



Legal protection of Tasak Telu as an indicative product of Karo origin from the perspective of Law 20 of 2016 in Sari Laba Village, Biru-Biru Sub-District, Deli Serdang District

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ARTICLE INFO

Article history:

Received Oct 22, 2023

Revised Nov 26, 2023

Accepted Nov 27, 2023

Keywords:

Geographical indications;
Intellectual Property;
Legal protection;
Regional specialty products;
Tasak Telu.

ABSTRACT

The problem to be discussed in this research is the form of legal protection for Tasak Telu as an indicative product of Karo origin; The government's efforts to provide legal protection for Tasak Telu. Geographical indications in their development can be beneficial. This is because legal protection can be enforced for regional specialty products which can increase added value and encourage a region to improve superior products. Indication of Origin products as intellectual property assets seen from the regional context certainly have their own differences and characteristics in each region. Indication of Origin is one of the Intellectual Property regimes that regulates the marking of a product so that it is clear that the special character of the product is essentially influenced by its place of origin. As is the case in Sari Laba Village, Biru-Biru District, Deli Serdang Regency, there is Tasak Telu food which is an Indicated product of Karo Origin. This food has the potential to be an asset for economic commodities and to improve community welfare in Sari Laba Village if managed well. This research uses a Normative-Empirical research method with data collection techniques through interviews with respondents at the research location in Sari Laba Village, Biru-Biru District, Deli Serdang Regency. The data collection technique is data reduction, data display, and data verification. The research results show that Law Number 20 of 2016 provides a strong legal basis to protect Tasak Telu as an indicative product of Karo origin. However, the implementation of this law still faces several challenges, such as a lack of understanding on the part of producers and stakeholders regarding the rights and obligations related to geographical indications. Therefore, efforts need to be made to increase awareness and understanding of this legal protection, as well as develop cooperation between related parties to ensure the effective protection of Tasak Telu.

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1. INTRODUCTION

Indonesia is an archipelagic country that is rich in biodiversity, arts and culture. This is in line with ethnic, and religious diversity which as a whole constitutes national potential that needs to be protected. Artistic and cultural property is one source of intellectual work that can and needs to be

protected by law. This intellectual property is not solely for art and culture itself, but can also be used to improve capabilities in the fields of trade and industry involving its creators. In this way, protected artistic and cultural wealth can improve the welfare not only of its creators but also of the nation and state where the artistic and cultural wealth originates. In the last decade, it has become increasingly clear that development must rely on industries that produce high-added value. Indonesia's agreement to realize the idea of the Association of South East Asian Nations (ASEAN), namely the ASEAN Free Trade Area (AFTA) (<https://id.wikipedia.org/URL>.)

Law Number 20 of 2016 concerning Merck and Geographical Indications also regulates geographical indication intellectual property. Geographical indications are usually used as a trade name that is associated with, used, or placed on the packaging of a product and functions to indicate the place of origin of the product and functions to indicate the origin of the place of production. The place of origin indicates that the quality of the product is greatly influenced by the place of origin, whether because of the nature, the way the goods produced are managed or the culture of the local community. The goods produced have economic value. Geographical indications can be in the form of agricultural products, food, and even handicraft items, as long as the products indicate the name of the place where the product originates (Ayu, 2006: 1).

Geographical indications in their development can be beneficial. This is because legal protection can be enforced for regional specialty products which can increase added value and encourage a region to improve superior products. Communal protection of geographical indications is owned by certain communities and not by individuals. Unlike protection of other intellectual property, protection of geographical indications is permanent as long as the characteristics and quality of the goods being protected remain the same. Apart from geographical indications, there is also the term indication of origin, namely a sign that solely indicates the origin of a good or service. Protecting this indication of origin can improve the welfare of producers in a particular locality which is remote and has very few livelihoods (Sarianti, 2014: 2). As is the case in Sari Laba Village, Biru-Biru District, Deli Tua Regency, there is *tasak telu* which is an indicative product of *karo* origin. *Tasak Telu* has the potential to be an asset for economic commodities and improve the welfare of the people of Sari Laba Village, Biru-Biru District, Deli Serdang Regency if managed well. Because it grows in small villages, there are still many who don't know about this typical food.

This potential indication of origin can be developed to protect products of indigenous peoples and local communities which are generally not named after individuals but by the name of the place of origin of a product that will be protected with an indication of origin. From the benefits mentioned above, it is clear that protecting indications of origin is important to develop in Indonesia. Based on this description, the author is interested in researching the protection of *Karo Indicated Origin* products in Sari Laba Village, Biru-Biru District, Deli Serdang Regency. and the results of initial observations that the author has carried out in Sari Laba Village, Biru-Biru District, Deli Serdang Regency, the author sees problems including a lack of awareness among the community, especially *Tasak Telu* craftsmen/entrepreneurs regarding regulations in the intellectual property system, especially brands and indications of origin.

2. RESEARCH METHOD

Research design is based on broad and narrow definitions. Extensively. Research design is all the processes required in planning and implementing research. In this context, the design component can include all research structures starting from the discovery of the idea until the research results are obtained (Busc. et al, 2005). In the narrow sense, the research design is a clear depiction of the relationship between variables, data collection, and data analysis, so that with a good design both researchers and other interested people have an idea of how the variables are related and how to measure them (Sukardi, 2009). The type of research we use is qualitative descriptive research. Qualitative research is research that aims to understand phenomena about what research subjects experience, for example, behavior, perceptions, motivation, etc. holistically and by means of descriptions.

