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“Registration Of Intellectual Property Rights To “Kopi Tambah Waktu” Brand Based On Intellectual Property Rights”

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Abstract

One of the Intellectual property rights is a trademark. Brands are needed as identification on an item with the aim of making it easier for someone to recognize an item on the brand. A person can easily recognize a product on a brand by name or image. If a mark wants to get legal protection, the trademark owner must submit an application for registration of rights to the mark. The advantage obtained in registering a trademark is that other parties cannot use the mark without permission and cannot imitate the mark. An item that has its own brand has a higher value, where someone can trust the product more. Products that do not have a brand make the value of a product not too high, a person's lack of trust in buying and can result in the product not selling well. The problem that is currently rife is the imitation of brands by other parties which is not allowed so that the owner of the mark registers the “Kopi Add Time” mark to DJKI. The method used is through observation, interviews and literature study through laws and regulations, legal journals, expert opinions. The result is success in assisting the "Kopi Add Time" brand in submitting an application for trademark registration.

Keywords: *Trademark, Intellectual Property Rights, product*

Introduction

A brand is a symbol, name, image, sign, design or a combination of all of them to identify a product in the form of goods or services from a company (Rahmat Budiman, Irfani, 2019). One of the most important parts of a product or service is a brand, a brand is a sign that is not real but has value and influence in the economic continuity and lifestyle of consumers (Hariyani, 2010).

Trademark is one part of Intellectual Property Rights which is abbreviated as "HKI" or known as Intellectual Property Rights (IPR), namely rights that arise from the results of someone's thinking in producing a product (Sri Hidayani & Abdul Lawali Hasibuan, 2020). A phenomenon that often occurs in the product or service of a brand is when the product is imitated by other parties. Legal protection of intellectual property rights (IPR) is important as a brand owner (Dyah, 2019). Intellectual property protection efforts need intellectual property registration in order to get legal protection in creating the results of intellectual creativity (Yanto, 2015).

The purpose of this PKM activity is to register a trademark as a sign of ownership of a brand and prevent misuse of the “Kopi Tambah Waktu” brand. Efforts are made by registering the trademark “Kopi Tambah Waktu” to the Directorate General of Intellectual Property (DJKI).

The trademark “Kopi Tambah Waktu” has not yet applied for registration to obtain the right to the mark. Ignorance of business owners to register their trademarks will cause losses in the future where other parties can use the trademark “Kopi Tambah Waktu” without brand rights so that they cannot prohibit the use of rights by other parties due to the absence of rights from the owner or a lawsuit to court.

In order to avoid problems with imitation or use of the “Kopi Tambah Waktu” trademark by other parties, the “Kopi Tambah Waktu” business owner submits the registration for the “Kopi Tambah Waktu” trademark to the Directorate General of Intellectual Property (djki).

Methods

The method used in solving the problem of the “Kopi Tambah Waktu” trademark is Interview and Observation, the interview is conducted with the “Kopi Tambah Waktu” business owner to find out the problems that are being experienced while the observation is carried out on partners who have not registered a trademark, namely UMKM “Kopi Tambah Waktu”.

The location for conducting PKM is in the trademark “Kopi Tambah Waktu”, the operating hours “Kopi Tambah Waktu” has two shifts, namely the morning shift from 08.00 to 15.00 while the afternoon shift is from 15.00 to 21.00.

Result and Discussion


Implementation

The implementation of PKM activities begins with providing an explanation to partners regarding the procedure for submitting a trademark registration which is carried out online, the terms and conditions that must be met, the costs for submitting a trademark registration and the period of legal protection of the mark. An explanation of the class categories in trademark registration, examination of the marks to be registered regarding the existence or absence of similarities to registered trademarks was also given. The data required for trademark registration for general categories are in the form of a Resident Identity Card (KTP), Brand Name and Logo, Applicant's Signature.

Outcomes achieved

The outputs achieved during the implementation of PKM activities are evidence of success in assisting the registration of the “Kopi Tambah Waktu” Trademark which is carried out online to DJKI.

FORMULIR PERMOHONAN PENDAFTARAN MEREK INDONESIA
APPLICATION FORM OF INDONESIAN TRADEMARK REGISTRATION

Data Permohonan (Application)			
Nomor Transaksi Number of Transaction	: IPT2021167712	Asal Permohonan Office of Origin	: Online Filing
Nomor Permohonan Number of Application	: DID2021081342	Tipe Permohonan Type of Application	: Merek Dagang
Tanggal Penerimaan Receipt Date	: 2021-11-22 21:12:56	Jenis Permohonan Sub Type of Application	: Umum
Data Merek (Description of Mark)			
Tipe Merek Type of Mark	: Merek Kata dan Lukisan	Etiket Gambar/Label Merek Image of Mark	
Nama Merek Name of Mark	: Kopi Tambah Waktu		
Deskripsi Description	: Lingkaran, bentuk +, kata kopi waktu, kalimat because 24 hours isn't enough		
Warna Colors	: Hitam		
Terjemahan Translation	: karena dua puluh empat jam tidak cukup		
Transliterasi/Pengucapan Transliteration	:		
Disclaimers Disclaimers	:		
Data Pemohon (Applicant)			

