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GEOGRAPHICAL INDICATIONS AND THE PROTECTION OF TRADITIONAL HANDICRAFTS: A CASE STUDY OF KOLHAPURI SANDALS

Anushka Akanksha¹

I. ABSTRACT

The present research paper reports on the suitable use of Geographical Indications (GIs) in safeguarding Indian traditional handicrafts through a case study of Kolhapuri sandals. This protective 12th century handmade sandal was qualified as GI in 2019. Their cultural and legislative, as well as economic underlines underline the paper, particularly in the wake of a scandal that came with luxury fashion house Prada. In June 2025, when Prada presented its leather sandals collection in its Milan show that looked significantly similar to Indian Kolhapuri chappals, the Italian brand, failed to credit it with the country of origin, but charged a higher price of a lakh rupee and more. Legal and cultural response the controversy that followed the incident turned into legal and cultural actions of the artisans and state agencies culminating into legal notices, claim of 500 crore and PIL in the Bombay High Court. This article provides a critical review on the legal standing of the activities of an organization like Prada that is whether its activities are legally considered as GI infringement under GI Act, 1999 and the efficacy of the various laws on protection of the traditional knowledge based on design. It also addresses the ethical issues of cultural appropriation, and the commercialization of indigenous craft around the world. Lastly, it proposes legal changes, and business partnerships that can be protective yet international. The episode between Kolhapuri and Prada is a test case vital to the analysis of the changing place of GIs in the globalized economy.

¹ B.A. LL.B. (Hons.), 2nd Year, Student at Amity Law School, Amity University Jharkhand, Ranchi (India).
Email: alanushka48@gmail.com

II. KEYWORDS

Geographical Indications, Kolhapuri Sandals, Cultural Appropriation, Prada Controversy, Traditional Handicrafts

III. INTRODUCTION

Intellectual property protection has become an essential part of the globalized economy, where creativity, innovation and traditional knowledge play an important role in cultural identity and economic growth. Geographical Indications (GIs) take a special place among the other types of intellectual property rights (IPR). A GI attaches goods and services to their origin, which indicates qualities, reputation, and traits that are basically attributable to the geographical location (World Intellectual Property Organization [WIPO], 2023). On a global level, GI protection minimum standards are established in the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), which is a part of the World Trade Organization (WTO), and thus it is an internationally recognized type of intellectual property (Maskus, 2019).

GIs are registered in India under the Geographical Indications of Goods (Registration and Protection) Act, 1999, which was enacted in 1999 and brought into force on 15 September 2003. This legislation was created to protect the distinctive status of the Indian traditional products, including not only Darjeeling Tea but also Banarasi Sarees (Chaudhuri, 2019). The act does not only secure exclusive rights of the producers in the specified geographical location, it also seeks to avoid misappropriation by third parties. As a country with a rich cultural background and artisan-based economy, India has noted that GI is an essential instrument towards rural development, protection of traditional knowledge, and increasing the market value of handicrafts (Rangnekar, 2016).

The traditional handicrafts in particular deserve protection as they represent centuries of passed down craftsmanship, community identity and unspoken cultural heritage. Such crafts are susceptible to imitation and misappropriation in a global market that is being dominated by mass production done by industries (Das, 2010). Unless there are proper

legal protections, the artisans tend to be exploited, with their culturally ingrained works copied and monetized by bigger corporations, without the recognition and advantage of the original communities. In such a way, GI protection gives the artisans a legal opportunity to assert the ownership and an economic reason to maintain the craft traditions (Singh and Pandey, 2021).

It is in this context that Kolhapuri sandals are a very important case study. These leather sandals were handmade in Kolhapur, Maharashtra, and certain regions of Karnataka, and were in existence as early as the 12th century and feature a symbol of the Indian artisanal mastery (Maharashtra State Khadi and Village Industries Board, 2020). They have since been registered as a GI in India in 2019, not only on the basis of their functional value, but also on the basis of their cultural and historical significance. But the internationalisation of Kolhapuri sandals also has brought its own problems. An example of this is the case of Prada, a high-end fashion brand, releasing sandals that were strikingly similar to Kolhapuris in June 2025 without acknowledging their source, leading to discussions about cultural appropriation, GI infringement, and the effectiveness of existing legislation (The Hindu, 2025).

A. Research Objectives

The present study aims to critically analyze the effectiveness of Geographical Indication (GI) protection in safeguarding traditional handicrafts in India, with specific reference to Kolhapuri sandals. The key objectives are:

1. To examine the international and Indian legal frameworks governing GIs.
2. To assess the socio-economic and cultural significance of GI protection for artisan communities.
3. To analyse the Prada-Kolhapuri controversy as a potential instance of GI infringement and cultural appropriation.
4. To propose legal and policy reforms for strengthening GI protection.

