Dissemination of Geographical Indication Potential: An Effort to Protect Tourism Intellectual Property

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Abstract

The urgency of intellectual property protection is the main key in increasing competitiveness in global competition. Sragen Regency has great potential to obtain legal protection on intellectual property sourced from the industrial and tourism sectors. This qualitative and normative study used secondary data and a normative juridical approach. Based on the analysis with Law Number 20 of 2016 on Brands and Geographical Indications, Sragen Regency has products to be protected with geographical indications, namely the Sangiran Stone craft located at the Museum Manusia Purba Sangiran. This condition strengthens geographical indications in Sragen as intellectual property considering that the tourism sector has a very large correlation with the industrial sector. Dissemination can be carried out by the government and stakeholders as a form of encouragement and support for groups of business actors in the Sragen area so that they are aware of the law and understand the essence of law so that they can obtain legal protection for Sangiran stone crafts through geographical indications as intellectual property in Sragen Regency.

Keywords: Geographical indications, Intellectual Property, Tourism

I. Introduction

The world of tourism is a tapestry woven with diverse cultural heritage, unique landscapes, and traditional products that contribute to the identity of a place. Geographical indications (GIs) have emerged as a vital tool for safeguarding and promoting these distinctive
attributes. This article delves into the significance of disseminating geographical indication potential as a proactive strategy to protect tourism-related intellectual property.

Sragen Regency is one of the areas in Central Java known as Sukowati City. This area is located on the main route in the direction of Solo – Surabaya as the main gate to the east of Central Java Province, directly adjacent to East Java Province. Sragen Regency has high potential sources for several magnificent sectors, namely the industrial sector and the tourism sector. Each of these sectors has a big contribution and opportunity to contribute to Sragen Regency. The rapid development of Sragen is a form of good collaboration in the two sectors.

The industrial sector is one of the fields in Sragen which has a very rapid development every year. In 2021, Sragen has 19,568 business actors by absorbing 40,869 workers. The number of business actors and workers is spread over 20 sub-districts with very diverse types of business. There are various main products such as Batik in Masaran Sub-District and Plupuh Sub-District, Handicrafts and Goyor Sarongs in Kalijambe Sub-District, Wayang Beber in Tanon, Processed Food in Sambirejo and Connectmacan, Bata in Karangmalang and others. Thus, superior products are spread across various sub-districts according to their existing potential.

One of the superior products in Sragen is handicraft in Kalijambe Sub-District. Some micro-business actors use the rocks around the Museum Manusia Purba to make handicrafts as souvenirs for tourists visiting the museum. The handicrafts produced are of various shapes and sizes, such as ancient human replicas, ivory replicas, animal replicas, accessories, and other souvenirs. The craft produced is originally made by local craftsmen at the tourism site with simple equipment and materials but has an exotic and functional value for the resulting craft. The craftsmen also come from the local area, making it easier for the production process and direct promotion to visitors of Museum Manusia Purba Sangiran.

This condition is related to the rules regarding intellectual property rights at the Sangiran Ancient Human Museum so that business actors can be given legal protection and guarantees. The work produced is original from the local community and the materials used are also from locations around the museum so that it requires legal protection for intellectual works. Based on Law Number 20 of 2016 on Brands and Geographical Indications, products from Kalijambe can be categorized as intellectual property in geographical indications. According to Article 1 paragraph 6, geographical indications are signs showing the origin of goods based on geographical environmental factors, such as: natural conditions, humans, or a combination and giving certain qualities, reputations and characters to the resulting products. For stone craftsmen, business actors and materials used are part of the combined geographical factors and these products can be categorized and protected with intellectual property based on geographical indications.

In addition to the great potential of the industrial sector, Sragen Regency has an attraction in the tourism sector. The tourism sector is another potential of Sragen which provides a great opportunity to increase the income per capita in the future so as to be able to prosper for the people of Sragen. Sragen Regency has 23 tourism sites spread across several sub-districts. On the other hand, there are tourist sites in the same sub-district, such as Museum Manusia Purba Sangiran and Museum Manusia Purba Klaster Bukuran in Kalijambe Sub-District.

