

REINVIGORATING TRADITIONAL CULTURAL EXPRESSIONS OF 'WAYANG KULIT TATAH SUNGGING' FROM BANTUL, INDONESIA, THROUGH GEOGRAPHICAL INDICATIONS: A LEGAL PERSPECTIVE

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Abstract

This article analyzes the legal implications of registering *Wayang Kulit Tatah Sungging Pucung Bantul*, a traditional Javanese shadow puppet art as a Geographical Indication (GI) in Indonesia. While Indonesia's GI regime has primarily focused on agricultural commodities, its extension to *Traditional Cultural Expressions (TCEs)* presents complex issues concerning identity, ownership, and cultural commercialization. Employing a normative and socio-legal methodology, this study examines the interaction between legal instruments, institutional structures, and community perspectives in the GI registration process. The findings reveal that the existing GI framework provides only symbolic recognition without ensuring community empowerment or equitable benefit-sharing. The paper proposes a legal integration model that merges GIs with community-based intellectual property mechanisms to strengthen cultural sustainability. It concludes that an effective GI framework for TCEs must balance legal protection, cultural justice, and socio-economic empowerment through participatory and reform-oriented governance.

Keywords: Traditional Cultural Expressions, Geographical Indications, Wayang Kulit Tatah Sungging, Cultural Law, Community Empowerment.

INTRODUCTION

Wayang Kulit Tatah Sungging from Pucung Village, Bantul Regency, Yogyakarta, represents one of Indonesia's most distinctive Traditional Cultural Expressions (TCEs). Beyond its aesthetic dimension, it embodies philosophical, spiritual, and communal values that reflect the collective identity of Javanese civilization. Originating during the reign of Sultan Hamengkubuwono VII in 1917, this craft combining intricate tatah (carving) and sungging (painting) techniques has been preserved across generations as both a cultural art and a socio-economic livelihood for local artisans. Internationally, UNESCO's recognition of Wayang Kulit as Intangible Cultural Heritage underscores its significance and the urgency of its legal protection.

International recognition of this culture was given through the designation by UNESCO as an *intangible* cultural heritage, thus strengthening the position of Wayang Kulit as a representation of Indonesian culture that should be preserved. However, under the current conditions of globalization and trade liberalization, such traditional cultural expressions face considerable challenges. Modernization, commercialization, and the entry of counterfeit products from outside the region and even from abroad are real threats to the existence of Wayang Kulit Tatah Sungging Pucung Bantul. From here comes the need to provide legal protection that not only protects the work as an aesthetic object, but also as a representation of the collective rights of traditional communities (Susy Frankel, 2011).



Figure 1. Wayang Kulit Tatah Sungging Bantul

The urgency of discussing this topic is born from the reality that traditional forms of cultural expression (TCE's) such as Wayang Kulit Tatah Sungging Pucung Bantul have not been fully optimally protected by the intellectual property legal regime in Indonesia. The Copyright legal system as part of the intellectual property regime is often individualistic and limited to creators, not indigenous communities who are collective owners of cultural expressions. Meanwhile, alternative approaches such as Geographical Indications (GI), which are generally applied to agricultural products, are now being considered for handicraft products and cultural expressions, such as wayang kulit.

The absence of a tailored legal framework for cultural-based GIs risks the exploitation and commodification of local heritage. As noted by scholars, inadequate community knowledge of GI procedures, lack of national standards for TCE registration, and difficulties in establishing collective representation impede the inclusion of TCEs within Indonesia's GI system. Moreover, the current dichotomy between "preservation without economics" and "commercialization without cultural values" illustrates a regulatory imbalance that undermines both cultural justice and sustainable development.

The absence of a tailored legal framework for cultural-based GIs risks the exploitation and commodification of local heritage. As noted by scholars, inadequate community knowledge of GI procedures, lack of national standards for TCE registration, and difficulties in establishing collective representation impede the inclusion of TCEs within Indonesia's GI system. (Md Sifat Hossain, 2024). Moreover, the current dichotomy between "preservation without economics" and "commercialization without cultural values" illustrates a regulatory imbalance that undermines both cultural justice and sustainable development. Protection through GIs can be a bridge between the need for cultural preservation and the demands of healthy and equitable commercialization (Dev Gangjee, 2012).

Although Indonesia already has a legal regime for Geographical Indications through Law No. 20/2016 on Trademarks and Geographical Indications, until now the protection provided by the state has not been optimally applied to non-agricultural cultural products such as Wayang Kulit. Most studies on GIs in Indonesia still focus on food or agricultural products (coffee, tea, salt, and the like), with little attention to cultural entities that are artistic and traditional. This condition is because the approach to traditional cultural expressions is still limited to two things, namely between the preservation approach that ignores economic potential, and the full commercialization approach that can lead to the deviation of cultural values. This is where the research gap in this study lies, where there have not been many specific discussions that examine the possibility of using Geographical Indications as a legal protection mechanism for TCEs, especially those derived from performing arts such as Wayang

Kulit Tatah Sungging. In addition, the unavailability of a clear legal framework regarding how the community of cultural owners can collectively obtain, manage, and maintain the GI rights, institutional issues, proving historicity, and monitoring the use of GIs are also practical obstacles that have not been widely discussed academically in the context of TCEs.

Several previous writings identify the legal challenges that cultural communities face in obtaining legal protection. First, many communities do not have sufficient legal knowledge to access the GI registration mechanism. Second, there is no national standard that regulates how TCEs can be included in the GI system (Nugroho, 2020). Third, the problem of proving the historicity and representation of the community in the GI management institution is a significant administrative and sociological challenge.

This article offers novelty in three main aspects, the first of which is the approach to GIs from the perspective of cultural expressions, not just agricultural products. This is a relatively new area of study in the Indonesian legal context. Second, the case study on Wayang Kulit Tatah Sungging, is a traditional art that has not been widely studied from the perspective of intellectual property law, especially through the GI approach, and third, a critical analysis of the limitations of current regulations is needed, as well as an alternative protection model based on a community-based IP approach.

