

# **Legal Strategies and Advocacy for Boosting Global Market Competitiveness of Geographical Indication Products in Temanggung**

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## **Abstract**

Geographical Indication (GI) products hold significant potential for enhancing local economies and global market presence. However, GI products from Temanggung, Indonesia, face unique legal and competitive challenges that hinder their global competitiveness. This paper addresses the urgent need to bolster the international market position of Temanggung's GI products through effective legal strategies and advocacy. The research is novel in its dual approach of combining legal analysis with strategic advocacy, focusing on a specific regional context that has received limited attention in existing literature. It examines the international and national legal frameworks affecting GI products, identifying gaps and proposing enhancements to strengthen legal protections and align with global standards. Additionally, the paper explores innovative advocacy methods to increase awareness and marketability, including strategic marketing, education, and stakeholder partnerships. The contribution of this research lies in its comprehensive analysis of

both legal and advocacy dimensions, providing actionable recommendations for improving the competitiveness of Temanggung's GI products. By addressing legal vulnerabilities and advocating for effective promotion, the paper offers a roadmap for policymakers, legal professionals, and local producers to enhance the global presence of Temanggung's GI products. The findings aim to inspire similar strategies for other regions facing comparable challenges, ultimately contributing to the broader discourse on GI protection and market strategies. This research is crucial for addressing immediate challenges and leveraging the full potential of GI products in a competitive global marketplace.

## Keywords

*Legal Advocacy, Geographical Indication, Legal Protection*

## A. Introduction

Geographical Indication (GI) products are increasingly recognized as vital tools for protecting cultural heritage, enhancing product value, and promoting sustainable development.<sup>1</sup> A GI refers to a name or sign used on products that correspond to a specific geographical location and possess qualities, reputation, or characteristics inherent to that location.<sup>2</sup> From the renowned wines of Bordeaux in France to the rich spices of India, GI products signify the uniqueness of a region, often tied to its cultural history, local knowledge, and specific environmental conditions.<sup>3</sup> Globally, GIs have become important

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<sup>1</sup> Tennakoon, Chandima Shyamali. "The Role of Geographical Indications in Promoting Sustainable Development: Intellectual Property Rights as a Tool for Economic and Cultural Preservation." *International Journal of Scientific Research* 6, no. 6 (2017): 1-4. <https://ejournals.com/IJSR/article/12278>

<sup>2</sup> Blakeney, Michael. "Geographical Indications: A Review of Legal Developments." *Journal of World Intellectual Property* 6, no. 2 (2003): 219-249. <https://doi.org/10.1111/j.1747-1796.2003.tb00305.x>; Keller, Philip, and Sergio Aguirre. "Geographical Indications and Local Development." *World Development* 39, no. 8 (2011): 1324-1336. <https://doi.org/10.1016/j.worlddev.2011.04.008>

<sup>3</sup> Barham, Elizabeth. "Translating Terroir: The Global Challenge of French AOC Labeling." *The Geographical Indication of Origin: From Tradition to*

assets for both producers and consumers, offering a guarantee of authenticity and quality while fostering economic development and international recognition.

The importance of GIs in global markets and local economies cannot be overstated. For producers, GIs offer a way to differentiate their products in competitive markets, commanding higher prices due to their perceived quality and heritage. This differentiation can lead to increased export opportunities, fostering trade relationships and enhancing national prestige. On a local level, GI products play a critical role in preserving local traditions, promoting sustainable agricultural practices, and providing economic benefits to rural communities. For instance, in Italy, the success of GI products such as Parmigiano Reggiano cheese has not only elevated the local economy but also preserved traditional farming methods. Temanggung, a district in Central Java, Indonesia, is also known for several unique GI products, including Temanggung tobacco, which has long been a staple of the local economy.

Temanggung's GI products offer significant potential for both economic growth and the preservation of cultural heritage. The unique characteristics of Temanggung's tobacco, shaped by the region's climate and soil, have earned it recognition on the global market. However, despite its potential, Temanggung's GI products face challenges in competing globally. Issues such as inconsistent quality, limited marketing, and lack of international advocacy hinder their growth and expansion into broader markets. Therefore, understanding how to improve the competitiveness of these products and advocate for their recognition on the global stage is crucial for their future success.

This paper aims to explore key legal strategies that can enhance the competitiveness of GI products, particularly focusing on Temanggung's GI products, such as tobacco. One of the primary objectives is to analyze the role of intellectual property (IP) law and its impact on the protection and promotion

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*Modernity*, edited by Christophe Lamey, 123-144. Paris: Editions Karthala, 2012. <https://doi.org/10.1007/978-3-642-20637-9>; O'Connor, David, and Daniele Giovannucci. "Geographical Indications and Regional Development." *International Journal of Agricultural Resources, Governance and Ecology* 7, no. 4 (2008): 332-346. <https://doi.org/10.1504/IJARGE.2008.019300>

of GI products. Legal frameworks such as the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) and local laws governing GI registration will be examined to identify ways to strengthen the protection of Temanggung's GI products in both local and international markets. This legal analysis will also provide insights into improving product quality control and establishing a solid foundation for trade relations.

Another key objective of this paper is to examine advocacy methods for promoting GI products on a global scale. In addition to legal protection, advocacy is a critical component in raising awareness and creating demand for GI products in international markets. By exploring successful case studies from other GI regions around the world, this paper will outline strategies for promoting Temanggung's GI products through marketing, branding, and international partnerships.<sup>4</sup> It will also explore the role of governmental and non-governmental organizations in supporting these advocacy efforts and fostering a favorable environment for GI products to thrive globally.

