



# Challenges of Geographical Indication in Indonesia: A Study from Lampung Province

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**Abstract.** Law No. 20 of the Year 2016 on Trademark and Geographical Indication (GI) recognizes GI as a sui generis system in Indonesia. GI is a method for promoting Indonesia's distinctive geographically related products in the international market. Hence, GI certification is essential to provide legal protection and increase the holder's economic value. However, the registration to certify these GI products encountered several challenges, resulting in downsides and consequently affecting the low level of GI development in Indonesia. Lampung, a province with a GI product in the form of Robusta coffee, has similar challenges in its efforts to produce GI-certified products. The high-cost registration, poor management of GIs potential product, and other significant factors are considered as one of the fundamental issues in developing GIs in Lampung. This article aims to highlight challenges in evolving GIs management in Indonesia and specifically Lampung province from 'start-scale' to a higher level to determine a solution in the future. The research method used in this study is a normative-empiric approach with primary and secondary data sources. The article uses literature data supported by interviews with stakeholders and related parties. The result of the study shows that the prevailing challenges of GIs management are deficient coordination between stakeholders, lack of proper understanding of the GI concept, and lack of consistency from the GIs Association worsened by the inadequacy of future planning.

**Keywords:** challenge · geographical indication · legal protection

## 1 Introduction

Geographical Indications (GI) is a tool to improve the economic worth of high-quality, distinctive products from a certain region. In general, farmers and MSMEs use GI to compete and build an appropriate market for their products. The GI system provides collective protection and requires local producers to form an organization to oversee GI governance cooperatively. In 2001, Indonesia began developing a Geographical Indication (GI) system, which is controlled as part of the trademark regulation [1]. However, it

was not until 2007 that Geographical Indications (GI) began to be applied under Government Regulation No. 57 of 2001 concerning Geographical Indications. With the adoption of Law No. 20 of 2016, governing Trademarks and Geographical Indications, GI has become an autonomous regime. There were 66 GI products registered as of the end of 2018 [2].

To observe deeper on how GI is currently developing in a smaller scope in Indonesia, the article will highlight the issue from Lampung Province, namely Lampung's coffee. Concerning the production of coffee, Indonesia is the fourth-largest coffee producer world after Brazil, Vietnam, and Colombia. From the total production of coffee beans, about 67% of coffee beans are exported and the remaining (33%) meet domestic demand. Indonesian exports are dominated by coffee beans of Lampung with a contribution to the national coffee export volume in 2013 reaching more than 70% [3]. West Lampung is the largest contributor to the Lampung province with a contribution to production in 2014 reaching 43.54%. In this regard, the Government of Lampung Province through the Estate and Crop Bureau applied for the certification of GIs for Robusta Coffee. The coffee were planted on three defined districts which are West Lampung District, Tanggamus and Way Kanan. The advances in coffee producer in Lampung area are extensive, with the West Lampung District being the most developed, active, and self-sufficient in maintaining its Coffee Robusta certification. Tanggamus has been the most often studied area, due to its proximity to the provincial capital city. While the Way Kanan district is in a state of stagnation [4].

Several factors determine the condition of stagnation in the GIs Robusta product. According to in-depth interviews and focus group discussions (FGD) with stakeholders in Lampung Province, non-legal issues were the most real challenges to the development of GIs. The method of identifying problems begins with obtaining information on the barriers to implementing GIs protection. Various identified factors, namely:

- Lack of community knowledge and awareness of the relevance of GIs
- Product standard disproportionality
- Lack of collaborative effort among stakeholders
- High-cost socialization, the establishment of farmer groups
- Absence of a collective body that brings producers together.

Moreover, further identification of the issue will be using rules, opportunity, capacity, communication, interest, process, and ideology (ROCCIPI) analysis to observe the efficacy of GI regulations in Indonesia and Lampung Province. The author finds that the most challenging factor is a lack of knowledge that led to the reluctance of the community to register their GI product. Equally troubling, the complexity of GI certification registration also worsens this issue [5]. Currently, there are modules, manuals, or written instructions available for the various steps of IG registration. However, it solely focuses on the registration step and does not address the pre-registration stage, and it is seldom socialized using a social approach; socialization is frequently limited to incumbents and in extremely formal settings. As a result, the understanding of the GI concept is limited to the same institution and not to the general public, particularly interested communities [6].