B. Research Questions

This study seeks to address the following legal and policy questions:

1. Whether the conduct of Prada in replicating Kolhapuri sandal designs constitutes infringement under the Geographical Indications of Goods (Registration and Protection) Act, 1999.
2. Whether the scope of GI protection under Indian law extends to design elements in the absence of explicit use of the registered indication.
3. To what extent the existing GI framework effectively safeguards traditional handicrafts in a globalized market.
4. What legal and institutional reforms are necessary to strengthen protection against cross-border misappropriation.

C. Research Methodology

This research adopts a doctrinal legal methodology based on the analysis of statutory provisions, judicial decisions, and established legal principles. It further incorporates a comparative approach by examining the GI framework in India alongside international regimes, particularly the *sui generis* system of the European Union. Additionally, a case study method is employed through the analysis of the Kolhapuri-Prada controversy to evaluate legislative gaps and identify potential avenues for reform.

Through the in-depth analysis of this problem, the research highlights the greater importance of GIs as not only legal, but also cultural and economic processes that safeguard indigenous knowledge, strengthen artisan communities, and encourage equitable acknowledgement of traditional handicrafts in the globalized market.

IV. HISTORICAL & CULTURAL BACKGROUND OF KOLHAPURI SANDALS

History The history of Kolhapuri sandals dates back to the 12th century under the reign of the Chalukya and Shilahara dynasties in the present-day Maharashtra and Karnataka. Local chieftains and rulers promoted leather craftsmen to create hardy shoes, which

could be used by both the royalties and the common people, according to the records of the past, since the area was rocky with harsh climatic conditions (Kulkarni, 2017). The skill developed through ages and artists mastered the art to create designs that were not only useful but also displayed the culture. The sandals are present in the oral tradition and regional folklore as part of ritual clothing, worn on a wedding day, during festivals, and even during religious rituals, which also explains their role in the social life of the region (Patil, 2018).

The cultural identity of Kolhapuri sandals is very much entrenched in the area of Kolhapur alongside the neighboring areas of Karnataka like Belgaum and Athani. Their location was made a center of leatherwork owing to the livestock numbers and the local lifestyles of tanning and leatherwork (Maharashtra State Khadi and Village Industries Board, 2020). The art of leather working and sandal making was transmitted through generations by the artisan families especially the families that belonged to certain castes and guilds. Such passing on of skill among communities strengthened not only economic subsistence but also a shared culture. Artisans still refer to themselves as the keepers of this tradition today, and the GI tag was awarded in 2019 was perceived as a reminder of centuries of hard work and survival (Indian GI Registry, 2019).

Kolhapuri sandals can be described as a very painstaking craft with multiple steps of making that merge usability and ornate design. It is made using a vegetable tanning process with natural products such as babul bark and myrobalan fruit, which makes the raw material, which is usually buffalo or cow leather, durable, resistant to wear and tear (Chaudhuri, 2019). When the leather has been softened and ready, it is cut by hand by artisans into soles and straps, which are then made up by using accurate methods of stitching and braiding. The fact that the traditional designs do not use nails or any synthetic adhesives is a sign of both environmental awareness and craftsmanship. The straps are embossed with decorative patterns (usually in the form of geometric or floral patterns) which contributes to the aesthetic quality of the Kolhapuri sandals when compared to other types of leather shoes. Such decorations do not only have the

ornamental purposes but also represent the regional trends, and there are slight differences between Kolhapuri, Athani, and Belgaum designs (Singh and Pandey, 2021).

The communities of artisans engaged in the production of sandals are at the center of the maintenance of this heritage. Usually, workshop run by families hire both men and women, and men work on cutting and assembling leather, and women do stitching and finishing (Patil, 2018). Socio-economic aspect of this craft is also important because thousands of families make their living as a result of producing Kolhapuri sandals. Moreover, the craft encourages the spirit of cooperation, where the artisans commonly share resources, knowledge and even sell their products together in regional fairs and urban markets. This tradition of collaboration has assisted in maintaining the craft in leaner times, especially in the middle of the 20th century when industrial footwear took a hold.

In addition to being useful as footwear, the Kolhapuri sandals have gained symbolic meaning in the Indian culture. They tend to be linked with the straightforwardness of village life, and they have a sense of authenticity and native expertise. Kolhapuri sandals gained such popularity in popular culture that they were often used as the symbol of Indianness in films, literature, and political movements as the embodiment of self-sufficiency and Indian pride (Rangnekar, 2016). Such indigenous products were sometimes used by politicians and freedom fighters in the nationalist movement as a way of opposing colonial imports and gaining cultural sovereignty. Wearing Kolhapuris is commonly viewed even in modern times as a symbol of cultural groundedness, a balancing factor between the modern fashion sense and the attention to the traditional craft.