Sragen Regency has five types of tourism, such as historical tourism, religious tourism, nature tourism, artificial tourism, and special interest tourism such as Ndayu Park, Gemolong Edu-Park, Kedung Grujug, Dung Jengglong Waterfall, Bayanan Hot Springs, Kartika Swimming Pool, Museum Manusia Purba Sangiran, Kedung Ombo Reservoir, Mount Banyak, Djoko Tingkir Tomb, Batik Tourism, Blimbing Reservoir, Gebyar Reservoir, Betis Rejo Nature Tourism, Dong

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Cuo Swimming Pool, and Kembangan Reservoir. Sragen Regency actually has a strong magnet for visitors from outside the region with all the beauty and friendliness of the community. It can be concluded that Sragen has a strong attraction with the existence of a very diverse tourism site making it a center of interest for foreign tourists. It is undeniable that historical, natural, and religious tourism are the main interests of visitors, consisting of the Museum Manusia Purba Sangiran, Bayanan Hot Springs, and Reservoirs. This shows that the correlation between the industrial and tourism sectors is sustainable and has a big impact on the progress and welfare of Sragen. The existence of the tourism sector can provide space for business actors to work on making products that can be used as souvenirs for visitors, one of which is the Ancient Human Museum with lots of business actors marketing handicraft products to entertain tourists with various souvenirs or Sangiran stone crafts.

Based on the potential in Sragen Regency, the two sectors can be used as new breakthroughs in the effort to increase and develop the Sragen area from the industrial and tourism sectors. The potential of stone handicraft products in the Museum Manusia Purba Sangiran through intellectual property based on geographical indications is a new way to increase the competitiveness of Sragen products in the global market. In addition, the tourism sector in Sragen has also become one of the strong supports for collaborating on geographical indications in Sragen. Based on this great potential, business actors, stakeholders, government and the general public must collaborate in realizing products in Sragen through legal protection based on geographical indications as intellectual property.

II. Research Problems

As for the formulation of the matter to be discussed in this article, there are some matters to be discussed; reflecting on the conditions in Sragen Regency in general, the potential for geographical indications in sragen district and the potential for tourism in the area could combine with the country's intelligence wealth. Thus, the writing of this article will examine the potential for Sragen Regency as seen from the intellectual property aspect of the industrial and tourist areas of Sragen.

III. Research Methods

This qualitative study focused on in-depth analysis related to certain cases so as to produce a comprehensive study. This normative study used a variety of secondary data consisting of legislation, legal theory, or opinions of scholars. This study used a normative juridical approach as a reference material used derived from primary legal materials including basic regulations, basic norms, legislation, and certain rules.

IV. Result And Discussion

1. Overview of Sragen Regency

Sragen Regency is one of the areas in Central Java Province which has a lot of potential to be developed more by utilizing all the current potential. The sectors with strong attractiveness and support are the tourism sector and the industrial sector where both sectors have great potential to be developed and have a strong correlation with each other in realizing prosperity and progress for the Sragen area in the future.

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The main sector with great potential for regional development and development is the industrial sector. This sector has been able to have a major impact in alleviating poverty and reducing regional unemployment so far. Based on data from the Department of Cooperatives, SMEs, Industry, and Trade, there were 19,568 small and medium enterprises absorbing 40,869 workers spread over 20 sub-districts in Sragen Regency. The types of businesses are also very diverse, from batik, goyor sarongs, wayang beber, processed foods, bricks, bird cage crafts, convection, handicrafts and so on. Currently, the magnificent industries of Sragen are Goyor Sarong, Batik, Handicraft, and Processed Food. These leading industries are located in several different sub-districts, such as Processed Food in Sambirejo, Sarong Goyor in Gemolong, Batik in Plupuh and Masaran, and Handicraft in Kalijambe7.

In addition, another sector having a strong correlation with the industrial sector is the tourism sector. This sector is an attraction for tourists and also has great potential for the development and progress of the Sragen Regency. Sragen Regency has a diverse tourism sector and is spread across various sub-districts. Sragen Regency has five types of tourism, such as historical tourism, religious tourism, nature tourism, artificial tourism, and special interest tourism such as Ndayu Park, Gemolong Edu-Park, Kendung Grujug, Dung Jengglong Waterfall, Bayanan Hot Springs, Kartika Swimming Pool, Museum Manusia Purba Sangiran, Kendung Ombo Reservoir, Mount Banyak, Djoko Tingkir Tomb, Batik Tourism, Blimbing Reservoir, Gebyar Reservoir, Betis Rejo Nature Tourism, Dong Cuo Swimming Pool, and Kembangan Reservoir.

Based on the data above, it shows that Sragen Regency has great opportunities and potential to be developed in the future to be more advanced and globally competitive. Between the two existing sectors, namely tourism and industry, they can be used as one to strengthen Sragen in regional development through legal protection for one of the handicraft products at Museum Manusia Purba Sangiran through geographical indications8.

