

## Geographical Indications and Positive Legal Theory: Protection of Collective Rights as a Fair Business Legal Instrument

Muchtar Anshary Hamid Labetubun<sup>1\*</sup>, La Ode Angga<sup>2</sup>, Adonia Ivonne Laturette<sup>3</sup>, Barzah Latupono<sup>4</sup>

<sup>1</sup> Universitas Pattimura, Ambon, Indonesia

<sup>2</sup> Universitas Pattimura, Ambon, Indonesia

<sup>3</sup> Universitas Pattimura, Ambon, Indonesia

<sup>4</sup> Universitas Pattimura, Ambon, Indonesia

\*Corresponding Author: mahlabetubun@gmail.com

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### Abstract

Registration of Geographical Indications in Indonesia plays an important role in legal protection that leads to increased product competitiveness, supports the local economy, and strengthens the cultural and social identity of the community. This study aims to analyze geographical indications reviewed from the theory of positive law in the protection of collective rights as an instrument of fair business law. This study is a normative legal study by prioritizing conceptual and legislative approaches. The novelty of this study is that GI registration not only provides exclusive rights to its owner, but also prevents misuse by third parties. In this context, GI registration is relevant to the theory of positive law to ensure legal certainty. Although the GI registration system already exists, the main challenge is the lack of understanding of business actors regarding the procedures and benefits, so that many potential GIs have not been registered. Therefore, it is important to increase education and socialization to business actors so that more products can be legally protected. This is expected to support regional economic development and create justice in business law, while strengthening the competitiveness of Indonesian products in the global market.

## 1. Introduction

Geographical indication (GI) is one of the important forms of intellectual property rights protection, especially in Indonesia, which is rich in natural and cultural resources. GI serves to indicate the origin of a product that has a certain quality or reputation that is influenced by the geographical environment, both natural and human factors.<sup>1</sup> A geographical indication is defined as a sign that indicates the area of origin of a product, where the quality, reputation or characteristics of the product originate from a particular geographical location.<sup>2</sup>

GIs are valuable assets in local economic development and protection of intellectual property rights.<sup>3</sup> With proper legal protection, GI can increase the competitiveness of local products and provide economic benefits to the community. Therefore, it is important for the government and the community to work together in registering and promoting geographical indications in Indonesia. GI is one form of important intellectual property rights protection,

<sup>1</sup> A. D. Ingole et al., "Geographical Indication of Fruit Crops in India and Its Protection Abroad," *International Journal of Environment and Climate Change* 13, no. 11 (2023): 1026-43, <https://doi.org/10.9734/ijec/2023/v13i113252>.

<sup>2</sup> Daliane Teixeira Silva et al., "Coffee Production and Geographical Indications (GI): An Analysis of the World Panorama and the Brazilian Reality," *Journal of Sustainable Development* 16, no. 3 (2023): 47, <https://doi.org/10.5539/jsd.v16n3p47>.

<sup>3</sup> Syarifah Mahila, "Problematisasi Perlindungan Hukum Terhadap Produk Indikasi Geografis," *Jurnal Ilmiah Universitas Batanghari Jambi* 19, no. 3 (2019): 639, <https://doi.org/10.33087/jiubj.v19i3.769>.

especially in Indonesia, which is rich in natural and cultural resources. GI serves to indicate the origin of a product that has a certain quality or reputation that is influenced by the geographical environment, both natural and human factors. The following is a further explanation of GI as intellectual property.<sup>4</sup>

GI is defined as a sign that indicates the area of origin of a product, where the quality, reputation, or characteristics of the product originate from a particular geographical location. The main elements of GI include<sup>5</sup>: (i) signs or names of goods/products that indicate product identity, (ii) place or region of origin identifying the geographical location where the product is produced, and (iii) the influence of environmental factors, including natural factors such as climate and soil, and human factors such as production skills. Geographical indications are valuable assets in local economic development and the protection of intellectual property rights. With proper legal protection, GIs can enhance the competitiveness of local products and provide economic benefits to the community. Therefore, it is important for the government and the community to work together in registering and promoting geographical indications in Indonesia. One of the main problems related to GIs in Indonesia is related to their registration. This is because in Indonesia, anything that is "communal" is often considered common property and does not need to be registered.

The number of registered GIs in Indonesia is still relatively low, with only around 132 products having received certification until September 2023.<sup>6</sup> At the ASEAN level, as of January 2019, member states have registered a total of 346 geographical indications, including 37 foreign GIs.<sup>7</sup> Thailand leads with 115 GIs, followed by Malaysia with 84 GIs, and Indonesia with 74 GIs. With this increasing trend of registrations, it is expected that more products from Southeast Asia will gain international recognition through the geographical indication protection system.<sup>8</sup>

Despite Indonesia's vast potential with thousands of products eligible for registration as GIs, the lack of public awareness and understanding, coupled with insufficient support from local governments, are the main factors hindering registration rates. Several obstacles encountered in the GI registration process in Indonesia include: (i) many people and farmers lack awareness of the importance of GI registration and its protection of local products; (ii) the registration process is considered complicated and requires complex requirements, deterring many from applying; (iii) local governments often lack sufficient budget to support GI registration, particularly from trade or agriculture departments; and (iv) the capacity and

<sup>4</sup> Taufik H Simatupang, "Expansion Of Defensive And Positive Legal Protection Concepts And Measures To Protect Geographical Indications As Part Of Communal Intellectual Property," *Penelitian Hukum De Jure* 23, no. 2020 (2023): 101-14.

<sup>5</sup> Puspa Melati Hasibuan, Zulfi Chairi, and Aflah Aflah, "Implementation of Legal Protection of Brand Rights for Micro, Small, and Medium Enterprises (Msmes) According To Law Number 20 Year 2016 Concerning Marks and Geographic Indications," *Jhss (Journal of Humanities and Social Studies)* 6, no. 2 (2022): 156-60, <https://doi.org/10.33751/jhss.v6i2.5400>.

<sup>6</sup> DJKI, "DJKI Bahas Tim Ahli Indikasi Geografis," 2023, <https://www.dgip.go.id/index.php/artikel/detail-artikel-berita/djki-bahas-tim-ahli-indikasi-geografis?kategori=>.

<sup>7</sup> AFFA, "Membangun Kompetensi ASEAN Di Dunia Melalui Indikasi Geografis," 2023, <https://affa.co.id/membangun-kompentisi-asean-di-dunia-melalui-indikasi-geografis/>.

<sup>8</sup> AFFA.

quantity of human resources involved in preparing descriptive documents also pose a challenge in the registration process.

With Indonesia's abundant natural and cultural resources, efforts to increase the number of registered geographical indications are crucial. This will not only protect local products from counterfeiting but also enhance their value and competitiveness in both domestic and international markets. The economic potential of GIs in Indonesia is significant and can contribute substantially to national economic growth. GIs are signs indicating the origin of a product, providing it with unique characteristics and specific quality based on geographical factors.<sup>9</sup> Products registered as GIs have experienced a significant increase in their market value. For example, Amed Salt in Bali saw its price rise from Rp4,000/kg to Rp35,000/kg after being registered as a GI product, while Gayo Coffee from Aceh increased from Rp50,000/kg to Rp120,000/kg.<sup>10</sup> To date, there are 138 IG products registered in Indonesia, with the potential to continue to increase given the abundant natural resource wealth.<sup>11</sup>

This research aims to analyze geographical indications from the perspective of positive law theory in protecting collective rights as a fair business legal instrument. This study seeks to answer two legal issues: (i) the registration of geographical indications as a collective intellectual property right: a review of positive law theory, and (ii) the registration of geographical indications as a fair business legal instrument in protecting the collective rights of society.