Nama	: Wiliam Chrisnata		
Jenis Pemohon Owner Type	: Perorangan		
Kewarganegaraan Nationality	: Indonesia		
Alamat Address	: Komp. Srijaya Abadi G-4, RT002/006, KeLubuk baja kota, Kec. Lubuk baja		
Kabupaten/Kota City	: Kota Batam	Kode Pos Zip Code	: 29444
Provinsi Province	: Kepulauan Riau	Negara Country	: Indonesia
Telepon Phone	: 08127726666		
Surel Email	: Chrisnata@gmail.com		

Alamat Surat Menyurat (Mailing Address)			
Alamat Address	:		
Kabupaten/Kota City	:	Kode Pos Zip Code	:
Provinsi Province	:	Negara Country	:
TeleFax Phone	:		
Surel Email	:		

Data Kuasa (Representative/IP Consultant)	
Nama Konsultan Consultant Name	: No Konsultan Number of Consultant
Nama Kantor Office Name	:
Alamat Address	:
TeleFax Phone	:
Surel Email	:

Data Prioritas (Priority Data)			
No	Tanggal Prioritas (Priority Date)	Negara / Kantor Merek (Priority Country)	No Prioritas (Number of Priority)

Data Kelas (Class)	
Kelas (Class)	Uraian Barang dan/atau Jasa (Description of Goods/Services)
30	<p>Bahan campuran minuman berbahan dasar kopi; Macchiato (minuman kopi yang dibuat dengan mencampurkan espresso dengan susu); Minuman berbahan dasar kopi espresso; Minuman berbahan dasar kopi yang mengandung susu; Minuman kopi dengan atau tanpa susu; Minuman kopi espresso dicampur dengan susu 90 ml; Minuman kopi espresso dicampur dengan susu dan bubuk coklat; affogato [minuman berbasis kopi yang mengandung es krim]; kafein tambahan, yaitu, konsentrat berkafein untuk membuat minuman kopi; minuman berbahan dasar kopi; minuman berbahan dasar kopi atau kakao dengan atau tanpa susu; minuman berbahan dasar kopi dengan topping : boba, jelly, pearl; minuman berbahan dasar kopi, kokos, cokelat atau teh; minuman biji kopi; minuman kopi; minuman kopi dengan buah-buahan; minuman kopi dengan campuran susu; minuman kopi espresso dengan tambahan sirup jeruk; minuman kopi espresso dicampur dengan susu; minuman kopi espresso dicampur dengan susu 150 ml; minuman kopi espresso dicampur dengan susu 180 ml; minuman kopi espresso yang dicampur dengan air panas; minuman-minuman berbahan dasar kopi; minuman-minuman berbahan dasar kopi;; sediaan minuman kopi; sediaan untuk membuat minuman berbahan dasar kopi; sediaan-sediaan untuk minuman berbahan dasar kopi</p> <p><i>Coffee-based beverage mix; -; coffee-based beverages containing milk; Coffee beverages with or without milk; Piccolo ; Mocha; affogato [coffee-based beverages containing ice cream]; caffeinated coffee shots, namely, caffeinated concentrates for making coffee drinks; coffee-based beverages; coffee or cocoa based beverages with or without milk; -; coffee-, cocoa-, chocolate- or tea-based beverages; coffee bean beverages; coffee beverages; -; coffee beverages with milk; Citron latte; Flat white; Cappuccino; Latte; Long black; Coffee drinks; coffee-based drinks; prepared coffee beverages; preparations for making coffee-based beverages; preparations for beverages based in coffee</i></p>
Dokumen Lampiran (Attachment)	
Tanda Tangan Digital Pemohon	
Identitas pemohon jika pemohon lebih dari satu pihak (Additional Applicant)	
No	Nama Pemohon Tambahan
Gambar Merek Tambahan (Additional Mark)	
No	Gambar Merek Tambahan



External advantages/weaknesses

That the business owner knows the importance of trademark registration in obtaining the protection of rights to trademarks. Weaknesses can be in the form of conditions and fees that must be met to register a mark.

Conclusions

Partners in this PKM activity are “Kopi Tambah Waktu” In this case the partners have not registered their trademarks. The impact of PKM activities can be in the form of “Kopi Tambah Waktu” business owners knowing the importance of registering a mark and obtaining trademark rights for Kopi Tambah Waktu. During the process of implementing this PKM activity, I am grateful for the assistance of Mr. Febri Jaya, S.H., M.H as the supervising lecturer in this PKM activity.

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