2. Geographic Indication in Sragen Regency

Besides being famous for the tourism sector as a center of interest for visitors from outside Sragen, this area also has another attraction, namely the industrial sector. The development of the industrial sector is very significant every year. Based on data from the Department of Cooperatives, SMEs, Industry, and Trade, there were 19,568 small and medium enterprises absorbing 40,869 workers spread over 20 sub-districts in Sragen Regency. This condition shows that the growth of business actors in Sragen is very good and has the potential to develop further9.

Based on these data, Sragen has various types of superior products such as processed foods, bricks, bird cages, batik, convection, goyor sarongs, wayang beber, handicrafts, and others. Business locations are also spread over several sub-districts in Sragen, such as the batik industry in two sub-districts, namely Masaran and Plupuh and Sangiran stone crafts in Kalijambe. The absorption of labor can also be evenly distributed which will ultimately reduce the unemployment rate and reduce poverty in Sragen Regency10.

One of the leading types of industry besides batik and goyor sarongs is the Sangiran stone craft located in Kalijambe Sub-District, precisely at the Museum Manusia Purba Sangiran. This craft is made from rocks found in fossil remains which are used by local businesses to make unique and different handicrafts. The material used for this stone has a special characteristic, namely when it is split or sanded, it produces a very bright color and emits a shimmering light like gold. The craftsmen also take advantage of these stones to be used as craft materials with different shapes and have an aesthetic function and a usability function for the product. The products are already widely marketed at the Museum Manusia Purba Sangiran in the form of

ancient human replicas, animal replicas, ivory replicas, accessories, and other handicrafts such as key chains, agate, ashray, prayer beads, necklaces, and others. The initial Sangiran stone crafts began to appear in 1985 after the Museum Manusia Purba Sangiran opened in 1977.

Sangiran stone craft products are formed from a combination of human and natural factors with special characteristics and characters such as bright colors and have nothing in common with external products that have existed so far. The materials used are also original from the area around Sangiran and not taken from other places outside the Museum Manusia Purba Sangiran. On the other hand, the craftsmen do not come from outside Krikilan Village Kalijambe Sub-District Sragen Regency.

In addition, Article 56 paragraph 1 explains that geographical indications cannot be registered if; a. contrary to state ideology, statutory regulations, morality, religion, decency, and public order; b. mislead the public regarding the reputation, quality, characteristics, origin of the source, the process of making goods, and/or their use; and c. is the name used as a plant variety. Sangiran stone handicraft products have been in production since 1985 until now, so it can be interpreted that Sangiran stone products do not conflict with Article 56 paragraph 1 above. On the other hand, in paragraph 2 of the same article, it is also explained that the application for geographical indications is rejected if the document has a false description and has an overall similarity to the registered geographical indications. When referring to this explanation, Sangiran stone handicraft products will not be rejected in the registration process for geographical indications.

Based on the description above, it can be concluded that Sangiran stone crafts can be protected by geographical indications. This can be seen from Article 1 paragraph 6 and Article 56 paragraphs 1 and 2 of Law Number 20 of 2016 on Brands and Geographical Indications that Sangiran stone handicraft products are worthy and meet the requirements for legal protection through geographical indications. The existing potential is very unfortunate if it is allowed to be destroyed and does not get legal protection for the work produced by business actors in Krikilan Village Kalijambe Sub-District Sragen Regency.

Such conditions should be appreciated by the government or stakeholders to encourage business actors to obtain legal protection based on geographical indications. This is in line with the theory of intellectual property rights protection presented by Robert M. Sherwood. Intellectual property protection theory consists of reward theory, incentive theory, risk theory, recovery theory, and economic growth stimulus theory. Reward theory and incentive theory are very suitable for the conditions in Sragen where new inventions must be given an appreciation and award from the local government in the form of assistance or facilities for registration of intellectual property rights based on geographical indications until the issuance of certificates. Things like this are very much needed as a form of attention and support from the government so that business actors remain enthusiastic in their work so that the work created can be safe and get legal protection.