## 2. Methods

This research, focusing on the aspect of geographical indications from the perspective of positive law theory in protecting collective rights as a fair business legal instrument, is a normative legal research.<sup>12</sup> This normative legal research has a doctrinal character, emphasizing the analysis of legal materials based on legal concepts and theories. This research focuses on positive law theory. The primary legal materials used in this research are Law No. 20 of 2016 concerning Trademarks and Geographical Indications (Trademark and GI Law). The secondary legal materials in this research are journal articles, books, and research findings discussing geographical indications, intellectual property, and collective rights. Non-legal materials include a legal dictionary. The analysis of legal materials is based on a prescriptive approach, where the analysis focuses on legal issues and is directed towards the legal orientation of what should be done.<sup>13</sup>

<sup>9</sup> Enrico Bonadio and Magali Contardi, *The Geographic Indication Prosecco Battle between Italy and Australia: Some Lessons from the History and Geography of the Most Famous Italian Wine*, *Journal of World Investment and Trade*, vol. 23, 2022, <https://doi.org/10.1163/22119000-12340248>.

<sup>10</sup> Khairul Ziad, "Forum Indikasi Geografis Nasional 2024 Jadi Momentum Kebangkitan Pertumbuhan Ekonomi Nasional," 2024, <https://sulteng.pikiran-rakyat.com/nasional/pr-2608210437/forum-indikasi-geografis-nasional-2024-jadi-momentum-kebangkitan-pertumbuhan-ekonomi-nasional?page=all>.

<sup>11</sup> Kantor Wilayah Kementerian Hukum dan HAM RI, "Menkumham Resmi Buka Forum Indikasi Geografis Nasional, Temu Bisnis Dan Apresiasi Insan Kekayaan Intelektual," 2024, <https://malut.kemenkum.go.id/berita-utama/menkumham-resmi-buka-forum-indikasi-geografis-nasional-temu-bisnis-dan-apresiasi-insan-kekayaan-intelektual>.

<sup>12</sup> Muhaimin, *Metode Penelitian Hukum* (Mataram: Mataram University Press, 2020).

<sup>13</sup> Suteki and Galang Taufani, *Motodologi Penelitian Hukum (Filsafat, Teori, Dan Praktik)*, Cetakan 3 (Depok: RajaGrafindo Persada, 2020).

### 3. Results and Discussion

#### 3.1. Registration of Geographical Indications as Collective Intellectual Property Rights: A Review of Positive Legal Theory

Intellectual property is a type of intangible property that comes from human thought and creativity.<sup>14</sup> This includes various creations in the fields of art, literature, science, and technology that have economic value.<sup>15</sup> Generally, intellectual property (IP) grants creators economic rights to their work, known as Intellectual Property Rights (IPR). IP can be defined as rights to creations resulting from human intellectual ability. The main purpose of IP protection is to encourage innovation and creativity by providing economic incentives to creators.<sup>16</sup> Legal protection allows creators to safeguard their work from unauthorized use by others. Intellectual property protection offers various benefits: for creators, it ensures legal certainty and protects against counterfeiting or misuse of their work.<sup>17</sup> Bagi corporation or company legal protection for intellectual property can improve a positive image and protect innovation and investment in research and development.<sup>18</sup> For the government, legal protection for intellectual property can improve international reputation and potential revenue from IPR registration.<sup>19</sup> Thus, intellectual property plays a vital role in encouraging innovation and creativity and providing protection for creators in various fields.

Intellectual property is divided into several types, including: copyright, patents, trademarks, industrial designs, trade secrets, and geographical indications.<sup>20</sup> Almost all types of intellectual property are oriented towards providing legal protection for intellectual property on a personal or individual basis. Legal protection for intellectual property on a personal or individual basis means that protection for intellectual property is only provided personally to individuals or institutions that have undertaken legal protection efforts for intellectual property, whether through registration, recording, or other means.<sup>21</sup> However, one type of intellectual property stands out from the rest: geographical indications. Geographical

<sup>14</sup> Jyh An Lee, Reto M. Hilty, and Kung Chung Liu, "Artificial Intelligence and Intellectual Property," *Artificial Intelligence and Intellectual Property*, 2021, 1-449, <https://doi.org/10.1093/oso/9780198870944.001.0001>.

<sup>15</sup> "Intellectual Property Theft: A Threat To Working People and the Economy," 2021.

<sup>16</sup> Ximeng Wang, "The Protection and Improvement of Music Copyright in the Chinese Market from the Perspective of Music Education and Policy Administration" (Atlantis Press SARL, 2022), <https://doi.org/10.2991/978-2-494069-51-0>.

<sup>17</sup> E Junaidi, K W Indrayanti, and M G AZ, "Protection and Management of Royalty Rights for Utilization of Works and Authors Rights in the Field of Songs and Music," *Ijlrhss* 06, no. 01 (2023): 8-14, <http://www.ijlrhss.com/paper/volume-6-issue-1/2-HSS-1655.pdf>.

<sup>18</sup> Cita Citrawinda Noerhadi, "Cybercrimes and Alternative Settlement of Intellectual Property (IPR) Disputes in Indonesia," *International Journal of Cyber Criminology* 16, no. 1 (2022): 89-109, <https://doi.org/10.5281/zenodo.4766558>.

<sup>19</sup> Faizal Kurniawan, Moch. Marsa Taufiqurrohman, and Xavier Nugraha, "Legal Protection of Trade Secrets over the Potential Disposal of Trade Secrets Under the Re-Engineering Precautions," *Jurnal Ilmiah Kebijakan Hukum* 16, no. 2 (2022): 267, <https://doi.org/10.30641/kebijakan.2022.v16.267-282>.

<sup>20</sup> Keith E. Maskus, "Intellectual Property Rights and Economic Inequality: Theory and Evidence," *Stockholm IP Law Review* 5, no. 1 (2022): 44-51, <https://doi.org/10.53292/2d3a6004.50f031e5>.

<sup>21</sup> Zhenyu Zhang and Zhuanzhuan Ge, "Protection and Restriction of Grain-Related Intellectual Property Rights in the Context of Food Security Based on Industrial Internet of Things," *Mobile Information Systems* 2022 (2022), <https://doi.org/10.1155/2022/4554447>.



indications are intellectual property rights that have a unique characteristic: they are collective or communal.<sup>22</sup>

A GI is a sign that indicates the origin of a product, which gives it a specific reputation, quality, and characteristic due to geographical environmental factors.<sup>23</sup> In a legal context, IG is collective, meaning that ownership cannot be held individually but must be owned by a particular community or group of people.<sup>24</sup> This is stipulated in the Trademark and GI Law, which emphasizes that GIs must be filed by institutions or associations representing local communities, such as local governments or community organizations. This confirms that GIs share similarities with collective marks, although they have distinct characteristics. Collective marks also have a collective nature, but they differ from GIs. Collective marks are used by a group of individuals or legal entities for goods and services with similar characteristics.<sup>25</sup> In its application, a collective mark requires a usage agreement that explains the nature and quality of the product and the supervision of its use.