Problem statement in this article is, although the Geographical Indication (GI) system in Indonesia has developed, but its use in the protection of non-commodity traditional cultural expressions such as wayang kulit is still minimal and often symbolic,

There is no effective legal governance model to ensure protection, fair commercialization, and preservation of cultural values of non-food GI products, and whether GI is sufficient as an instrument of legal protection for TCEs such as shadow puppets in an IPR system that is still dominantly commodity-oriented?

Wayang Kulit Tatah Sungging is not only a product of art, but more than that it is a living symbol of Javanese civilization that continues to survive from time to time. Efforts to maintain its existence and authentic value must be supported by a legal system that favors the community that owns it. In this context, the approach through Geographical Indications is not only a matter of legal protection, but also a matter of recognition of local wisdom and collective rights of indigenous peoples. This research aims to build a bridge between legal protection and cultural justice, an urgent need in the midst of globalization (Triska Damayanti and Hafid Setiad, 2019) and modernization.

METHOD

This study employs a qualitative empirical legal research design, integrating normative and socio-legal approaches to examine the implementation of *Geographical Indications (GIs)* in protecting local cultural expressions. The empirical dimension involves fieldwork, direct observation, and data collection in Pucung Village, Imogiri Subdistrict, Bantul Regency, Yogyakarta, recognized as the origin of *Wayang Kulit Tatah Sungging*.

The research investigates the interaction between legal doctrine and non-legal social phenomena, focusing on how national intellectual property law operates within the cultural practices of local artisans. Data were collected through library research and field studies involving key informants, including officials from the Ministry of Law and Human Rights, *Wayang Kulit* craftsmen from Pucung, and local artists with historical knowledge of the *Tatah Sungging* tradition.

The analytical framework followed a systematic sequence of data collection, presentation, interpretation, and conclusion drawing. This process allowed for a comprehensive understanding of the legal and cultural contexts shaping the GI implementation. The qualitative method enabled in-depth exploration of the socio-legal realities underlying the relationship

between formal legal structures and community-based cultural practices, providing nuanced insights into the effectiveness and challenges of the GI regime in Indonesia.

RESULT AND DISCUSSION

GI Protection System in Indonesia

Legal Arrangement of Geographical Indications in Indonesia

Geographical Indications (GI) in Indonesia are formally regulated in Law No. 20 of 2016 concerning and Geographical Indications. This law replaces Law No. 15 of 2001, and confirms that a GI is a sign indicating the region of origin of an item which, due to geographical environmental factors, including natural factors, human factors, or a combination of both, gives the item a certain reputation, quality and characteristics (Marja Zattoni Milano, 2021).

The GI system in Indonesia adheres to a constitutive model where legal protection is given through registration (Diana Hardin, 2024), then from the registration, a number of procedures are carried out including completeness of documents and substance checks by conducting field visits. This constitutive principle also uses the first to file stelsel, which is where the right to a mark is given to the party who first registered the GI, (Dyah P. B. Asri, 2022) not to the party who first used the GI. In other words, whoever is faster to apply for registration of GI to the Directorate General of Intellectual Property (DJKI), will get the right to the GI, regardless of whether they have used the GI before or not.

The basic concept of the first-to-file system emphasizes speed of registration as the basis for granting rights to a GI. This means that if there are two parties claiming ownership of the same GI, the party that successfully registered its GI first will be deemed the rightful owner, even though it may not be the party that first used the GI in business activities. The "first to file" system provides legal certainty in the registration of GI, however, it can also potentially create problems if there is subsequent evidence that the GI has already been used by another party.

The procedure for registering a GI starts with the submission by an institution representing the producer community (usually a cooperative, association, or customary institution). In Indonesia, the party entitled to apply for a GI is known as the Society for the Protection of Geographical Indications (MPIG). MPIG is an institution that represents the community in a particular geographical area that cultivates a product with the characteristics of the GI, as well as the provincial or district/city government in the area where the GI originated. Groups or institutions that apply must be able to prove that the products they propose are closely related to the region or geographic area in question. MPIG institutions in the establishment must have legality, namely by making the deed of establishment by a notary official or can also be based on the Certificate of establishment made by local government officials in the area of the GI.

Registration of IG is done by filling out the form online attached to the required documents, namely the IG Registration Description Document. Description Document IG contains detailed information about a product that has a close relationship with the area of origin. The main substance includes: name of Geographical Indication, type of goods, description of product characteristics and quality, geographical factors (natural and human), boundaries, history and related traditions, production process, quality testing methods, and product labeling. In more detail, the contents are as follows:

a. Geographical Indication Name

The name used to identify the product, for example "Wayang Kulit Tatah Sunging Pucung Bantul".

b. Type of Goods

Description of the type of goods being protected, for example "shadow puppets".

c. Description of Characteristics and Quality

A description of the characteristics and qualities of the product that distinguish it from similar products from other regions, including its relationship with the region of origin.

d. Geographical Environmental Factors

A description of the natural factors (soil, climate, geographical conditions, rainfall, altitude, etc.) and human factors (traditions, skills, traditional knowledge, etc.) that influence the quality and characteristics of the product.

e. Area Boundaries

Description of the boundaries of the area covered by the Geographical Indication, including a map of the area.

f. History and Tradition

A description of the history of the product and the traditions associated with the use of Geographical Indications, including community recognition of the product.

g. Production/Processing/Making Process

A description of the stages of production, processing, or manufacturing of the product that enable producers in the region to produce products with similar characteristics.

h. Quality Testing Methods

A description of the methods used to test the quality of the product, ensuring the established quality standards.

i. Product Label

Examples of labels used on products and containing IG.

The description document is also attached with a recommendation letter from a local official, a certificate of MPIG formation, and proof of payment for Geographical Indication registration. This Description Document aims to provide clear and detailed information about the protected product, as well as ensuring that the product has a strong link to its region of origin, thus providing legal protection and recognition of the product.

The application is submitted online through the Geographical E-Indication Application on the ig.dgip.go.id page. The examination is carried out by the Directorate General of Intellectual Property (DJKI), and if it meets the requirements, the GI will be registered and protected as long as there are no changes in specifications or geographical conditions. After submitting the registration, a formality check will then be carried out, where the DJKI will check the completeness of the documents. If there is a lack of documents, the applicant will be notified to complete it through a letter that will be sent to the applicant's email. Furthermore, the next stage is Substance examination, which will examine the truth and feasibility of the IG submitted. Substance examination is usually carried out with a field visit to the IG area. In the substantive examination, the IG substantive examination will carry out an evaluation process by authorized officials (examiners) to assess whether the application for IG registration meets the requirements stipulated in the law. This examination aims to ensure that the proposed product is indeed closely related to the area of origin, and has unique qualities and characteristics that are distinctive due to geographical factors and other factors that influence it.

