Cerdan, 《*发展中国家的地理标志*》, CABI出版社, 2011年。
- [42] X. Quiñones Ruiz 等人, “食品地理标志如何演变? ——对欧盟GI修订的分析”, 《*英国食品期刊*》, 第120卷, 第8期, 第1876–1887页, 2018年。
- [43] G. C. Moschini、L. Menapace 和 D. Pick, “地理标志与农业市场中质量竞争的供给”, 《*美国农业经济学杂志*》, 第90卷, 第3期, 第794–812页, 2008年。
- [44] 欧盟, “非洲地理标志实施现状”, 2011年。
- [45] 非洲联盟, “2018–2023年非洲地理标志大陆战略”, 2017年。
- [46] M. Peguera, “商标的功能与权利”, 《*SSRN电子期刊*》, 第4页, 2020年。

Word count (excluding references): 11,103 words.

Peer-review record:

- *Fast-track status:* Not fast-tracked
- *First-round reviews received:* 3 reports
- *Revision cycles completed:* 3 rounds
- *Final version submitted:* May 23, 2025

Disclaimer/Publisher's Note:

The views, opinions and data expressed in this article are solely those of the authors and do not necessarily reflect those of the *Journal of Hunan University (Natural Sciences)* or its editors. The journal and its editorial staff accept no responsibility for any injury to persons or damage to property resulting from the ideas, methods, instructions or products discussed herein.