The main characteristics of a GI encompass several important aspects that distinguish it from other forms of intellectual property rights protection. Here are the main characteristics of a GI<sup>26</sup>:

- a. Origin of the Region. A GI indicates that the product originates from a specific region, which is recognized for having a special reputation and quality due to geographical environmental factors. This includes natural and human factors that influence the product.
- b. Reputation and Quality. Products protected by a GI have a specific reputation and quality that are widely recognized. This makes them attractive to consumers and serves as a guarantee of the product's authenticity.
- c. Specific Characteristics. A GI provides a unique characteristic to the product that cannot be easily imitated by other products. This characteristic can be related to raw materials, manufacturing processes, or local cultural traditions.
- d. Communal Ownership. A GI is collectively owned by a community or group of people who produce the product. This differs from a trademark, which can be owned by an individual or company.
- e. Legal Protection. IG is protected as long as its reputation, quality and characteristics are maintained. If any of these elements decline, legal protection can be revoked.

<sup>22</sup> Sy Luong Nguyen and Van Anh Le, "Diffusion of Geographical Indication Law in Vietnam: 'Journey To The West,'" *IIC International Review of Intellectual Property and Competition Law* 54, no. 2 (2023): 176–99, <https://doi.org/10.1007/s40319-023-01289-9>.

<sup>23</sup> Omar Abdullah, Sobia Bashir, and Rafia Naz Ali, "The Potential Geographical Indications in Pakistan," *Journal of Social Sciences Review* 3, no. 1 (2023): 335–46, <https://doi.org/10.54183/jssr.v3i1.154>.

<sup>24</sup> Franky Varah, Chodang Pamreishang, and Sophayo Khamrang, "Protecting Expressions of Naga Folklore through Sui Generis Model," *Journal of World Intellectual Property* 24, no. 5–6 (2021): 383–93, <https://doi.org/10.1111/jwip.12197>.

<sup>25</sup> Purnama Hadi Kusuma and Kholis Roisah, "Perlindungan Ekspresi Budaya Tradisional Dan Indikasi Geografis: Suatu Kekayaan Intelektual Dengan Kepemilikan Komunal," *Jurnal Pembangunan Hukum Indonesia* 4, no. 1 (2022): 107–20, <https://doi.org/10.14710/jphi.v4i1.107-120>.

<sup>26</sup> Weiwen Qian and Yinguo Dong, "Comparative Study on the Geographical Indication Protection between China and the European Union - From the Perspective of the China-EU Geographical Indications Agreement," *Agricultural Economics (Czech Republic)* 69, no. 5 (2023): 185–201, <https://doi.org/10.17221/98/2023-AGRICECON>.

- f. Use of Signs. The sign used as a GI can be a place name, image, word, or a combination of these elements, which is attached to the product to indicate its origin.

These characteristics make geographical indications an important tool in protecting local products and strengthening the cultural and economic identity of local communities. From the above explanation, it can be concluded simply that GIs are characterized as special collective marks. They are called collective marks because GIs are used collectively by the community as an indicator of the origin of a product, but GIs cannot be equated with collective marks because GIs contain elements of locality and geographical dimensions.<sup>27</sup> In this context, GI occupies a special position in relation to special intellectual property.

The Trademark and Geographical Indication Law affirms that, in relation to GIs as intellectual property, legal action in the form of registration is required. In intellectual property law, it is necessary to distinguish between registration and recording.<sup>28</sup> Registration is a legal effort in the field of intellectual property where, before registration, the status of intellectual property is not yet recognized. Therefore, to fulfill the rights and legal protection of intellectual property, registration efforts are necessary.<sup>29</sup> Registration in intellectual property is commonly done for intellectual property such as trademarks, patents, and geographical indications. This is different from recording, where recording is an effort to record intellectual property for administrative order.<sup>30</sup> This means that the guarantee of rights and legal protection of intellectual property remains in effect as long as the work has been created or invented in a way that is realized, so even before recording, the rights and legal protection of intellectual property can still be given. Recording of intellectual property is commonly done for intellectual property such as copyright.<sup>31</sup>

The importance of registration in the intellectual property of GIs is actually to be able to optimize legal protection for GI intellectual property, especially so that GIs can have an economic impact on society. GI registration has a significant impact on the community's economy, especially in increasing the value and competitiveness of local products.<sup>32</sup> Products registered as IG often experience an increase in selling price. For example, Sumbawa honey

<sup>27</sup> Kana Nakano William Van Caenegem, "Standard Trade Marks, Geographical Indications and Provenance Branding in Australia: What We Can Learn from King Island," *The Journal Of World Intellectual Property* 23, no. 5-6 (2020): 632-57.

<sup>28</sup> Atika, "Legal Protection of Trade Secret from the View of Civil and Criminal Law," *International Journal of Social Science Research and Review* 6, no. 2 (2023): 165-70.

<sup>29</sup> Eny Sulistyowati Muh. Ali Masnun, Dicky Eko Prasetyo, Mohd Badrol Awang, "Reconstructing Indonesia's Trademark Registration System through the Lens of General Principles of Good Governance to Realize Substantive Justice," *Journal of Law and Legal Reform* 5, no. 3 (2024): 891-912.

<sup>30</sup> Yanghuan Li et al., "A Decentralized Music Copyright Operation Management System Based on Blockchain Technology," *Procedia Computer Science* 187, no. 1 (2021): 458-63, <https://doi.org/10.1016/j.procs.2021.04.084>.

<sup>31</sup> AAA. Ngurah Sri Rahayu Gorda et al., "Legal Protection for Copyright Holders of Commercialized Remix Song Cover Version," *Legality: Jurnal Ilmiah Hukum* 30, no. 1 (2022): 1-11, <https://doi.org/10.22219/ljih.v30i1.17034>.

<sup>32</sup> Efrilya Rhaswika and Marwah Paserangi, Hasbir, "Potential Legal Protection for Oil Products Sumbawa NTB in the Context of Geographical Indications," *Volkgeist* 7, no. 1 (2022): 37-41, <https://doi.org/10.35326/volkgeist.v7i1.2829>.

experienced a price increase of up to 40% after being registered as IG.<sup>33</sup> This increase is also seen in coffee products, such as Gayo Coffee, whose export value increased sharply after registration.<sup>34</sup> GI registration provides legal protection that guarantees the quality and authenticity of the product. This not only protects producers from counterfeiting but also enhances the product's reputation in the market, which in turn attracts more consumers. With the existence of GI registration, the number of producers involved in production increases. For example, the number of Sumbawa honey collectors increased fivefold after the product was registered. This shows that GI registration can encourage more individuals to participate in local economic activities. GI registration not only impacts the economy but also strengthens social and cultural relationships among producers. This helps to preserve local knowledge and wisdom, as well as strengthen the community in the area.