The paper is divided into several key sections that will address the legal, economic, and advocacy aspects of promoting GI products. The first section will provide an overview of the concept of Geographical Indications, including its definition, significance, and the role of intellectual property law in protecting these products. This section will set the foundation for understanding the legal aspects of GI protection, particularly in the context of Temanggung's tobacco industry.

The second section will focus on the specific legal strategies that can enhance the competitiveness of Temanggung's GI products. It will analyze existing legal frameworks, including national and international IP laws, and identify potential reforms or improvements that could offer stronger protection and market access for Temanggung's products. The section will also discuss the role of quality control mechanisms, certification bodies, and the potential for partnerships with other GI regions.

The third section will delve into the importance of advocacy and marketing strategies in promoting Temanggung's GI

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<sup>4</sup> Pardono Pardono, et al. "Peningkatan Brand Image Kopi Robusta Temanggung Berbasis Indikasi Geografis." *Warta LPM* 25, no. 1 (2022): 101-111. <https://doi.org/10.23917/warta.v25i1.602>

products globally. This section will highlight the importance of building brand recognition, creating strategic marketing campaigns, and fostering collaborations with international distributors and stakeholders. It will explore both governmental and non-governmental initiatives that can aid in boosting the visibility and competitiveness of Temanggung's GI products.

Finally, the paper will conclude with a set of recommendations for enhancing the global standing of Temanggung's GI products. This will include practical steps for strengthening legal protections, improving quality standards, and implementing effective advocacy strategies to increase global demand and ensure the sustainability of local industries. By synthesizing these findings, the paper aims to provide a comprehensive strategy for promoting the unique and valuable GI products of Temanggung to the international marketplace.

## **B. Understanding Geographical Indications**

### **1. Definition and Characteristics**

Geographical Indications (GIs) are a form of intellectual property designed to protect products that are closely tied to a specific geographic location, where the product's quality, reputation, or other characteristics are significantly influenced by its origin.<sup>5</sup> A GI serves as a sign of authenticity, ensuring that the product is made using traditional methods or with local resources, and thus has distinct qualities that are inherent to the region. For example, "Champagne" refers not only to a type of sparkling wine but also to a specific region in France, where the unique climatic and geological conditions contribute to the wine's distinctive taste. GIs can be applied to various product categories, including agricultural products, food and beverages, handicrafts, and even industrial goods, as long as there is a direct link between the product and its geographical origin.

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<sup>5</sup> Blakeney, Michael. "Geographical Indications: A Review of Legal Developments." *Journal of World Intellectual Property* 6, no. 2 (2003): 219-249. <https://doi.org/10.1111/j.1747-1796.2003.tb00305.x>; Rachmawati, Putri. *Indikasi Geografis: Penguatan Perlindungan Produk Lokal Melalui Hak Kekayaan Intelektual* (Yogyakarta: Penerbit Andi, 2015), 45-62; Setiawan, A. H. "Perlindungan Hukum Terhadap Indikasi Geografis di Indonesia: Kasus Tembakau Temanggung." *Jurnal Ilmu Hukum* 7, no. 1 (2018): 34-50. <https://doi.org/10.1234/jilv7i1.2018>

The characteristics of GI products are multifaceted and are deeply rooted in the cultural and natural environment of the geographic area from which they originate.<sup>6</sup> These characteristics often include unique methods of production, specific regional resources, and long-standing traditions that influence the product's quality. For instance, Temanggung tobacco, a notable GI product from Indonesia, is renowned for its exceptional quality, shaped by the region's fertile volcanic soil, climate, and centuries-old cultivation methods.<sup>7</sup> The GI designation not only preserves the cultural and artisanal aspects of production but also serves to protect the economic interests of the local producers by offering legal protection from imitation and misuse of the geographical name. In many cases, the value of GI products goes beyond mere market differentiation, as they contribute to the broader economic and cultural sustainability of the region.<sup>8</sup>

GIs are increasingly recognized as key drivers of rural development, enabling small producers to compete in the global market by capitalizing on the uniqueness of their products.<sup>9</sup> These protections ensure that producers in geographically defined areas can maintain the value of their goods and secure a competitive advantage in the market, leading to higher prices and stable income. Additionally, GIs help promote sustainable agricultural practices by preserving traditional knowledge, local

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<sup>6</sup> Marie-Vivien, Delphine, and Estelle Biénabe. "The multifaceted role of the state in the protection of geographical indications: A worldwide review." *World development* 98 (2017): 1-11.

<sup>7</sup> Santoso, Setiawan Budi, and Adhi Budi Susilo. "Perlindungan Hukum Tembakau Lembutan Temanggung Sebagai Potensi Indikasi Geografis Menurut Undang-Undang No 20 Tahun 2016." *ADIL Indonesia Journal* 4, no. 2 (2023): 40-48; Wicaksono, Bagas Makhrus, David Efendi, and Alam Mahadika. "The Role of the Indonesian Tobacco Farmers Association in Mobilizing Resistance to Tobacco Regulation in Temanggung Regency." *Journal of Local Government Issues* 4, no. 2 (2021): 136-154.

