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In Indonesia, numerous products have been registered

as GIs. Coconut sugar, coffee, furniture, fruits, tobacco,

honey, herbs, horse milk, patchouli oil, rice, vegetables, and

white pepper are among just a few examples. Applicants

originate from across Indonesia, and certain areas are often

famous for producing a particular kind of product.

Kintamani Bali Arabica Coffee is a good example of a GI

registered in Indonesia. The coffee has a unique orange

taste which is derived from certain geographical factors.

This unique taste distinguishes it from other types of

coffee, making the coffee registrable as a GI.

In Indonesia, GIs are protected under the country’s

Trademark Law, unlike other jurisdictions such as

Thailand, Malaysia, or India where GIs are protected

under sui generis Acts. Therefore, many of Indonesia’s

trademark regulations and procedures, such as appeal

proceedings, are used for GIs.

According to the Trademark Law and certain

government regulations, three types of applicants are

eligible to apply for a GI:

► An institution/association that represents the commu-
nity in the area where the products are produced, which

consist of: (a) parties who undertake business on goods

of natural products or natural resources; (b) producers

of agricultural products; (c) producers of handicrafts or

industrial products; or (d) merchants who sell the goods.

► An authorized government institution.

► A group of consumers of the goods.

When applying for a GI, an applicant needs to adhere
to certain formality requirements. The application, which

must be submitted to the Directorate General of Intellectual

Property Rights in Bahasa Indonesia, should include:

► the name of the applicant’s institution;

► the name of the applicant’s proxy (which must be a

registered intellectual property consultant);

► the applicant’s diplomatic representative (for foreign

applicants);

► the name of the GI;

► the type of products to be registered as a GI;

► ten GI labels;

► a book of requirements;

► a specific power of attorney;

► an abstract of the qualifications books; and

► proof of payment of the official fee.

Foreign GI applications must be acknowledged and/or

registered in accordance with the prevailing regulations of their

country of origin before they can be registered in Indonesia.

One of the most important requirements in filing for

GI protection is that the applicant must submit a book of

requirements. The book of requirements should include:

► the name of the GI in the application for registration;

► the name of the goods to be protected under a GI;

► the details of the characteristics and qualities of the

produced goods;

► the details of the environmental impact in terms of

geography and nature as well as human factors on the

characteristics and qualities of goods;

► the details of the area boundary and/or area map that is

protected by the GI;

► the details of history and tradition relating to the use

of the GI to mark the goods produced by the area,

including testimonials from the community on the GI;

► the details explaining the production process, process-

ing process, and making process which are being applied

that enable every producer in that area to produce,

process, or make the concerned goods;

► the details of the methods used for quality testing of the

concerned goods; and

► the labels of the concerned goods showing the GI.

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nitely as long as the specific characteristics and qualities

which form the basis of the grant of protection exist. Any

person—including the Geographical Indication Experts

Team, a nonstructural body consisting of GI experts and

representatives of the officials whose scope of duties are

related to agriculture, forestry, industry, commerce, etc.,

who evaluates the book of requirements and gives advice to

the Directorate General with regard to registration, amend-

ment, cancellation, or control of national GIs—can make a

submission to the Directorate General of Intellectual Prop-

erty Rights that the specific characteristics and/or qualities

no longer exist, and as such, the GI should be invalidated. It

is therefore important for the institution that registered

the GI to manage, maintain, and control the specific charac-

teristics and qualities of a product registered as a GI.

GIs can have vast economic value and are especially

useful as marketing tools in emerging markets. To date,

however, no ASEAN countries have secured a GI registra-

tion in Indonesia, even though most ASEAN countries

produce agricultural goods that are registrable as GIs. This

is a lost opportunity to increase the value of their products.

Not only does GI registration create a niche market for

existing products, increase the value of a product, and

create job opportunities for locals, but it also helps to main-

tain knowledge of traditions and support other industries,

such as tourism. Securing GI protection is therefore highly

recommended.

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