Products with GI certification have better competitiveness in the international market. A real example is the export of Gayo Arabica Coffee to the United States, which increased after its registration. This opens up new opportunities for farmers to enter the global market. GI registration serves as an effective marketing tool, helping to increase the visibility of local products in domestic and international markets. Programs such as "Geographical Indication Goes to Marketplace" are designed to help GI owners access digital and e-commerce markets, expanding their reach.<sup>35</sup> The registration of geographical indications has a broad positive impact on the community's economy. By increasing product value, strengthening local communities, and opening access to international markets, GI registration becomes an important strategy in regional economic development. The government and the community need to work together to maximize this potential so that the benefits can be felt by all parties involved.

The registration of intellectual property in the form of GIs is actually in line with positive legal theory. Positive legal theory is a school of thought in legal philosophy that emphasizes that law is a set of norms established by humans and applies within the existing legal regulatory system. This concept is rooted in the thinking of positivism pioneered by Auguste Comte, and developed through the contributions of figures such as John Austin, Hans Kelsen, and H.L.A. Hart.<sup>36</sup> Positive law, or *ius constitutum*, is defined as a collection of written legal principles and rules that apply and are binding in a certain area at a certain time.<sup>37</sup> This law is enforced by the government or the courts. Legal positivism distinguishes itself from natural law theory by rejecting the influence of morality or ethical values in law enforcement. Positive

<sup>33</sup> NTBSatu, "Madu Sumbawa Hadir Di ASEAN Working Group on Intellectual Property Right Ke-71," 2023, <https://ntbsatu.com/2023/11/07/madu-sumbawa-hadir-di-asean-working-group-on-intellectual-property-right-ke-71.html>.

<sup>34</sup> Sabela Gayo, "The Use Of Mediation As An Alternative Dispute Resolution In The Settlement Of Investment Disputes," *International Asia Of Law and Money Laundering (IAML)* 3, no. 1 (2024): 1-9, <https://doi.org/10.59712/iaml.v3i1.76>.

<sup>35</sup> Diah Imaningrum Susanti, "Eksplorasi Perlindungan Kekayaan Intelektual Komunal Berbasis Hak Asasi Manusia," *Media Iuris* 5, no. 3 (2022): 401-28, <https://doi.org/10.20473/mi.v5i3.40174>.

<sup>36</sup> Sulkhan Gamkrelidze, "Private International Law in the Reflection of German Positivism," *Iustitia* 1, no. 3 (2021): 43-54, <https://doi.org/10.59172/2667-9876/2022-3/43-54>.

<sup>37</sup> Nynda Fatmawati Octarina, Sudiawati Sudiawati, and Mardika Mardika, "The Application of the *Conditio Sine Qua Non* Principle on the Crime of Damage through Social Media," *Lambung Mangkurat Law Journal* 7, no. 1 (2022): 74-92, <https://doi.org/10.32801/lamlaj.v7i1.303>.

law is considered a command that must be obeyed, regardless of whether the law is just or not. In the positivist view, the legal system is considered a closed logical system where decisions can be deduced from established rules.<sup>38</sup> This means that legal analysis is conducted deductively, without considering external factors such as history or social context. One important aspect of positive law is the legal effort to ensure legal certainty. Positive law emphasizes certainty and firmness in the application of the law, without considering moral justice.<sup>39</sup>

The legal dimensions of positive law concerning geographical indication registration encompass several crucial aspects that serve to protect products possessing a specific reputation and quality linked to their origin. Registration of geographical indications provides legal certainty for product owners, ensuring that they hold exclusive rights to the use of such a mark as long as the underlying reputation and characteristics persist. The registration process involves the compilation of a Requirements Book containing information about the influence of the geographical environment, history, traditions, and production processes. This book is compiled by a community group representing the product's origin. To secure legal protection, a product must meet certain objective criteria, such as good management, maintained quality, and strong recognition among the public. Legal protection for geographical indications not only safeguards the identity of goods but also extends economic rights to producers. These rights are granted to institutions representing the local community and aim to enhance community welfare through recognition of the product.

Positive law plays a vital role in providing the legal framework for the registration and protection of geographical indications.<sup>40</sup> Through clear legislation, positive law ensures that producers' rights are protected and fosters local economic development by recognizing the unique qualities of specific products. The dimension of positive law in the context of geographical indication registration underscores the importance of legal certainty, the safeguarding of economic rights, and the acknowledgment of local cultural and traditional values in product development.<sup>41</sup> The positive law, emphasizing the role of the state, is pertinent to the efforts of registering and protecting geographical indications. In this context, the state plays a vital role in the endeavor to register and safeguard geographical indications.

From the above explanation, IP encompasses the results of human creativity across various fields and grants economic rights to creators through legal protection. IP protection aims to stimulate innovation and creativity, both for individuals, companies, and the government. One distinctive type of intellectual property is GI, which indicates the origin and quality of a specific product linked to geographical environmental factors. GI possesses a

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<sup>38</sup> Kasus Nenek et al., "Kasus Nenek Minah Ditinjau Dari Perspektif Teori Hukum Positivisme," *IBLAM Law Review* 02, no. 03 (2022): 129–42.

<sup>39</sup> Donny Widiyanto and Zainal Arifin Hoesein, "Positivism Theory in the Context of Modern Legal Thought," *International Journal of Law and Society* 1, no. 4 (October 2024): 258–67, <https://doi.org/10.62951/ijls.v1i4.204>.

<sup>40</sup> G.G. Bateman, "The Ough To Be a Law: Gustav Radbruch, Lon L. Fuller, and H.L.A. Hart on The Choice Between Natural Law and Legal Positivism," *The Journal Jurisprudence* 271, no. 1 (2019): 13–15, <https://doi.org/10.1093/ojls/gqi042>.

<sup>41</sup> Jorge Luis Fabra-Zamora, "Legal Positivism as a Theory of Law's Existence," *Isonomía - Revista de Teoría y Filosofía Del Derecho* 1, no. 55 (2021): 193–211, <https://doi.org/10.5347/isonomia.v0i55.487>.



collective characteristic and involves the local community in its management. GI registration provides legal protection, enhances product value and competitiveness, and supports local and international economic development. The process of registering GIs not only provides legal certainty but also strengthens the cultural and social identity of the local community. GI registration aligns with positive law theory, which underscores the importance of legal certainty and clear regulations to protect the economic rights of producers and strengthen social relationships among producers. GI registration emerges as a crucial strategy for regional economic development, involving the active participation of the government and the community to maximize its potential.