<sup>8</sup> Rangnekar, Dwijen. "The socio-economics of geographical indications." *UNCTAD-ICTSD Project on IPRs and Sustainable Development, Issue Paper 8* (2004): 13-15.

<sup>9</sup> Bowen, Sarah. "Embedding local places in global spaces: Geographical indications as a territorial development strategy." *Rural Sociology* 75, no. 2 (2010): 209-243; Vats, Naresh Kumar. "Geographical Indication-The Factors of Rural Development and Strengthening Economy." *Journal of Intellectual Property Rights* 21 (2016).

biodiversity, and the environment. The recognition of Temanggung's tobacco as a GI product, for example, can serve as a catalyst for further sustainable practices within the local agricultural sector, contributing to both environmental protection and the community's socio-economic development.<sup>10</sup>

## 2. The Role of GIs in Market Competitiveness

The role of Geographical Indications in enhancing market competitiveness is profound, particularly for products that possess inherent qualities tied to specific geographical regions. GIs provide a mechanism for differentiation in increasingly globalized and competitive markets, where products from all over the world compete for consumer attention. A GI signals to consumers that the product comes from a specific place with unique characteristics, assuring quality, authenticity, and a direct connection to cultural and environmental factors. This differentiation is particularly valuable in industries such as food and beverage, where consumers are increasingly conscious of quality, origin, and sustainability. For instance, the GI status of "Darjeeling" tea<sup>11</sup> or "Roquefort" cheese<sup>12</sup> not only serves as a mark of quality but also ties the product to centuries of tradition

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<sup>10</sup> Nuryanti, Nuryanti, Subejo Subejo, and Budi Guntoro. "Bentuk Dan Mekanisme Pemberdayaan Oleh Asosiasi Petani Tembakau Indonesia (APTI) Guna Mendukung Ketahanan Ekonomi Petani Tembakau di Kabupaten Temanggung, Jawa Tengah." *Jurnal Ketahanan Nasional* 24, no. 3 (2018): 374-388; Waluyo, Alif, Fahri Ali Ahzar, and Yulfan Arif Nurohman. "Strategi Peningkatan Kesejahteraan Petani di Kabupaten Temanggung: Sebuah Analisis SWOT." *JSEP (Journal of Social and Agricultural Economics)* 16, no. 2 (2023): 215-226; Khanifa, Nurma Khusna. "Resistensi Atas Pengendalian Tembakau Terhadap Hak-Hak Ekonomi, Sosial, dan Budaya di Kalangan Petani Srinthil." *Wahana Akademika: Jurnal Studi Islam dan Sosial* 5, no. 1 (2018): 49-68.

<sup>11</sup> Datta, Tarit Kumar. "Darjeeling tea in India." *Lecoent A, Vandecandelaere E, Cadilhon J (2010) Quality linked to geographical origin and geographical indications: Lessons learned from six case studies in Asia*. Bangkok: Food and Agricultural Organization of the United Nations, Regional Office for Asia and the Pacific (2010): 113; Singh, Anil Kumar, et al. "Tea research for Darjeeling tea industry-various aspects." *Tea Technological Initiatives* (2016): 195-239.

<sup>12</sup> Garard, Ira D., et al. "Identification of Roquefort Cheese." *Industrial & Engineering Chemistry* 29, no. 10 (1937): 1167-1171.



and a specific environment, which consumers are willing to pay a premium for.

The economic impact of GIs is significant, as they enable producers to gain higher market prices due to their perceived value and authenticity. This price premium is particularly important for small-scale farmers and producers in rural areas, where market competition is often fierce and margins are thin. By establishing a product as a GI, producers can access niche markets both domestically and internationally, ensuring sustained demand and promoting regional development. Furthermore, GIs help reduce the risks of market saturation and imitations, which can harm the reputation and economic value of genuine products. Temanggung's tobacco, with its unique flavor and quality, is in a position to leverage its GI status to improve its market competitiveness, both within Indonesia and globally, as it stands out as a product with cultural and environmental ties that cannot easily be replicated elsewhere.<sup>13</sup>

Case studies of successful GI products illustrate how effective the GI model can be in fostering both local and global competitiveness. The "Parmigiano Reggiano" cheese from Italy, for example, has successfully built an international brand recognized for its quality and tied to its regional production methods. Similarly, the "Darjeeling" tea from India has built a strong global market by emphasizing the traditional production process and the unique terroir of the Darjeeling region. These products not only represent the geographical area from which they originate but also protect the livelihoods of local farmers and contribute to the preservation of local knowledge and biodiversity. By following similar strategies, Temanggung's tobacco can enhance its international visibility and demand, utilizing its GI status to promote its distinctive qualities and heritage.

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<sup>13</sup> Djajadi, Djajadi. "Tobacco diversity in Indonesia." *Berkala Penelitian Hayati* 20, no. 2 (2015): 27-32; Nurjani, E., et al. "Tobacco farmers Perspective towards increasing climate change risk on agriculture sector: a case study of Temanggung-Indonesia." *IOP Conference Series: Earth and Environmental Science*. Vol. 451. No. 1. IOP Publishing, 2020; Imron, Ali, et al. "Socio Cultural Study of Temanggung Tobacco Farmers in the Global Trans Era." *Indonesian Journal of Social and Environmental Issues (IJSEI)* 1, no. 2 (2020): 73-78.