Kolhapuri sandals also have a symbolic reverberation around the world. They symbolize the ability of India to convert the local knowledge to the products of international fame. Nevertheless, this symbolism has also exposed them to misuse in the international markets, in cases of controversies with international fashion brands. These examples demonstrate that we should put Kolhapuri sandals into perspective not only as footwear,

but as bearers of intangible cultural heritage, as a source of history, community spirit, and art.

V. LEGAL FRAMEWORK FOR GEOGRAPHICAL INDICATIONS

The Geographical Indication (GIs) concept was based on the idea that some products have unique attributes, reputation or qualities which are inherently connected to their geographical provenance. On an international scale the largest structure that regulates GIs is the Agreement on Trade-Related Aspects of Intellectual Property Rights that was adopted in 1994 and forms part of the World Trade Organization (WTO) regime. TRIPS makes member states legally protect GIs to ensure that the names are not used or misused or misrepresented. TRIPS Articles 22 to 24 characterize GIs and provide the minimum standards of protection, but with increased protection to wines and spirits (World Trade Organization, 1994). Despite the establishment of a baseline by TRIPS, a significant freedom was given to the national governments to develop their own *sui generis* regimes or to incorporate GIs into the trademark legislation.

Besides TRIPS, the World Intellectual Property Organization (WIPO) is an important factor influencing the international debate on GIs. WIPO facilitates the harmonization of GI protection across borders through various instruments, such as the Lisbon Agreement for the Protection of Appellations of Origin (1958) and the 2015 Geneva Act (WIPO, 2023). European Union (EU) can be provided as one of the most successful examples of GI protection, as it has a complex regime by which thousands of agricultural products, wines, and foodstuffs are subject to strict labeling and enforcement systems (Gangjee, 2017). The economic potential of GIs, which is also acknowledged by the EU system, is associated with the rural development and consumer trust. In comparison, the United States has a more trademarks-based system, safeguarding GIs by certification and collective trademarks, under the Lanham Act. This difference between EU and US models has been known to make multilateral negotiations difficult in terms of cultural and economic interests, which are attached to GIs (Josling, 2006).

The Geographical Indications of Goods (Registration and Protection) Act, 1999 (hereafter GI Act, 1999) is the fundamental law of protection in India. The Act was passed by Parliament on 30 December 1999 and came into force in 2003, establishing a sui generis system separate from that of trademarks or patents. The Act in Section 2(1)(e) refers to a GI as a sign that identifies goods as being of a territory, region or locality where a certain quality, reputation or characteristic of the goods is essentially attributable to that territory, region or locality (Government of India, 1999). The Act set up the Geographical Indications Registry at Chennai which was charged with registration of applications and records.

Registration process under GI Act, 1999: It is a process where producer association, cooperatives or state bodies submit an application, then it is examined and published in GI Journal. After registration, manufacturers of the geographical area are granted the right to use the indication, and infringement occurs when the right is violated by a non-member. Such mechanisms are civil remedies like injunction, damages and account of profits, and criminal sanctions like imprisonment and financial fines (Chaudhuri, 2019). The Act offers the renewal of registration every ten years as well making a long-term protection.

The GI system in India has been applied to a wide variety of products, including agricultural products (such as Darjeeling Tea and Basmati Rice), handicraft (such as Banarasi Sarees and Kanchipuram Silk), and manufactured items (such as Aranmula Kannadi mirrors). By 2023, over 400 GIs are registered in India and it is a cultural and geographically diverse country (Indian GI Registry, 2023). The registration of Kolhapuri sandals in 2019 in this case was a milestone to traditional footwear. The GI was collectively registered by Maharashtra and Karnataka associations, in which the craft was considered to be a joint cultural property despite the boundaries between states (Indian GI Registry, 2019).

Kolhapuri sandals are registered and this comes with a number of implications. It gives a legal right to artisans in Kolhapur, Belgaum and Athani and areas to implement their

exclusive rights on unauthorized manufacturers. In economic terms, it boosts brand value of the product within the domestic and the international market, differentiating between the original Kolhapuris and imitations. It is a culturally recognized fact that sandals are a part of the Indian intangible heritage that should be preserved and promoted (Patil, 2018). Nevertheless, enforcement is a very important issue. Although they are recognized by the law, fake Kolhapuri sandals are very common, especially in the urban market, which compromises the economic performance of the artisans.

In India, interpretation of GI law by the courts has also created the boundaries. In *Tea Board of India v. ITC Ltd.* (2011) the Calcutta High Court tested the extent of GI protection with respect to the use of the name Darjeeling to refer to a lounge in a luxury hotel. Although the court appreciated the necessity of protection of GIs, it decided that such use in this case was not infringement, and thus there was a need to have an explicit statutory law defining the extent to which they should be covered (Singh, 2012). This case, as well as others, is an example of the judicial balancing of preventing misuse and avoiding overreach.

