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ACCOMPANIMENT OF REGISTRATION TRADEMARKS STEAK JOBS

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Abstract

Trademark Rights are Intellectual Property Rights that often used in daily life and very important for business actors where they become differentiators from other products and or services. Brand rights can also provide protection for the owner to avoid imitation from competitors. But the fact is that there are still many business actors who have not registered their trademarks for their businesses because of the lack of knowledge about brands. One of them is Steak Jobs. The owner of Steak Jobs objected to the relatively high cost of registering a mark if it was registered by an IPR consultant and the complicated process of registering a trademark if it was done by himself. In this case, Steak Jobs requires legal assistance in the form of assistance in registering its trademark. The method of implementation carried out by the author is in the form of a survey to find partners, interviews to find out the problems being faced, providing insight to partners related to the trademark registration mechanism, collecting the necessary documents and registering the mark online on the merek.dgip.go.id site. The output of this project is assistance for the registration of the Steak Jobs Trademark which is submitted online to the Directorate General of Intellectual Property, the issuance of an online application receipt for the registration of the Steak Jobs Trademark until the trademark registration application is declared complete and enters the announcement stage as a result of the assistance for the registration of the Steak Jobs Trademark.

Keywords: *Accompaniment, Registration, Trademarks, Intellectual Property*

Introduction

(1) Background of Project

Indonesia is a country that has various ethnic groups and serves a variety of culinary products. Over time, the culinary business is growing more rapidly and creates opportunities for business players considering that Indonesia is the most populous country in Southeast Asia and ranks fourth in the world. However, it is very important for a business to have a distinguishing element to compete with other businesses, one of which is to register its business mark with the Directorate General of Intellectual Property. A brand itself is a sign that can be displayed graphically in the form of an image, logo, name, word, letter, number, color arrangement, in the form of 2 (two) dimensions and/or 3 (three) dimensions, sound, hologram, or a combination of 2 (two) dimensions. two) or more of these

elements to distinguish goods and/or services produced by persons or legal entities in the activities of trading goods and/or services. However, in reality, the level of trademark registration in Indonesia is still low and this results in frequent disputes regarding trademarks. Indonesia adheres to a constitutive trademark registration system which is regulated in Article 3 of Law Number 20 of 2016 concerning Marks and Geographical Indications which states that trademark rights will be obtained after registering a trademark with the Directorate General of Intellectual Property. Mark protection is valid for ten years from the date of receipt and can be extended again when the protection period has expired. However, due to the lack of public insight into the brand protection system, people tend to feel that the right to a mark will automatically be owned by the person who first used it but who registered it. In addition, the public also lacks awareness of the importance of trademark registration in their efforts to avoid imitation from other competitors and can provide protection and legal certainty if in the future they are caught in a trademark dispute. relatively large trademark registration fees. Steak Jobs is a cafe that was established on September 3, 2021 by Mr. Justman Tan, who is engaged in the culinary field of contemporary food by offering Western food. Although it is a new business, Steak Jobs itself has an appeal to the community and has the potential to develop into a promising business. However, Steak Jobs himself still does not own the brand rights for the business he runs. It is feared that imitation by other competitors will result in losses for Steak Jobs and if involved in a brand dispute, there is no evidence that can be used to protect the brand it owns. So it is necessary to register the Steak Jobs brand with the Directorate General of Intellectual Property.

(2) Effort that have been made by others parties.

To encourage the public to register Intellectual Property Rights, the Government conducts socialization to increase public awareness of the importance of legal protection for the business it runs, facilitates filing of trademark applications by providing a site to be able to register online trademark applications, reducing the cost of trademark registration for MSMEs who wish to register For the brand, there is a tutorial on how to register a mark, both in written and video form, which makes it easier for ordinary people to register a mark.

(3) Aims of projects

The aims of projects are as follows.

- a. Preventing unfair business competition in the form of imitation of the Steak Jobs service mark by other competitors,
- b. Provide legal protection for the Steak Jobs Service brand if in the future plagiarism is found by other parties,
- c. Provide insight to partners regarding the registration mechanism for the Steak Jobs Service Mark.

