

Conservation of Traditional Pottery Art as Geographical Indications (GIs): A Case Study of Bijaypur Pottery Village of Cumilla in Bangladesh

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Abstract

Pottery communities devote their merits and efforts from one generation to the next generation to produce attractive and creative pottery that reflects their intellectual contributions and represents their community lifestyles. Present research focuses primarily on the prospects of establishing the pottery art of Bangladesh as a Geographical Indications (GI), as well as the conceptual structure of presenting it worldwide as a GI product. Earthenware can be safeguarded as GIs under international accords and local ordinances (enacted by 160 nations). Research shows that currently, this illustrious industry has several challenges, such as environmental hazards, outdated procedures, inadequate capital, inexperienced potters, lack of research initiatives, limited product diversification, inadequate marketing and promotion, responsible negligence, etc. This study uses a qualitative approach based on surveys, in-depth interviews (IDIs), and archival and documentary research strategies. Primary and secondary data were gathered using the research framework to understand the current situation. This study examines Bijaypur pottery village in Cumilla as a case study to examine the sociological, institutional, and potential issues of conserving the craft as GIs under international and national legal contexts.

Keywords: Pottery art, geographic indications, GI, IP, intellectual property, clay, earthenware, Cumilla, Bangladesh

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Introduction

Geographical Indications (GIs) are a crucial component of intellectual property (IP) rights. Over the decades, both industrialized and developing nations have attempted to push GI standards internationally in an effort to preserve their domestically manufactured goods. It is really origin identification and safeguards the integrity, specialization, and economic worth of items whose originality is determined by their geographical location and conventional manufacturing technique (Grazioli, 2021). In terms of their manufacturing methods, product variations, and marketing strategies, the potter community in Bangladesh is diversified. The study area consists of particular potter communities in the Cumilla district of Bangladesh. The investigation would not be reflective of Bangladesh's whole pottery community. This study focuses on examining the resource basis of two pottery manufacturing units: traditional village cottage production and micro-industry-based production.

The term 'pottery' typically denotes earthenware, a category of ceramic goods that undergo firing at relatively moderate temperatures, as opposed to extremely high ones. The demand for earthenware is both local and global, and it has the capability to become a significant micro/cottage enterprise in Bangladesh. This micro-industry may contribute to community development at the local level by offering a means for the impoverished part of the population to create alternate means of subsistence and therefore reducing poverty. Bangladesh has various geographical advantages for pottery production, such as rich clay, water resources, clan-based traditional trained workers, etc. This sector is environmentally friendly and could employ both a male-female workforce. The present study aims to analyze the circumstances and possibilities that led to the pottery of Cumilla district becoming a GI product in Bangladesh and to develop a themed framework for promoting this product as a GI product globally.

The research highlights the pottery industry of Cumilla uniquely from other pottery industries to develop its specialty as a GI product. As a GI product, it will dramatically improve the region's socioeconomic status, as described in this study. Through the development of small industries, this pottery could become an iconic product for Bangladesh. Then priority should be given to industrializing it for mass production. Earthenware is an environmentally safe product and does not harm the environment during production. These areas potentially need to be focused on and highlighted globally. Substitute products like plastic, metallic, or ceramic ware are increasingly posing a challenge to the need for pottery items. Earthenware is often more delicate than ceramic and plastic ware (EI Idrissi et al. 2018). However, it is more

ecologically friendly and biodegradable. Because of their creative value, clay-made products, including vases, pots, plates, sculptures, clay-jewelry and toys, are well-known in major marketplaces. The fading pride of this industry may be attributed to several factors, including financial resources, inadequate technology, outdated equipment, superior alternative items, inadequate local administrative coordination, and a dearth of promotional campaigns in the international market.

Background of the Study

In this era of globalized and interconnected marketplaces, individuals have better access to goods from all over the globe. Consequently, some items on the market are secured by IP identifiers such as trademarks, collective brand names, certification marks, and GIs. Beck et al. (2005) stated that The European Union (EU) has pushed global protection for GIs to improve the viability of small farms and rural communities (Beck & Levine, 2003). GIs' preservation safeguards small business revenues and promotes the rural economy. GIs are property rights governments use to designate items with a particular geographical origin and traits or reputations attributable to that origin (Höpferger, 2003). Tasneem and Biswas (2014) contend that the local heritage industries in Bangladesh are disappearing due to a lack of support. Developing pottery as a GI may increase its international degree of protection. No dynamic group or freshly innovative industry may wipe out the first breadth of protection for this pottery micro business.

In this context, GIs are one of the kinds of intellectual property that may be employed as a source defender and identifier of the reliability, specialization, and economic worth of items whose uniqueness is indistinguishable from their geographic origin and traditional production method. In this regard, GIs resemble traditional knowledge. Pal (2021) found that traditional knowledge emphasizes ancient and regional originality and communal ownership. The pottery trade improves the level of living in many communities by giving women access to paid employment they may do from home. Pottery is used in many cultures to spread the art of modern pottery. Consequently, handicrafts and other local items representing local customs, cultural characteristics, and local good resources may also be regarded as GI products (WIPO, 2021).

Through its negotiations with other nation states under the TRIPS (Trade Related Aspect of Intellectual Property Rights) -plus initiatives, the EU has been at the forefront of promoting GI standards across the globe. A research report from All European Academies (2019) explained that the TRIPS-plus ideas arose from dissatisfaction with the WTO international forum's

sometimes tardy response to member nations' requests. The majority of WTO members have called for global protection of GIs. However, such expectations were not fulfilled. The EU chose TRIPS-plus actions to increase the protection of GIs (Goebel, 2003). Geographical indications are those that distinguish goods as having originated in the country of a member (WTO) or a locality or region within those territorial states, when a given value, reputation, or other characteristics of the good are substantially attributable to its geographical origin. This is how GIs are defined in Article 22 of the TRIPS Agreement (WIPO, 2022).

In light of this, it is essential to promote global conceptions of GIs and their implications on the social-economic sectors of developing countries like Bangladesh by understanding the origins and nature of the regulation of GIs under EU-led TRIPS-plus efforts. Article 24 of the TRIPS Agreement, in combination with Article 23, establishes an exemption; member nations may negotiate to strengthen the protection of geographical indications (WIPO, 2021). Cáceres (2007) stated that the geographical indications are not restricted to agricultural goods alone. A GI may also emphasize product characteristics that are attributable to human variables prevalent in the product's area of origin, such as production techniques and traditions (Grazioli, 2021). Protection for a GI might be obtained from a national or regional responsible authority upon request. Islam and Habib (2016) suggest that a specialized agency may be charged with overseeing GI protection in certain regions. Since Bangladesh lacks GI research institutes, it is in need of establishments that take extensive precautions to keep its citizens safe. So far, Bangladesh has registered 73 GIs, 52 of which are food items and 21 of which are non-food items. There are three species of fish, fourteen agricultural goods, twelve fruits, fifteen processed foods and sweets, and eight types of vegetables among the food items (Hossain, 2021; Islam et al., 2020).