The success of the Indian GI Act is also contingent on more general institutional and policy assistance. Indian enforcement is mainly on a voluntary basis (as opposed to the active implementation of GI rights by state agencies as the case in the EU system). Poor education of artisans, expensive litigation and bureaucratic delays undermine the effectiveness of protection. The academics have called to increase the role of the state, such as funding enforcement measures and holding consumer awareness campaigns (Rangnekar, 2016). In addition, Indian GIs are still not evenly recognized internationally with protection outside India necessitating either separate registration or bilateral agreements.

Therefore, although the GI Act, 1999 offers a solid legal framework, the effectiveness of the Act is dependent on gaps in its enforcement, institutional capacity, and international cooperation. The GI registration is a legal shield in the case of Kolhapuri sandals, and the Prada incident is an illustration of the weakness of domestic laws in tackling

transnational issues. This highlights the importance of enhancing the national implementation and seeking international acknowledgment by way of treaties and bilateral agreements.

VI. THE PRADA CONTROVERSY

In June 2025, luxury fashion house Prada showcased its SpringSummer line in Milan and included leather sandals with a very vivid similarity to the traditional Kolhapuri chappals of India. These sandals were sold at outrageous prices of up to several thousand rupees, leading to instant fury among the craftsmen, cultural pundits and government officials in India (The Hindu, 2025). The issue was not only about the design similarity, but also the lack of recognition of the source of the craft. To the artisans whose livelihood and cultural identity revolves around Kolhapuri sandals, the acts of Prada were seen as a cultural appropriation, as well as an infringement of the Geographical Indications (GI) law of India. The event soon turned into a legal/cultural fight that brought to light the struggles of preserving the traditional handicraft in the globalized fashion industry.

The legal response was swift. Kolhapuri sandal makers supported by state agencies sent legal notices to Prada to compensate damages valued at ₹500 crore on the use of the design and possible GI infringement (Indian Express, 2025). A Public Interest Litigation (PIL) was filed before the Bombay High Court seeking intervention to protect the rights of artisans and restrain the sale of such goods in India; however, in *Ganesh S. Hingmire & Ors. v. PRADA Group & Ors.* (PIL No. 72 of 2025), the Court dismissed the petition at the threshold on 16 July 2025, holding that the petitioners lacked locus standi, as enforcement under Sections 21–22 of the Geographical Indications of Goods (Registration and Protection) Act, 1999 is confined to registered proprietors or authorized users, rendering a third-party PIL under Article 226 an improper remedy. The dismissal of the PIL underscores a structural limitation within the GI enforcement framework, as it highlights that only registered proprietors or authorized users may initiate infringement actions, thereby restrict broader public or representative litigation and exposing gaps in accessible enforcement mechanisms. The case referred to the Geographical Indications of

Goods (Registration and Protection) Act, 1999 which gives producers in the registered geographical area exclusive rights to use the GI label. The core of the case was whether the actions of Prada could be lawfully deemed GI infringement, since the Italian firm did not use the name 'Kolhapuri' but replicated its distinctive design. This issue also implicates the Designs Act, 2000, under which protection is limited to designs that are 'new or original' (Section 4). As traditional Kolhapuri sandal designs are centuries old and part of the public domain, they fall outside the scope of design protection, thereby exposing a significant legal lacuna in addressing such forms of copying. The limitation of both the GI Act, 1999 and the Designs Act, 2000 demonstrates that Indian law lacks a comprehensive mechanism to protect traditional cultural expressions embodied in handicrafts. While the GI regime protects geographical origin and associated reputation, and design law protects novel industrial designs, neither adequately safeguards pre-existing indigenous designs against unauthorized replication without misrepresentation.

According to the Indian law, GI infringement is normally found when third parties apply the registered indication without authorization or offer goods in such a manner that deceives consumers about their geographical origin (Government of India, 1999). Prada did not employ the word Kolhapuri, which is technically difficult to enforce. Nonetheless, artisan associations stated that the unique design and style of the sandals as documented in the GI registration is part of the intellectual property which is under protection. They argued that the Prada sandals formed an unjust connection with Kolhapuri tradition and robbed artisans of the credit and monetary gain. According to legal scholars, it was a test case, which would potentially broaden the meaning of GI law in India to cover substantial copying of traditional designs, despite no misuse of the GI label being reported (Singh, 2022).

The legal controversy was accompanied by the ethical one, which was no less heated. This was labeled as cultural appropriation when critics claimed that Prada took the indigenous craft and commodified it in order to make a profit without recognizing the historical and cultural values of the craft (Narula, 2025). This case brought the issue of

injustice in the global fashion industry where companies in Global North, in most cases, borrow motifs, crafts and designs of the Global South without involving the local artisans in gaining economic advantage. This unequal relationship continues a kind of cultural exploitation depriving traditional crafts of their context, and transforming them into trendy commodities (Saha, 2021). On the other hand, those who defended Prada said that the global fashion is based on cross-cultural borrowing, and that the source of inspiration based on the traditional crafts is not necessarily synonymous with the notion of appropriation. This is a conflict between appreciation and appropriation that has turned into a motif in the intellectual property and cultural heritage discussion.

