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Accompanion For Trademark Registration In The Name Of Mie Meletup

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Abstract

Mie Meletup is a business that is engaged in the culinary field which is an MSME (micro, small and medium enterprise). The business was established in 2021. A business formed mainly in the culinary field has a fairly high competitiveness. Legal protection for a trademark is needed to provide legal protection for the brand from actions that can be detrimental. Trademark rights are exclusive rights owned by a business in the form of a symbol or logo that is a special feature of a trademark or service that has been registered with the Director General of Intellectual Property Rights and has been ratified. Legal protection regarding Mark rights is regulated in Law Number 15 of 2001 concerning Marks. Brand rights are exclusive rights granted to trademark registrants that have been registered and protected by the Director General of Intellectual Property Rights. The purpose of brand protection is to prevent plagiarism of the brand. Data collection in this Student creativity program activity is using primary and secondary data collection. The output design process in the implementation of this Student creativity program activity begins with observations made to obtain location information, partner data, and problems that are being experienced by partners.

Keywords: *Brand Assistance, Intellectual Property, Legal Protection*

Introduction

Mie Meletup is a business engaged in the culinary field which is an MSME. The business was established in 2021. The business is located at Mega Legenda Market Complex Blok B1 No. 21 Baloi Park, Batam City. In this business, the main menu offered is Processed Noodle Products made from Tapioca flour. Mie burst which opened in Batam City has two outlets located in Mega Legenda market and Batu Aji which is located in Batam City. Opening time for Mie Meletup is 09.00 WIB to 22.00 WIB. Mie Meletup was established in 2021, the owner of the Mie Meletup culinary business named Andri Saepuloh

A business formed mainly in the culinary field has a fairly high competitiveness (Elok savitri Pusparini, et, al 2018). Culinary businesses that have

many customers and are getting famous will experience the risk of plagiarism that will occur by irresponsible people. To minimize this occurrence, legal protection of a trademark is needed. Trademark rights are exclusive rights owned by a business in the form of a symbol or logo that is a special feature of a trademark or service that has been registered with the Director General of Intellectual Property Rights and has been ratified (Makruf, Sri 2018)

The importance of trademark rights is to provide guarantees to the trademark owner so that the registered trademark has legal protection. Problems arise when a business that has grown rapidly and there are people who take the opportunity by imitating the brand of the business so that consumers think that the business is the same as the original business (Putra Dwi Nurcahya Fajar 2014)

The impact of not registering a trademark is the emergence of people who plagiarize brands and types of merchandise that are marketed at a lower price than the first seller (Devega, Muhammad, and Setiawan 2019). In this case, the loss will be experienced by the person who first creates a type of goods or service whose trademark has not been registered, because the public generally cannot distinguish it because it has similarities in the logo or brand and a cheaper price becomes an attraction. The function of the brand is as a marker or differentiator of a trade or service to distinguish one brand from another and is known by the public (Lilis 2013). The importance of trademark registration is to obtain legal protection. Legal protection regarding Mark rights is regulated in Law Number 15 of 2001 concerning Marks. Trademark rights are exclusive rights granted to trademark registrants that have been registered and protected by the Director General of Intellectual Property Rights (Maudy et al. 2019) A registered mark is a mark that already has a registered number and is registered with the Director General of Intellectual Property Rights. The registered mark will have legal protection for the mark in order to prevent plagiarism of the mark (Arifin and Iqbal 2020)

The difficult situation that is being experienced during this pandemic period gives rise to bad intentions to do a business quickly, in the sense of imitating the efforts of other people who already have progress to get the same profit as the original business (Wirayuda, Sudiarmaka, and Mangku 2020)

The Mie Meletup business brand that is currently running is not impossible to be imitated by other parties. Mie Meletup is an MSME (micro, small and medium enterprises). MSMEs during the COVID-19 pandemic experienced a very large impact with reduced income which caused losses for MSME owners (Hanafi, Nahdhah, Ansori Fathan 2021)

Consumers who subscribe to the culinary business who feel that the food they enjoy will have a different taste will certainly stop buying food against the trademark, in this case what is detrimental is the brand that is detrimental because the business is not branded, resulting in many people copying and impacting reputation. decreased and the number of customers decreased. Therefore, in order to guarantee legal protection for a brand, in this case there is an agreement with the partner to register the partner's business mark.