(4) Problem Statements

The problem currently faced by Steak Jobs is that they do not have a brand for their business. The owner of Steak Jobs feels the importance of trademark registration because it is a differentiating element from other businesses. In addition, it can also protect itself from imitation of other competitors. Another obstacle faced by Steak Jobs owners is the economic problem and the lack of

knowledge about the trademark registration mechanism. The owner objected to the relatively high cost of registering a mark if it was registered by an HKI consultant where Steak Jobs was a newly established business and had not been able to bear the cost. The owner also felt that the trademark registration process was complicated and lengthy if done by himself. In this case, Steak Jobs requires legal assistance in the form of assistance in registering its service mark.

Methods

The method used is an advocacy method that is implemented in partner assistance activities in solving a legal problem they are currently experiencing. Mentoring activities carried out in the form of assistance for partner brand registration on the DJKI website. The location of this project itself is carried out at the partner's place and the parties communicate with each other regarding trademark registration via WhatsApp and face-to-face so that the partners themselves feel safe and confident that the trademark registered on the DJKI website is in the partner's own name and an application for registration of the mark has been made. This project activity begins on September 13, 2021 and is completed by students on December 4, 2021. Data collection techniques in this PKM activity are primary and secondary data collection. Primary data was obtained through an initial survey to find the location of the PKM implementation, then continued with interviews with Steak Jobs to find out information and problems that were being faced related to their business. Secondary data was obtained through literature study in the form of legislation, journals, articles and other sources related to the implementation of this PKM activity.

Result and Discussion

The implementation of this PKM activity begins with an initial survey to find the location for the PKM implementation and continues with interviews with Steak Jobs to find out information and problems that are being faced related to their business. Then, search for information regarding the procedure for registering a mark to the Directorate General of Intellectual Property. Then collect the necessary data and compile the data. The implementation of this practical work consists of several stages, namely:

- a. Preparation phase, starting with conducting a survey to find partners and practical work locations, conducting interviews related to the business being run and the problems being faced, requesting permission to partners, supervising lecturers related to the implementation of practical work, preparing practical work proposals and collecting data. required.
- b. Implementation phase, starting with providing insight to partners related to the mechanism of online trademark registration, and trademark registration fees that will be charged to partners, collecting documents needed for trademark registration, and conducting online trademark registration on the brand site.dgip.go.id .

c. The Assessment and Reporting stage, starting from the process of preparing practical work reports, evaluating and evaluating practical work by partners and supervisors and collecting hardcovers to BAAK.

The outputs designed in this PKM activity are as follows.

a. Evidence of success in assisting the registration of the Steak Jobs Service Mark to the Directorate General of Intellectual Property online with the issuance of a receipt for the registration of the Steak Jobs Service Mark, the application for trademark registration is declared complete and enters the announcement stage.

FORMULIR PERMOHONAN PENDAFTARAN MEREK INDONESIA
APPLICATION FORM OF INDOONESIAN TRADEMARK REGISTRATION

Data Permohonan (Application)			
Nomor Transaksi	IP2021187175	Asal Permohonan	Online Filing
Nomor Permohonan	JID2021080895	Tipe Permohonan	Marka Jasa
Number of Application		Type of Application	
Tanggal Permohonan	2021-11-21 12:16:16	Jenis Permohonan	Umum
Receipt Date		Sub Type of Application	

Data Merek (Description of Mark)		
Tipe Merek	Marka Kata dan Lukisan	Etiket Gambar/Label Merek
Type of Mark		Image of Mark
Nama Merek	Steak Jobs	
Name of Mark		
Deskripsi		
Description		
Warna	Merah dan Putih	
Colors		
Keterangan Transaksi	Pelaksanaan Merek	
Transaction Description		
Transmitansi/Penggunaan		
Transmittance/Usage		
Disclaimers		
Disclaimers		

Data Pemohon (Applicant)

Picture 1.

