ABSTRACT

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LEGAL PROTECTION OF GEOGRAPHICAL INDICATIONS FOR SIKKA

IKAT WOVEN CLOTH PRODUCTS IN EAST NUSA TENGGARA
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Intellectual Property Rights are rights granted to the owner of a work to protect their intellectual creativity or investment. Geographical Indication is one type of intellectual property right. Geographical Indication is an intellectual property right that provides legal protection for products closely associated with a specific geographical area. Sikka NTT Woven Ikat Fabric is one such product that has been granted a Geographical Indication certificate with number IG 000000056 by the Directorate General of Intellectual Property (DJKI) due to its unique characteristics, quality, and reputation. This woven fabric originates from Sikka Regency, East Nusa Tenggara Province (NTT), Indonesia. Sikka NTT Woven Ikat Fabric typically features traditional motifs reflecting the local culture and environment, with bright and attractive colors that give it a distinct and appealing appearance. However, there have been instances of violation where Sikka NTT Woven Ikat Fabric is produced outside the Geographical Indication region. This is considered a violation because Sikka NTT Woven Ikat Fabric should only be produced in Sikka Regency, NTT, and only Geographical Indication Users of Sikka NTT Woven Ikat Fabric should be authorized to produce and market it. Fabric produced in Jepara bearing the label "Sikka NTT Woven Ikat Fabric" is considered fraudulent and a misuse of the Geographical Indication label. According to Article 66e of Law Number 20 of 2016 concerning Trademarks and Geographical Indications, misleading fraud and misuse are forms of violations against Geographical Indications. Therefore, the author formulates two research questions: 1) How is the legal protection related to Sikka NTT Woven Ikat Fabric under Law Number 20 of 2016 concerning Trademarks and Geographical Indications? 2) What legal efforts can be taken against cases of Sikka NTT Woven Ikat Fabric infringement in other areas under Law Number 20 of 2016 concerning Trademarks and Geographical Indications? The research method used by the author is normative research using a legal systematic approach.

References: 41 (1987-2023)

Keywords: Legal Protection, Sikka NTT Woven Ikat Fabric, Intellectual Property

Rights