A comparative outlook provides useful information. The actions of Prada, in the European Union, would probably be subject to greater scrutiny, because the system accords of the EU are strong in protecting registered GIs. Even products that merely come to mind or copy registered GIs are forbidden according to the EU law, even without explicit usage of the name (Gangjee, 2017). Indicatively, the European Court of Justice has always believed that indirect references or visual appearances that deceive consumers can as well be deemed as infringement. Equally, the EU extends its GIs outside the EU with trade agreements, which provides European producers with a better worldwide protection. In comparison, the Indian system is still confined to local enforcement, and Indian artisans are exposed to international markets.

The Prada case also revealed the lapses in the enforcement system of India. Although the 2019 GI registration of Kolhapuri sandals was hailed as history, thereafter minimal efforts were put in checking the global markets or forming partnership with international organizations to gain recognition. The implementation is costly in terms of resources, legal knowledge and support of the state, which may not be accessible to artisan cooperatives. The academics have contended that the state governments and central authorities must become more active, not just in the litigation, but in the creation of certification schemes and branding strategies, in order to promote GIs on the global level

(Rangnekar, 2016). Without such support, artisans must be left to take reactive actions when their controversies such as that of Prada occur.

Culturally, the scandal brought back the symbolic meaning of Kolhapuri sandals. Their centuries-old heritage, their contribution to the livelihoods of rural people, and their status as a symbol of Indian identity were highlighted in media coverage. Although the Prada collection was on the verge of stealing this legacy, the backlash inevitably drove the world into discussing Kolhapuris, and online movements were created to sell artisan-made sandals and to urge customers to buy authentic (Scroll, 2025). This contradictory impact of appropriation that is destructive and the reuse of knowledge that is regenerative is a representation of the intricate processes of globalization and cultural exchange.

Finally, the Prada controversy is an example study of how national GI regimes are limited facing international fashion industries. It highlights the fact that better international systems, bilateral agreements, and ethical corporate practices are required so that the traditional artisans will not be left behind. In addition to the legal solutions, the event demands cooperative frameworks with fashion houses collaborating with artisan communities, in which they would receive recognition, decent salaries, and joint branding. These collaborations might make cultural appropriation cultural appreciation, a balance between innovation and heritage.

VII. ECONOMIC & SOCIAL IMPACT OF GIS ON HANDICRAFTS

The economic importance of Geographical Indications (GIs) goes way beyond their use as legal instruments. They are the tools of rural development, culture preservation and community empowerment. In the case of traditional handicrafts which are frequently at risk due to industrialization and competition in the world market, GIs offer recognition as well as economic power. GIs in the Indian context are crucial towards maintaining the livelihoods of the artisan communities by allowing them to differentiate the genuine products in the market, improving brand value and enabling the producers to fetch high prices (Das, 2010). Through conservation of crafts such as Kolhapuri sandals, GIs protect

heritage and also provide new opportunities in market development, tourism and international trade.

In the case of artisans, GI recognition aids in enhancing the economic resilience. An example of this is the kolhapuri sandals which are made by thousands of artisan families in Maharashtra and Karnataka who are dependent on the trade as their main source of livelihood. Prior to the GI registration in 2019, artisans had to compete unfairly with imitations that are mass-produced and sold in the domestic and international market, usually at a low price (Patil, 2018). This undermined consumer confidence and lowered profit margins of artisans. After registration, the GI status has helped artisans to distinguish their products as original and traditional and thus regain consumer confidence and increase sales in some areas. This recognition also creates the possibility of exporting products because the global consumer is increasingly seeking authenticity and ethical sourcing when buying products (Chaudhuri, 2019).

The social effect of GI protection is empowerment of the marginalized people. The caste, community, and gender are highly intertwined with the production of handicraft in India. With Kolhapuri sandals, certain artisan communities have a long history of maintaining the craft and have transferred the knowledge to the next generation. Their experiences are confirmed by GI recognition, which brings back dignity and respect to the communities that have traditionally been marginalized in the social and economic realm (Rangnekar, 2016). Moreover, women tend to be significant in the production process - especially when it comes to activities such as stitches and finishing - thus, offering a possibility of female economic involvement in countryside (Patil, 2018). GIs, then, serve as a tool of inclusive development, whereby whole communities can enjoy the gains instead of profits being held in a small number of hands.

The success of other Indian GIs in the economy depicts how transformative such a protection can be. Darjeeling Tea as a case study is the first Indian product to be granted a GI status and its branding has enabled the producers to fetch a higher value in the foreign market (Singh, 2012). Likewise, Banarasi Sarees and Kanchipuram Silk have used

their GI status to attract tourism, artisan clusters, and boost local economies (Bose, 2019). These instances show that when properly combined with effective promotions and enforcement, GI recognition can be used to empower artisan communities. In the case of Kolhapuri sandals, there is room in both local and international fashion markets, especially when the state assistance and branding campaigns make them unique in terms of their cultural attributes.

