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## ASSISTANCE OF REGISTRATION OF TEH TARIK SULTAN POENYA ANASIS TRADEMARK AS INTELLECTUAL PROPERTY IN BATAM CITY

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### Abstract

A brand is a sign that is displayed graphically in the form of images, logos, letters, words, and color arrangements in the form of 2 or 3 dimensions by combining 2 or 3 of these elements which creates a difference in goods and or services produced by people or legal entities in trading activities. The brand itself is also included in the type of Intellectual Property that we often encounter in our daily lives. However, although brands are often found in our daily lives, most of these brands are still not registered with the DJKI, one of which is the brand “Teh Tarik Sultan Poenya Anasis”. The reason the owner of the “Teh Tarik Sultan Poenya Anasis” brand has not been registered by the owner to the DJKI is because the owner of the mark still does not understand the procedure for registering the mark online on the DJKI website. Therefore, it is necessary to provide assistance to the registration of the mark. The method of implementing community service is carried out in 3 stages, namely, firstly determining the problems owned by partners, secondly preparing for the resolution of partner problems and the last is implementation. The result of the implementation of this community service is the understanding of partners in the stages and procedures in registering a mark in the DJKI and that the mark has been registered with the DJKI.

**Keywords:** *Brand, Registration, Mentoring*

### Introduction

Intellectual Property Rights is a term that we often hear in our daily lives where this term itself in Indonesia has been changed to "Intellectual Property" (Dharmawan, 2017). One type of intellectual property that we often encounter is a brand. A brand for a producer is a symbol or image that distinguishes the products or services they produce from products or services produced by other parties (Agung, 2011). In addition, the brand itself is a benchmark for consumers in assessing a product whether the product is genuine or fake, where this is intended so that consumers are not deceived by counterfeit products or products that have never been used before. (Arifin & Iqbal, 2020; Wijaya & Wairocana, 2018). Therefore, many manufacturers, from common brands to well-known brands, have started to take legal measures to protect their trademarks by registering their trademarks with the DJKI or the Directorate General of Intellectual Property. The

registration is intended so that the brand owner is given the right to the mark by the state and the mark is protected by the state. The right to a mark is a special right (exclusive) granted by the state to the owner to use the mark himself or to give permission to others to use it. The granting of special rights by the state has the consequence that to obtain it, it must go through a registration mechanism so that the nature of registration is compulsory (Haryono, 2012). In order for the trademark rights to receive protection and recognition from the state, the trademark owner must be registered with the State which is represented by the DJKI where the mark to be registered must have its own distinguishing element from goods or services from other parties (Desmayanti, 2018). Even though trademark registration is one of the things that must be done by producers to maintain their mark, there are still many producers or entrepreneurs who still do not understand how to register a mark and of course this will result in a trademark not being registered with the DJKI. One example itself is the PkM activity partners who have not registered their trademarks on the DJKI website and partners who do not understand and do not understand the trademark registration procedures on the DJKI website where this is mentioned by partners in the interview process that has been carried out. Because of this, this PkM activity was carried out.



Figure 1  
Unregistered Partner Brand

### Methods

The method used in the implementation of this PkM is an advocacy method which is an implementation method in the form of partner assistance activities in solving legal problems that they are currently experiencing. The mentoring activity here is in the form of mentoring activities for partner's trademark registration where the previous partner has never registered a trademark on the DJKI website. The location of the PkM implementation itself is carried out in each party's house where the parties will continue to communicate with each other in the trademark registration process via Whatsapp where it aims to make partners themselves feel safe and confident that the trademarks registered on the DJKI website are on behalf of partners, yourself not someone else. This PkM activity itself begins on August 31, 2021 and is completed by students on November 11, 2021

### Result and Discussion

The implementation/implementation of the PkM itself has been carried out since August 31, 2021, which involves 2 parties, namely the MSME entrepreneurs who have problems in the lack of understanding of trademark registration which is

carried out on the DJKI website which is referred to as partners and students who act as partner companions in the process. trademark registration and explain the process and structure of such trademark registration to partners. The implementation/implementation of this PkM itself was carried out on August 31, 2021 by conducting observations and interviews with partners to find out the problems that partners have and the result is that partners have problems where their trademarks have not been registered on the DJKI website and partners who have never carried out trademark registration activities at all. DJKI website so that partners need legal assistance in the form of trademark registration assistance



Figure 2

Observation and Interview Activities

After knowing the problems experienced by partners, the implementation is then continued by collecting a number of data needed to register partner's trademarks where the most important data is partner's ID card, partner's signature and partner's brand that is still not registered on the DJKI website. After all the above data has been collected, then on October 6, 2021, a partner account registration is carried out on the DJKI website where registration for this account itself needs to fill in a number of partner data information that is adjusted to the partner's ID card which is then followed by approval of the partner's account via email ..