Moreover, a challenge to protection for GI products is also caused by inadequate legislative protection. These causes namely regulation, mechanism, and stakeholder-related issues generate a complex challenge to the development of GI products in Indonesia and specifically in Lampung Province. Thus, the study aims to highlight the challenges faced by Indonesia and Lampung Province in developing GI products and what are the possible measures as an answer to the challenges. This article uses a normative-empiric approach with primary and secondary data sources. The article uses rules, opportunity, capacity, communication, process, and interest as analysis tools to answer the proposed issue.

## 2 Discussion

Indonesia has 98 registered geographical indications (GIs) as of January 2022, with 92 Indonesian and 6 international products. The amount is still insignificant in comparison to the potential for GIs. Moreover, the protection of GI products has not yet been optimized. This suggests that there are issues that challenge the protection of GIs in Indonesia, and studying the issues will be critical in determining solutions for properly implementing GIs to preserve local products that are regional assets. Robusta Coffee, being one of the top products in Lampung Province, requires immediate development and protection. The identified challenges are intended to enhance Robusta Coffee's potential to become Lampung's exceptional product in the international market [7].

This article will further discuss three main topics namely the status of GI development in Indonesia using ROCCIPI analysis, the challenges of GI products in Lampung Province, and alternative solutions that can be made to encounter described challenges. The first topic aims to provide legal grounds for the development and state of protection of GI itself. The second topic will further identify various challenges found by the author. Lastly, in the third topic, the author aims to elaborate on possible solutions for the addressed problem [7].

### A. *Status of Geographical Indication Development in Indonesia using ROCCIPI Analysis*

To assess the efficacy of GIs implementation in Indonesia, it is essential to evaluate what has been implemented using the rules, opportunity, capacity, communication, interest, process, and ideology (ROCCIPI) analysis. ROCCIPI analyzes the factors that cause Indonesia's GI regulation to be considered inadequate. This analysis is proposed by Seidman and Abeysekere, and includes objective and subjective categories, both legal and non-legal. The analysis tool aims to reveal the factors that influence the efficacy of GI legal protection implementation in Indonesia. Objective categories contain rules, opportunities, communication, and process. Whereas subjective categories involve interest and ideology [7].

In terms of rules, Indonesia protects GI products under Law Number 20 the Year 2016 on Trademark and Geographical Indication along with two technical regulations: Government Regulation No. 51 the Year 2007 on Geographical Indication and Ministry of Law and Human Rights Edict No. 12 the Year 2019 on Geographical Indication. Further explanation is described below [8]:

- 1) *For papers with more than six authors*

Law No. 20 Year 2016 concerning Trademark and Geographical Indication (GI) define GI in Article 1 Number 6 which stated:

*“...A sign denoting the origin of a good and/or a product as a result of a geographical context that includes a natural element, a human component, or a combine of both factors which offers a reputation, quality, and characteristic of the goods and/or products produced.”*

The provisional definition implies that GI product amplify a reputation as an alternative element for a good and/or product requirements, possibly to open up possibilities for a good or/and product primarily traditional products with less compatibility with quality requirement standards but with a good public reputation. However, reputation is subjective; there is no fixed indicator to count goods or/and product's reputation. It is therefore become a fundamental provisional challenge for GI development in Indonesia [8].

Moreover, the provision related to the protectable good, in Article 53 Paragraph 3, which includes “... Any item and product in the form of natural resources; handicraft goods; or industrial products.” The author argues that the product scope is deemed to be more expansive and registered to Ministry concerned before being protected under the geographical indication law. Concerning the responsible bearer of GI protection, Article 70 of this law obliges the central and local government to carry out activities to protect geographic indications, such as [10]:

- Preparation for eligibility request to apply GIs
- Submit a registration application of GIs
- Utilization and commercialization of GIs
- Socialization of GIs protection to Public
- mapping and inventory GIs potentials
- Training and Mentoring,
- Monitoring, evaluation, and coaching,
- Provide legal protection, and
- Facilitating the development, processing, and marketing of GIs

Although this law possesses several shortcomings, it is also important to underline that the regulation provides a solid ground for government in fulfilling their obligation to develop GI products in their autonomous area. Those obligations are further written in detail in Government Regulation No. 51 Year 2007 on Geographical Indication.