Geographically, Bangladesh is a part of the Indian subcontinent, which shares many cultural and traditional characteristics with this vast territory. After Bangladesh's independence, one of the most pressing issues pertaining to its identity and growth on the international market was the geographical markers of Bangladesh-origin goods. Regarding GI, Bangladesh may come into confrontation with its neighboring nations. After Bangladesh becomes a middle-income nation in 2026, it will be required to comply with all of the TRIPS agreement's intellectual property standards. Therefore, GI recognition is crucial for Bangladesh. Bangladesh will no longer get the advantages it formerly had for omitting the IP regulations (Beck & Levine, 2003). Therefore, it is crucial for Bangladesh to boost trade in its own GI goods, which will

help prevent problems with its neighbors. If Bangladesh's unique product is included in another nation's GI, Bangladesh will be forced to rely on other nations to make its traditional geographic items (Tasneem et al, 2014). In addition, the present study will address a range of social and economic issues affecting the community in relation to pottery as a GI product.

Pottery is one of the most valuable cultural treasures in Bangladesh and the history of pottery as an art form dates back to the civilizations of Mohenjo-Daro and Harappa. Sharmin and Okada (2012) mentioned that the Northern Black Polished Ware (NBPW) represents the oldest example of pottery in South Asia. Early Bangladeshi history saw the production of NBPW, which was a highly prized luxury good. Bangladesh first saw the spread of this pottery after the 4th century BCE (Pal, 2021). Throughout history's early era, Black-slipped Ware, Knobbed Ware, and NBPW Rouletted Ware also expanded into Bangladesh. From one generation to the next, the community's historical events, culture, and values have been transmitted via pottery. Geologically, Bangladesh has limited access to stone, but its soils are pretty diverse. As a result, most heritage landmarks in Bangladesh are made of clay. Terracotta artwork is apparent in several historical sites, such as the Kantajir Temple in Dinajpur, Bangladesh. Most historical sites in Bangladesh, such as the Mahastangarah monastery of Bogura, Mainamati monastery of Cumilla, and Paharpur monastery of Naogaon, contain numerous potsherds from the 3rd century to the 13th century, which are known as treasured historical artifacts and regarded as the unique sample of pottery (Islam & Ahsan, 2016). In the socio-cultural history of Bangladesh, pottery plays a significant role as a cultural artifact.

The supply of clay is an essential feature in the pottery industry. The best source of the pottery industry is mud clay collected from riverbeds. The soil of the study area, the Cumilla region, is more or less clay-type soil. Moreover, being next to the Meghna basin, this industry gets some additional benefits. Despite the extensive use of pottery in the Indian subcontinent, the soil of Bangladesh has maintained its integrity due to various factors, including carried alluvial deposits, climate and geological variance (Karim & Karim, 2017). It is vital to apply for GI for internationally reputed products such as pottery by enforcing Bangladesh's patent law, as Bangladesh will soon enter a middle-income country in 2026 when Bangladesh has to pay for IP from other countries (Byron & Mirdha, 2021). Many cultural heritages in Bangladesh have full quality for GI nomination. If other neighboring countries will at some point, patent these traditions as their own, then Bangladesh will have to pay for the production of its own nation's products, which will make Bangladesh backward economically and also in trading. Moreover, various economic

indicators of Bangladesh indicate that Bangladesh is gradually manufacturing-based and wants to industrialize its economy (World Bank, 2023). In that case, these products can show new potential to the industry of Bangladesh by growing under SMEs.

Objectives and Research Questions

The overall purpose of this study is to compare the phenomena of the pottery industry's GI protection and impact on communities related to earthenware. This research focused on the following objectives:

1. To analyze the circumstances and possibilities that led to Bijaypur pottery (Cumilla district) being a separate GI product in Bangladesh.
2. Examining the possible socio-economic impacts of acknowledging pottery as a GI in respective communities.

This research examined the following questions:

- How will the GI reorganization for pottery items be expanded to safeguard the traditional art of Bangladesh?
- How can GI recognition in pottery benefit the community socioeconomically?

Methodology

This research was conducted through a qualitative research method, following triangulation methods, using interviews, surveys, and document analysis to address the study objectives and acquire a clear perception and comprehensive insight of the possibilities that led to pottery art becoming a GI product in Bangladesh. The survey followed a themed structure, starting with basic questions on the participant's demographic and socioeconomic information and the qualitative data collected based on the conceptual framework to gain a clear and comprehensive insight into pottery art. Various data collection tools were used to do the study, such as: A. In-depth Interviews (IDIs), B. Survey, C. Content Analysis.

Sampling Methods

This study employed purposeful sampling for the data collection process to achieve the research aims. In purposive sampling, sample information is often gathered to comprehend the phenomenon. The purposeful sampling approach aids qualitative research by providing a clear path to the representative sample.

This sampling approach may be used to find people who are knowledgeable about and skilled at addressing real-life events. In this sampling method, the participant's knowledge and passion are essential for connecting engagement and emotions in a cohesive way.

Present work also employs the snowball sampling technique. This present sampling strategy includes choosing samples which was suggested by previous respondents. Among many data gathering approaches, researchers often examine a subset of the population to characterize the whole phenomenon. In addition, when researchers encounter issues relating to a lack of human resources, high costs, and population dispersion, they consider using snowball sampling.

Participants and Sample Size

Qualitative research methodologists provide proper guidelines when choosing samples, but qualitative research sample sizes should be manageable to extract factual data. On the other hand, qualitative research methodologists also recommend that the sample sizes must be generous to achieve the saturation point of data as well as the theoretical saturation point for research queries. The study uses a qualitative single-case approach in the Bijaypur pottery village of Cumilla in Bangladesh because it holds the nation's large portion of pottery craft production and is reputed for traditional terracotta art. This study has chosen both homemade and micro-industry-oriented production in that area of Bijaypur, Cumilla district. Data was collected from three villages and two micro-industrial areas for two specific types of production. Semi-structured interviews followed with village male and female craftspeople, artisans, the labor of the pottery industry, and micro-industry stakeholders.