The following are the things that are done in the substantive examination of geographical indications:

- a. Verification of Completeness of Documents, which will ensure that all required documents are complete and in accordance with the applicable provisions.
- b. Analysis of Product Description and Region of Origin, whether the product description and region of origin are in accordance with the elements of geographical indications stipulated in the law, including:

- 1) Marks or names of goods/products: Whether the proposed mark complies with the criteria of geographical indication.
 - 2) Region of origin: Whether there is a link between the product and its region of origin, including regional boundaries and a map of the region.
 - 3) Environmental factors: Whether there is an influence of natural and human factors on product quality or characteristics.
 - 4) Quality, reputation, and characteristics: Whether the product has a special reputation, quality, or characteristics associated with its region of origin.
- c. Assessment of the Product's Linkage to the Region of Origin, which will ensure that the product is indeed closely linked to its region of origin, in terms of raw materials, production process, and environmental factors that influence it.
 - d. Evaluation of the Influence of Environmental Factors, assessing whether geographical environmental factors, both natural and human, exert a significant influence on the quality, reputation, and characteristics of the product.
 - e. Examination of the Presence of Reputation, Quality, and Characteristics, which ensures that the product has a certain reputation, quality, or characteristics that are closely related to its region of origin.
 - f. Preparation of Examination Report, the GI examination team will prepare an examination report containing findings and recommendations related to the application of geographical indications.
 - g. Determination of Eligibility for Registration, based on the examination results, the examiner will determine whether the application can be accepted or rejected.

Substantive examination of geographical indications is an important step to ensure legal protection of products that have high economic and cultural value due to their association with a particular region of origin, while protecting consumers from counterfeit or misleading products.

In principle, this arrangement adopts the approach of the Agreement on Trade- Related Aspects of Intellectual Property Rights (TRIPS), particularly Articles 22-24, and makes GIs part of the communal intellectual property system. (Dev S. Gangjee, 2017) (Stewart Nyakoty, 2013)

Legal Protection System of Geographical Indications

After registration, GIs obtain exclusive legal protection, (Dyah P. B. Asri, 2022) which includes the right to use the name of the GI only by parties who qualify (production in the relevant region, in accordance with specifications), prohibition of the use of GIs by parties outside the community or region specified, criminal and civil law enforcement against violations of GIs (Article 100-103 of Law No. 20/2016), and international registration through the Lisbon Agreement or Geneva Act scheme for cross-country protection, although its implementation is still limited in Indonesia.

However, this protection is declarative in nature and is only effective upon formal registration. This means that communities that do not formally register their products do not receive protection, even though their products are de facto widely known and have a geographical reputation. Through the existing GI protection system, it is hoped that local Indonesian products that have GIs can continue to maintain their quality and provide sustainable economic benefits (CLAIRE DURAND, 2015) for the community.

In general, the protection of GI aims to maintain the reputation, quality, and special characteristics of the product associated with its geographical origin, and prevent misuse and imitation. (Edy Sriyono, 2022) After the registration of GI approved and issued Geographical Indication Certificate by the Ministry of Justice of the Republic of Indonesia through the Directorate General of Intellectual Property, then there is still a long way from the protection

of the product GI, meaning that the certificate obtained is not the ultimate goal of the protection of a product originating from a particular region, precisely with the legal protection needs further efforts to maintain the sustainability of the protection. One such effort is the supervision carried out by the central government, local government, and society. The supervisory function is intended to ensure the maintenance of IG protection of the quality and reputation of the product.

In addition, the protection of registered GIs provides several benefits, including to increase product competitiveness both in the local market, in the domestic market, and internationally. (Dyah Permata Budi Asri, 2023) Another benefit is an increase in the economy, where with the protection of the GI can provide economic benefits for the product producing community and the area of origin of the product. And the last is the benefit of quality assurance of a product that registered GI (GIOVANNI BELLETTI, 2017). If a GI has been legally protected, then if there are other parties who utilize economically or violate the rights of the GI product, then there are civil and criminal sanctions that have been regulated in the law. Against these violations can be filed a lawsuit by any producer who is entitled to use Geographical Indications or by institutions representing the community in a particular geographical area.

Currently in Indonesia as of June 2025, there are 182 Geographical Indication products registered in Indonesia, including Gayo Arabica Coffee, Muntok White Pepper, Salak Pondoh Sleman, Kasongan Bantul Pottery, Sumbawa Horse Milk, Batik Tulis Lasem, etc. (DJKI, 2025).

Challenges in Protecting TCEs Through the GI Regime

Problems in the Field Related to the Protection of Geographical Indications

One of the challenges of GI protection mainly lies in the strengthening of community organizations (MPIG) as producers, minimal knowledge about GI, and constraints in the formation of MPIG. In addition, GI protection also faces challenges in maintaining the reputation, quality, and characteristics of the product that is the basis of protection.

Protection of GI against a product, does not mean there is no problem after that, many challenges and problems in the field after the issuance of the certificate. Starting from the problems that may arise from MPIG which has a fairly western task in managing and promoting GI products, the lack of public knowledge of the importance of GI protection that causes the potential of GI products in a region has not been maximally protected. Another problem in the field that is quite heavy is the ability to maintain the reputation, characteristics, and quality of a registered product GI. If one of the three factors is not met, then the protection of GI can be revoked. And the last is the number of IG violations that occur in the field after the issuance of IG certificate. This happens because of the weak function of supervision of the IG product. Not optimal supervisory function of both MPIG, community and related agencies, causing weak law enforcement against these violations. In order for law enforcement against violations of the GI can run optimally, it requires the role of various parties to build legal awareness and understand the importance of respect for intellectual work such as GI.