## 2) *Government Regulation Number 51 of 2007 on Geographical Indication*

The Government Regulation is carried out as the technical regulation based on Article 56 paragraph (9) Law No 20 Year 2016. Under this consideration, the government then enacted Government Regulation Number 51 Year 2007 on Geographical Indication. The regulation defines GI as a “sign” that “has been around for a long time without being realized and might indirectly suggest it is the distinctiveness of an item produced from a particular area.” The “sign” may identify origin commodities, whether in the form of agricultural products, foodstuffs, handicraft items, or other goods, including raw materials and or processed goods produced from agricultural or mining products, according

to Government Regulation 51/2007. However, the GI in Government Regulation No. 51/2007 solely regulates products and does not include services.

The regulation also governs provisions related to GI certification mechanism. However, it is noted that to ensure adequate legal certainty, the GIs system protection is regulated by registration, without limiting the term protection period, and is valid as long as the characteristics and or qualities become essential protection still exists. Thus, it can be said that the system protection of GI in Indonesia is still declarative [9]. Characteristics and qualities as the basis for the protection of the GI are stated in the Book of Requirements. Book Requirements include, among other things, informing about environmental impacts, geographic, natural factors, and human factors that affect the quality or the characteristics of the item. The Book of Requirements also includes mapping the area, history, traditions, processing, methods testing the quality of goods, and the labels used. Book of the Requirements compiled by the community group where the said goods are produced.

Moreover, another specific provision regulated under this law highlights distinction between the “owner” and the “user” of a GIs. “Owner of Geographical Indication” is the applicant and community groups in the area where specific goods are competent to produce, protect, maintain, and use GI product. Whereas GIs users’ are producers who may manufacture goods following the provisions disclosed in the Book Requirements, apply the provisions in the Book of Requirements consistently, and have registered themselves as a GIs user at the Directorate General IPR. It is to be noted that GIs is not considered an exclusively individual right, but rather a collective and non-exclusive right.

Furthermore, apart from legal certainty, an optimal GI protection system is also expected to help preserve the environment and maximize the empowerment of natural and human resources in the area. With the protection of GI, it is hoped that opportunities and employment opportunities will be created or opened to produce goods with economic value in the regions so that potential labor migration from one area to the city can be prevented.

### 3) *The Ministry of Law and Human Right Regulation no.12 Year 2019 on Geographical Indication*

This regulation specifically provides the basis for provisions related to the registration of geographical indication products based on international agreements, the expert team, and the monitoring system. Article 18 of this regulation state that Registration of Geographical Indications from abroad shall be applied based on (a) Applications from abroad; or (b) International Agreement.

Moreover, application should be written in Bahasa and English, pass the substantive examination, be registered as GIs in its original state, within the scope of bilateral or multilateral treaties, and the protection will end when GIs’ protection is ended in its origin state. Regarding the monitoring system which was introduced in the Trade-mark and Geographical Indication law, the national and local governments executed the monitoring based on their jurisdiction and public. The national government establishes the monitoring team, including the geographical indication expert team and designated expert of the field concern. The monitoring team will propose recommendations on:

- improving the reputation, quality, and characteristic
- revision of document description of geographical indication
- the finding of illegal use of geographical indication

This ministerial regulation is considered to be highly comprehensive and competent in terms of establishing a legal foundation for the GI registration procedure based on international agreements, the expert team, and the monitoring system. However, the author's data shows that most intellectual property institutions still suffer from the lack of human resources. It is challenging to find experts in the field of IPR, especially GI. Therefore, it is impossible to deny that the effectiveness of GI product development has not yet attained the aim.

Based on the explanation, it shows that in terms of rules, GI in Indonesia has a robust legal basis both at the national and global levels. However, to be effective, GI regulations must be in operational, regulatory order. This situation is a challenge in Indonesia, which often compiles regulations in general and does not provide operational details so that these regulations often cannot be executed.

In terms of opportunity, Indonesia has not yet properly developed its potential for GI products due to a lack of information dissemination in each province. Up to data in 2018, only 66 GI products were successfully registered. In comparison to other countries, this amount is considered very low. From 2003 to 2015, India, for example, had 128 registered GI crafts out of 200 items. In addition, due to the ease of registration, other ASEAN countries have more GI products than Indonesia. Singapore, Thailand, and Malaysia may even register a product as a GI product if it meets one of the elements of the geographical environment, and the uniqueness of the human factor, and does not demand to fulfill both altogether. This convenience increases the number of GI products registered [7].