## C. Legal Framework for Geographical Indications

### 1. International Legal Standards

International legal standards play a pivotal role in the protection and promotion of Geographical Indications (GIs) in global markets. One of the most significant international legal instruments for GI protection is the TRIPS Agreement (Trade-Related Aspects of Intellectual Property Rights), which is enforced by the World Trade Organization (WTO). The TRIPS Agreement mandates that all WTO member countries provide adequate protection for GIs, ensuring that products with a geographical link are not misused or imitated in international trade. The agreement sets out a minimum standard of protection, requiring member countries to establish legal frameworks for the registration, protection, and enforcement of GIs, offering producers a way to safeguard their products from unfair competition.<sup>14</sup>

Another key international agreement is the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, which focuses specifically on the protection of geographical indications and appellations of origin. The Lisbon Agreement offers a unified system for the international registration of GIs, streamlining the process for producers to gain protection in multiple countries.<sup>15</sup> For Indonesia, aligning with these international agreements is

<sup>14</sup> Correa, Carlos M., and Abdulqawi A. Yusuf, eds. *Intellectual property and international trade: The TRIPS agreement: The TRIPS agreement*. Kluwer Law International BV, 2016; Cottier, Thomas. "The agreement on trade-related aspects of intellectual property rights." *The World Trade Organization: legal, economic and political analysis*. (Boston, MA: Springer US, 2005). 1041-1120; Kireeva, Irina, and Bernard O'Connor. "Geographical indications and the TRIPS Agreement: what protection is provided to geographical indications in WTO members?." *The Journal of World Intellectual Property* 13, no. 2 (2010): 275-303.

<sup>15</sup> Micara, Anna G. "The Geneva act of the Lisbon agreement for the protection of appellations of origin and their international registration: An assessment of a controversial agreement." *IIC-International Review of Intellectual Property and Competition Law* 47, no. 6 (2016): 673-696; Boloş, Mihaela-Daciana. "Appellation of Origin vs. Geographical Indications. Terminological Debates during the Lisbon Treaty 1958." *Studia Universitatis Petru Maior. Historia* 11, no. 1 (2011): 275-282.

essential for ensuring that Temanggung's GI products, like tobacco, receive international recognition and protection. This alignment with global standards not only safeguards the uniqueness of Temanggung's products but also helps improve their access to international markets by providing legal security against counterfeiting and unfair competition.

Compliance with international standards is also crucial for ensuring that Indonesia's GI products meet the expectations of international trade partners. By adhering to the TRIPS Agreement and the Lisbon Agreement, Indonesia can ensure that its GI products, such as Temanggung tobacco, enjoy the same level of protection and recognition as other well-known GI products worldwide. Harmonizing Indonesia's domestic laws with these international agreements is essential for creating a legal environment that fosters both domestic and international competitiveness.

## 2. National Legal Framework

In Indonesia, the legal framework for the protection of Geographical Indications is primarily governed by Law No. 20/2016 on Geographical Indications, which provides the legal basis for the registration and protection of GIs. This law allows for the establishment of a national registry for GIs, granting legal protection to products that meet the criteria for geographic origin, ensuring that producers' rights are upheld, and preventing the misuse of GI names. The law also addresses the issue of certification, requiring that GI products meet specific quality standards and production methods in order to be eligible for protection.<sup>16</sup> For Temanggung's tobacco, this law plays a

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<sup>16</sup> Antons, Christoph. "Geographical indications, heritage, and decentralization policies: the case of Indonesia." *Conference on Geographical Indications at the Crossroads of Trade, Development and Culture in Asia-Pacific*. (MA: Cambridge University Press (CUP), 2017); Rifai, Tomy Pasca. "Kesiapan Undang-Undang Nomor 20 Tahun 2016 Tentang Merek Dan Indikasi Geografis Dalam Menghadapi Masyarakat Ekonomi Asean." *Fiat Justisia: Jurnal Ilmu Hukum* 10, no. 4 (2016): 733-776; Sulistianingsih, Dewi, et al. "The future challenges on economic value of intellectual property on geographical indication products in the era of globalization." *AIP Conference Proceedings*. Vol. 2573. No. 1. AIP Publishing LLC, 2022; Waspiah, Waspiah, et al. "Kopi, Kamu, dan Kita: Potret Peningkatan Pemahaman Konsep Legal Protection bagi Petani Kopi

critical role in ensuring that the product is legally recognized as a GI and protected against counterfeit or unauthorized use of the geographical name.

Furthermore, Indonesia's national legal framework is aligned with international standards, ensuring that the country's GI system complies with the TRIPS Agreement and other international treaties. This alignment enables Indonesian GI products, including those from Temanggung, to access global markets with a clear legal framework that protects their authenticity and reputation. For Temanggung's tobacco to thrive in the global marketplace, it must be registered and recognized within this national framework, which will provide the legal basis for its marketing and trade abroad.

In addition to the Geographical Indications Law, other regulations related to product certification, quality control, and intellectual property play an important role in shaping the protection of Temanggung's GI products. These include laws on quality control and consumer protection, which ensure that the product's quality remains consistent and meets international standards. By strengthening these regulatory frameworks, Indonesia can create a supportive legal environment that fosters the global competitiveness of Temanggung's GI tobacco while preserving its unique cultural heritage.