Table 1: Detailed Sampling Data

Area/Village	Location Type	Artisans and Craftsmen	Pottery Labour	Industry Stakeholders
Teguriapara	Traditional Pottery Village	6	2	1
Gangkul	Traditional Pottery Village	6	2	
Bijaypur South	Micro-Industry Area 1	1	2	1
	Micro-Industry Area 2	1	2	1

Sub-total	14	8	3
Total	25		

Source: Prepared by the authors based on field data, 2022.

Table 1 shows first the participants of the pottery art village (related to pottery art and craft only). The total sample size is twenty-five (n=25) both areas in both traditional pottery villages (n=17) and micro-industrial (n=8) areas. Second, the principal participants of this pottery art (artisans and crafts people) total sample size is fourteen (n=14) both in the village (n=12) and industrial (n=2) areas. All craftspeople and artisans were randomly selected from each village (Teguriapara, Gangkul, and Bijaypur South). Third, as secondary participants for this study, the total sample size is three stakeholders: village (n=1) and micro-industry (n=2) areas. Finally, this study's total pottery labor sample size is eight in both villages (n=4) and micro-industry (n=4) areas in the Teguriapara, Gangkul, and Bijaypur South villages of Bijaypur Union, Sadar South Upazila of Cumilla district. Nine (n=9) participants from Teguriapara, eight (n=8) participants from Gangkul, and eight (n=8) participants from Bijaypur South were selected via a random purposive method, ensuring a mix among the three village areas. Data is collected through in-depth interviews (IDIs) with artisans, craftspeople, and the industry stakeholders' observations for this study. However, gender parity among the participants was not feasible due to the availability of the respondents.

Source of Data and Data Collection Framework

The following figure 1 shows the data collection framework. This study utilized several tools to assemble the data to conduct this study: IDIs, document review, observation, group discussion. The study uses a survey research strategy, and semi-structured questionnaires were developed to get primary data as well as utilize archival and document analysis strategies for secondary data collection. After the collection of the data, this research gap assessment followed the qualitative method for thematic analysis of the data. After gaining experience from the findings and learning lessons, the research was finalized.

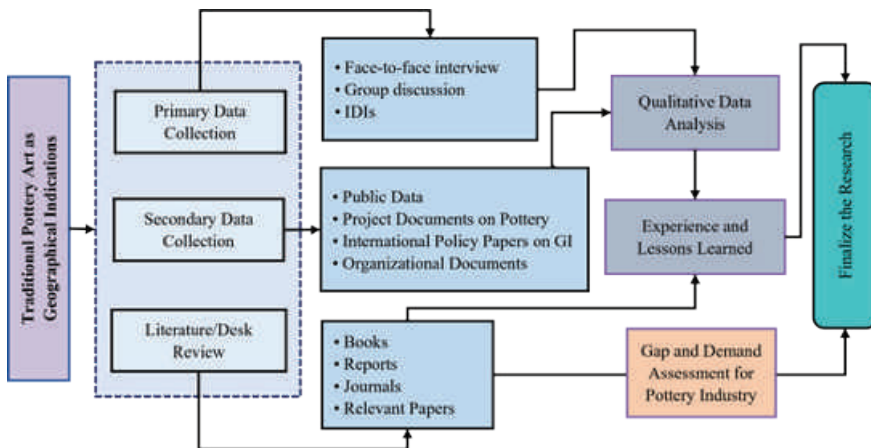


Figure 1: Data Sources and the Data Collection Framework for the Research

Sampling Area

Apart from Cumilla district, pottery villages have developed in many other river areas in Bangladesh. Riverbed clay is best suited for the pottery industry. Due to Cumilla’s location next to the Meghna basin, soil availability for pottery is significant there. Moreover, the particular red soil of Lalmai hill track makes the pottery industry of Cumilla unique from other parts of the country.

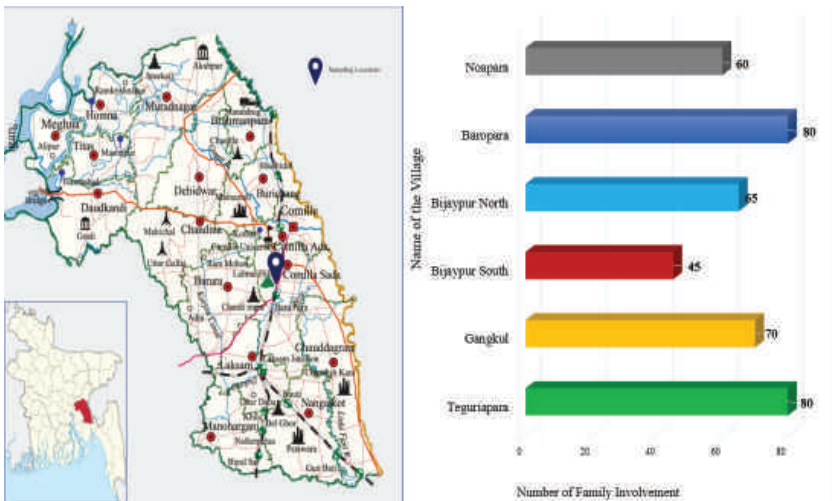


Figure 2: Sampling Area (left), Source: Banglapedia online, 2012. Number of Family Involvement in Bijaypur Union Villages Pottery (Right)

Source: Estimates by the authors based on field data, 2022.

Bijaypur area was selected as the sample area as it is the largest producer of the pottery industry in Cumilla. A total of 400 families are involved in this industry. Figure 2 shows the number of families involved in the pottery industry in all the villages of Bijaypur, including the three sampled villages.

Sample Size Analysis and Descriptive Statistics

First, the number of participants was analyzed, and the percentage was derived based on the gender of the participants. Table 2 shows the ratio of male and female participants, ensuring a balanced respondent list. 12% were male, and 88% were female counterparts. This data helps us depict the perception that women are increasingly engaged in pottery craft, and these pottery villages survive due to their contributions.

Table 2: Male-Female Participation Rate

Gender	Frequency	Valid Percentage	Cumulative Percentage
Female	22	88.0	88
Male	3	12.0	12
Total	25	100.0	100

This study presented the participants' age and families' average monthly income in two different columns of the following table to help comprehend the socioeconomic state of the respondent's families. Table 3 shows that the average age of the participants is around 40 years. This practice also involves 13-year-old youngsters, and the experience of older citizens is crucial. Considering their monthly income, most participants live below the poverty line. In other words, they are socioeconomically disadvantaged individuals, indicating that the average monthly income should be decent if they want to lead a balanced life.