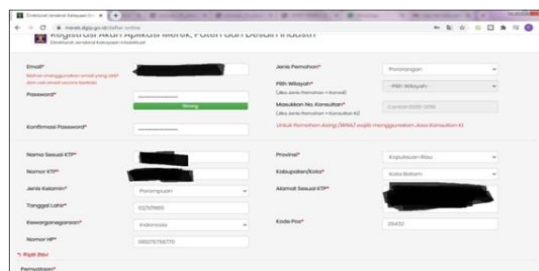
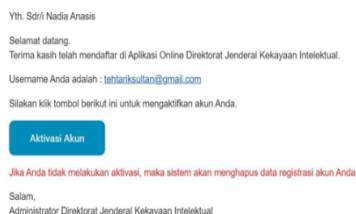


Figure 3

Partner Account Registration Process



The fact is that trademark registration can be continued on that date, but it has to be postponed for more than 1 month due to a few financial problems experienced by both parties so that trademark registration will then be continued on 9-11 November 2021. Before registration of a mark can be carried out, a mark must first pass through an administrative stage in the form of payment per class for the mark to be registered, where this administrative stage itself begins with an application for a billing code for registration of a mark per class and continues with the payment of the billing code at Bank BNI. This administrative stage itself costs at least Rp. 1,800,000 per brand class.



Figure 4  
Payment Process at BNI Bank

After the administrative stages have been carried out, then trademark registration can be carried out where there are 8 data that we need to fill in and the first data we will encounter in trademark registration on the DJKI website is filling in general data or on the website it says "General Info" which in this case we only need to re-enter the billing code that we previously obtained and then we can continue to fill in the second data. Where the second data that we need to fill is the data of the trademark applicant which is basically data belonging to the partner which we need to adjust to the ID card of the partner.

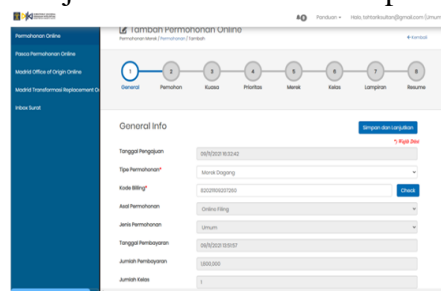


Figure 5  
Filling General Info

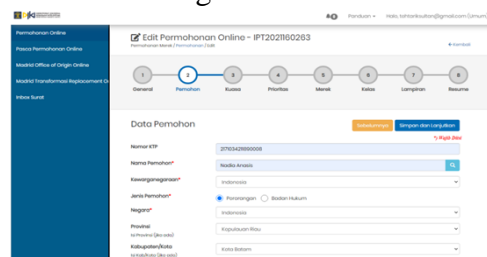


Figure 6  
Filling of Applicant Data

In the next stage, we can immediately skip it because the third and fourth data itself is power data and priority data. The reason why we don't need to fill in these two data ourselves is because we ourselves act as substitutes and it's as if we are partners in registering a partner's trademark, but our role is not the same as the power of attorney because we still need to reconfirm some of the data that we have filled in. to our partners. The brand is also not classified as a prioritized brand. Therefore, we can skip these two data.

Figure 7  
Attorney Data

Figure 8  
Priority Data

Furthermore, the fifth data that we need to fill in is the brand data owned by partners. In filling out this fifth data, we will be presented with a number of questions which are in the form of brand type, brand name, brand label description, colour elements in brand labels, whether there is a translation or not, brand pronunciation if the brand uses non-Latin words to the point of disclaimer. In addition to these questions, we will also be shown additional data which in this case we do not need to fill in because this additional data is specifically intended for three-dimensional brands, holograms and sound.

Figure 9  
Brand Data

The sixth data that we need to fill in is class data where at this stage itself we only need to re-follow according to the goods or services sold or carried out by

partners. In this data, partners belong to class 30 with a description of tea drinks with or without milk.