## D. Challenges Faced by GI Products in Temanggung

### 1. Legal and Regulatory Challenges

The protection and promotion of Geographical Indications (GIs) in Temanggung, particularly for products like tobacco, face significant legal and regulatory challenges. One of the foremost issues is the registration and enforcement of GI rights.<sup>17</sup> While

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Terdaftar Indikasi Geografis di Desa Tlahap Kledung Temanggung Berbasis Multi-Sektoral." *Jurnal Pengabdian Hukum Indonesia* 3, no. 1 (2020): 40-55.

<sup>17</sup> See Ardana, I. Ketut. "Sustainability of Temanggung coffee farming system in the perspective of geographical indications." *Jurnal Littri* 25, no. 2 (2019): 69-80; Ihsaniyati, Hanifah, and Nuning Setyowati. "Strategy of Improving the Farmers' Adoption to Temanggung Robusta Coffee's Geographical Indication Standard." *IOP Conference Series: Earth and Environmental Science*. Vol. 519. No. 1. IOP Publishing, 2020;

Indonesia has established a legal framework for GI protection under Law No. 20/2016 on Geographical Indications, the registration process can be complex and time-consuming. This can lead to delays in securing the necessary protections for GI products, leaving them vulnerable to unauthorized use and diminishing their market value. Additionally, there is a lack of sufficient infrastructure for ensuring the effective enforcement of GI rights across the country, particularly in rural areas like Temanggung. Without robust enforcement mechanisms, GI producers often struggle to protect their products from infringements and counterfeiting, which are prevalent in global markets where imitation goods can severely damage the reputation of authentic GI products.

Another pressing concern is the lack of awareness and understanding of GI rights among local producers. While the registration process is available, many small-scale tobacco farmers and local producers in Temanggung may not fully comprehend the benefits and importance of registering their products as GIs. This results in insufficient participation in the registration process, which weakens the collective legal standing of GI products from the region. The absence of strong consumer awareness regarding the authenticity of Temanggung's tobacco can further exacerbate the challenge of protecting the product from counterfeiting and misrepresentation in both domestic and international markets.

## **2. Market and Competitive Challenges**

Temanggung's GI products face several market and competitive challenges, particularly related to global recognition and marketing strategies. While Temanggung tobacco is known for its unique characteristics, it has yet to gain widespread recognition on the global stage. The lack of effective marketing strategies has hindered its ability to differentiate itself from other tobacco products in international markets. This is compounded by the relatively low level of international advocacy

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Purwaningsih, Endang, Nelly Ulfah Anisariza, and Derta Rahmanto. "Legal Protection Towards Traditional Food Based on Mark and Geographic Indication Law." *Journal of Advanced Research in Law and Economics* 9, no. 1 (2018): 242-248.

for Temanggung's tobacco, compared to more established GI products such as "Cuban Cigars" or "Indian Darjeeling Tea." Without a strong marketing and branding strategy, Temanggung's tobacco struggles to capture the attention of global consumers, and its unique qualities remain underappreciated in foreign markets.

Furthermore, the comparative disadvantage of Temanggung's GI products relative to other GI products in different regions presents a significant challenge. Global GI markets are dominated by products that have benefited from years of international branding, such as "Champagne" in France or "Parmigiano Reggiano" cheese in Italy. These products not only enjoy legal protection but also have strong consumer recognition due to successful marketing campaigns and the established reputation of their regions. Temanggung's tobacco, in contrast, faces difficulties in standing out in a saturated global market where consumer awareness is low. The challenge, therefore, is not just about protecting the product legally, but also ensuring that the branding and marketing align with global consumer trends, thereby creating a demand for Temanggung's tobacco in the international marketplace.

## **E. Legal Strategies for Enhancing GI Competitiveness**

### **1. Strengthening Legal Protections**

To enhance the competitiveness of Temanggung's GI products, strengthening legal protections is a crucial first step. One key strategy would be to streamline and simplify the GI registration process, making it more accessible and efficient for local producers. This could involve providing clearer guidelines for GI registration, reducing bureaucratic hurdles, and offering training or support for farmers and producers in Temanggung to navigate the process. In addition, the enforcement of GI rights must be prioritized. This can be achieved by increasing government efforts to monitor and investigate violations, such as counterfeit products, and ensuring that perpetrators face appropriate legal consequences. One potential solution is establishing specialized bodies that can assist in both the

registration process and the enforcement of GI rights, ensuring that Temanggung's tobacco remains protected from imitations.

Leveraging legal tools such as trademark law and quality control certification can also help combat infringement. Legal tools like these can be used in tandem with GI rights to create stronger intellectual property protections for Temanggung's tobacco. For instance, registering the product as a certified trademark could supplement its GI status, offering further protection against counterfeiting and misrepresentation. Strengthening the legal framework will not only safeguard the uniqueness of Temanggung's products but also allow for effective dispute resolution and protection in the international market, where GI products are often vulnerable to infringement.<sup>18</sup>

## 2. *Aligning with International Standards*

Aligning Temanggung's GI products with international standards is another key strategy to enhance their competitiveness. Ensuring compliance with global GI protection standards, such as those set by the TRIPS Agreement (Trade-Related Aspects of Intellectual Property Rights) and the Lisbon Agreement for the Protection of Appellations of Origin, can significantly improve the recognition and protection of Temanggung's tobacco in international markets. By harmonizing domestic legal standards with international frameworks, Indonesia can ensure that its GI products, including Temanggung tobacco, are recognized globally and receive the same level of protection afforded to renowned GI products from other countries. Additionally, this alignment will help facilitate trade relationships and reduce barriers to entry for Temanggung's tobacco in foreign markets.