In spite of these advantages, there are still problems. The lack of awareness of the artisans regarding the practical value of GIS is one of the problems that have remained a problem. Although GI tags are legal safeguards of products, their effect in the market relies on the active promotion, branding, and awareness among the consumers. A large number of artisans do not know how they can use GI certification as a marketing tool or protect their rights against infringement (Singh and Pandey, 2021). In addition, the enforcement is rather weak: fake Kolhapuri sandals continue to be sold in large quantities in urban markets and on online platforms, which also undermines the significance of the GI. Until the enforcement mechanisms are tightened and the artisans are educated on their rights, the economic potential of GI recognition is not going to be exploited to full capacity.

The Prada scandal also brought out the boundaries of domestic GI protection when the traditional crafts venture into international markets. The Indian law only gives exclusive rights to artisans, but in a situation outside India, it has to work through international cooperation. Indian artisans are at the mercy of being exploited by the multinational corporations without bilateral agreements or recognition in foreign jurisdictions. This poses a paradox, on the one hand, globalization opens up new markets to traditional crafts, and on the other hand, it opens them to misuse unless international structures are sought (Narula, 2025).

However, GI registration of Kolhapuri sandals has opened up new avenues of cultural and promotion. Efforts towards tourism in Maharashtra and Karnataka are starting to feature Kolhapuri sandals as part of the heritage products in association with the local cuisine, arts and festivals. These programs create an additional source of income, because

the tourists buy traditional sandals as cultural souvenirs (Maharashtra State Khadi & Village Industries Board, 2020). Over the long-term, GI protection coupled with tourism and branding policies can increase the market of artisans and strengthen the cultural identity of the product.

In short, GI protection of handicrafts such as Kolhapuri sandals has a complex economic and social aspect. It increases the income of artisans, conserves traditional knowledge, gives strength to marginalized communities, and boosts the identity of a culture. However, all these benefits can be achieved only with the assistance of state policies, consumer awareness, and international recognition. GIs are not just tools of law but vehicles of sustainable development- between heritage, economy, and society in such a manner that will enable traditional crafts to survive in the contemporary markets.

VIII. CRITICAL ISSUES & CHALLENGES

Although the implementation of the Geographical Indications (GI) Act in India to give Kolhapuri sandals recognition in 2019 is a significant move, its efficacy is compromised by a number of issues that persist. Such hurdles are not only legal but in socio-economic realities, gaps in enforcement and the complications of global trade. These are important issues to understand in order to evaluate why although these communities have been formally recognized, most artisan communities remain economically vulnerable and exploited in culture.

Ineffective enforcement of GI rights is one of the greatest problems. Even though the GI Act, 1999 offers civil and criminal redress on infringement, the enforcement is still wanting (Chaudhuri, 2019). Indian markets are still awash with fake Kolhapuri sandals, which are usually manufactured in large quantities using lower grade materials but marketed in the name of quality. This has been further magnified by online platforms where imitation products can enter the hands of the consumers without proper monitoring. The artisan associations do not have the financial and legal means to sue the counterfeiters, as a result, the violations remain unaddressed (Rangnekar, 2016). This in

effect nullifies the purpose of GI recognition per se because consumers are still left vulnerable to counterfeit products and the artisans deny themselves economic gains.

The other major problem is that artisans themselves have little knowledge of the extent of GI protection and its application. Small-scale producers do not fully understand the rights that are enforced by GI status or how to enforce them (Singh and Pandey, 2021). In the example of Kolhapuri sandals, larger crafts cooperatives might be more knowledgeable but small craftsmen might not have access to the information or institutional resources to take advantage of GI certification. This alienation undermines the solidarity of the artisan community, which causes unequal economic benefits and leaves many producers out of the possible benefits of GI branding.

The system is further complicated by the procedural and bureaucratic obstacles. The very process of registration involves group action on the part of producer groups, which is hard to accomplish in disaggregated artisan communities. The renewal process that requires ten years after registration and the requirement of continuous documentation also present a burden to small producers, which is usually difficult to fulfill (Das, 2010). In addition, the state assistance to the capacity building, marketing and enforcement is uneven and differs greatly in different areas. Some states such as Tamil Nadu and West Bengal have been proactive in marketing their GIs by conducting branding campaigns, but others have extended little support, and artisans have been left to their own devices (Bose, 2019).

There is another level of challenge in the global aspect of GI protection. As was the case with the Prada scandal, Indian GIs cannot be enforced abroad unless they are reflected in bilateral agreements or international registration frameworks (Narula, 2025). In the absence of these mechanisms, the artisans can be exploited by multinational corporations who steal and use the traditional designs without recognition or payment. This shows a loophole between local defense and international enforcement and leaves the rich reservoir of GIs in India poorly safeguarded across the world markets.