Furthermore, capacity issues can be identified by the fact that almost every institution still lacks human resources, specifically GI experts. The communication component is also challenging because the government rarely prioritizes GI promotion to raise legal awareness in the general public. Even in existing regulations, there is no additional explanation in any Acts, Government Regulations, Ministry Decrees, or Local Government Regulations.

The challenge of the 'interest' component lies in the motivation of the government in applying the GIs product. Where the primary interest in registering GI is to gain an economic benefit. However, getting into this economically valued category is not simple, since the regulations regarding infringement, monitoring systems, maintenance guidance, and the relationship between the right holder and user are still inadequate [4].

In terms of the process, most GI holders complain about the complicated requirements and bureaucracy that they must face when registering GI products. In order to register a product as a GI product, the registrant must meet the GI law's standards, which include an agreement to form producer associations/organizations, prepare written documents, and build a control system to ensure product quality in accordance with the Geographical Indication Description Document (GIDD). Prior to registering, the registrant must demonstrate the presence of historical, cultural, and environmental linkages that impact the originality and quality of the product in order to meet all specified requirements. The GI standards that must be completed are technical and complicated,

encompassing at least agriculture, law, and economics. Registrants and incumbents who help local governments in this instance frequently do not grasp the structure, processes, and collaboration necessary to register a GI [7].

However, as the last component, ideology, GI seems to be subjective, collective, and provides unlimited rights to protect the local area. GI will be compatible with the soul of kinship, and social justice and relevant to the condition of Indonesia as a pluralistic state. Even though, in this key, Indonesia seems to fit, if others component aren't met, the development of GI in Indonesia can only be possessed as a 'potential' and do not go further than that. Whereas, ideology is important, still, the aims of GI must be filled through concrete implementation and not just stopped at being solely as an idea.

#### B. *Geographical Indication Challenges: A Study from Lampung's Robusta Coffee*

According to the pervious explanation, it can be concluded that, to efficiently implement GI in Indonesia, all factors must be fulfilled sufficiently. Further questions arose from the following concerns namely the involvement of public participation, the accessibility of GI implementation, and existing regulation compliance to the living values in Indonesian society. All parties must simultaneously collaborate to achieve the means of implementation. However, the author finds that the most challenging issue of GI development relies on the lack of proper implementation in local area. This article will further observe how Lampung Province responds to the GI potential in its area and what are the challenge they are facing.

##### 1) *Robusta Coffee GI'S Challenge using ROCCIPI Analysis*

In the agricultural sector, coffee is valued solely for its material qualities in producing countries. According to their findings, GIs provide a potential mechanism for producers to participate in symbolic quality construction and thus capture value through a claim over geographic property throughout the value chain. In this case, Indonesia produces several specialty coffees with a decent global reputation, such as Java coffee (East Java), Mandheling coffee (North Sumatra), Toraja coffee (South Sulawesi), Gayo Mountain coffee (Aceh), Lintong coffee (North Sumatra), and Robusta coffee (Lampung). The quality reputation of coffee is already widely recognized by consumers, and producers must maintain the quality. GI protection is expected to be used as a tool to accomplish this [10].

Although substantive legislation concerning protection and the mechanism for GI registration have been comprehensively established, non-legal challenges are the most prevalent type of hindrance encountered in Indonesian efforts to promote GI products. One of the empirical examples of this challenge is the difficulty of developing GI in Lampung Robusta coffee products.

Through interviews and data collection from the local government, the author finds that there are problems identified using the ROCCIPI analysis. In terms of rules, the problem relies on the Indonesian government's scarce effort to implement geographical indicator protection. Despite the fact that geographical indications have been technically recognized since 2001, the Directorate General of Intellectual Property (DGIP) Office only started accepting registration of geographical indications in 2008. In this regard, the concluding provisions of Governmental Decree No. 51 Year 2007 specify explicitly that the laws will be published in the Republic of Indonesia Gazette in order to be



**Table 1.** List of several GI products whose status is not understood by government officials

| Product Name  | GIs Status                             | Explanation  |
|---|--|--|
| Robusta Coffee  | Not Eligible as GIs                    | Name of Plant Varieties  |
| Lampung Robusta Coffee                                  | Registered GIs                         | It has the reputation, good qualities and special characteristics.   |
| Bengkulu Robusta Coffee                                 | GIs Potentials                         | If its proved has the reputation, good qualities and special characteristics, the product has potentials to be registered. |
| Saburai Goat (a special breed of the goat from Lampung) | Not Eligible to be registered as a GIs | Animal is not eligible, however, the products of it, such as the meat or milk is eligible to be registered                 |
| Ganja Aceh  | Not Eligible to be registered as a GIs | Its unlawful   |

promulgated. This is an adage or legal assumption that assumes everyone knows the regulation if it has been published in the Gazette. In reality, the government's effort is insufficient if just published in the Gazette; the government must also communicate geographical indicator protection through socializing [10].