Mark Registration Application Receipt Source : Writer (2021)

No.	Nomor Transaksi	Tanggal Pengajuan	Tipe Merek	Marka	Kelas	Nomor Permohonan	Tipe Permohonan	Jenis Permohonan	Status
1	IP2021857175	21/11/2021 12:16:16	Marka Kata dan Lukisan	Steak Jobs	43	JID2021080895	Marka Jasa	Umum	(TM) untuk di publikasi

Picture 2.

Proof of Receipt of the Application for Registration of the Steak Jobs Mark on the DJKI website Source : Writer (2021)

Pangkalan Data Kekayaan Intelektual

Menu: Steak Jobs

Kembali ke pencarian

No. Permohonan	Tgl. Permohonan
JID2021080895	2021-11-21

Steak Jobs

Status: TM (Marka Dagang)

Detail:

NOMOR PENGUMUMAN	TANGGAL PENGUMUMAN
NOMOR PERMOHONAN	TANGGAL PERMOHONAN
JID2021080895	2021-11-21
TANGGAL TERIMA PERMOHONAN	TANGGAL BERSARAF PERMOHONAN
2021-11-21	

Publikasi: Publikasi A

Picture 3.

Application Status for Steak Jobs Brand Registration on the Intellectual Property Database site Source : Writer (2021)

b. Assistance in Registration of Service Marks for Steak Jobs



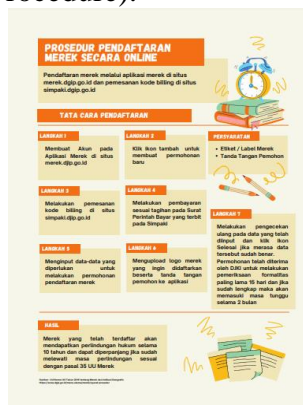
Picture 4.

Photo with Steak Jobs Owner Source : Writer (2021)



Picture 5.

Assistance in Registration of Service Marks for Steak Jobs Source : Writer (2021)
c. The procedure for registration of the Steak Jobs Service Mark is in the form of a SOP (Standard Operating Procedure).



Picture 6.

SOP Source : Writer (2021)

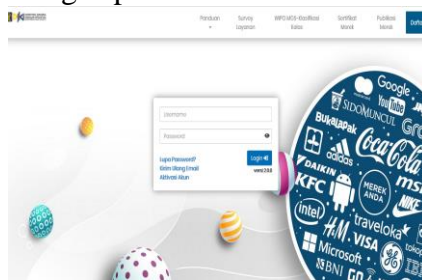
The process of implementing this PKM activity is as follows.

- Looking for information regarding the trademark registration procedure to the Directorate General of Intellectual Property.
- Collect the documents needed to register the Steak Jobs Service Mark online to the website of the Directorate General of Intellectual Property in the form of a Mark Etiquette/Label, the Applicant's Signature which is required to upload to the

website of the Directorate General of Intellectual Property, the Applicant's ID Card and the email address required to create an account and perform Steak Jobs trademark application registration.

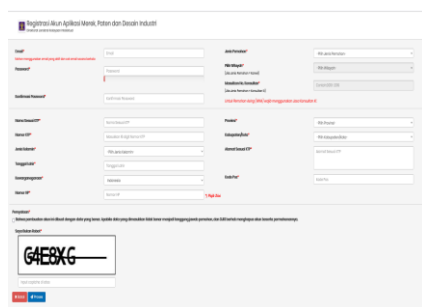
c. Prepare the fee for submitting an application for registration of a Service Mark online, which is Rp. 1,800,000.- (one million eight hundred thousand rupiahs) for submissions by the public, there is a payment order written on it.

d. Register a new account on the Brand Application (brand.dgip.go.id) by filling in the applicant's data in the form of an e-mail address which will be the username and to activate the account that will be registered on the brand application, password (password), type of applicant , applicant's name according to ID card, ID card number, gender, date of birth, nationality, cellphone number, applicant's domicile in the form of province, district/city, address according to ID card and check the statement that the creation of this account was made with correct data, if the data entered is not is the responsibility of the applicant and DJKI has the right to delete the account along with the application as well as proof of not being a robot by inputting the existing captcha.