Sustainability of the economy also comes out as a challenge. GI recognition has the potential to improve the marketability of products, but it does not necessarily result in increased incomes of artisans. The decisive factors are market forces, consumer choices and supply chain setups. In the case of Kolhapuri sandals, the threat of substitutes posed by the low cost of synthetic footwear still undermines the demand among young people who are more concerned with costs rather than authenticity (Patil, 2018). GI status will otherwise be a mere symbolic award with minimal economic effects unless it is supported with effective branding, quality certification, and market development.

Lastly, is a larger cultural conflict between conservation and commercialization. On the one hand, GIs are aimed at keeping traditional knowledge and heritage safe; on the other hand, they are utilized as the means to introduce these products to competitive global markets. There is a danger, according to critics, that in the commercialization process the richer cultural meaning of crafts such as Kolhapuri sandals will be watered down, turning them into commodities (Saha, 2021). This brings up ethical dilemmas regarding what to do to create a balance between culture and economic growth.

To conclude, GIs have huge potential but their failure to safeguard the traditional handicrafts such as Kolhapuri sandals are plagued by poor enforcement, low awareness, red tape, international loopholes, market problems, and cultural conundrums. These issues can be tackled only through legal reform, institutional support, international cooperation and consumer education. These difficulties remain to be addressed, or the protective framework will be more of a symbolic rather than transformative one.

IX. REFORM PROPOSALS & RECOMMENDATIONS

As the example of Kolhapuri sandals, especially through the prism of the Prada scandalous, shows, the Geographical Indications (GI) regime in India has its potential and its limitations. As much as the GI Act 1999 offers a legal basis on which traditional handicrafts can be safeguarded, the success of the practice lies in effective enforcement, international status and significance participation with artisan groups. A number of

policy interventions and reforms are required in order to optimize the potentials of GIs in protecting cultural heritage and guaranteeing socio-economic gains to artisans.

The first area of reform is to improve the enforcement mechanisms. The existing enforcement is reactive and disjointed, where the artisan groups have to carry the weight of initiating expensive litigation against the violators. This strategy is not beneficial to small producers, who in many cases do not have access to legal and financial resources (Chaudhuri, 2019). In response to this, state agencies and the central government must create special GI enforcement cells, which will monitor offline and online markets on counterfeit products. These agencies may also partner with e-commerce sites to set filters to recognize and thwart the sale of fake Kolhapuri sandals, just as trademark protection systems are typically used (Singh and Pandey, 2021). GI penalties prescribed by criminal acts must also be vigorously applied, so that there is discouragement of willful violation.

Second, increased awareness and capacity building of artisans is needed. The small-scale producers are not aware of the advantages of GI protection or the procedures they need to follow in order to claim their rights. Governments, NGOs and institutions of higher learning may conjecture to organize training sessions to inform artisans on intellectual property rights, branding, and legal solutions. Consumer awareness campaigns are also significant because when consumers are informed, they will tend to purchase genuine GI products as compared to counterfeits (Das, 2010). In the case of Kolhapuri sandals, labeling campaigns to explicitly identify certified products may create consumer confidence and promote the demand of authentic craftsmanship.

Third, collaboration with fashion houses and retail chains in the form of public-private partnerships (PPP) can shift the trend toward cultural appropriation to cultural appreciation. Rather than MNCs having access to traditional designs and using them without crediting the creators, joint ventures might also incorporate artisan communities into the global supply chain. As an illustration, Prada or other fashion houses can collaborate with the Kolhapuri sandal cooperatives by providing design collaborations that would not lose the cultural authenticity yet reach the foreign markets. This would

ensure that such partnerships did not only offer fair wages and global recognition to artisans but also change the story of exploitation to fair and ethical partnership (Narula, 2025).

Fourth, the marketing and branding policies that emphasize the cultural peculiarities of GI should be a part of the reforms. There are successful examples of India e.g. Darjeeling Tea or Banarasi Sarees which show that branding campaigns can bring global recognition and high prices (Singh, 2012). Kolhapuri sandals might also take advantage of such efforts, such as Buy Authentic Kolhapuri promotions, specific exhibitions and inclusion in tourism loops in Maharashtra and Karnataka. Modern marketing tools can be used (e-commerce platform, telling the story via social media, influencer-led campaigns) to attract younger consumers and strengthen the cultural identity of the product.

On the legislative front, while amendments to the GI Act, 1999 may address certain gaps, a more robust solution lies in the introduction of a sui generis legal framework for the protection of Traditional Cultural Expressions (TCEs). Such a framework would extend protection to indigenous designs, motifs, and cultural expressions that do not meet the 'novelty' requirement under the Designs Act, 2000, thereby filling the existing lacuna highlighted by the Prada controversy where the fact that no names were used made enforcement difficult. Moreover, clauses may be included to require state assistance in enforcing it, and the small producer groups will not have to carry the heavy load. It has also been proposed by scholars that a central GI Fund be established to fund litigation, marketing and capacity building with equal consideration to the various artisan communities (Rangnekar, 2016).