### 3.2. Registration of Geographical Indications as a Fair Business Legal Instrument in Protecting the Collective Rights of the Community

GI registration in Indonesia is a crucial part of the positive legal system aimed at protecting products that possess specific characteristics linked to their origin. A GI is a sign that indicates the origin of a good or product whose quality, reputation, or characteristics are influenced by the geographical environment, including natural and human factors.<sup>42</sup> GI registration provides legal protection for the product, ensuring that only authorized parties can use the name or mark, and preventing its misuse by third parties.<sup>43</sup> The registration process involves several steps, including application submission, administrative and substantive examination, and registration announcement.<sup>44</sup>

The IG registration system is constitutive, meaning that registration is the main requirement for obtaining legal protection.<sup>45</sup> According to this principle, the party that registers the IG is the only one who has the right to the indication, thus providing legal certainty for the owner.<sup>46</sup> This creates exclusive rights and facilitates law enforcement in case of violations. Despite the clear legal framework, challenges remain, such as a lack of understanding among business operators regarding the registration procedures and their benefits. Many potential GIs in Indonesia remain unregistered, leaving the legal protection of such products weak.

GI registration is a vital instrument in the legal protection of distinctive regional products in Indonesia. With a clear registration system and the principle of legal certainty, it is hoped that protection for local products can be enhanced and that economic growth based on local resources can be promoted. However, efforts to educate and inform business operators need to be intensified so that more geographical indications are registered and legally protected.

<sup>42</sup> Nisa Aurellia and Kholis Roisah, "Legal Protection against Unregistered Marks and Unfair Competition Practices (Comparative Study of Indonesia and the United States)," *International Journal of Social Science and Human Research* 06, no. 06 (2023): 3818–21, <https://doi.org/10.47191/ijsshr/v6-i6-75>.

<sup>43</sup> Dian Ety Mayasari, "Protection of Geographical Indications as a Form of Consumer Rights Protection," *Yuridika* 35, no. 1 (2020): 41, <https://doi.org/10.20473/ydk.v35i1.13990>.

<sup>44</sup> Adi Suliantoro, Fitika Andraini, and Arikha Saputra, "Potensi Dan Kendala Pendaftaran Indikasi Geografis Kota Semarang," *Komunikasi Hukum* 9, no. 12 (2023): 468–80, <https://ejournal.undiksha.ac.id/index.php/jkh>.

<sup>45</sup> Fenny Wulandari, "Protection of Communal Intellectual Property Rights Through Geographical Indication System," *Veteran Law Review* 5, no. 2 (2022): 115–34.

<sup>46</sup> Silva et al., "Coffee Production and Geographical Indications (GI): An Analysis of the World Panorama and the Brazilian Reality."

The IG registration process involves several steps, including<sup>47</sup>:

- a. Submission of Application. An application is submitted in writing by an institution representing the community or local government to the Directorate General of Intellectual Property (DJKI).
- b. Documentation. Applicants must attach descriptive documents that include product characteristics, geographic location, and evidence that the product has a certain reputation and quality.
- c. Evaluation. The expert team will assess the description document and provide recommendations to the Minister regarding IG registration.
- d. Socialization and Training. The government also conducts socialization regarding the benefits of IG to the community to increase understanding and participation in the registration process.

Therefore, geographical indication registration not only protects the rights of producers but also provides significant economic benefits to local communities. Geographical indication registration is a crucial legal instrument in the context of business in Indonesia. Besides protecting distinctive regional products, GI registration also contributes to increasing the economic value and competitiveness of local products. Therefore, efforts to encourage more GI registrations need to be intensified so that national economic potential can be maximized.

GI registration is a crucial legal instrument in the context of business in Indonesia. Besides protecting distinctive regional products, GI registration also contributes to increasing the economic value and competitiveness of local products. Therefore, efforts to encourage more GI registrations need to be intensified so that national economic potential can be maximized. Business law development and global economic growth are two interconnected aspects in the context of increasingly complex globalization.

Changes in business law not only bring challenges, such as adapting to new regulations and reducing bureaucracy, but also open up great opportunities for businesses. Streamlining licensing and facilitating investment can increase inward investment flows and create new jobs.<sup>48</sup> Furthermore, more flexible regulations allow companies to innovate and adopt digital technologies, which is crucial in an increasingly digital global market. Business law also plays a significant role in the context of economic globalization.<sup>49</sup> With the increasing interdependence between nations, commercial law must be capable of regulating international transactions and safeguarding the interests of all parties involved. This encompasses consumer protection, fair dispute resolution, and regulations related to data security and the protection of intellectual property rights.

<sup>47</sup> Franklin de Souza Meirelles, Janaina de Moura Engracia Giralde, and Rodolfo Paião de Campos, "Transaction Costs Economics and Geographical Indications: A Systematic Analysis of the Literature," *Revista de Economia e Sociologia Rural* 61, no. 4 (2023): 1-22, <https://doi.org/10.1590/1806-9479.2022.264494>.

<sup>48</sup> R.A.P. Darajati, B. Santoso, and H.N. Widhiyanti, "The Legal Aspects of Venture Capital As an Alternative Financing," *Russian Journal of Agricultural and Socio-Economic Sciences* 133, no. 1 (2023): 41-46, <https://doi.org/10.18551/rjoas.2023-01.05>.

<sup>49</sup> Juthamas Thirawat, "E-Commerce in Asean: An Emerging Economic Superpower and the Case for Harmonizing Consumer Protection Laws," *South Carolina Journal of International Law and Business* 18, no. 2 (2022): 39-87.

Globalization has expanded international trade and increased the complexity of cross-border transactions.<sup>50</sup> In this context, business law serves to create a stable and clear framework, encouraging economic growth through increased international trade and foreign investment.<sup>51</sup> This not only opens up new job opportunities but also increases national income. Along with the growth of the digital economy, new challenges are emerging, such as consumer data security and illegal trade practices.<sup>52</sup> Therefore, regulations that support the digital industry are essential to provide legal certainty for businesses in this sector. These regulations must be able to protect the development of Micro, Small, and Medium Enterprises (MSMEs) and ensure a safe and fair digital ecosystem. The development of business law in Indonesia reflects the government's efforts to create a more competitive business environment amidst global economic dynamics.<sup>53</sup> However, challenges in implementation remain, so it is important for businesses to continuously adapt to these changes in order to compete in the global market. This is also an effort to ensure a fair business legal relationship.

Fair business law is a concept that encompasses the application of principles of justice in every aspect of business activity, including the protection of the rights of all parties involved, transparency, and accountability.<sup>54</sup> Fair business law not only regulates transactions and relationships between business actors but also plays a role in ensuring that business practices are ethical and responsible. Fair business law must protect consumer rights through clear regulations, such as the Consumer Protection Law.<sup>55</sup> This includes the obligation of companies to provide honest and transparent information about their products and services. In addition, labor laws must also guarantee the rights of workers, such as fair wages and safe working conditions.

Regulations governing business practices must promote ethics in the business world. For example, the Law on Business Competition regulates monopolistic and collusive practices, thus creating fair competition in the market. This is important to prevent business practices that harm consumers and the wider community. An effective legal system must provide fair and efficient dispute resolution mechanisms. With the existence of courts and alternative dispute resolution (such as mediation), businesses can resolve conflicts without having to go

<sup>50</sup> Ridwan Arifin, "Legal Development and Globalization: Some Contemporary Issues in Indonesia and Global Context," *Journal of Law and Legal Reform* 1, no. 3 (April 2020): i-iv, <https://doi.org/10.15294/jllr.v1i3.38544>.