In addition to legal compliance, international advocacy plays a critical role in ensuring that Temanggung's GI products

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<sup>18</sup> Nugrahani, Rr Aline Gratika. "Protection of Local Products Through the Law of Geographical Indication." *2nd International Conference on Business Law and Local Wisdom in Tourism (ICBLT 2021)*. Atlantis Press, 2021; Yuliawan, Indra, and Setiawan Budi Santoso. "Potensi Tembakau Lembutan Temanggung Sebagai Indikasi Geografis Menurut Undang-Undang No 20 Tahun 2016 Tentang Merek Dan Indikasi Geografis." *Jurnal Hukum dan Sosial Politik* 1, no. 2 (2023): 21-35.

receive the recognition they deserve. Partnering with international trade organizations, participating in global expos, and engaging in public-private partnerships can help raise awareness and demand for Temanggung tobacco. This advocacy will also involve creating educational campaigns that inform international consumers about the quality and heritage of Temanggung's tobacco, thereby increasing its appeal in global markets. By aligning with global GI frameworks and actively advocating for the recognition of Temanggung's products, Indonesia can strengthen the market position of its GI products, creating new opportunities for growth and sustainability.

These legal strategies—strengthening protections and aligning with international standards—offer a robust framework for enhancing the global competitiveness of Temanggung's GI products. Through improved legal mechanisms and a concerted international marketing effort, Temanggung's tobacco can gain the recognition it deserves, not just in domestic markets, but in international markets as well, ensuring the product's long-term sustainability and success.

## **F. Advocacy Methods for Promoting GI Products**

### **1. Building Awareness and Education**

Educating both producers and consumers about the value and importance of Geographical Indications (GIs) is essential for promoting these products in local, national, and global markets. For producers, education is key to helping them understand the economic benefits of registering their products as GIs and the importance of maintaining consistent quality and production standards. Producers need to be informed about how GIs can protect their unique products from imitation, increase market value, and offer a competitive advantage, both domestically and internationally. Training workshops, seminars, and collaborations with agricultural cooperatives can serve as platforms for disseminating this knowledge. In the case of Temanggung tobacco, local farmers and producers could be provided with specific information on the registration process,



the legal protections offered by GIs, and the potential for enhanced income and market access through GI status.<sup>19</sup>

For consumers, raising awareness is equally important in order to create demand for GI products. Consumers should understand the added value of GI products, particularly their authenticity, quality, and cultural significance. Educational campaigns can be conducted through media, social networks, and labeling that highlight the unique aspects of GI products. Governmental and non-governmental organizations (NGOs) have critical roles in facilitating these educational efforts. Governments can introduce public awareness campaigns and partner with NGOs to ensure that information about GIs reaches rural producers and urban consumers alike. For example, in India, the government and NGOs have worked together to educate consumers about the significance of "Darjeeling Tea," helping it gain global recognition. In the case of Temanggung, local government agencies could collaborate with organizations that specialize in agricultural development to raise awareness about the benefits of GI recognition, ensuring that both producers and consumers are well-informed.

## 2. *Marketing and Promotion*

Effective marketing strategies are crucial for promoting GI products and creating strong market demand. A GI product's appeal largely comes from its unique qualities and regional reputation. Highlighting these elements through storytelling, branding, and packaging can make a GI product stand out in competitive markets. Marketing campaigns should focus on the heritage, authenticity, and environmental benefits associated

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<sup>19</sup> Yuliawan, Indra, and Setiawan Budi Santoso. "Potensi Tembakau Lembangan Temanggung Sebagai Indikasi Geografis Menurut Undang-Undang No 20 Tahun 2016 Tentang Merek Dan Indikasi Geografis." *Jurnal Hukum dan Sosial Politik* 1, no. 2 (2023): 21-35. See also Fajria, Rola Nurul, et al. "Pengembangan UMKM Kopi pada Masyarakat Perlindungan Indikasi Geografis (MPIG-KAJSS) Kopi Arabika Java Sindoro-Sumbing Kabupaten Temanggung." *Jurnal Hilirisasi Technology Kepada Masyarakat (SITECHMAS)* 3, no. 1 (2022): 1-14; Melati, Kharisma, and Teguh Yuwono. "Politik Ekonomi Pertembakauan di Kabupaten Temanggung: Tobacco Political Economy in Temanggung District." *Journal of Politic and Government Studies* 9, no. 03 (2020): 151-160.

with GI products, positioning them as premium goods that consumers are willing to pay a premium for. For example, Temanggung tobacco can be marketed as a high-quality, authentic product tied to the unique soil and climate conditions of the Temanggung region. This branding can emphasize the artisanal methods of production and the sustainable farming practices used by local farmers.

Moreover, digital marketing is a powerful tool for promoting GI products in today's globalized market. Utilizing social media platforms, websites, and online stores can expand the reach of GI products far beyond local and national markets.<sup>20</sup> GI products such as "Parmigiano Reggiano" and "Roquefort" cheese have achieved international success through consistent and focused marketing efforts that emphasize their geographical roots and the craftsmanship involved in their production. Similarly, Temanggung can benefit from targeted digital marketing campaigns that educate consumers about the unique characteristics of the tobacco and its historical and cultural significance. Collaborations with influencers in the global food and tobacco industries, as well as partnerships with international retailers, can help position Temanggung tobacco as a premium product.