On the other hand, Aristotle also presented his theory of justice in which justice is treating equals equally and unequals unequally, in proportion to their inequality. If it is related to the conditions in Sragen regarding the Sangiran stone business actors who basically have low legal awareness and knowledge, it seems very unfair if they have potential but are constrained by internal aspects. One of the big challenges in the industrial sector today is building legal awareness of business actors in understanding the essence of business legality. In principle,

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business actors only focus on making products and selling them. It seems that this condition is unfair if there is potential in the area to get legal protection but it is constrained by internal factors. The role of the government and stakeholders is needed in providing support and assistance to obtain legal protection based on geographical indications in Sragen for Sangiran Stone handicraft products.15

3. Tourism Potential in Sragen Regency

Sragen regency has an attraction apart from the industrial sector, namely the tourism sector. The development and existence of tourism in Sragen are not inferior to tourism from other areas in Central Java and Indonesia. The attraction of Sragen is centered on the tourism sector itself. The tourism potential of Sragen is not only in one sub-district. However, the beauty of Sragen is found in various sub-districts so that visitors can enjoy the charm in other places.

The existence of the tourism sector in principle cannot be denied as a strong magnet to attract tourists from outside who are able to make a major contribution to the progress and welfare of the community itself.16 Sragen has five types of tourism sectors such as historical tourism, religious tourism, nature tourism, artificial tourism, and special interest tourism. Tourism is actually very big in supporting the regional economy by providing opportunities for business actors to participate in advancing and enlivening the tourism sector in various different places.17

Sragen Regency has 23 tourism sites spread across various sub-districts. This tourism site includes several types of tourism namely Ndayu Park, Gemolong Edu-Park, Kedung Grujug, Dung Jengglong Waterfall, Bayanan Hot Springs, Kartika Swimming Pool, Museum Manusia Purba Sangiran, Kedung Ombo Reservoir, Mount Banyak, Djoko Tingkir Tomb, Batik Tourism, Blimming Reservoir, Gebyar Reservoir, Betis Rejo Nature Tourism, Dong Cuo Swimming Pool, and Kembangan Reservoir. The tourism site has been divided into various different places with uniqueness and charm. Kalijambe Sub-District has Museum Manusia Purba Sangiran and Museum Manusi Purba Klaster Bukuran. In addition, the Gemolong Sub-District has two tourism sites, Gemolong Edupark and Kedung Grujug.

This condition shows that in addition to having a very large number of industrial sectors in Sragen, this area also has a million beauties which become the center of interest for visitors through the tourism sector. This is related to the potential of the industrial sector as part of intellectual property rights based on geographical indications, then the existing tourism potential can support the provision of legal protection for Sangiran stone products through historical tourism (heritage tourism) in obtaining legal protection.18 In addition to providing legal protection for Sangiran stone handicraft products through geographical indications, it also directly provides a guarantee and certainty that there is legal protection for Sangiran stone handicrafts as well as intellectual property in the tourism sector.19

Therefore, seeing the potential and opportunities, groups of business actors and craftsmen must know the legal protection described by the regional government or stakeholders to find out the essence of intellectual work in the long term and the legality of the products.20 This action is an effort to build legal awareness of the business community to be able to understand the importance of protecting the work produced in order to anticipate unfair business competition.

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and increase competitiveness in international and national markets\textsuperscript{21}. Success in obtaining legal protection really needs support and facilities from the regional government for the realization of geographical indications in Sragen as well as intellectual work in the field of tourism. This is in accordance with Article 53 paragraph 3 letters a and b which explain that the registrant of geographical indications can be from the provincial/regency/city government, or an institution representing the area\textsuperscript{22}.

V. Conclusion

The Sragen Regency has a great opportunity and potential to obtain legal protection based on geographical indications through the industrial sector, namely Sangiran stone crafts. These crafts have character, characteristics, and qualities formed because of the combination of geographical factors, and the product has not been matched. There is a strong correlation between the tourism sector through the Museum Manusia Purba Sangiran and the Sangiran stone crafts. Providing legal protection for intellectual works in the field of geographical indications in Sragen is the same as providing legal protection for the correlation of the tourism sector in the field of heritage tourism. Dissemination is an effort to encourage and support legal awareness of business actors and realize legal protection for geographical indications of Sragen as intellectual property in the tourism sector.

To realize and achieve geographical indications in Sragen Regency through Sangiran stone crafts as intellectual property in the tourism sector, it is very necessary to have good cooperation between the general public, business actors, stakeholders and local governments. The active role of the government in conducting socialization, promotion, and counseling is an important milestone in building legal awareness for regional business actors. Understanding and knowledge are one of the important keys to creating a common goal in realizing geographical indications of Sragen which can increase the competitiveness of regional products and improve the welfare of the people around Sragen.

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