There are a number of efforts needed in order to minimize the potential for infringement and misuse so that registered GI products can be optimally protected and provide economic benefits for the rights-holding community, namely strengthening MPIG by providing training and mentoring to increase the capacity of MPIG in managing and promoting GI products, educating the public about the importance of GI protection, providing strict sanctions against GI violations so as to provide a deterrent effect on the perpetrators, encouraging producers to maintain and improve product quality (Luisa Menapace, 2011) registered GI in order to have competitiveness, as well as utilization of information technology, social media to assist and protect GI products from counterfeiting and violations.

Weaknesses of the Geographical Indication Protection System in Indonesia

The challenges mentioned above show the weaknesses of the legal system in the protection of GIs in Indonesia, although Indonesia already has a legal framework regarding Geographical Indications through Law Number 20 of 2016 concerning Trademarks and Geographical Indications, as well as its implementing regulations, (Srivit Aviva, 2024) but the GI protection system still faces various serious challenges both in terms of legal substance, institutional, and implementation. These challenges can be categorized into structural, substantial, and sociocultural weaknesses. These weaknesses can be explained as follows:

- a. Top-down approach, which is too bureaucratic and not based on community needs. GI registration procedures are often overly complex and focused more on formal administrative aspects rather than deepening the cultural values, history, and traditional practices inherent in the product. As a result, many local producer communities, especially in remote areas or indigenous communities, struggle to meet the requirements of the technical documents and legal substance required (Mnd. ELIDA BOSHJAKU, 2025). This results in many potential GI products not being registered or only stopping at initiation.
- b. Lack of integration with customary legal systems and local norms, even though IG products often grow out of complex cultural contexts. GI legal protection in Indonesia still does not accommodate the reality of customary law that lives in the community. GI products are often manifestations of hereditary cultural practices, but these local norms are not explicitly reflected in legal registration and recognition procedures. No mechanism allows indigenous peoples to claim collective rights over deep-rooted cultural practices. Yet, in the context of Traditional Cultural Expressions (TCEs), integration with customary legal systems is crucial to ensure sustainability (Anjali Yadav, 2024) and legal legitimacy.
- c. Weak law enforcement system, including lack of field supervision, unclear administrative sanctions, and limited investigators in the intellectual property sector. The law enforcement system against GI violations in Indonesia is still very weak. Although Law No. 20 Year 2016 has regulated administrative sanctions and civil suits for GI violations, its implementation is very limited. The lack of Civil Servant Investigators (PPNS) in the field of Intellectual Property as well as the lack of capacity of law enforcement officers to understand GIs causes violations such as label forgery, the sale of products from outside the region with GI labels, or unauthorized commercial use, difficult to crack down effectively. This lowers the level of deterrent effect of legal protection of GI.
- d. There is no affirmative policy to support TCEs who want to register GIs, especially in terms of financing and simplification of administrative requirements. Indonesia does not yet have an affirmative policy to support communities that want to register GIs, especially for products that fall into the category of TCEs such as crafts, performing arts, or traditional food. The cost of research, expert consultation, and preparation of GI description documents is a burden for communities that are economically limited. There is no special funding scheme, training, or administrative simplification based on affirmative justice for culturally marginalized groups.
- e. Unpreparedness of local communities. IG regulations assume that producer communities are ready in terms of organizational governance, quality management, collective control and marketing. In reality, most local communities do not have these capacities. This has led to the registration of GIs being merely symbolic without being followed by real economic or protection benefits. Without institutional intervention, the GI is only an administrative

achievement, not a tool for community empowerment.

From the description above, it can be concluded that the weakness of the GI protection system in Indonesia lies in the gap between the formalistic legal framework and the sociocultural and institutional realities of local communities. Regulatory reform, community-based participatory approaches, and integration between national law and customary norms are needed to make GIs an effective tool in protecting and empowering local cultural heritage.

Ideal Legal Concept for Geographical Indication Protection in Indonesia

GI is one form of communal Intellectual Property Rights (IPR) that has a strategic function in the protection of local products that reflect the identity, reputation, and characteristics of a region. Indonesia as a country rich in cultural heritage and typical regional products has recognized the importance of GI protection through Law Number 20 of 2016 concerning Trademarks and Geographical Indications, but its implementation still faces many challenges. This requires the formulation of an ideal legal concept that is more appropriate to the Indonesian context, both socioculturally and economically.

In this context, the establishment of a more inclusive, equitable and community empowerment-oriented IG protection system is imperative. The concept of ideal law does not only speak to the formal aspects of regulation, but also includes governance, community access to the system, effective law enforcement, and integration with customary norms. To strengthen the argument, this paper also compares the GI system in Indonesia with other countries that have succeeded in developing an optimal GI protection system, such as France, India and Thailand.

Referring to Gustav Radbruch's legal theory of "good law" or *rechtsidee*, the ideal law should have three elements: legal certainty (*rechtssicherheit*), justice (*gerechtigkeit*), and usefulness (*zweckmäßigkeit*). In the context of IG, these three principles can be detailed as follows:

- a. Legal certainty, namely the GI system must have certainty about who owns the rights, how the procedure for obtaining protection, and how the dispute resolution mechanism.
- b. Justice, namely the law must provide a fair opportunity for all communities, including indigenous communities, to obtain protection for their distinctive products.
- c. Benefit, namely the legal system of GI must provide tangible benefits both in the form of local economic improvement, cultural preservation, and global recognition.

Then how is the ideal legal concept in the framework of the protection of GI in Indonesia, further described below:

- a. Decentralization and Community Based

One of the weaknesses of the Indonesian GI system is the dominance of a top-down approach, where the process of registration and supervision of GI dominated by the central bureaucracy. The ideal law should encourage the active participation of local communities as holders of cultural authority, including in the submission process, determining product specifications, and quality control.

An ideal example is the "Appellation d'Origine Contrôlée (AOC)" system in France, (David Guerrero, 2021) which puts the producer community at the center of determining technical specifications and quality control systems, supported by a national authoritative body. This creates a balance between centralization of standards and local autonomy.