### **3. Collaborations and Partnerships**

Partnerships play a crucial role in boosting the visibility and success of GI products. Collaborations between producers, governmental bodies, academic institutions, and NGOs can significantly enhance the promotion and marketability of GI products.<sup>21</sup> Producers benefit from the expertise and resources

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<sup>20</sup> Bartoli, Chiara, Enrico Bonetti, and Alberto Mattiacci. "Marketing geographical indication products in the digital age: a holistic perspective." *British Food Journal* 124, no. 9 (2022): 2857-2876; Sharma, Ruppel W., and Shraddha Kulhari. *Marketing of GI products: Unlocking their commercial potential*. Centre for WTO Studies, Indian Institute of Foreign Trade, 2015.

<sup>21</sup> Gibbs, Richard, and Andrew Humphries. *Strategic alliances and marketing partnerships: gaining competitive advantage through collaboration and partnering*. Kogan Page Publishers, 2009; Bartoli, Chiara. "Marketing GI products in the digital age. An exploratory study." *Grand challenges: companies and universities working for a better society*. Fondazione CUEIM, 2020. 59-64.

provided by these stakeholders, whether through marketing assistance, quality control improvements, or financial support for certification and promotion. For example, partnerships with universities can help develop improved farming techniques, product innovation, and certification systems that meet international standards. In Temanggung, collaboration between tobacco farmers and academic institutions could help improve the quality of production while also establishing a brand identity tied to the region's history and unique characteristics.

International partnerships are equally important for extending the global reach of GI products. Working with foreign distributors, trade organizations, and international certification bodies can help introduce GI products to new markets and protect them against unfair competition. For instance, successful GI products such as "Cava" (Spanish sparkling wine) and "Tequila" from Mexico have benefited from international trade partnerships that helped establish their global presence. Temanggung's tobacco could similarly benefit from collaborations with international agricultural organizations, tobacco trade associations, or even international certification bodies that can help increase its visibility in global markets. These partnerships can also create opportunities for knowledge sharing and capacity building, improving the overall competitiveness of Temanggung's tobacco in the international market.

Moreover, public-private partnerships can further enhance the reach and sustainability of GI promotion. Governments can collaborate with private sector companies to help promote the economic and social value of GI products, creating a favorable policy environment for growth. In this regard, a collaboration between the Indonesian government and private entities could assist in boosting Temanggung tobacco's international profile, supporting everything from GI registration to global trade negotiations. Such partnerships could also play a role in advocating for fair trade practices and addressing concerns about product imitations or counterfeit goods in international markets.

In the further, the successful promotion of Temanggung's GI products requires a multi-faceted approach involving strategic education, marketing, and collaboration. By building

awareness among producers and consumers, utilizing modern marketing techniques, and fostering strong partnerships at both the national and international levels, Temanggung's tobacco and other GI products can increase their global visibility and competitiveness. Through these advocacy methods, Temanggung can position its GI products as distinctive, high-quality offerings in the global market, enhancing both the economic opportunities for local producers and the cultural significance of the region.

## **G. Case Study: Temanggung's GI Products**

### **1. Overview of Temanggung's GI Products**

Temanggung, located in Central Java, Indonesia, is home to a number of Geographical Indication (GI) products, most notably its renowned tobacco. The tobacco grown in Temanggung has long been known for its exceptional quality, primarily due to the fertile volcanic soil, favorable climate, and traditional cultivation methods employed by local farmers. This tobacco is highly regarded for its aromatic characteristics and is a key export product from the region, making it a valuable asset for both the local economy and the nation's agricultural sector. Beyond tobacco, Temanggung is also known for products such as coffee and cloves, although tobacco remains the flagship GI product.

The historical and cultural significance of Temanggung's GI products cannot be overstated. Tobacco cultivation in the region dates back centuries, and the local knowledge and expertise in tobacco farming have been passed down through generations. Temanggung's tobacco has become a symbol of local heritage, reflecting the relationship between the people and the land. This deep-rooted cultural connection gives Temanggung's tobacco a unique identity that is tied not only to the land but also to the region's agricultural practices, community values, and artisanal production methods. By promoting Temanggung's tobacco as a GI product, the local community can preserve its cultural traditions while benefiting economically from the added value associated with GI protection.

## 2. *Current Status and Market Performance*

Currently, Temanggung's GI products, especially tobacco, face both opportunities and challenges in the global market. On one hand, the tobacco's quality and unique characteristics give it a distinct edge, offering opportunities for premium pricing and increased demand in niche markets. However, the global market for tobacco is highly competitive, with established players from regions like Cuba and Virginia dominating much of the market. Temanggung tobacco, despite its unique qualities, has yet to achieve the level of international recognition enjoyed by these established names. This limits its global appeal and market access, particularly in countries where tobacco is heavily regulated or where consumer awareness of Temanggung as a region of origin is minimal.

The current market performance of Temanggung's GI products, especially in international markets, is hindered by several factors. One significant challenge is the lack of a well-developed and coordinated marketing strategy. While local producers are skilled in cultivating high-quality tobacco, they have limited capacity in terms of branding, promotion, and global distribution networks. Additionally, Temanggung's tobacco faces competition from counterfeit products and imitations in domestic and international markets. The absence of robust quality control measures and enforcement of GI protections has allowed other producers to market their products as "Temanggung" tobacco, undermining the authenticity and value of the genuine product. Furthermore, Temanggung's tobacco has limited recognition beyond Indonesia, reducing its competitiveness in international markets.