In terms of opportunity, the article argues that the major challenge in implementing GI protection for Robusta coffee in Lampung is a lack of a sense of necessity. This may be observed in the constraints that the community does not grasp the importance of GIs and that there is no program of label stakeholders that refers to efforts to protect GIs [9].

In the component of capacity, the main reason Robusta Coffee underdeveloped is because institutional stakeholders such as municipal governments are also experiencing a lack of understanding of GIs [11]. These parties are proven to not familiar with GIs terms. Ironically the low awareness still exist after the enacted of the recent law. Government officials proved difficult in distinguishing which products can be registered as part of the GI product. The author provide empirical data as an illustration draw from the result of the questionnaires' on the pre-test for officials (Table 1).

According to the questionnaire, government officials are clueless in identifying what products are qualified for GI registration. The incapacity of authorities is a main reason of why the public knowledge and comprehension of the significance of GI is low. In this case, the community, the Local Government, the Geographic Indication Protection Society (institutions that represent society), and legislative must work together to implement GI protection in Lampung.

Moreover, communication possesses as the major challenge of GI development for Robusta coffee. The reason of local residents do not grasp the relevance of GIs is because a lack of attention and socialization from local government, and some do not even know what the GI is. According to Parlagutan Lubis, S.H., M.H., Director of Cooperation and Intellectual Property Empowerment of the Ministry of Law and Human Rights, at the



Forum Foreign Policy Review in 2016, the Indonesian people are not used to registering a product as intellectual property. Furthermore, society does not fully comprehend what constitutes intellectual property rights. This lack of knowledge and awareness also possessed by traders or commoners many stakeholders, including government officials, who ostensibly understand geographical indication.

In term of 'interest', it is a great challenge to drive community motivation in registering Robusta product. It is deprived as a domino effect from previous challenges. How do we increase motivation if the community doesn't even have a sense of necessity to register its product. This component will be automatically resolved if the challenges of capacity and communication are met. At the process stage, GI Indonesia basically has complexity in its registration, so that the public's desire to register Robusta Coffee is getting smaller. The final component, namely ideology, has the same standpoint as that faced by Indonesian GIs in general. Ideologically GI is very good, but then the big question depends on how we turn the potential into economic value that supports development in the region where the product originates.

Other than ROCCPI challenges, the author further note several issues in developing Robusta coffee as Lampung's GI product, namely the disproportionality of product standard and collaborative effort from stakeholders.

## 2) *Robusta Coffee GI'S Challenge: Disproportionality of Product Standard*

In regards of GI product standardization, existing laws such as Governmental Regulation No. 51 Year 2007 on Geographical Indication and Law No. 20 Year 2016 do not govern GI product standardization. The Governmental Regulation only demands that products meet the quality requirements established by particular standards applicable to the products in question. For agricultural items, for example, The Regulation Ministerial of Agriculture No. 58/Permentan/OT.140/8/2007 concerning Implementation of National Standardization System would be followed. Insufficiency of standardization material create another fundamental challenge to the development of GI.

When there are many non-standardized commodities, problems occur. There are numerous requirements if the items are standardized. Other requirements, particularly for coffee, such as single origin certification, Rain Forest Alliances, Fair Trade, and so on, were more popular and considered to be more economically valuable than GIs. Knowledge and understanding of the businesses, as well as farmers and artisans whose products can be registered as a geographical indication of the Indonesian national standard is still low. If they know about the GIs, they tend to doubt the prospects because it is viewed as a lip service program of government [12].