<sup>51</sup> Md Abdul Halim, "Does Crowdfunding Contribute to Digital Financial Inclusion?," *Research in Globalization* 9, no. 1 (2024): 1-13, <https://doi.org/10.1016/j.resglo.2024.100238>.

<sup>52</sup> Beatrice Oyinkansola Adelakun et al., "Legal Frameworks and Tax Compliance in the Digital Economy: A Finance Perspective," *International Journal of Advanced Economics* 6, no. 3 (2024): 26-35, <https://doi.org/10.51594/ijae.v6i3.900>.

<sup>53</sup> Agoes Djatmiko and Elisabeth Pudyastiwi, "Obstacles and Challenges of Indonesia'S Micro, Small and Medium Enterprises (Ukm) in Facing the Covid-19 Pandemic," *Jurnal Pendidikan Kewarganegaraan Undiksha* 8, no. 3 (2020): 117-23, <https://ejournal.undiksha.ac.id/index.php/JJPP/article/view/23548/14372>.

<sup>54</sup> Yapiter Marpi et al., "Legal Effective of Putting 'Business as Usual' Clause in Agreements," *International Journal of Criminology and Sociology* 10, no. 1 (2021): 58-70, <https://doi.org/10.6000/1929-4409.2021.10.09>.

<sup>55</sup> Silvio Vismara and Peter Wirtz, "Fundraising, Governance and Environmental Ethics: Evidence from Equity Crowdfunding," *Journal of Business Ethics* 1, no. 1 (2025): 1-25, <https://doi.org/10.1007/s10551-024-05917-3>.

through lengthy and expensive legal processes. One of the main challenges is often inconsistent law enforcement. Without firm enforcement of the law against violations of business ethics, unethical practices can continue without adequate sanctions. Education and awareness of the importance of business ethics among business actors also still need to be improved. Many businesses do not fully understand the impact of their actions on society and the environment.

Existing regulations need to be strengthened by considering economic developments and market dynamics. New regulations must be able to address modern challenges such as digitalization and social change. Increasing education on business ethics among entrepreneurs and employees can help build a more ethical business culture. This includes training on legal compliance and corporate social responsibility. Cooperation between the government, the private sector, and civil society is crucial to creating a fair business environment.<sup>56</sup> With this collaboration, it is hoped that better regulations and more effective law enforcement can be created. By applying principles of justice in business law, it is hoped that the business environment in Indonesia can develop sustainably, benefit all parties, and contribute to the overall welfare of society.

GI registration in Indonesia is an important step in realizing fair business law. Through this registration, products that have distinctive characteristics from a particular region can be legally protected, which in turn supports local businesses and increases their competitiveness in the market. Geographical indication registration is an important instrument in creating fair business law in Indonesia. By protecting local products and providing legal clarity, this registration not only supports businesses but also contributes to more equitable economic development. Through collaboration between the government, businesses, and the community, protection for GIs can be optimized to achieve this goal.

GI registration in Indonesia is an important step in protecting products that have special characteristics related to their origin. GIs provide legal protection for such products, ensuring that only authorized parties can use them and preventing misuse by third parties. The GI registration process involves several stages, such as submitting an application, evaluating documents, and socializing the benefits of GIs to the community. Although this registration system already exists, the main challenge is the lack of understanding among businesses about the procedures and benefits of GI registration. GI registration can increase the economic value of local products and competitiveness, support economic growth based on local resources, and create fairness in business law. However, to optimize the protection of local products, socialization and education to businesses need to be increased. GI registration also plays a role in creating a fair, transparent legal system that supports the development of the digital economy and strengthens regulations to create a healthy and sustainable business environment.

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<sup>56</sup> Harmono, "Asian Journal of Management Entrepreneurship and Social Science Legal Politics of Formation and Empowerment of Village-Owned Enterprises in the Perspective of the Village Law to Realize Community Welfare and Independence," *Asian Journal of Management Entrepreneurship and Social Science* 03, no. 01 (2023): 352-66, <https://ajmesc.com/index.php/ajmesc>.



#### 4. Conclusions

IP grants economic rights to creators through legal protection that encourages innovation and creativity. One distinctive type of intellectual property is the GI, which indicates the origin and quality of a product linked to geographical factors. GIs are collective and involve the local community in their management. GI registration provides legal protection, enhances product competitiveness, and supports both local and international economies. Furthermore, GI registration strengthens the cultural and social identity of the community and aligns with the theory of positive law, emphasizing legal certainty. Overall, GI registration is a crucial strategy for regional economic development, with active participation from the government and the community.

GI registration in Indonesia is vital for protecting products with unique characteristics based on their origin. Through this registration, local products gain legal protection, ensuring exclusive rights to the owners and preventing misuse by third parties. The registration process, comprising several key stages such as application submission, document evaluation, and socialization of GI benefits, contributes to the protection and enhanced competitiveness of local products. However, a major challenge is the lack of understanding among businesses regarding the procedures and benefits of GI registration, resulting in many potential GIs remaining unregistered. GI registration also supports the local economy, fosters fairness in business law, and strengthens regulations that can improve the competitiveness of Indonesian products in the global market. Therefore, increased education and socialization to businesses are necessary to ensure more products receive legal protection, ultimately driving more equitable economic growth.

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#### 7. References

- Abdullah, Omar, Sobia Bashir, and Rafia Naz Ali. "The Potential Geographical Indications in Pakistan." *Journal of Social Sciences Review* 3, no. 1 (2023): 335–46. <https://doi.org/10.54183/jssr.v3i1.154>.
- AFFA. "Membangun Kompetensi ASEAN Di Dunia Melalui Indikasi Geografis," 2023. <https://affa.co.id/membangun-kompetensi-asean-di-dunia-melalui-indikasi-geografis/>.
- Arifin, Ridwan. "Legal Development and Globalization: Some Contemporary Issues in Indonesia and Global Context." *Journal of Law and Legal Reform* 1, no. 3 (April 2020): i–iv. <https://doi.org/10.15294/jllr.v1i3.38544>.
- Atika. "Legal Protection of Trade Secret from the View of Civil and Criminal Law." *International Journal of Social Science Research and Review* 6, no. 2 (2023): 165–70.
- Aurellia, Nisa, and Kholis Roisah. "Legal Protection against Unregistered Marks and Unfair Competition Practices (Comparative Study of Indonesia and the United States)." *International Journal of Social Science and Human Research* 06, no. 06 (2023): 3818–21. <https://doi.org/10.47191/ijsshr/v6-i6-75>.
- Bateman, G.G. "The Ought To Be a Law: Gustav Radbruch, Lon L. Fuller, and H.L.A. Hart on The Choice Between Natural Law and Legal Positivism." *The Journal Jurisprudence* 271, no. 1 (2019): 13–15. <https://doi.org/10.1093/ojls/gqi042>.
- Beatrice Oyinkansola Adelakun, Joseph Kuba Nembe, Bisola Beatrice Oguejiofor, Chidiogo