Method

1. Data Collection Technique

Data collection in this Student creativity program activity is using primary and secondary data collection. Primary data is data obtained through observation and interviews. Observations were made in the activities that took place in Mie Meletup SMEs by finding possible problems that would arise. Interviews were also conducted with the Mie Meletup trading business owners to identify the problems that are being faced by the business owners. Secondary data is obtained from literature studies obtained from laws and regulations, journals, and several other sources that are related to Student creativity program activities.

2. Output Design Process

The output design process in the implementation of this Student creativity program activity begins with observations made to obtain location information, partner data, and problems that are being experienced by partners. After that, the next thing to do is data collection, data presentation, and data compilation to carry out trademark registration activities for Mie Meletup.

3. Implementation Stages

a) Pre-implementation stage

The stages of preparation for implementation begin with the search for legal problems that often occur around. The method used in finding problems that arise in the community is by conducting interviews and observations. The results of the observations made resulted in a place that was found to carry out Student creativity program activities. Then ask for permission from partners to carry out Student creativity program activities. After that, submit an activity proposal to the lecturers and the next management party is to make a certificate of cooperation agreement with partners in Student creativity program activities. Interviews were conducted with partners to find ways to resolve and provide suggestions for existing problems.

b) Implementation Stage

The implementation of this Student creativity program activity begins by providing understanding to partners regarding the procedure for trademark registration which will be carried out online through the DJKI website. By providing information regarding the requirements needed for trademark registration and the costs to be incurred in registration. In trademark registration, there are several special provisions, such as additional class fees for each class and whether the mark can be registered or not, all explained to partners with the aim that partners understand and do not take wrong actions in registering trademarks.

The processes in trademark registration are:

- 1) Create an account to the dgip.go.id website.
- 2) Create a new application on the website
- 3) Ordering billing codes including types, types, and classes in trademark registration.
- 4) After receiving the billing code, make the payment to the bank as directed
- 5) Next fill in the existing formula
- 6) Upload the data on the website and fill in the data then give a signature and attach a MSME certificate

- 7) After all the data is correct then click finish and wait until the next information will be provided by the website.

c) Evaluation Stage

At this stage, together with the owner of the Mie Meletup MSME, they will conduct an inspection and recapitulation of the implementation of community services and receipt of trademark applications, after which the preparation of scientific articles and reports on community services that have been carried out will be carried out. The Student community services report consists of 5 chapters. The first chapter contains an introduction, the second chapter contains the targets to be achieved and the outputs, the third contains the implementation methods, the fourth chapter contains the results and targets that have been achieved, and the fifth chapter contains conclusions and suggestions. Reporting on community services will be carried out after the report has been compiled.

Result and Discussion

Outcome Design of Explosive Noodle Trademark Registration Activities

The results and evidence of trademark registration assistance that has been carried out in the implementation of Student creativity program activities are:

1. Evidence from community services that have successfully applied for the registration of the Mie Meletup trademark which was carried out online through the DJKI website in the form of a receipt for the Mie Meletup trademark registration form



Figure 1.0 Receipt form for registration of the Mie Meletup brand



Figure 1.1 Proof of successful registration of the Mieletup Brand



Figure 1.3 Explosive Noodle Trademark Registration Status

2. Proof of Assistance in Registration of MSME Brands for Mie Burst



Figure 1.4 Assistance in the Registration of the Merlet Noodle Brand

The Outcome Implementation Process of Menpetup Mie Brand Registration Assistance

Implementation of the process of implementing the output of trademark Registration by conducting assistance methods to Mie Meletup SMEs. Trademark registration is done by submitting an online application through the DJKI website. The stages of registration carried out are as follows; follows:

- 1) Collecting formal and material requirements in accordance with the requirements that have been given in applying for online trademark registration.
- 2) Checking whether the mark you want to register has been registered first by opening the PDKI website and selecting the class of mark you want to register.