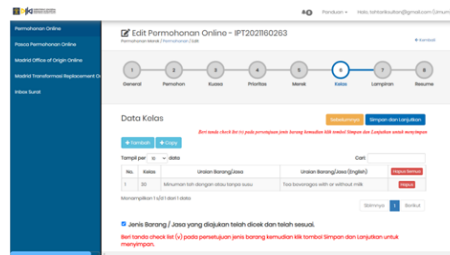


Figure 10  
Class Data

The seventh data that we need to fill in is data regarding attachment documents or it can be said as supporting documents in trademark registration which in this attachment document itself we only need to enter the signature of our partners.

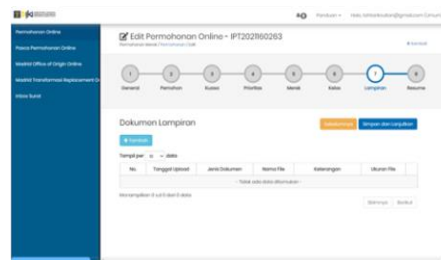


Figure 11  
Attachment Document

The eighth data and including the last data itself is a data resume/summary of filling that we have done previously where for this data itself we absolutely do not need to fill in any data, but we only need to re-check whether the data we fill is in accordance with the wishes of the partner.

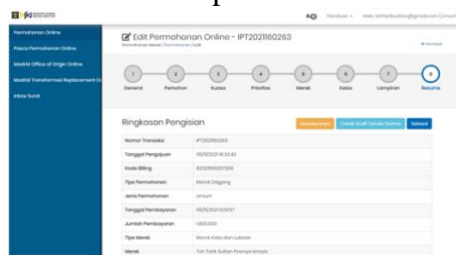


Figure 12  
Resume/Summary of Filling

Before the registration of our mark is completed, we first re-confirm some of the data that we have filled in to our partners, which aims to make our partners believe and believe that the registered mark is in the name of the partner and not another party. The confirmation process itself is done online via WhatsApp.

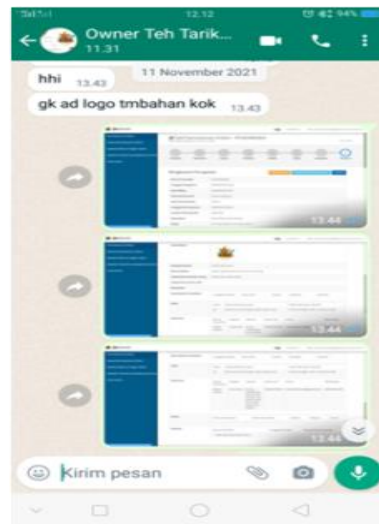


Figure 13

#### Confirm to Partner

After all the data has been confirmed by our partners, our trademark registration has been completed, wherein the proof of trademark registration itself is in the form of a Mark Registration Application Statement and an Indonesian Mark Registration Application Form. Where the two proofs themselves are sent to partners via WhatsApp.



Figure 14

#### Sending Proof to Partners

After all the brand registration activities have been carried out, the last presentation was carried out with the title "The Process and Stages of Registering the Teh Tarik Sultan Poenya Anasis Brand" where the presentation itself was carried out via zoom which was attended by partners and accompanying students.

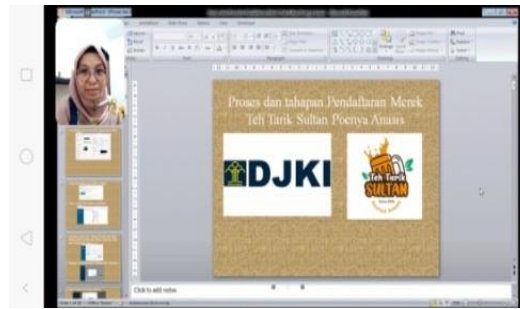


Figure 15  
Presentation

The location of the PkM implementation itself is carried out in each party's house where the parties will continue to communicate with each other in the trademark registration process via Whatsapp which aims to make partners themselves feel safe and confident that the trademarks registered on the DJKI website are on behalf of partners. yourself not someone else. This PkM activity itself starts on August 31, 2021 - November 11, 2021.

### Conclusions

The registration of a mark on goods or services is basically recommended to be carried out by entrepreneurs of goods or services where in addition to aiming for a trademark to obtain legal protection, a mark can also be avoided from dishonest practices, such as counterfeiting, piracy and even plagiarism. Although this trademark registration itself sounds like a fairly trivial thing and maybe even many entrepreneurs ignore it, trademark registration has a very high potential to prevent intellectual property conflicts caused by dishonest activities. Therefore, it is very important for entrepreneurs to register trademarks in maintaining and protecting their trademarks and to avoid external conflicts that may occur between fellow entrepreneurs or entrepreneurs and legal entities.

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