Furthermore, agricultural commodities with GAP guidelines for applying quality standards are still confined to specific items. Because the circumstances in each agricultural product differ, the quality cannot be generalized. Another example is handmade items, where there is no standardization since the maker is more focused on the creative side, rather of a function, or is generally more concerned with quantity than quality. It has become a barrier to obtaining geographical indicator protection since implicitly standardized items are high-quality products, and quality is an essential component of geographical indication protection. As a result, the standards operating procedures (SOP) must be created, and the Law Number 20/ 2016 required the applicant to do so, and it will be included as part of the GIDD requirements.

The GIs certified good also need to meet the Indonesian National Standard (hereinafter called SNI) as a national technical specification or something standardized, including procedure and method based on the consensus of all the parties concerned. National Standardization aims to: (1) Improving the protection to consumers, businesses, labor, and other community both for safety and security, health, and environment conservation; (2) To help niche trade; (3) Create a healthy competition in the trade [13].

Lack of product standardization also has an impact on the acquisition of reputation, which is one of the conditions for the GIs protection. When a product is standardized, it often has a good quality and a favorable reputation. However, there is currently no criterion for reputation in the case of geographical indication in Indonesia, as long as the commodity is already marketed and well-known in the market, the good is regarded to already have a reputation. As a result, if the standards are simply already marketed and well-known, numerous commodities will be eligible for geographical indication protection without a distinctive and respected character. If this situation persists, Indonesians who register geographical indications will be allowed to compete only on a local and national level, not on an international level.

### 3) *Robusta Coffee GI'S Challenge: The Lack of Collaborative Effort Between Stakeholders*

Based on research results from several areas in Lampung, observing different stakeholders and level of official, the author has identified a common issue. It demonstrates that a lack of collaboration among officials has the greatest impact. As stated under the local autonomy system, the relationship between the officials is not in a hierarchical sense. The office merely has a coordinating relationship, but there is still a hesitant step to actively collaborating to produce GIs. Based on the conversation and interviews, it appears that each office is delegating responsibility to other parties. The provincial Estate and Crop Bureau indicated that it should be the responsibility of the district administration, however the districts believe that the provincial government does not help enough to develop GIs (14). And, in the end, the offices will face the usual dilemma of who will support the GIs as it is costly to register and maintain. To demonstrate how complex the addressed issue, the GIs in Lampung Province are administered by the following offices:

- In the level of province government, the GIs managed by Provincial Economic Commission (Dewan Ekonomi Daerah)
- In the West Lampung is managed under the Local Development Planning Institutions
- Other districts were managed by The Estate and Crop Bureau of each District

The issue is that a lack of coordination generates other challenges, such as limited budgets, difficulty in developing requirement books, and one door standardized-marketing. West Lampung Regency has a particular initiative to promote Robusta Lampung Coffee, however the other two regions in the Regional Autonomy, such as Tanggamus and Way Kanan, do not [14]. However, even when the local government begins to make attempts to create GIs, it encounters additional challenges, including a shortage of budget resources. As a result, cooperation between the Regional Government and the Central Government is required through the necessary ministries in order to prepare the blueprint and budget for the protection of GIs to be executed more efficiently.

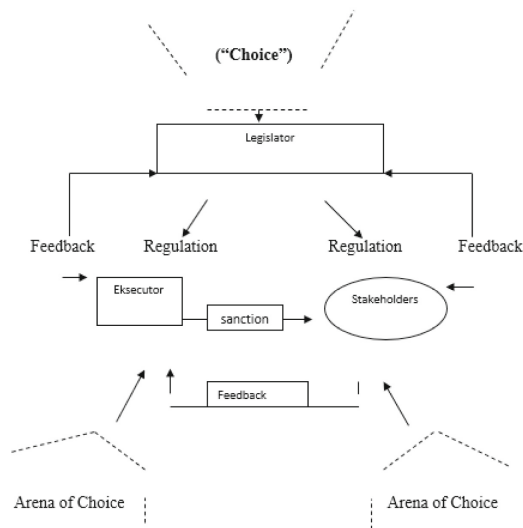


Fig. 1. Chart 1

Similarly, in the case of the production of the book of requirements, which involves numerous parties, cooperation and coordination become extremely important. Coordination is required not only during preparation but also throughout implementation to guarantee that the management unit is able to fulfill the provisions in the book of requirements such as technical production, processing, and marketing.