Picture 7.

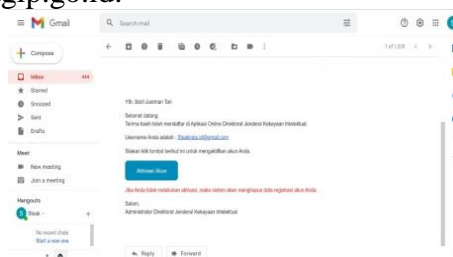
Brand Application Home Source : Writer (2021)



Picture 8.

New Account Registration Page On Brand Application Source : Writer (2021)

e. Verify and activate brand accounts via e-mail sent by permohonan.online@dgip.go.id.



Picture 9.

Brand Account Verification and Activation E-mail Source : Writer (2021)

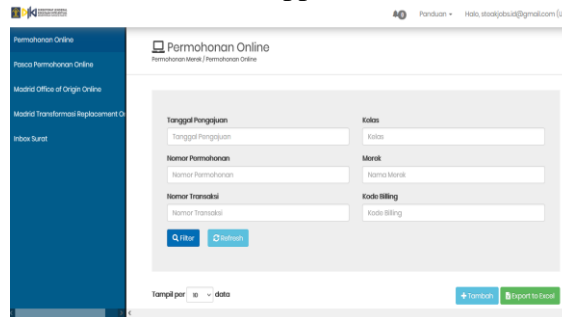
f. Log in as an applicant on the Brand Application. The application will display a pop up dialog informing you that the login was successful and contact about complaints and questions about the Brand.



Picture 10.

Pop Up Dialog Account Login Successful Source : Writer (2021)

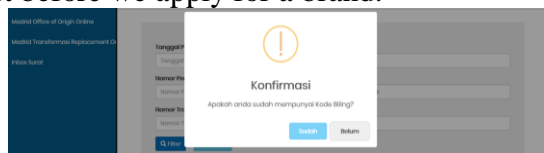
g. Select the Online Application tab to apply for a trademark registration online, then click the plus icon to create a new application.



Picture 11.

Pop Up Dialog Account Login Successfully Source : Writer (2021)

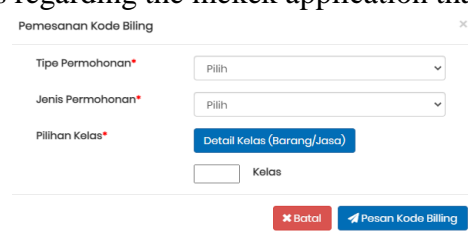
h. Then a new pop up dialog will appear, click the icon yet to place an order for the billing code first before we apply for a brand.



Picture 12.

Billing Code Confirmation Pop Up Dialog Source : Writer (2021)

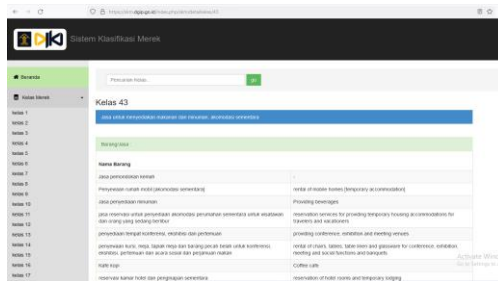
i. A pop up dialog for ordering a billing code will appear and there are some data that we must fill in first, namely the type of application, the type of application and the choice of class regarding the mekek application that we will submit.



Picture 13.