- Uzoamaka Akpuokwe, and Seun Solomon Bakare. "Legal Frameworks and Tax Compliance in the Digital Economy: A Finance Perspective." *International Journal of Advanced Economics* 6, no. 3 (2024): 26-35. <https://doi.org/10.51594/ijae.v6i3.900>.
- Bonadio, Enrico, and Magali Contardi. *The Geographic Indication Prosecco Battle between Italy and Australia: Some Lessons from the History and Geography of the Most Famous Italian Wine*. *Journal of World Investment and Trade*. Vol. 23, 2022. <https://doi.org/10.1163/22119000-12340248>.
- Darajati, R.A.P., B. Santoso, and H.N. Widhiyanti. "The Legal Aspects of Venture Capital As an Alternative Financing." *Russian Journal of Agricultural and Socio-Economic Sciences* 133, no. 1 (2023): 41-46. <https://doi.org/10.18551/rjoas.2023-01.05>.
- Djarmiko, Agoes, and Elisabeth Pudyastiwi. "Obstacles and Challenges of Indonesia's Micro, Small and Medium Enterprises (Ukm) in Facing the Covid-19 Pandemic." *Jurnal Pendidikan Kewarganegaraan Undiksha* 8, no. 3 (2020): 117-23. <https://ejournal.undiksha.ac.id/index.php/JJPP/article/view/23548/14372>.
- DJKI. "DJKI Bahas Tim Ahli Indikasi Geografis," 2023. <https://www.dgip.go.id/index.php/artikel/detail-artikel-berita/djki-bahas-tim-ahli-indikasi-geografis?kategori=>.
- Donny Widiyanto, and Zainal Arifin Hoesein. "Positivism Theory in the Context of Modern Legal Thought." *International Journal of Law and Society* 1, no. 4 (October 2024): 258-67. <https://doi.org/10.62951/ijls.v1i4.204>.
- Fabra-Zamora, Jorge Luis. "Legal Positivism as a Theory of Law's Existence." *Isonomía - Revista de Teoría y Filosofía Del Derecho* 1, no. 55 (2021): 193-211. <https://doi.org/10.5347/isonomia.v0i55.487>.
- Gamkrelidze, Sulkhan. "Private International Law in the Reflection of German Positivism." *Iustitia* 1, no. 3 (2021): 43-54. <https://doi.org/10.59172/2667-9876/2022-3/43-54>.
- Gayo, Sabela. "The Use Of Mediation As An Alternative Dispute Resolution In The Settlement Of Investment Disputes." *International Asia Of Law and Money Laundering (IAML)* 3, no. 1 (2024): 1-9. <https://doi.org/10.59712/iaml.v3i1.76>.
- Gorda, AAA. Ngurah Sri Rahayu, Ida Ayu Ketut Artami, Putu Eva Ditayani Antari, Kadek Januarsa Adi Sudharma, and Robert Vaisile Moisa. "Legal Protection for Copyright Holders of Commercialized Remix Song Cover Version." *Legality: Jurnal Ilmiah Hukum* 30, no. 1 (2022): 1-11. <https://doi.org/10.22219/ljih.v30i1.17034>.
- Halim, Md Abdul. "Does Crowdfunding Contribute to Digital Financial Inclusion?" *Research in Globalization* 9, no. 1 (2024): 1-13. <https://doi.org/10.1016/j.resglo.2024.100238>.
- Harmono. "Asian Journal of Management Entrepreneurship and Social Science Legal Politics of Formation and Empowerment of Village-Owned Enterprises in the Perspective of the Village Law to Realize Community Welfare and Independence." *Asian Journal of Management Entrepreneurship and Social Science* 03, no. 01 (2023): 352-66. <https://ajmesc.com/index.php/ajmesc>.
- Hasibuan, Puspa Melati, Zulfi Chairri, and Aflah Aflah. "Implementation of Legal Protection of Brand Rights for Micro, Small, and Medium Enterprises (Msmes) According To Law Number 20 Year 2016 Concerning Marks and Geographic Indications." *Jhss (Journal of Humanities and Social Studies)* 6, no. 2 (2022): 156-60. <https://doi.org/10.33751/jhss.v6i2.5400>.
- Ingole, A. D., Ajay Kumar, P. J. Jadhav, and S. H. Kulkarni. "Geographical Indication of Fruit Crops in India and Its Protection Abroad." *International Journal of Environment and Climate Change* 13, no. 11 (2023): 1026-43. <https://doi.org/10.9734/ijecc/2023/v13i113252>.
- "Intellectual Property Theft: A Threat To Working People and the Economy," 2021.
- Junaidi, E, K W Indrayanti, and M G AZ. "Protection and Management of Royalty Rights for Utilization of Works and Authors Rights in the Field of Songs and Music." *Ijlrhss* 06, no.

- 01 (2023): 8–14. <http://www.ijlrhss.com/paper/volume-6-issue-1/2-HSS-1655.pdf>.
- Kantor Wilayah Kementerian Hukum dan HAM RI. “Menkumham Resmi Buka Forum Indikasi Geografis Nasional, Temu Bisnis Dan Apresiasi Insan Kekayaan Intelektual,” 2024. <https://malut.kemenkum.go.id/berita-utama/menkumham-resmi-buka-forum-indikasi-geografis-nasional-temu-bisnis-dan-apresiasi-insan-kekayaan-intelektual>.
- Kurniawan, Faizal, Moch. Marsa Taufiqurrohman, and Xavier Nugraha. “Legal Protection of Trade Secrets over the Potential Disposal of Trade Secrets Under the Re-Engineering Precautions.” *Jurnal Ilmiah Kebijakan Hukum* 16, no. 2 (2022): 267. <https://doi.org/10.30641/kebijakan.2022.v16.267-282>.
- Kusuma, Purnama Hadi, and Kholis Roisah. “Perlindungan Ekspresi Budaya Tradisional Dan Indikasi Geografis: Suatu Kekayaan Intelektual Dengan Kepemilikan Komunal.” *Jurnal Pembangunan Hukum Indonesia* 4, no. 1 (2022): 107–20. <https://doi.org/10.14710/jphi.v4i1.107-120>.
- Lee, Jyh An, Reto M. Hilty, and Kung Chung Liu. “Artificial Intelligence and Intellectual Property.” *Artificial Intelligence and Intellectual Property*, 2021, 1–449. <https://doi.org/10.1093/oso/9780198870944.001.0001>.
- Li, Yanghuan, Jinhui Wei, Junbin Yuan, Qingzhen Xu, and Chengying He. “A Decentralized Music Copyright Operation Management System Based on Blockchain Technology.” *Procedia Computer Science* 187, no. 1 (2021): 458–63. <https://doi.org/10.1016/j.procs.2021.04.084>.
- Mahila, Syarifa. “Problematisasi Perlindungan Hukum Terhadap Produk Indikasi Geografis.” *Jurnal Ilmiah Universitas Batanghari Jambi* 19, no. 3 (2019): 639. <https://doi.org/10.33087/jiubj.v19i3.769>.
- Marpi, Yapiter, Erlangga, Bakti Toni Endaryono, and Krismayu Noviani. “Legal Effective of Putting ‘Business as Usual’ Clause in Agreements.” *International Journal of Criminology and Sociology* 10, no. 1 (2021): 58–70. <https://doi.org/10.6000/1929-4409.2021.10.09>.
- Maskus, Keith E. “Intellectual Property Rights and Economic Inequality: Theory and Evidence.” *Stockholm IP Law Review* 5, no. 1 (2022): 44–51. <https://doi.org/10.53292/2d3a6004.50f031e5>.
- Mayasari, Dian Ety. “Protection of Geographical Indications as a Form of Consumer Rights Protection.” *Yuridika* 35, no. 1 (2020): 41. <https://doi.org/10.20473/ydk.v35i1.13990>.
- Muh. Ali Masnun, Dicky Eko Prasetyo, Mohd Badrol Awang, Eny Sulistyowati. “Reconstructing Indonesia’s Trademark Registration System through the Lens of General Principles of Good Governance to Realize Substantive Justice.” *Journal of Law and Legal Reform* 5, no. 3 (2024): 891–912.
- Muhaimin. *Metode Penelitian Hukum*. Mataram: Mataram University Press, 2020.
- Nenek, Kasus, Minah Ditinjau, Dari Perspektif, Teori Hukum Positivisme, and Fikrotul Jadidah. “Kasus Nenek Minah Ditinjau Dari Perspektif Teori Hukum Positivisme.” *IBLAM Law Review* 02, no. 03 (2022): 129–42.
- Nguyen, Sy Luong, and Van Anh Le. “Diffusion of Geographical Indication Law in Vietnam: ‘Journey To The West.’” *IIC International Review of Intellectual Property and Competition Law* 54, no. 2 (2023): 176–99. <https://doi.org/10.1007/s40319-023-01289-9>.
- Noerhadi, Cita Citrawinda. “Cybercrimes and Alternative Settlement of Intellectual Property (IPR) Disputes in Indonesia.” *International Journal of Cyber Criminology* 16, no. 1 (2022): 89–109. <https://doi.org/10.5281/zenodo.4766558>.
- NTBSatu. “Madu Sumbawa Hadir Di ASEAN Working Group on Intellectual Property Right Ke-71,” 2023. <https://ntbsatu.com/2023/11/07/madu-sumbawa-hadir-di-asean-working-group-on-intellectual-property-right-ke-71.html>.
- Octarina, Nynda Fatmawati, Sudiawati Sudiawati, and Mardika Mardika. “The Application