Figure 1.8 *Main Page*



Figure 1.9 *Registration filling*

- 5) Register an account on the DJKI website, namely <https://www.dgip.go.id/> by completing the required data including name, email, place of birth date, ID card number, gender, cellphone number, and others others. After completing the data, check the statement explaining that the data filled in is appropriate and correct.



Figure 1.10 *Account registration filling*

- 6) Login via the website and enter the email and password that was created after that a pop up dialog will appear providing information on the successful login on the web.



Figure 1.11 *Entering the Pop Up Dialog Successfully*

- 7) Click on the online application located at the top left



Figure 1.12 *Online Application Page*

- 8) Next will appear a notification "do you already have a billing code" click on it and then fill in the data and billing code that has been paid.
- 9) Next will appear a notification "do you already have a billing code" click already and then fill in the data and billing code that has been paid.



Figure 1.13 *Data Filling and Billing Code*

- 10) In the second stage, the "Applicant" fills in the data as requested after that save and continue



Figure 1.14 *Filling of Applicant Data*

- 11) Fill in the brand name and logo to be registered



Figure 1.15 Brand Data

12) Add the class number you want to register



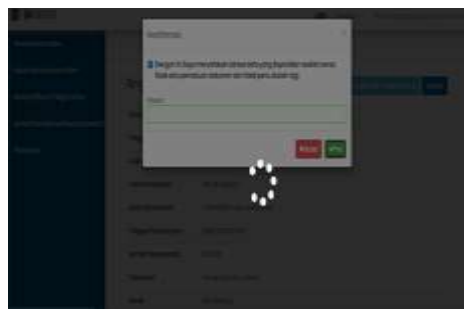
Figure 1.16 Class Data

13) Include attachments such as a stamped MSME letter, digital signature and retroactive MSME licenses



Picture 1.17 Attachment Document

14) Confirm that the data provided is correct and put a tick



Picture 1.18 Confirm Data

- 15) Then the system will display the first page of the online application and can download the application statement



Figure 1.19 Receipt and Statement Letter

- 16) The application that has been submitted to the DJKI and accepted under Article 14 of the Trademark and GI Law states that it will be followed up with a formality examination within a period of no later than 15 (fifteen) days. If the formal brand requirements are complete, it will be continued at the announcement stage for a period of 2 (two) months.

Conditions After Implementation

Assistance in the registration of the Mie Meletup mark has been carried out and a mark registration receipt and a trademark registration statement have been obtained. In this case, the mark is just waiting for further notification regarding the application for registration of the registered mark which can be viewed via email or through the intellectual property database website. In this mentoring process, partners also gain some knowledge about the law and the importance of trademark registration.

Conclusion

Legal protection for a trademark is needed to provide legal protection for the brand from actions that can be detrimental. Trademark rights are exclusive rights owned by a business in the form of a symbol or logo that is a special feature of a trademark or service that has been registered with the Director General of Intellectual Property Rights and has been ratified. Legal protection regarding trademark rights is regulated in Law no. 15 of 2001 concerning Brands. Brand rights are exclusive rights granted to trademark registrants that have been registered and protected by the Director General of Intellectual Property Rights. The ongoing Mie Meletup business mark is not impossible to imitate by other parties. Mie Meletup is a business engaged in the culinary field which is an MSME. The business was established in 2021. The implementation of community services is to register the Mie Meletup MSME trademark.

The community services implementation stage has the aim of helping partners register trademarks to obtain legal protection. In this stage, Student creativity program activities are carried out by providing information to partners regarding procedures for registering a trademark, the conditions that partners must

complete in trademark registration, and the importance of trademark registration in order to obtain legal protection. In the implementation of this Student creativity program, it has reached the stage of collecting files and has received a receipt for trademark registration. In implementing the community services, we are waiting for a response from the DJKI website.

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