Table 3: Descriptive Analysis of Participants' Age and Household Income (Monthly)

Statistical Indicators	Age	Household Income (BDT)
Valid Sample	n(v)=25	n(v)=25
Missing Sample	n(m)=0	n(m)=0
Mean	39.76	4100
Median	41	4000
Mode	33	5000

Minimum	13	500
Maximum	62	7000

Note: Approximately 1 USD = 100 BDT.

The following Figure 3 shows that many participants have not received formal education and have not studied beyond primary education. It depicts the educational backwardness of pottery villages in Cumilla. Especially since most of the participants are female, girls’ education is mainly lagging.

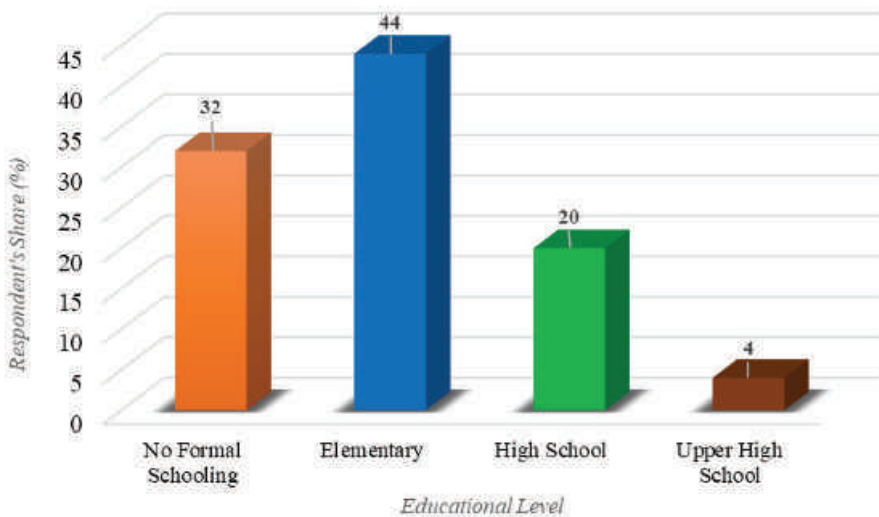


Figure 3: Participants’ Educational Background Analysis

Source: Created by the authors based on field data, 2022.

Conceptual Framework

This study suggests the following conceptual framework for pottery art development in Bangladesh as a GI in figure 4. In this framework, various external and internal GI aspects can influence GI institutional regulation in Bangladesh. This results in interaction of resources and organizational support in the pottery industry. Institutional linkage subsequently reformed the economic benefits of pottery products as well as extensive demand and supply side issues, resulting in enhancement in the country’s trade and employment sector.

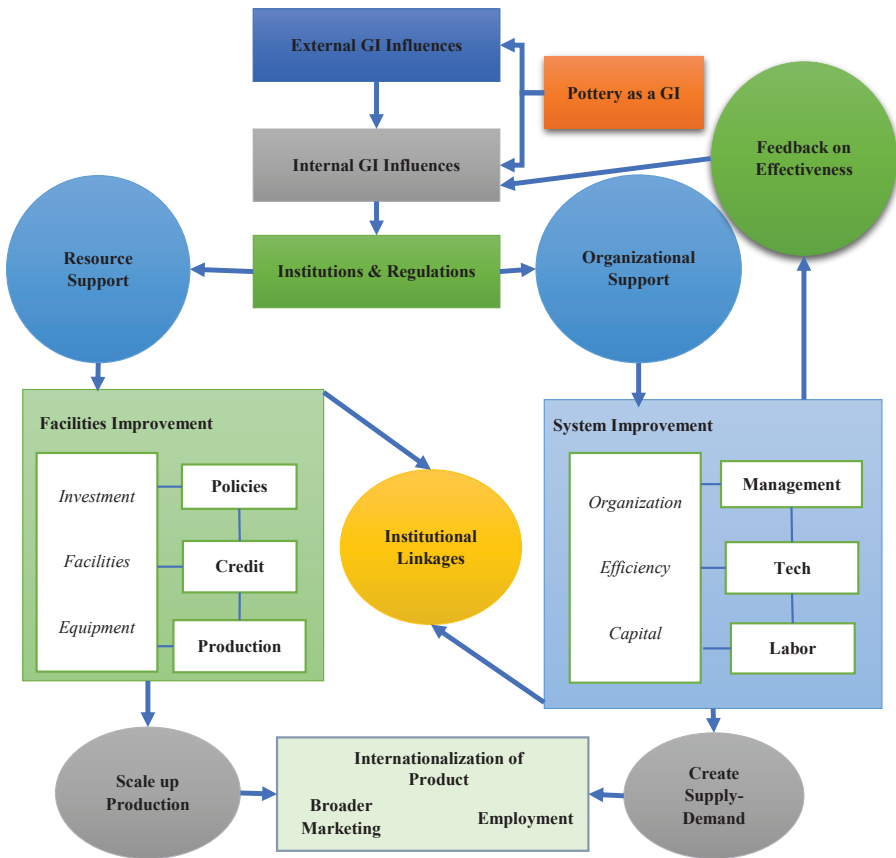


Figure 4: Conceptual Framework for the Pottery Development in Bangladesh as a GI

Developing Pottery as a GI product

A national (regional) responsible authority will offer protection to a GI upon request. In certain nations, the role of giving GI protection is performed by a specialized authority. Bangladesh does not have any such institutions to research GI, so it needs strong institutions to work for protection. National IP offices perform this role in various nations. A cooperative may seek protection from manufacturers of products with a geographical indication. The producers may be structured as a cooperative or group that represents them and ensures that the product meets certain agreed-upon or adhered-to specifications (Shabab, 2014). Although many cooperatives have been formed in the pottery villages of Cumilla, they are not strong enough to be globally representative. A

competent national authority may also seek protection in certain countries (for example, a local government authority). That is why Bangladesh must apply to WIPO at the national level.