- b. Integration of Customary Law and Local Wisdom

The ideal law of GI in Indonesia should accommodate the authority of customary law in determining the cultural value and social legitimacy of protected products. For

example, in cultural products such as Wayang Kulit Tatah Sungging Bantul, recognition of the authority of the craft community and local values is essential to ensure cultural sustainability.(Erkan Denk, 2024) India has begun to adopt this approach through the Geographical Indications of Goods (Registration and Protection) Act, 1999, which provides space for participation of indigenous communities and traditional cultural actors in the protection of GIs for products such as Basmati rice or Kanjeevaram sarees.

c. **Affirmative Support Scheme and Community Institutionalization**

The ideal legal system should also include affirmative support mechanisms, such as technical assistance, registration subsidies, and institutional training for local communities. In Indonesia, limited community capacity (in administrative, legal, and marketing terms) is often a major barrier to GI registration.

Thailand provides an inspiring model through the One Tambon One Product ((Viritpol Ponark & Mokbul Morshed Ahmad, 2024) OTOP) GI, which integrates the GI system with a distinctive product-based village economic empowerment program. The program not only funds the registration process, but also strengthens community capacity for branding, export, and product diversification.

d. **Strengthening Law Enforcement and Monitoring Functions**

Another weakness is the weak system of supervision and law enforcement against GI violations, including counterfeiting, unauthorized use, or product claims from outside the region. The ideal law needs to provide mechanisms for administrative sanctions, civil suits, and strengthening the capacity of IPR investigators in the regions.

The European Union Protected Designation of Origin (PDO/PGI) model (Bitota Mudibu Sparf, 2010) has a solid enforcement system with integrated supervision across member states and enforcement based on consumer protection systems and international trade.

Table 2 . Indonesia's Specific Challenges and Ideal Legal Response

Aspect of Challenge	Current Law	Ideal Element
Community Approach	Limited, bureaucratic	Decentralized, participatory
Customary Law	Not accommodated	Integrated as a source of law
Financing and access	Not available	Subsidy and affirmation schemes
Law enforcement	Weak and sporadic	Active sanctioning and monitoring system
Community capacity	Low	Training, partnerships, state incentives

The following will describe the direction of IG Law reform in Indonesia. to realize the ideal IG legal system in Indonesia, reform needs to be directed at the following aspects:

- Revise GI regulations to explicitly include TCEs, including definitions, participatory mechanisms and indigenous community representation systems in submissions.
- Establish local institutional models, such as community legal entities for the protection of GIs, with roles in monitoring, education and distribution of economic benefits.
- Simplification of administrative procedures for the registration of GIs by indigenous groups or village communities, with technical support from local governments.
- Incentive and funding mechanisms, such as the Special Fund for Culture that supports the registration of GIs based on traditional cultural expressions.
- Strengthening international cooperation with WIPO, UNESCO, and ASEAN countries to build a cross-cultural and regional GI protection system.

Indonesia has tremendous potential in developing a strong and inclusive Geographical Indication system, especially because of its diverse culture and local heritage (Dwi Tiara Kurnilasari, 2020) However, this potential will not be optimized without legal system reform

and a more holistic approach to protection. An ideal legal concept that includes community participation, integration of customary norms, strong local institutions, and partiality towards culture, is an important foundation for a GI system that is not only administrative, but also a tool for cultural preservation and economic empowerment of the people.

The following table outlines a comparison between the current Geographical Indications (GI) framework and the proposed model that would integrate community- based protection mechanisms designed for Traditional Cultural Expressions (TCEs) such as Wayang Kulit Tatah Sungging.

Table 3. Model for Integration of GI and TCE Protection Mechanisms

Aspect	Present-day GI Structure	The suggested IG-TCE model
Legal Basis	Law No. 20/2016 (GI-focused, commodity-based)	Combined with customary law and community rights
Scope	Agricultural and food products	TCEs: crafts, performances, cultural expressions
Ownership	Regional organization or collective GI association	Community-based organizations (cooperatives or cultural councils)
Quality Control	determined by the requirements and specifications of the product	Observed in accordance with cultural customs and heritage authenticity
Benefit Sharing	indirect through group marketing	organized, comprehensive, and fair profit distribution
Enforcement	Civil lawsuits and administrative punishments	Enforcement of the law and customs (community tribunals, mediation)
Sustainability	Preservation motivated by the market	Intergenerational transmission and cultural sustainability

This model emphasizes combining formal intellectual property rights with informal community-based protection to ensure legal recognition and cultural sustainability of traditional expressions in the context of a modern intellectual property system.

Preservation of Wayang Kulit Tatah Sungging Culture with IG Registration

The Importance of IG Registration for Cultural Preservation

Geographical Indication (GI) is one of the regimes in the Intellectual Property Rights (IPR) system (Candra Irawan, 2017) Bilge Dogan, 2012) designed to protect the name of a product that is intrinsically tied to a particular geographical location and has distinctive qualities, reputation, or characteristics due to its geographical origin. Although originally developed for agricultural products such as wine, cheese, or coffee, over time GI has become an important instrument in the protection and preservation of local culture, including handicrafts, traditional cultural expressions (TCEs), and regional production techniques.

In another view, GI is not just protection of economic products, but a form of legal recognition of the identity, heritage and collective knowledge of local communities that have been maintained for generations. GI registration is a bridge between cultural preservation and economic empowerment.

Cultural preservation is a complex process, including the protection of the practices, values, expressions, and artifacts of a community. This is where the role of GIs becomes

strategic (Teng-Fei Ma, 2022) GIs tie a product's name to its region of origin legally, thus preventing unauthorized exploitation by outsiders. In addition, GIs create a quality control mechanism, which ensures that products are made in accordance with traditional techniques, local materials, and original cultural values. GIs enable local communities to derive sustainable economic benefits (Mnd. ELIDA BOSHJAKU, 2025) from their cultural heritage, thus keeping cultural regeneration alive. In other words, GI creates incentives for local communities to maintain their cultural practices because of the protection and tangible benefits.