However, no official action has been taken regarding GI violations in Lampung Province to far. The Lampung Provincial Government has adopted Regional Act No. 4 Year 2016 on the Protection of Lampungnese Intellectual Property Rights, which includes geographical indicators as a protected intellectual property right. However, the prohibition’s substance and enforcement will be impossible to implement, since the related articles are inconsistent. The article on prohibition stated about any acts which consider as violation of the intellectual property rights but then the article about the sanction do not refers to the prohibition but paradoxically refers to the article about the person in charge of the investigation. Has not revised yet.

C. Future Geographical Indication

1) Developing GI in Indonesia: Beyond Regulatory Measures

Based on the ROCCIPI analysis, it can be seen that GI development in Indonesia has almost problems in all of its components. So the question arises related to how a regulation has considered the values that live in society, not just as a formality. To answer this question, Seidmann suggests how the process of forming laws and regulations so that laws and regulations can be functional in society, as illustrated in the following chart (Fig. 1):

The chart above illustrates that each party involved in the legislative process, namely the legislative body, implementing agency, and their respective stakeholders, has an arena of choice about the interests they represent (interest representation). Implementing

agencies and role holders will provide feedback to law-making institutions. In addition to that, the role holders will also provide feedback to implementing agencies that will enforce laws made by law-making institutions. Indonesia's fundamental problem is that the feedback process is often stuck and cannot be implemented, especially feedback from stakeholders to law-making institutions and law implementing agencies [7].

Therefore, to fully optimize the conception of legal effectiveness, the law must not be static, absolute, and definitive. On the other hand, the law is demanded to be dynamic, relative, and varied to meet community needs. Law progressing to meet society's increasingly complex and heterogeneous needs over time and its development process. The process of making, interpreting, implementing, and enforcing the law which aims to achieve 'legal effectiveness' must also reflect the nature of the law itself. Thus, to fully develop GI, we need synergy not only from sufficient regulations, but also synergy from all subjects of law implementation. Law and legal subjects must go hand in hand in order to achieve common goals.

## 2) *Facing Existing Challenges in Development of Lampung's Robusta Coffee*

Based on the description above, the author gives several recommended alternative solution to the addressed issues. It is vital to emphasize that local governments are expected to devote attention to increasing public education and awareness through initiatives such as socialization, counseling, and information about GIs [15]. With a greater understanding of the potential of Geographical Indication products, it will be easier to build community groups or traditional institutions [16]. Since they are more in keeping with local systems and values, the public will be more willing to adopt and execute product protection GIs in the conventional institutional framework. As a way of promoting regional potential, the government can utilize an approach that is appealing to enhance people's enthusiasm, such as festivals and contests [17]. As a result, any region with GIs must conduct an inventory of potential natural and cultural resources.

Furthermore, as coffee has to many trade standards, it is necessary to empower farmers, provide technical and financial aid, and increase access in the supply chain. Other options to consider includes [18]:

- Network marketing necessitates unique considerations in order to maintain a positive image and monitor violations. GIs is a collective right so in its implementation requires coordination and cooperation from various parties, be it the government, producers, and community groups themselves.
- The government of Lampung needs to revise the act and make support policies and regulations to build firm GIs protection.

The facts, challenges, and efforts of Robusta Coffee Lampung above demonstrate that the Lampung Robusta Coffee geographical indication registration was not adequately prepared. As the efforts were only made to complete the application requirements, no blueprint for management on how to handle the Robusta Coffee Lampung after registration was established. It is possible that the Robusta Lampung Coffee was a starting point to develop the regional indicator used as.

### 3 Conclusion

As the largest coffee producer in Indonesia, Lampung Robusta coffee can be categorized as a potential superior Geographical Indication product from Lampung Province. GI as a tool to improve the economic worth of high-quality product is expected to increase the existence of Lampung Robusta coffee. However, in reality, the development of GIs in Lampung is still at an early stage. In this case the protection of GI products such as Lampung Robusta coffee is experiencing fundamental problems. First, the basic problem lies in the ambiguity of the content of the regulations, the non-specificity of the mechanism, and the lack of supervision to ensure that the implementation of the existing regulations goes as desired. Second, the main problems encountered are non-legal issues, including the lack of community's knowledge and awareness relating to the importance of GI's, disproportionality of product standard, and the lack of collaborative effort between stakeholders. The author argues that if the local government can gradually eliminate these challenges, then it is not impossible for Lampung Robusta coffee to become one of the world's leading coffee products. One of the most important keys to overcoming these problems is the joint synergy between an educational and visionary government, and a society that is not skeptical or enthusiastic.

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