- of the *Conditio Sine Qua Non* Principle on the Crime of Damage through Social Media." *Lambung Mangkurat Law Journal* 7, no. 1 (2022): 74–92. <https://doi.org/10.32801/lamlaj.v7i1.303>.
- Qian, Weiwen, and Yinguo Dong. "Comparative Study on the Geographical Indication Protection between China and the European Union – From the Perspective of the China-EU Geographical Indications Agreement." *Agricultural Economics (Czech Republic)* 69, no. 5 (2023): 185–201. <https://doi.org/10.17221/98/2023-AGRICECON>.
- Rhaswika, Efrilya, and Marwah Paserangi, Hasbir. "Potential Legal Protection for Oil Products Sumbawa NTB in the Context of Geographical Indications." *Volkgeist* 7, no. 1 (2022): 37–41. <https://doi.org/10.35326/volkgeist.v7i1.2829>.
- Silva, Daliane Teixeira, Cleiton Braga Saldanha, Luis Oscar Silva Martins, Jerisnaldo Matos Lopes, and Marcelo Santana Silva. "Coffee Production and Geographical Indications (GI): An Analysis of the World Panorama and the Brazilian Reality." *Journal of Sustainable Development* 16, no. 3 (2023): 47. <https://doi.org/10.5539/jsd.v16n3p47>.
- Simatupang, Taufik H. "Expansion Of Defensive And Positive Legal Protection Concepts And Measures To Protect Geographical Indications As Part Of Communal Intellectual Property." *Penelitian Hukum De Jure* 23, no. 2020 (2023): 101–14.
- Souza Meirelles, Franklin de, Janaina de Moura Engracia Giralddi, and Rodolfo Paião de Campos. "Transaction Costs Economics and Geographical Indications: A Systematic Analysis of the Literature." *Revista de Economia e Sociologia Rural* 61, no. 4 (2023): 1–22. <https://doi.org/10.1590/1806-9479.2022.264494>.
- Suliantoro, Adi, Fitika Andraini, and Arikha Saputra. "Potensi Dan Kendala Pendaftaran Indikasi Geografis Kota Semarang." *Komunikasi Hukum* 9, no. 12 (2023): 468–80. <https://ejournal.undiksha.ac.id/index.php/jkh>.
- Susanti, Diah Imaningrum. "Eksplorasi Perlindungan Kekayaan Intelektual Komunal Berbasis Hak Asasi Manusia." *Media Iuris* 5, no. 3 (2022): 401–28. <https://doi.org/10.20473/mi.v5i3.40174>.
- Suteki, and Galang Taufani. *Motodologi Penelitian Hukum (Filsafat, Teori, Dan Praktik)*. Cetakan 3. Depok: RajaGrafindo Persada, 2020.
- Thirawat, Juthamas. "E-Commerce in Asean: An Emerging Economic Superpower and the Case for Harmonizing Consumer Protection Laws." *South Carolina Journal of International Law and Business* 18, no. 2 (2022): 39–87.
- Varah, Franky, Chodang Pamreishang, and Sophayo Khamrang. "Protecting Expressions of Naga Folklore through Sui Generis Model." *Journal of World Intellectual Property* 24, no. 5–6 (2021): 383–93. <https://doi.org/10.1111/jwip.12197>.
- Vismara, Silvio, and Peter Wirtz. "Fundraising, Governance and Environmental Ethics: Evidence from Equity Crowdfunding." *Journal of Business Ethics* 1, no. 1 (2025): 1–25. <https://doi.org/10.1007/s10551-024-05917-3>.
- Wang, Ximeng. "The Protection and Improvement of Music Copyright in the Chinese Market from the Perspective of Music Education and Policy Administration." Atlantis Press SARL, 2022. <https://doi.org/10.2991/978-2-494069-51-0>.
- William Van Caenegem, Kana Nakano. "Standard Trade Marks, Geographical Indications and Provenance Branding in Australia: What We Can Learn from King Island." *The Journal Of World Intellectual Property* 23, no. 5–6 (2020): 632–57.
- Wulandari, Fenny. "Protection of Communal Intellectual Property Rights Through Geographical Indication System." *Veteran Law Review* 5, no. 2 (2022): 115–34.
- Zhang, Zhenyu, and Zhuanzhuan Ge. "Protection and Restriction of Grain-Related Intellectual Property Rights in the Context of Food Security Based on Industrial Internet of Things." *Mobile Information Systems* 2022 (2022). <https://doi.org/10.1155/2022/4554447>.
- Ziad, Khairul. "Forum Indikasi Geografis Nasional 2024 Jadi Momentum Kebangkitan



Pertumbuhan Ekonomi Nasional,” 2024. <https://sulteng.pikiran-rakyat.com/nasional/pr-2608210437/forum-indikasi-geografis-nasional-2024-jadi-momentum-kebangkitan-pertumbuhan-ekonomi-nasional?page=all>.