With the registration of GI for local products of a region that has a reputation and characteristics that are influenced by geographical conditions as well as from human resources, it can at least prevent or minimize the occurrence of violations.(Vaishali Tripathi, 2024) In reality, in the field there are many violations found, such as the case of Toraja Coffee that occurred in 2013 the case stems from the discovery of a company in Japan that has registered the trademark "Toraja Coffee" without the consent of the original Toraja coffee producers in Indonesia. Although the product did originate from Toraja, as there was no strong IG or collective brand protection, the local community lost commercial rights in the Japanese market. This incident shows the real risk when cultural heritage or local products are not immediately protected through official registration. Another well-known case is that of Champagne, where the name Champagne has long been protected as a GI in France and the European Union (Wenting Cheng, 2023) When producers from other countries, including in the United States and Russia, used the term "Champagne" for their sparkling wine products, France made international legal efforts to have the name used only for products from the Champagne region of France. IG's strong protection prevents reputational distortion and guarantees the authenticity of consumption culture. Next is the case of Batik Madura, which threatens the existence of Madurese batik artisans when some "Madurese" batik products are massively produced by batik industries outside Madura without involving the local artisan community. Since there is no strict GI system, there is no legal mechanism that can prevent the use of the name "Madura Batik" by outside producers who do not follow the pattern of motifs, color philosophy, and coloring techniques typical of Madura.

In the era of globalization as it is today, GI not only plays a role in trade law, but also becomes an instrument of soft power. IG products that are known internationally will bring the nation's cultural identity to the world stage. When products such as Parmigiano Reggiano, Roquefort, Tequila, or Basmati rice are known to the world as typical products of a particular country, it strengthens the cultural bargaining power of that country.

GI registration is not just a matter of exclusive rights to the name of a product, but is a strategic step (Jorge Iarson Guerra, 2010) in cultural preservation, community economic empowerment, and legal protection of ancestral heritage. In the case of Wayang Kulit Tatak Sungging, GI is a long-term solution to ensure that the techniques, values, and cultural identity contained in it remain alive and appreciated nationally and globally. Through GIs, local cultures are not only preserved but also legally protected, economically valued, and positioned with dignity in the midst of globalization (Rosemary 9. Coombe, 2014) Indonesia, as a multicultural country with thousands of traditional cultural expressions, needs to strengthen the GI system as part of a national strategy for community-based sustainable cultural preservation and development (Mirna de Lima Medeiros, 2016). GI registration of local cultural products such as Wayang Kulit Tatak Sungging, Tenun Ikat Sumba, or Keris Tangguh Solo can be an effective way to show the world the cultural richness of the archipelago. It opens up space for cultural diplomacy, the promotion of culture-based tourism, and the protection of traditional cultural expressions from global exclusion.

Registration Mechanism of IG Wayang Kulit Tatak Sungging Pucung Bantul

Wayang Kulit Tatak Sungging Pucung Bantul is one of the cultural heritages with high

artistic, historical and spiritual values in the Special Region of Yogyakarta. The skills of inlaying and stitching puppets manually, which have been passed down from generation to generation, reflect the local identity of the people of Pucung, Bantul Regency, as a center of leather puppet craftsmen that has been recognized nationally

and internationally. As the market for cultural arts and craft products develops, the Pucung Wayang Kulit Tatah Sungging in Bantul faces serious challenges in the form of imitation of forms, techniques and styles by those who have no connection to the geographical area of Pucung. These practices are not only detrimental to the local artisan community, but also obscure the origins and distinctive qualities inherent in the original products from Pucung Bantul.

The purpose of the GI registration is to provide legal recognition of the distinctiveness of Wayang Kulit Tatah Sungging originating from the Pucung region, as well as to protect the collective rights of the local artisan community from exploitation by outsiders. The GI will also encourage the strengthening of production systems, quality improvement, and marketing of products based on guarantees of geographical origin. Without adequate legal protection, Wayang Kulit Tatah Sungging Pucung Bantul risks losing its authenticity and economic value due to unauthorized reproduction. Registration of GIs is important and urgent to prevent blurring of cultural identity and as a form of protection for traditional cultural expressions within the framework of collective intellectual property law.

Wayang Kulit Tatah Sungging Pucung Wukirsari has its own appeal to local, national and international consumers. Today's consumers not only want to fulfill their needs and desires for good craft products, but also expect a guarantee that the product is produced through a socially accountable process and a guarantee of the quality of the product.

Seeing from the above considerations, the Pucung Bantul Leather Puppet Artisan Community needs to apply for GI registration to obtain a Geographical Indication (GI) certificate for Leather Puppet products and Sungging Tatah Leather Crafts, so that the product is legally protected, recognized for the quality and uniqueness of this product, and at the same time preserving the tradition of Sungging Tatah Leather Puppet production procedures based on existing customs in Pucung Bantul.

The name of the GI to be registered is the Geographical Indication of Wayang Kulit Tatah Sungging Bantul, the applicant is a group of shadow puppet craftsmen who are members of MPIG, which was formed based on the Regent of Bantul's Certificate Number 47 of 2024 concerning the Establishment of the Society for the Protection of Geographical Indications of Wayang Kulit Tatah Sungging Pucung Bantul. The membership of MPIG consists of the General Chairperson, Daily Chairperson, Secretary, Treasurer, and members in charge of various fields. The membership of MPIG Wayang Kulit Tatah Sungging totals 276 people spread from various regions around the Pucung Bantul area, consisting of craftsmen, raw material providers, finishing craftsmen, and marketing/traders.

The types of products for which protection is sought are:

- a. Leather Puppet;
- b. Lampshade;
- c. Keychains;
- d. Fan;
- e. Room Partitions;
- f. Bookmarks; and
- g. Magnets

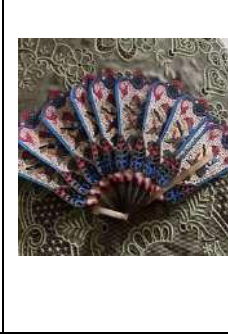
					
Lampshade	Partitions	Keychain	Magnets	Hand Fan	Bookmark

Figure 4. Examples of leather handicraft products

The raw materials for Tatah Sungging leather puppets are buffalo skin and cow skin, but the craftsmen mostly use buffalo skin to make the raw materials of higher quality. In addition, buffalo leather does not contain too much oil, while the other type of leather, cowhide, has a high oil content so that the drying process can take weeks, while buffalo leather can dry immediately after drying for 4 to 5 days. The moisture content can be measured by hand by the craftsmen.