The research method used is Empirical Normative Law. According to Muhaimin (2020:115), normative-empirical law is an understanding of law in the sense of norms (rules) and the implementation of legal rules in real behavior as a result of the implementation of legal norms. This

behavior can be observed in real terms and is evidence of whether citizens have behaved in accordance or not in accordance with normative legal provisions (legislation and other written documents).

This research is aimed at traders to provide legal protection for Tasak Telu as a product of Karo origin. What we will be researching is Sari Laba village, Biru-biru sub-district, Deli Serdang district, Medan city.

3. RESULTS AND DISCUSSIONS

Tasak telu is a typical Batak Karo dish from North Sumatra with the basic ingredients of free-range chicken meat mixed with chicken blood. Sometimes chicken blood can also be replaced by using chicken liver and gizzards. This dish is usually enjoyed during certain events, especially during Karo traditional parties. However, currently, there are several typical Karo restaurants in Kabanjahe, Berastagi, and Medan. Tasak Telu is also often referred to as a typical Karo dish, which means "three dishes", namely a dish consisting of boiled chicken mixed with chicken blood, cassava leaves, and grated coconut. Meanwhile, boiled chicken water is also usually served as gravy or soup.

From the results of the research, the author found out "Legal Protection of Tasak Telu as a Product Indicating Origin of Karo from the Perspective of Law 20 of 2016 in Sari Laba Village, Biru-Biru Subdistrict, Deli Serdang Regency" The author saw several problems including the lack of awareness of the community and local government regarding the importance of intellectual work assets and the lack of documentation of the intellectual property rights system, especially regarding the protection of brands and indications of origin. The Karo people also still exist today because this culinary art is a typical dish that must be served in traditional ceremonies such as merdang merdem or annual plant celebrations and residents are still very familiar with it, especially often It is served in the congregation on important days, such as birthdays or New Year's celebrations. The Batak Karo people also have a rather unique belief in this dish, namely that the Tasak-Telu dish is served at someone's request and is believed to be able to satisfy the consumer's desires or expectations.

Law Number 20 of 2016 concerning Brands and Geographical Indications provides the legal basis for the protection of products with geographical indications, such as "Tasak Telu," from a legal perspective. Geographical indications are signs used to identify products that originate from a particular geographic area and have special qualities, reputations, or characteristics associated with that area. and please also remember that legal protection for products with geographical indications such as "Tasak Telu" will greatly depend on the registration process, supervision, and compliance with applicable laws. Producers or owners of geographical indication rights must properly understand the provisions of Law 20 of 2016 and comply with the applicable regulations to benefit from the legal protection provided.

Discussion

In the context of Tasak Telu cuisine as an indigenous Karo product, the research illustrates relevant issues in the community, including the lack of awareness of the importance of intellectual property assets and the lack of documentation of intellectual property rights. The sustainability of this culinary as an important part of the Karo Batak cultural heritage is the subject of discussion in an effort to obtain legal protection. Moreover, the sustainability of this tradition is evident through the trust of the community and the role of Tasak Telu culinary in traditional events, signifying its cultural significance and symbolic value that should be preserved.

In the legal aspect, Law No. 20/2016 on Trademarks and Geographical Indications provides a strong basis for the protection of Tasak Telu as a geographical indication. Nonetheless, the research highlights challenges such as lack of awareness and documentation that may hinder the registration and monitoring process. Therefore, further efforts are needed to improve public understanding, detail the registration process, and promote active cooperation between producers, local governments, and local communities. Awareness of the concrete benefits of legal protection, along with solid cooperation, will provide a stronger basis for preserving Tasak Telu as an indispensable part of the Batak Karo culinary and cultural heritage.

4. CONCLUSION

Tasak telu is a typical Batak Karo dish from North Sumatra with the basic ingredients of free-range chicken meat mixed with chicken blood. Sometimes chicken blood can also be replaced by using chicken liver and gizzards. This dish is usually enjoyed during certain events, especially during Karo traditional parties. Based on the results of the research that has been carried out, it can be concluded that in the legal protection of the typical Karo food "Tasak Telu" as an indicative product based on the perspective of Law 20 of 2016, there are several problems, including a lack of awareness among the community and local government regarding the importance of intellectual work assets and not documented intellectual property rights system, especially regarding the protection of brands and indications of origin. The government and local community have an understanding of legal protection for food products based on the perspective of Law 20 of 2016, but the understanding is not good enough, so the benefits of legal protection for food products have not been realized properly. The implications of the results of this study are highly relevant to direct the development of policies and practices related to the legal protection of specialty foods such as "Tasak Telu." Public and local government awareness needs to be increased through more intensive educational campaigns, focusing on the importance of intellectual property assets in preserving local culinary heritage. More serious efforts are needed to document an Intellectual Property Rights (IPR) system that includes trademarks and geographical indications for these Karo Batak specialties. Local governments should be actively involved in drafting policies that support and protect traditional food products, including improved implementation of Law No. 20/2016. In addition, legal training should be organized for stakeholders, including producers, so that they can better understand their rights and obligations in the context of legal protection of food products. Over time, further research could be directed towards monitoring the effectiveness of the implementation of these measures and identifying changes in the understanding and legal protection of traditional food products in the Batak Karo community, as well as applying these findings to local culinary contexts in other regions.

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