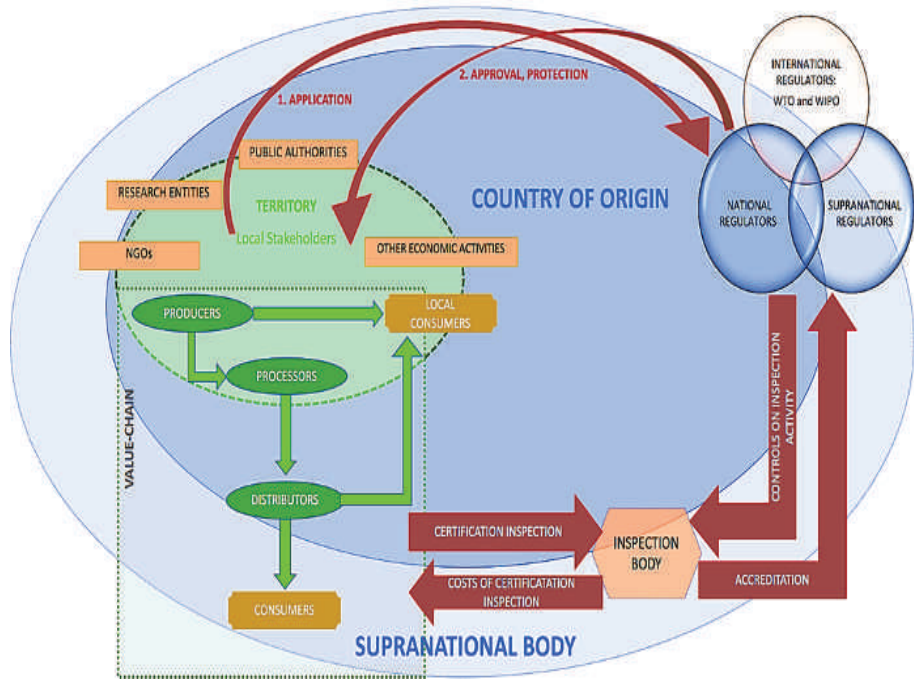


Figure 5: Framework for GI Granting Procedure, Source: Wikimedia Commons, 2018 (retrieved from https://commons.wikimedia.org/wiki/File:GI_Collective_Dimension.png)

Figure 5 depicts a framework of collective dimensions of GI-derived products like pottery art. If there is consumer demand for the pottery product from the origin in that territory and outside the territory, the intellectual property rights (IPR) of that country or region inspects the product and goes through various steps, and then it is stepped forward for granted procedure by WIPO. According to the definition, goods recognized by the GIs must be linked to their geographic origins (Kasemi, 2014). In order to register as a GI, a sign must meet the requirements of current legislation and be free of any barriers. Later, the region of origin takes the necessary measures to meet the demand by globalizing the product. Various NGOs, research entities, and public authorities could play an appropriate role in this regard, from the GI application of pottery to the protection of pottery. This connection may be developed based on the product's quality, reputation, or other factors. It is sufficient if a product's

quality or reputation can be related to its country of origin (WIPO, 2022).

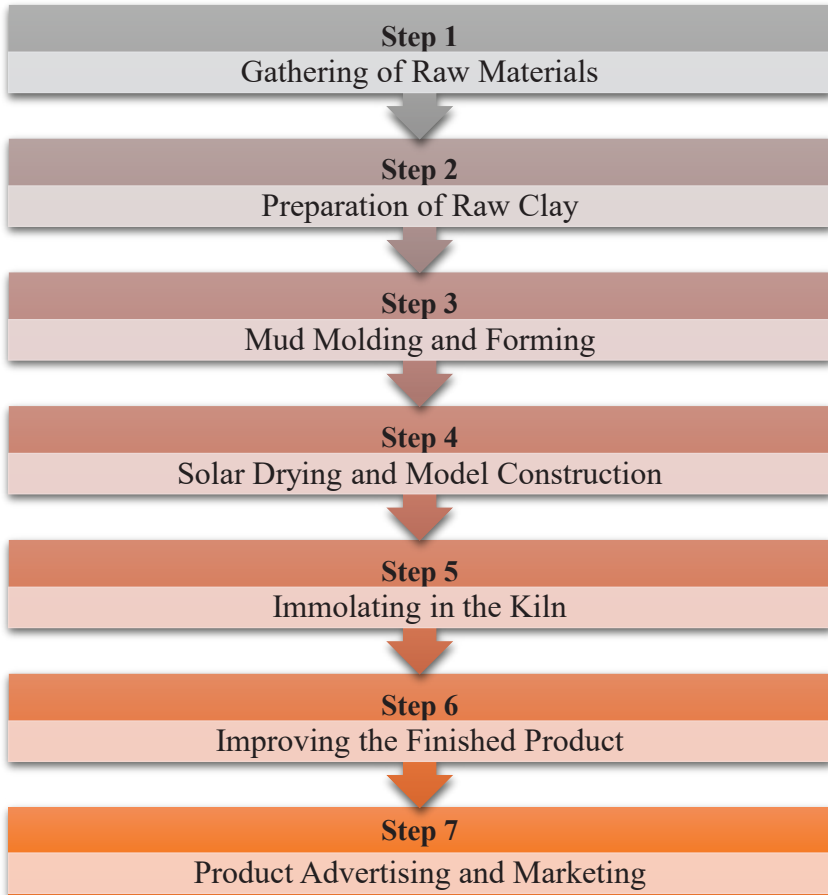


Figure 6: Fundamentals of Manufacturing the Pottery Goods

Source: Created by the authors based on Pal (2021).

Figure 6 depicts the unique and basic steps of making different clay items in Bijaypur pottery villages. The GI tag will help the potters in Bijaypur by increasing the demand for the pottery, increasing their income, and protecting them from other pottery in different parts of the country to sell under their name. This will also empower the buyer to buy the right product, not counterfeit goods. The materials used in pottery manufacture may be divided into two basic categories. The first kind consists of the fixed assets and equipment required to produce quality ceramics. This kind has included a workshop where potters have modeled clay, a yard or open space with access to sunshine where first formed

items have dried, a wheel for shaping the clay, a kiln for heating the initially modeled pottery product, and a variety of items including husks, hammers, and bowls (Sharmin & Ahmad, 2019). The second category consists of the raw materials required to manufacture clay products. Clay has been the major raw material. Potters have used different types of clay for various purposes. One of the participants mentioned that a potter from Gankul village, Bijaypur,

Our pottery typically requires three kinds of soil, especially 'Athaila Mati' (sticky clay), which we gather from the neighboring river bed or from 'Boro paddy field,' 'Bali Mati' (sandy soil), which we take from the river bank, and 'Kosh Mati' (colored soil), which is acquired from the market. (Participant P)

The most important of these three components is sticky clay. The potters employ a mixture of sticky clay and sandy soil to create the fine clay required to make pottery. The gathering of high-quality clay is susceptible to seasonal change. Only at specific times of the year can high-quality clay be obtained. Another potter from Teguriapara village, Bijaypur, further added,

The sticky clay is gathered during the Bangla 'Boishakh' month (mid-April to mid-May), whereas sandy soil and colorful mud are gathered during the rainy season (from mid-June to mid-August). (Participant Z)

The potters had gathered and stored clay in the yard for a whole year. This is one of the primary reasons why potters need specialized workshops.