In processing buffalo skins that will be used as puppets, through various processes, each process or stage, especially in scraping, requires special skills, and this expertise has been carried out for generations. Because the scraping process is carried out by someone who has special skills, it can produce quality basic raw materials.



Figure 5. The process of "scraping" buffalo skin

In the craft of Wayang Kulit Tatah Sungging Pucung Bantul, natural factors do not influence, because the reputation produced is dominated by human factors. The raw materials used come from buffalo skins imported from various regions outside Java such as West Nusa Tenggara, Sumatra, Kalimantan, and Sulawesi, as well as from cowhides imported from East Nusa Tenggara and West Nusa Tenggara.

In the craft of Wayang Kulit Tatah Sungging Pucung Bantul, the human factor is absolute. The understanding of leather puppet craftsmen in Pucung Bantul in identifying the types of buffalo and cow skins that will be used as raw materials. For example, in choosing the quality of buffalo skin there are special standards so that the oil content is not excessive, namely in 1 sheet of buffalo skin the maximum weight is 10 kg. The skill of making Wayang Kulit Tatah Sungging Pucung Bantul handicrafts has been passed down from generation to generation, resulting in craftsmen with a high level of expertise, who will produce works of art with distinctive specifications, which until now are pursued to be carried out as a guardian of

ancient Javanese traditions and culture. The skills acquired cannot be instantaneous, it takes a long process to become a skilled Pucung Bantul Wayang Kulit Tatah Sungging craftsman. Craftsmen must have patience and thoroughness to make leather puppets, because every detail requires a complicated process in each pattern of inlaying puppets and there are 'pakem' that must be considered in making each character of leather puppets, besides that the raw materials and the coloring process also determine the quality of the puppets. A good puppet has a smooth inlay and a blend of inlay motifs that are harmonious with one another, this is the standard of neatness. In addition, the coloring standards and raw materials described above are also the quality standards for the products of Wayang Kulit Tatah Sungging Bantul. After the leather puppets are formed and the parts are put together, coloring is done. In Javanese, this process is called sungging. Sunggingan has its own psychological value that characterizes each puppet character made.



Figure 6. The Process of Making Leather Puppets with “Menatah” and Coloring

With the various advantages and uniqueness that exists in Wayang Kulit Tatah Sungging, it is time for Wayang Kulit Tatah Sungging to be registered as IG to provide protection for regional superior products. Registration of GI Wayang Kulit Tatah Sungging is carried out through several technical and substantial stages as follows:

- a. IG registration by filling out the form online on the page www.dgip.go.id by attaching:
 - 1) IG description document,
 - 2) Letter of application for registration,
 - 3) Proof of legality of the applicant organization,
 - 4) Map of the production area,
 - 5) Supporting evidence of product history and reputation.
- b. Substantive Examination and Evaluation Process
DJKI will conduct administrative evaluation and substantive examination by a team of experts, including:
 - 1) Authenticity of the relationship between the product and the region,
 - 2) Clarity of technical description and production process,
 - 3) Evidence of product reputation nationally or internationally Certainty of the existence of a management community and quality control.
 - 4) If declared complete and eligible, it will be published Official Gazette IG, followed by a period of refutation (3 months) to receive public objections.
- c. Issuance of IG Certificate

If there are no objections or objections are rejected, then the DJKI issues:

- 1) An official GI certificate on behalf of the community, valid indefinitely, as long

as quality standards and regions are maintained.

- 2) The name "Wayang Kulit Tatah Sungging Pucung Bantul" receives exclusive legal protection.

With the official IG certificate issued by DJKI for a product that has certain characteristics and quality, MPIG will have exclusive rights, meaning that only products from the Pucung region can use the name Wayang Kulit Tatah Sungging commercially. For those who violate these rights, sanctions will be imposed in accordance with applicable legal provisions. Legal rights against violations: including lawsuits against counterfeiting, unauthorized use, or IG claims by outsiders. In addition, registration can provide economic benefits.

The registration mechanism for Geographical Indications of Wayang Kulit Tatah Sungging Pucung Bantul is an integral process that not only provides legal protection for traditional cultural products, but also encourages the strengthening of community identity, national and international recognition, and culture-based economic empowerment. The process involves collaboration between communities, government, academia and regulators, and demands strong institutional awareness and capacity.

The successful registration of Wayang Kulit as a GI is not the end, but the beginning of a collective protection system that must be maintained through quality control mechanisms, continuous promotion, and institutional strengthening of the cultural community.

Terms and Criteria for GI Protection

Protection of GI is given if a product has a reputation, quality, and certain characteristics that are directly or indirectly influenced by geographical conditions, both in the form of natural factors and human factors (Putu Ayu Sriasih Wesna, 2023) to obtain protection of GI in Indonesia, some conditions and criteria must be met. These criteria are designed so that only products that really have a distinctive association with the area of origin that can be registered. This is important to avoid generalization and commercialization without basis, as well as maintaining the intrinsic value of a cultural or geographic product.

Registration of IG can not be done by an individual. Only groups representing producers of goods in a particular geographic area are entitled to apply (Miranda Risang Ayu Palar, 2021). The general requirements include:

- a. Subjects who are entitled to register Parties that can apply for IG are:

- 1) Institutions that represent the producer community,
- 2) Local government,
- 3) Association or cooperative craftsmen or farmers,
- 4) Association of farmer groups (Gapoktan),
- 5) Association or cultural organization.

These legal subjects must be legally registered as legal entities or non-profit organizations that manage production and quality control.

- b. Limited Geographic Area

The product must originate from a specific geographical area defined by administrative boundaries or cultural boundaries, and there must be a map or clear description of the area.

- c. Conformity to Technical Description

The registered product must have a verifiable technical description, including:

- 1) Raw materials,
- 2) Production process,
- 3) Traditional techniques
- 4) Quality requirements.