On the international level, India has to seek mutual recognition arrangements and enhance the involvement in international GI arrangements. The example of the European Union shows that strong protections cannot be limited to a national level but may be enforced by bilateral treaties and trade agreements (Gangjee, 2017). India can also enter into negotiations on the same protections of its important GIs such as Kolhapuri sandals so that they are recognized and enforced in other jurisdictions. International protection

would also be further extended by joining treaties like the Geneva Act of the Lisbon Agreement, which would enable Indian artisans to protect their work more efficiently on the international level (WIPO, 2023).

Lastly, the reforms should be conscious of the relationship between commercialization and preservation of culture. Although GIs are economic instruments, they also protect the intangible cultural heritage. Making moves to globalize such crafts as Kolhapuri sandals, policymakers should make sure that the culture does not lose its meaning. This may be done through the incorporation of cultural stories into marketing campaigns, by involving artisan communities in decision-making, and preserving the traditional production processes, as well as adapting them with modern changes. By doing so, commercialization can be used as a means of preserving cultures instead of destroying them (Saha, 2021).

Finally, the registration of Kolhapuri sandals under the GI Act is an important success but can only be fulfilled by making sweeping changes. Enhancement of enforcement, empowerment of artisans, creation of ethical relationships, revision of legal provisions and international recognition are all critical measures. Through these initiatives, India will be able to make GIs a formidable tool of cultural conservation, economic empowerment and international recognition of traditional knowledge systems.

Accordingly, it is recommended that India consider enacting dedicated legislation for the protection of Traditional Cultural Expressions, drawing from international discussions within WIPO. This would enable communities to assert collective rights over traditional designs such as Kolhapuri sandals, ensuring protection against unauthorized commercial exploitation even in the absence of GI name misuse or design registration.

X. CONCLUSION

The protection of Geographical Indications (GIs) has emerged as one of the most important tools for safeguarding traditional knowledge, cultural heritage, and artisanal livelihoods in the modern global economy. The case of Kolhapuri sandals illustrates both

the strengths and the shortcomings of India's GI regime. On one hand, the recognition of Kolhapuri sandals as a GI in 2019 affirmed their centuries-old heritage, empowered artisan communities in Maharashtra and Karnataka, and created opportunities for branding and market expansion. On the other hand, challenges such as weak enforcement, limited awareness among artisans, and gaps in international protection reveal the fragile state of GI effectiveness in practice (Chaudhuri, 2019; Singh & Pandey, 2021).

The Prada controversy in 2025 serves as a landmark episode highlighting these limitations. By presenting sandals that closely resembled Kolhapuri chappals without acknowledgment, Prada raised questions about cultural appropriation, ethical fashion, and the adequacy of current laws. While legal notices and a Public Interest Litigation were filed, the case revealed that Indian law struggles to address cross-border infringements and non-traditional forms of exploitation. It also underscored the importance of rethinking GI law to include not only names but also distinctive design elements that embody cultural identity (Narula, 2025).

Economically, GIs have the potential to transform local economies by distinguishing authentic products and securing premium prices. For Kolhapuri artisans, GI recognition can support livelihoods, encourage women's participation, and sustain rural economies (Patil, 2018). Comparisons with successful GIs such as Darjeeling Tea and Banarasi Sarees demonstrate how branding and state support can elevate traditional crafts to global markets (Singh, 2012; Bose, 2019). However, this potential is contingent on systemic reforms, including state-led enforcement, awareness programs, marketing initiatives, and international recognition agreements.

Culturally, Kolhapuri sandals represent more than just footwear; they embody centuries of artisanal knowledge, community resilience, and regional pride. Their continued survival and relevance depend on striking a careful balance between commercialization and cultural preservation. Over-commercialization risks diluting their symbolic meaning, while under-promotion risks consigning them to obscurity. GIs, therefore, must

be understood not merely as legal mechanisms but as instruments of sustainable cultural governance that integrate heritage, economy, and identity (Saha, 2021).

In conclusion, the protection of Kolhapuri sandals demonstrates the broader significance of GIs in an era of globalization. To ensure their effectiveness, India must strengthen enforcement, empower artisans, foster ethical partnerships with global fashion houses, and pursue international recognition frameworks. Only then can GIs move beyond symbolic recognition to become powerful vehicles of economic empowerment, cultural preservation, and fair participation in the global marketplace. The Kolhapuri-Prada episode serves as a cautionary tale but also as an opportunity to rethink and reform India's approach to protecting its rich repository of traditional handicrafts. In doing so, India can transform GIs into tools not just of legal protection but of cultural justice and economic sustainability.

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