Scope of Protection, Benefits and Possible Risks

Developing pottery as a GI can increase its protection level globally, where the local heritage industries of Bangladesh are disappearing due to a lack of proper patronage and care. This pottery micro-industry's first scope of protection cannot be destroyed by any active group or any new innovative industry that wants to gain an advantage in manufacturing products or scale of economies. For example, a plastic company cannot technically remove traditional clay pots from the market if they want to monopolize their machine products. Second, when pottery is GI protected, actually its origin is protected, and the reputation of the original product is protected. Its widespread use is discontinued. One of the advantages of a GI product is that it does not require renewal registration like other IP registrations and is also protected against generic terms (common name of a given kind of product). Any style or type of use elsewhere is reserved.

Figure 7 shows that recognizing pottery as a GI product has the potential to benefit various stakeholders and beneficiary levels to a greater extent. Non-protected GI raises many possible risks. Producers outside the zone may use

it and benefit from the reputation of the original product. Third parties outside the zone may register the indication as trademarks and prevent the protection of the GI. The name of the original product might be transformed into a generic term. GI protection is critical to getting the maximum commercial benefits of pottery art by avoiding all these risk issues.

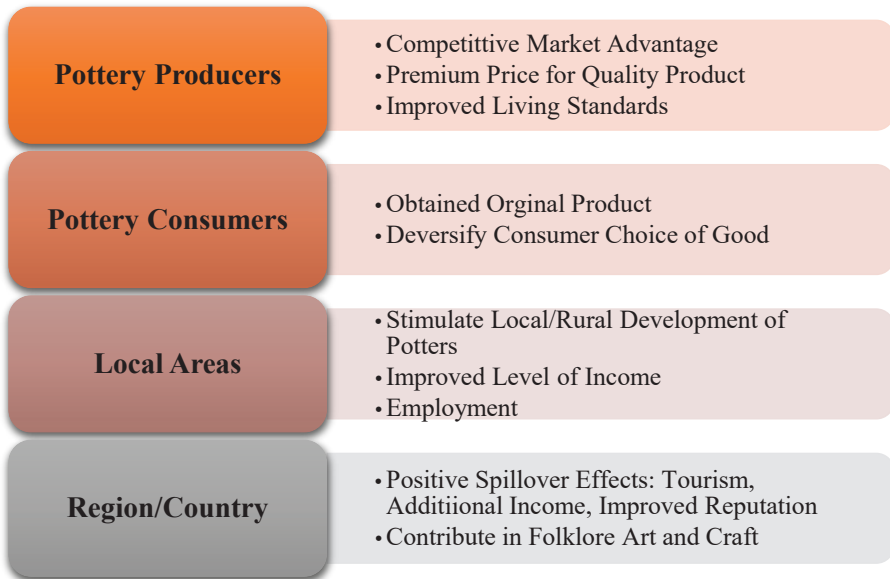


Figure 7: Benefits from Protecting the Pottery as a GI

Source: Created by the authors based on Grazioli (2021).

Geographical indication (GI) products prioritize the welfare of the local community. The individuals engaged in traditional occupations within Bijaypur pottery village are gradually shifting to other professions, which has seen a noticeable decrease compared to the past. If this industry were granted GI status, it could offer substantial protection to that community.

Economic and Commercial Advantages

Developing the pottery industry in Bangladesh has many economic and trade effects beyond a specific community. Among the economic effects, the increase in production will not adversely affect the price due to its quality. The income that will be due to the increase in production will be well distributed in all parts of the community. Besides, community development will also help increase tourism for this product, which we can see from the GI effect on various countries abroad.

Proper product evaluation will reduce the community’s tendency to switch jobs, thereby preserving the traditional value. In this case, an income generator can gain a positive advantage. This pottery industry could help to prevent the over-use of plastic or other industrial products that destroy biodiversity. Pottery products of Bangladesh can play a significant role in the movement to protect the environment, which is now a vital issue in saving the world. Moreover, the development of this industry is possible by keeping the rural landscape intact. Figure 8 below, depicts the interaction of economic effects of GI protection.

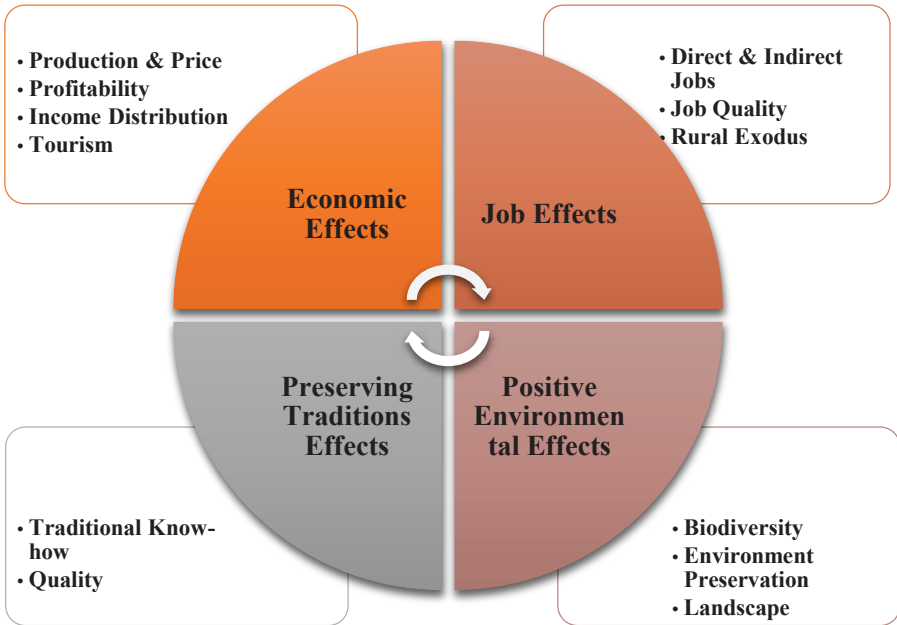


Figure 8: GI Protection Effects

Source: Created by the authors based on Demotix (2009).