After meeting the general requirements, the product must also fulfill a number of

substantive criteria in order to be entitled to GI protection, namely:

a. Reputation

The product should have a widely recognized name, either locally, nationally, or even internationally, and its identity cannot be separated from its geographical region of origin. Reputation can be proven by: historical documentation, scientific articles or mass media, recognition from community leaders, presence of the product in traditional or cultural rituals. Its domestic reputation is illustrated by the large number of orders from puppeteers and collectors from various provinces in Indonesia, its official use in shadow puppet shows at state and cultural events such as Grebeg, Sekaten, and national performances, it is known as the "center" of traditional shadow puppet craftsmen who maintain classical art standards, and it is also supported by the policy of the DIY regional government in the preservation and development of cultural arts. At the international level, Wayang Kulit Tatah Sungging Pucung Bantul has penetrated foreign markets and become a part of Indonesia's cultural diplomacy. This product has been exported to the Netherlands, Japan, Germany, Malaysia, Australia, and the United States both as artworks and educational materials. Wayang Kulit Tatah Sungging Pucung Bantul is also exhibited in international festivals, becomes research material for foreign academics, and is part of the cultural promotion program at various Embassies of the Republic of Indonesia. Until now, Wayang Kulit products and Tatah Sungging leather handicrafts are quite in demand, especially buyers from abroad, this is because wayang kulit is an ancient Javanese cultural heritage that has been recorded in the UNESCO World Heritage Center database system as an international cultural heritage originating from Indonesia, so it has a considerable reputation both domestically and abroad.

b. Special Quality

Products must have certain quality characteristics that distinguish them from similar products from other regions. These characteristics can be physical, chemical, technical, or organoleptic (taste, appearance). For example: material texture, product durability, color and unique motifs.

The characteristics of Wayang Kulit Tatah Sungging Pucung Bantul, which has a special quality, is made from buffalo leather with soft and flexible detailed sculptures according to the sculpture standard, then neat sunggingan (coloring) with a combination of coloring according to the standard.

To note that the craft of Wayang Kulit Tatah Sungging Pucung Bantul uses more buffalo skin, because in terms of quality it is stronger and thicker, and if exported abroad it is not affected by weather conditions abroad which usually tend to be colder, resulting in shrinkage of the skin. The raw materials for Tatah Sungging leather puppets are buffalo skin and cow skin, but the craftsmen mostly use buffalo skin to make the raw materials of higher quality. In addition, buffalo leather does not contain too much oil, while other types of leather, such as cow leather, have a high oil content so that the drying process can take weeks, while buffalo leather can dry immediately after drying for 4 to 5 days. The moisture content can be measured by hand by the craftsmen.

c. Region-Related Characteristics

Products should exhibit characteristics that can only arise due to regional factors, such as: climatic conditions, soil and vegetation, local wisdom, traditional techniques typical of the community. This factor explains the causal relationship between the region of origin and the uniqueness of the product.

Wayang Kulit Tatah Sungging, with the characteristics of more striking colors, there are demdleman ornaments in black, more use of inten-inten and gold prada ornaments,

puppet accessories with a distinctive shape, and the length of the puppet's hands up to the puppet's toenails, making it different from leather puppets from other regions. The details and ornaments have characteristics that are based on the standards of the Pucung Bantul shadow puppets, including the making of whiskers with the method of stitching (coloring) and accessories on typical puppets in shape and design. The uniqueness of the Bantul Pucung shadow puppet and leather handicraft industry can be seen through the shape and characteristics of ornaments with characteristics that distinguish it from shadow puppets in various other regions. Tatah technique is a technique of inlaying or sculpting buffalo skin or cowhide by making demdleman that has unique characteristics of black color and inten-inten shape (round- round). While the Sungging technique is coloring the puppets with striking colors that have more striking characteristics. The application of these decoration patterns and ornaments requires painstaking, complicated, and time-consuming workmanship because it relies on full hand made work.

GI protection is not granted automatically, but through the fulfillment of strict requirements and criteria. This is important to maintain the quality, authenticity and reputation of region-based products. Products that meet the requirements, such as Wayang Kulit Tatah Sungging Pucung Bantul, not only gain legal recognition, but also become a symbol of cultural identity, an instrument of preservation, and a tool for economic empowerment of local communities. In the future, the approach to the GI criteria needs to be more culturally friendly and in favor of traditional communities. IG protection of Wayang Kulit Tatah Sungging needs to be done in order to maintain ancestral heritage in a sustainable manner.

CONCLUSION

Geographical Indications can be a strategic legal instrument to protect traditional crafts, but only if tailored to the distinctiveness of cultural heritage. In the case of Wayang Kulit Tatah Sungging, GI registration has symbolic importance (Dwi Tiara Kurnilasari, 2020; Pulung Widhi Hari Hananto, 2019) but lacks enforceable protection and sustainable impact. To improve this, Indonesia should revise its GI regulations to accommodate cultural products and build a people-centered legal infrastructure. International harmonization with WIPO's work on TCEs and regional cooperation in Southeast Asia can further strengthen such efforts. The community of Pucung Inlay Leather Puppet craftsmen who are members of the Society for the Protection of Geographical Indications (MPIG) of Bantul Inlay Leather Puppets, it is important to apply for the protection of Geographical Indications of Bantul Inlay Leather Puppets. The application is submitted, because Wayang Kulit Tatah Sungging Bantul has a distinctiveness from the aspect of human resources (craftsmen) that give birth to products that have physical characteristics with distinctive ornaments, coloring, and manufacturing techniques compared to leather puppet products in other regions.

RECOMMENDATIONS

To strengthen Indonesia's GI regime, several strategic actions are recommended:

1. Regulatory Reform: Amend Law No. 20/2016 to explicitly recognize Traditional Cultural Expressions (TCEs) as protectable under the GI framework;
2. Institutional Empowerment: Develop community-based legal entities (MPIG) with clear authority for quality assurance, marketing, and benefit distribution;
3. Affirmative Support: Provide financial and technical assistance for indigenous and rural communities to facilitate GI registration and promotion;
4. Integrated Enforcement System: Establish specialized GI monitoring units and enhance coordination between DJKI, local governments, and law enforcement agencies;

5. Cultural Diplomacy: Promote Indonesian GI products internationally through collaboration with WIPO, UNESCO, and ASEAN, positioning GIs as both legal assets and cultural ambassadors;
6. By reforming the legal framework, strengthening local institutions, and prioritizing cultural inclusivity, Indonesia can transform its GI system into a sustainable model of legal protection, cultural preservation, and socio-economic empowerment.

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