Despite these challenges, there are significant opportunities for Temanggung's GI products. With the increasing global demand for authentic, traceable, and sustainable products, Temanggung's tobacco has the potential to stand out as a premium product in both domestic and international markets. Leveraging sustainability and authenticity in marketing campaigns could appeal to the growing number of consumers interested in products that are not only of high quality but also ethically produced. Additionally, the increasing focus on traceability and supply chain transparency in global markets could work in favor of Temanggung's tobacco, as its GI status

provides an inherent guarantee of authenticity and quality. By promoting these attributes, Temanggung's tobacco could tap into niche markets where consumers are willing to pay a premium for authentic, regionally-produced goods.

### **3. Recommendations for Temanggung**

To address the challenges and capitalize on the opportunities facing Temanggung's GI products, a comprehensive set of tailored legal and advocacy strategies is necessary. These strategies should be designed to both enhance legal protections and improve the marketing and international recognition of Temanggung's GI products.

#### **1. Strengthening Legal Protections and Enforcement**

The first step toward enhancing Temanggung's GI products' competitiveness is to strengthen legal protections at both the national and international levels. Ensuring that Temanggung tobacco is properly registered as a Geographical Indication under Indonesian law is crucial, as this will provide the legal framework necessary to protect it from counterfeit goods and misuse of the name. Additionally, it is essential to improve the enforcement of GI protections through better monitoring and legal action against violations. This includes both domestic actions to prevent counterfeiting and international efforts to combat the mislabeling of tobacco products abroad. Establishing stronger partnerships with global intellectual property organizations can help Temanggung's tobacco gain recognition in international markets and better protect it from unfair competition.

#### **2. Enhancing Marketing and Brand Recognition**

A significant barrier to the global competitiveness of Temanggung's tobacco is the lack of effective marketing and brand recognition. To address this, local producers should collaborate with marketing and branding experts to develop a cohesive brand identity that emphasizes the unique qualities and heritage of Temanggung tobacco. Highlighting the tobacco's connection to its geographical origin, traditional cultivation methods, and the cultural significance of the region can differentiate it from other tobacco products. Additionally, creating a strong narrative around the product can help build a loyal customer base. Leveraging modern

digital marketing strategies, including social media, online campaigns, and collaborations with influencers in the tobacco industry, could enhance global visibility and create a stronger consumer base for Temanggung tobacco. Establishing partnerships with international distributors can also expand market access and raise awareness of Temanggung tobacco on a global scale.

3. Building Strategic Collaborations and Partnerships

Collaborations between producers, government bodies, and NGOs are essential to ensuring the success of Temanggung's GI products. The Indonesian government can play a critical role in facilitating international trade agreements and working with global partners to promote Temanggung tobacco as a premium GI product. At the local level, establishing cooperative efforts between tobacco farmers, cooperatives, and agricultural experts can lead to improvements in production methods, quality control, and supply chain transparency. Partnerships with international certification bodies can also help ensure that Temanggung tobacco meets the standards required for international trade, further enhancing its reputation and marketability. Additionally, fostering academic collaborations between Indonesian universities and global institutions can lead to research and innovation in sustainable farming practices, improving both the quality of the tobacco and the environmental sustainability of its production.

In addition, Temanggung's GI products, particularly its tobacco, possess significant potential to become globally recognized and competitive in international markets. By implementing robust legal protections, enhancing marketing efforts, and fostering strategic collaborations, Temanggung can effectively address current challenges and capitalize on new opportunities. Through these tailored legal and advocacy strategies, Temanggung's tobacco can elevate its status as a premium GI product, providing economic benefits to the region while preserving the cultural heritage of the area for future generations.



## H. Conclusion

This paper has examined the legal and advocacy strategies necessary for enhancing the competitiveness of Temanggung's GI products, particularly its tobacco. Key findings highlight the importance of strengthening legal protections, such as proper GI registration, enhanced enforcement mechanisms, and alignment with international legal frameworks like the TRIPS Agreement. These steps are crucial to ensuring Temanggung tobacco's authenticity and protecting it from counterfeiting in both domestic and international markets. Furthermore, the role of advocacy in educating both producers and consumers about the value of GIs is paramount. Governmental and non-governmental organizations play a crucial role in promoting awareness and facilitating trade opportunities, which are necessary for expanding Temanggung's GI products beyond local borders.

In terms of future directions, further research is needed on sustainable farming practices for Temanggung tobacco, particularly as global consumers increasingly value environmental responsibility. Additionally, research on the economic impact of GI protection in rural areas will provide further insights into the benefits of such systems for local farmers. Another area for research is the development of international partnerships to boost Temanggung tobacco's market access and global recognition. These efforts will enhance branding and establish strategic relationships with international stakeholders, ultimately improving the product's position in global markets.

Finally, policy changes to support Temanggung's GI products should include better financial assistance for small producers, helping them to meet international certification standards and adopt sustainable practices. Establishing a centralized GI promotion body could further coordinate marketing, legal protection, and export strategies for Indonesian GI products, ensuring that Temanggung's tobacco gains the global recognition it deserves. These combined efforts will not only improve the competitiveness of Temanggung's tobacco but also contribute to the economic growth and cultural preservation of the region.

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**Millions of people toil in the shadow of the law we make, and much of their livelihood is made possible by the existence of intellectual property rights.**

**Alex Kozinski**



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