By offering inside-the-home employment, the pottery industry raises the level of life in many communities and empowers women. Pottery promotes contemporary ceramic creation in many regions of the globe. Due to illiteracy and poverty, most craftspeople in this traditional pottery business lack scientific understanding and procedures. Providing national or international enterprises with new technologies and innovative products, materials, or techniques will develop new employment and increase income, contributing to social and economic prosperity. Especially in the case of fundamental research, more R&D expenditures are necessary to produce prototypes or conduct subsequent clinical studies to develop a commercially viable product (Muzahidul et.al,

2020). Holding intellectual property rights and enabling a corporation to develop and sell the product exclusively is vital to justify future expenditures.

Figure 9 shows that GI protection has many diversified economic impacts where one is mutually associated with the other. Exports increase due to quality assurance, which impacts prices. A lot of cultivated area increases in agriculture, and operation area increases in pottery. This creates new jobs, reduces unemployment, and increases production. The local community is improved, which also influences the education and health sectors.

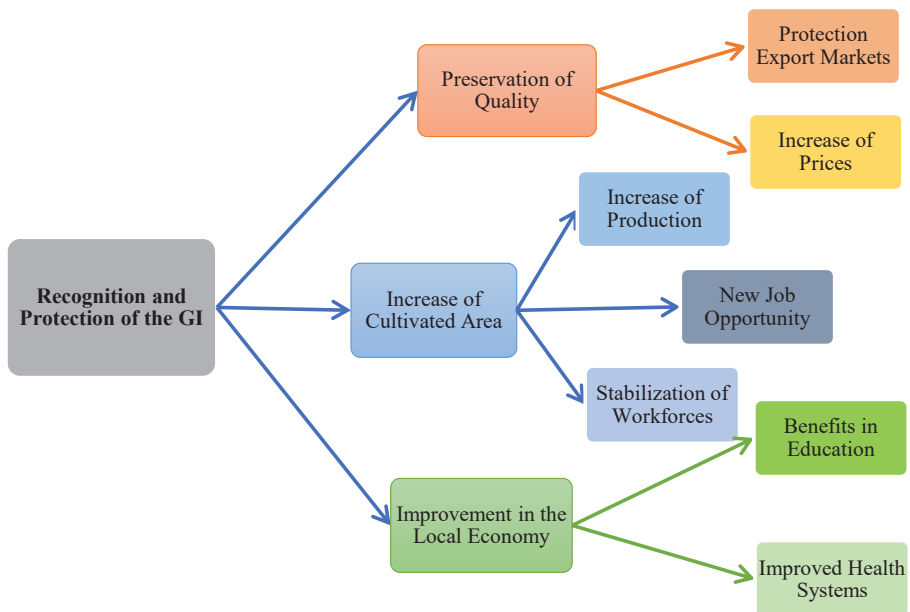


Figure 9: Economic Impact of GI Protection

Source: Illustrated by the authors based on WIPO (2022).

Countries with a civil-law heritage that offer some protection for businesses against illegal commercial activities by competitors often do so based on general tort law. In nations that adhere to the standard law system, passing off is often seen as the foundation for protection against dishonest corporate rivals. The passing-off action is a legal remedy for situations in which one party's products or services are misrepresented as belonging to another. Protection against unfair competition has evolved differently in many nations at the national level. However, at least one goal is shared by all systems,

which is to offer trade participants an effective recourse against the illegal and dishonest commercial conduct of their competitors. In certain nations, particular laws governing the suppression of unfair competition also serve the purpose of consumer protection (Grazioli, 2021). Following national regulations to protect against unfair competition, it will be necessary to determine whether or not specific business conduct violates honest practices in industrial or commercial concerns. In figure 10, the cooperative groups have collectively exhibited their products. Various family artworks, as well as industrial products, are displayed here.



Figure 10: Pottery as Commercial Goods in Bijaypur

Source: Photographed by the authors.

Social Recognition

The most acceptable advantage of GI recognition is that potters gain several ways. The international prominence of their traditional creative production might result in significant alterations to their social structure. Essentially, women's contributions may be seen across this sector. Some make goods at home and sell them via intermediaries, while others work as industrial workers. However, their income or earnings are pretty low, and in certain situations, owing to family responsibilities, they get no compensation for themselves. Most of them did not finish primary school and lacked educational consciousness. In most situations, they get no incentives from the government. The majority of their income goes toward debt repayment. In this regard, a respondent from Bijaypur South village expressed strongly,

The government has accepted packages of incentives and allowances for us, but none of us have received this money yet, and it is not expected that we will ever get it. (Participant X)

If pottery gets recognition as GI, their social status will change greatly, and they are interested in education, which will make them more innovative and skillful. Besides, they will understand their shortcomings properly. Being a social minority, they are slowly getting out of this profession due to their inferiority complex in profession, income and social status. One participant stated that,

Earlier, the entire Bijaypur was inhabited only by Pal families (who are related to pottery work); slowly, their number gradually decreased. In these traditional pottery villages, people from outside the profession are gradually increasing, which is not a good message for us. (Participant R)

These items are expensive for the consumer, but their producers are not getting the right price; GI may preserve their right to the correct valuation. Consequently, their socioeconomic position will alter because of the growth in their income. The steps of pottery making are shown in figure 11 below. In an entirely rural area, women carry out the majority of the tasks. The GI recognition linked with pottery will significantly value the position of women in the making of this traditional item.



Figure 11: Participation of Women in Several Phases of the Pottery-Making Process

Source: Photographed by the authors.

For several stakeholders, GI recognition in pottery may have a profound impact. Essentially, quality brings technological upgrades to the product, which keeps the product ahead of the competition in the global and regional market,

hence enhancing workers’ productivity (Hossain, 2021). This manufacturer’s worldwide market is capable of many forms of technical interchange. Moreover, the expansion of trade and investment primarily contributes to the expansion of economic and social capital. In other instances, these facilities actively boost the micro-industry. Institutional and social development bolster socioeconomic growth overall. Figure 12 depicts the interdependencies of the significant socioeconomic development drivers.