Billing Code Ordering Dialog Pop Up Source : Writer (2021)

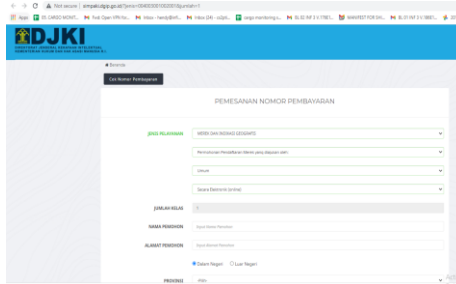
To determine the choice of class according to the brand we want to register, we can look at the list of brand class classifications found on the website <http://skm.dgip.go.id/>. The Steak Jobs Service Mark is registered in class 43. After all complete data is filled in, it can be continued by clicking the Billing Code Message icon.



Picture 14.

Brand Class Classification List Source : Writer (2021)

j. Then it will be redirected to the Simpaki page and followed by filling in the required data, namely the name of the applicant, the address of the applicant (covering the province, district/city, sub-district), the applicant's e-mail and the applicant's cellphone number. Then tick the statement that I have read and understand the terms and conditions above and click the Process icon. Simpaki will issue a Payment Order.



Picture 15

Brand Class Classification List Source : Writer (2021)



Picture 16

Payment Order Source : Writer (2021)

- k. The applicant then makes a payment according to the amount of the bill stated on the Payment Order.
- l. Log back in to the Mark Application and continue filling out the trademark registration application online. Next, click on the icon that you have ordered your billing code after the Billing Code Confirmation dialog pop-up reappears.
- m. Fill in the data required to apply for a trademark registration through the 8 tabs that appear after confirming that you have ordered a billing code, namely the General tab, Applicant, Authorization (if using a proxy), Priority (if you have priority rights), Mark, Class, Attachments and Resume.
- n. Re-check the data that has been inputted into the system to avoid data input errors and if you feel that the inputted data is appropriate, then click the Done icon on the Resume tab.
- o. After that, it will return to the online application page and the Mark Application Data Preview. Applicants can download application receipts and affidavits on the online application page.
- p. The application will be continued with a formality examination at the latest 15 (fifteen) days and if the formal requirements have been met, it will proceed to the next stage, namely the announcement stage with a period of 2 (two) months.



No.	Nomor Transaksi	Tanggal Pengajuan	Tipo Merek	Merek	Kelas	Nomor Permohonan	Tipo Permohonan	Jenis Permohonan	Status
1	IPT202107175	21/11/2021 11:58:48	Merek Kata dan Lukisan	Steak Jobs	43	JID2021080895	Merek Jasa	Umum	(TM) Masa Pengumuman (BRM)

Picture 17.

Online Application Source : Writer (2021)

After carrying out online assistance for the registration of the Steak Jobs Service Mark to the Directorate General of Intellectual Property with the issuance of a registration receipt for the Steak Jobs Service Mark, it is hoped that the mark can be successfully registered with the Directorate General of Intellectual Property. So that it can provide legal protection from imitation of the Steak Jobs Service Mark by other competitors.

Conclusions

Steak Jobs is a cafe that is engaged in the field of contemporary food, which offers Western food, which has just been established in Batam. However, the owner does not yet have a trademark for the business he is running due to economic problems and lack of knowledge about the trademark registration mechanism. The owner objected to the relatively high cost of registering a mark if it was registered by an HKI consultant where Steak Jobs was a newly established business and had not been able to bear the cost. The owner also felt that the trademark registration process was complicated and lengthy if done by himself. So that it is very necessary for legal assistance in the form of assistance in the registration of service marks. The method used in this PKM activity is through

initial surveys, interviews and literature studies related to the implementation of this PKM activity. The results and outputs of this PKM activity are the issuance of a receipt for the registration of the Steak Jobs Service Mark, the application for the registration of the mark is declared complete and enters the announcement stage as a result of the successful assistance of the registration of the Steak Jobs Service Mark. With the implementation of this PKM activity, it is hoped that it can provide legal protection for the Steak Jobs Service Mark so that legal problems can be prevented in the future if there is imitation from other competitors and unfair business competition that causes them to lose competitiveness with other competitors. If the mark can be successfully registered with the Directorate General of Intellectual Property, the owner of Steak Jobs can renew the mark when the protection period has expired.

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