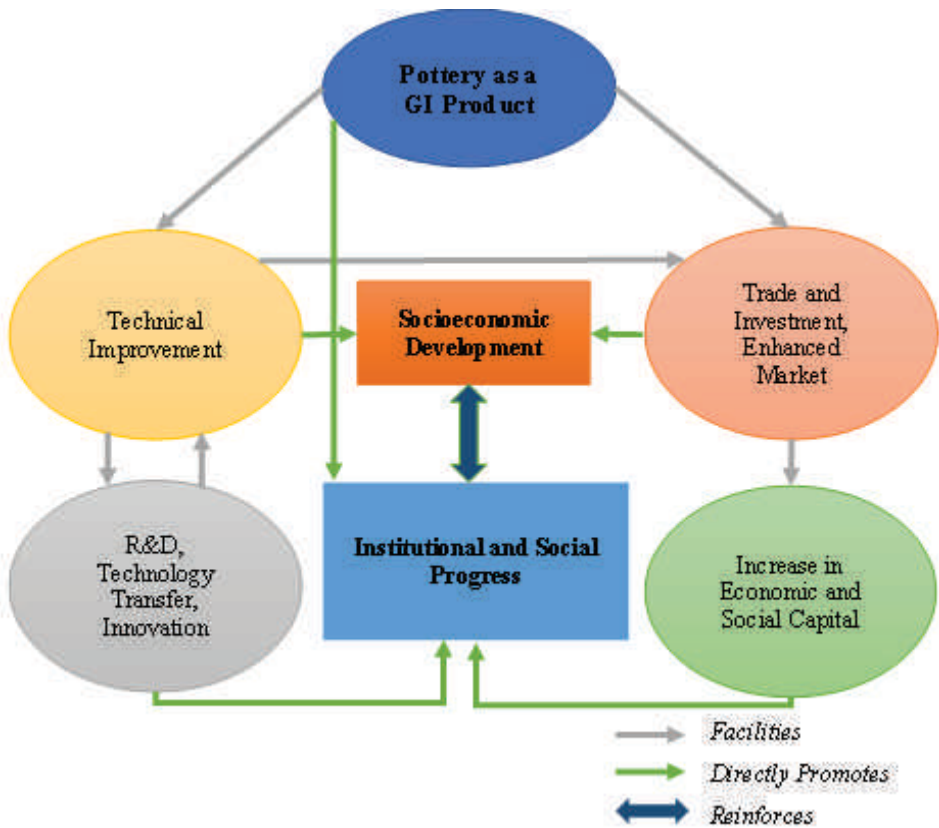


Figure 12: The Inter linkages of Different Drivers in Pottery Industry Development

Source: Authors.

Discussion

From geographical, topographical, and climatic points of view, it is clear that Bangladesh is an agrarian country. Crafts, cultural history, and indigenous knowledge are abundant among Bangladesh’s various agricultural goods.

Indigenous to specific communities and groups, many handicrafts and agricultural products need legislative protection to preserve their legacy. A large population is associated with the pottery industry in Bangladesh. Generally, the main advantage of adopting GIs is extending protection to informal innovations. This micro-industry in Bangladesh is disappearing gradually, which can be nursed and transformed into a global export-oriented good. GI will be the guardian and help Bangladesh earn more export earnings as an international product. In order to take full benefits from the Bangladesh pottery industry, an application through the Lisbon Act should be made, and possible obstacles should be resolved and moved forward. Goebel (2003) mentioned that GIs are not only a name or a symbol; they express a reputation strongly associated with geographical regions of differing proportions, hence including an emotional element.

From WIPO (2022), we know that GIs grant a relatively impersonal form of protection, meaning the secured subject matter relates to the product itself and is therefore independent of a particular right holder. For this reason, local communities offer protection and benefit opportunities by giving them the power to control their products. Kasemi (2014) stated that the geographical indicators, although one of the oldest kinds of intellectual property, have only recently garnered widespread attention. This emphasis on geographical indications results from the necessity to comply with TRIPS agreements in several nations. Countries quickly understood that this sort of IP had potential value. Due to the fact that GIs are rooted in a particular place, they may serve as excellent instruments for supporting locally based development. Their intimate connection to tradition shows that they may positively influence the preservation of traditional cultural manifestations and traditional knowledge.

The reputation of a GI is a shared intangible property. If it were not safeguarded, it would be subject to unrestricted usage, reducing and eliminating its value. As a developing country, Bangladesh's goods and handicrafts may benefit from geographical indications. In this regard, GIs can ensure the necessary protection for these resources and promote socioeconomic development. However, Bangladesh enacted the Geographical Indication Act (GIA) to extend the EU's led GIs norms and standards to protect its products; developing this GI protection and enforcement model is expensive (ALLEA, 2019). GI is an expensive mechanism from a developing country's perspective. Costs arise in connection with litigation, dispute settlement, and negotiations. Cash-strapped developing nations like Bangladesh may have difficulty establishing the protection of its GI's products or services at the international level. It is crucial for a number of reasons that those who have the lawful authority to use a GI prevent its unpermitted adoption, not only to prevent losing business

but also, in the long run, to make sure that the GI is used only for goods that possess the attributes or traits on which its prestige is based (WIPO, 2021). Using a geographical indicator for items of inferior or differing quality would most certainly harm its reputation. In addition, the efficient execution of GI's legislation in Bangladesh necessitates considerable efforts in product awareness, marketing, and sales. Marketing requires human resources, promotion, and global awareness campaigns for branding initiatives. Similar to other forms of intellectual property, Bangladesh GI's is territorial. This entails that Bangladesh must seek protection for its GIs in each country, which necessitates substantial diplomatic efforts and discussion.

Conclusion

Pottery is a significant element of human history and has existed for a long time. Terracotta and earthenware from the past reflect the world of our successors. The GI tag will help the potters in Bangladesh by increasing the demand for pottery, increasing their income, and protecting them from other pottery in different parts of the country to sell under their name. This will also empower the buyer to buy the right product, not counterfeit goods. Besides, it has a significant impact on a country's socioeconomic growth. Employment creation, poverty reduction, the empowerment of women, and the creation of new entrepreneurship are all triumphant successes of the pottery sector. The moment has come to safeguard this micro-industry and its potters. Otherwise, they will forsake the profession they inherited, and their knowledge would be lost over time. If the pottery is eligible for the GI, the international market will accept their goods, and if their products can be exported, potters will earn more, and the industry will continue. Building effective connections between academics, research institutions, companies, and the government is necessary. Nationwide efforts should be made to raise awareness regarding IP protection. Creative artists and innovators should receive appropriate recognition, honors, and incentives. Government agencies, INGO's, NGOs, and potters must take the proper steps at the right moment in order to revive pottery craft production. Some courses of action, such as providing financial support, supplying soil, improving manufacturing capabilities, expanding skills training, forming cooperative societies, modernizing product design and marketing facilities, developing, and reforming national policy, and raising awareness about pottery, are urgently needed to revive this sector in Bangladesh.

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