



Research Article

Advanced Training of Intellectual Property Documents of Industrial Designs for Goyor Sarong Craftsman in Pemalang District

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Abstract: Intellectual property is used to increase economic value while providing legal protection for innovative inventions. Goyor Glove, typical of Pemalang, in fact, does not yet have legal protection on Intellectual Property, especially Industrial Design, so that the protection is low and many industrial designs of Goyor sarong are used by others without permission. The methods used to solve the problems in this service program are: (1) Training (workshop), which aims to provide knowledge and skills in quality improvement and product development (2) Product development and application management of the Goyor motif motif to be a description of IP Industrial Design; (3) Assisting and facilitating IP registration of Industrial Designs to be able to increase the economic value of the product; and (4) Monitoring and Evaluation for follow-up plans. Partners in this program, namely the Goyor Sarong Craftsmen in Pemalang District, were given the opportunity to play an active role, from the time of training to mentoring, facilitation and monitoring and evaluation especially during registration and acceleration of obtaining IP Industrial Design certificates craftsmen are given the opportunity to actively provide ideas, criticism in product development and application of management to obtain IP protection. Thus this activity is centered on partners based on the basic needs of partners to develop by increasing the economic value and welfare of the Goyor Gloves craftsman in particular.

Keywords: accompaniment; community services; Goyor sarong craftsmen; industrial design documents

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A. Introduction

The aspects of Intellectual Property Rights (IPR) which are now changing to being called Intellectual Property (IP) are very closely related to the development of the potential dynamics of the results of human intellect, namely from work, intentions and creative power. The work in the form of human intellectual work that has a very high economic value should get adequate legal protection supported by a sense of justice and as an appreciation of his intellectual results. This legal protection is very important, because people who find good works in the form of products or goods have to spend a lot of cost and sacrifice. Efforts to protect Intellectual Property also encourage people to create new works that can improve the welfare of the community.¹

Intellectual Property is a right that comes from the work, initiative and creativity of human intellectual abilities that have benefits and are useful in supporting human life and have economic value. The real form of the work, intentions and creativity of human intellect can be in the form of science, technology, art and literature. Referring to the definition of IP, the nature of IP is: (1) has a limited period of time, meaning that after the period of protection of innovation has expired, then there can be extended (brand rights), but there is also after the protection period has expired to become public property (patent), (2) is exclusive and absolute, meaning that the right can be defended against anyone, and the owner has a monopoly right, that is, the inventor can use his rights by prohibiting anyone without his permission to make a creation or use the technology he has, and (3) it is an absolute right that is not material.²

¹ Rodiyah, Waspiah, & Andri Setiawan, Acceleration Model in Obtaining Intellectual Property Rights (IPR) on Micro, Small and Medium Enterprises (SMEs) in Semarang City Central Java, *Proceeding - Kuala Lumpur International Business, Economics and Law Conference*, Vol 6 No. 4, April 18 – 19, 2015. Hotel Putra, Kuala Lumpur, Malaysia, pp. 47-57.

² Waspiah, *Teori dan Perkembangan Hukum Kekayaan Intelektual (Dinamika Nasional dan Internasional)*, BPFH UNNES, Semarang, 2019, pp. 27-28; Waspiah, Dian Latifiani, & Andry Setiawan, The Mechanism Model of the Simplepatent Registration (A Case Study in the Environmental Small Industries Semarang), *South East Asia Journal of Contemporary Business, Economics and Law*, Vol. 6, Issue 4, 2015, pp. 20-27. Budi Santoso, Inge Widya Pangestika Pratomo, Nida Nur Hidayah, Sabri Banna, Rindia Fanny Kusumaningtyas, Brand Registration as a Marketing Strategy and Customer Loyalty of Natural Color Batik in Kampung Alam Malon Village, *Indonesian Journal of Advocacy and Legal Services*, Vol. 1 No.1, 2019, pp. 79-96; Martitah, Dewi Sulistianingsih, Saru Arifin, Urgency of Legal Aspects in Management of Featured Products as an Effort to Empower Communities in the Circle Campus Area, *Indonesian Journal of Advocacy and Legal Services*, Vol. 1 No.1, 2019, pp. 97-106.

Legal protection is any effort that can guarantee legal certainty, so that it can provide legal protection to the parties concerned or who take legal action. Legal protection can be done publicly or privately.³

Industrial Design is a creation of a shape, configuration, or composition of lines or colors, or lines and colors, or a combination thereof in the form of three dimensions or two dimensions that gives an aesthetic impression and can be realized in three-dimensional or two-dimensional patterns and can be used to produce a product, goods, industrial commodity or handicraft (Article 1 Paragraph 1).⁴

Based on the sound of Article 1 paragraph 1, it can be concluded that the motif of the goyor goyor is included in the legal protection regime of Intellectual Property Industrial Design, which includes fulfilling the elements based on WIPO, namely visibility (can be seen by eye), special appearance (special appearance shows differences with other products so attractive to buyers or users of the product), non-technical aspects (only protects the aesthetic aspects of the product and does not protect the technical function aspects of the product), embodiment in a utilitarian article (applied to goods that have uses)

Industrial Design is a right that must be protected and in this case the regulation relating to Industrial Design is Industrial Design Law Number 31 of 2000. There should be regulations that are already regulated, apparently not being applied properly and many cases appear on the surface with regard to Industrial Design and cyber-violations committed by irresponsible people.

Furthermore, as Friedman revealed in his book, that the legal system must have three important components, not just the legal substance, in this case, the laws and regulations, but balanced with the legal structure, namely the law enforcement officers who can enforce regulations and can carry out these regulations properly so that legal objectives can be created. Legal culture which is the third component in the legal system that has been faced by Friedman is in this case how the community can also cooperate in submitting and proper to the existing rules and not just the rules become the decoration only.⁵

³ Waspiah, *Op.cit*, p. 35

⁴ Law Number 31 of 2002 concerning Industrial Design, Article 1 paragraph 1. This article recognized that industrial design as an art product which has aesthetical impression. See also Waspiah, *Teori dan Perkembangan Hukum Kekayaan Intelektual (Dinamika Nasional dan Internasional)*, BPFH UNNES, Semarang, 2019.

⁵ Lawrence M Friedman, *The Legal System: A Social Science Perspective*, Russell Sage Foundation, US, 2015, pp. 115-117; Tamotsu Hozumi, Masri Maris (transl), *Asian Copyright Handbook Buku Panduan Hak Cipta Asia*, Asia/Pacific Cultural Centre for UNESCO, Japan, 2006, p. 11

Public protection is carried out by utilizing legal protection facilities provided by public provisions, such as domestic legislation and international, bilateral and universal agreements, as well as private protection, by careful contracting. Public protection on IPR itself as stated by Kimura, Chen, Iliuteanu, Yamamoto, & Ambashi (2016) that intellectual protection rights (IPR) protection is essential for economic growth, innovation, and competitiveness. As the global economy is increasingly organised within global value chains, disciplining and enforcing IPR in a coherent manner internationally has become a critical issue in the 21st century trade system.⁶

Some contemporary cases concerning to legal protection showed that laws and regulations plays an important role on the protection to provide a legal certainty.⁷

One of the characteristics and at the same time is the goal of the law is to provide protection to the community. Therefore, the legal protection of the community must be realized in the form of legal certainty.⁸ An intellectual work is produced and developed on the basis of thinking that requires assessment with a variety of risks, therefore the protection of the designer, designer or inventor is seen as reasonable, because in order to produce a work and/or an invention with actions that carry a risk of violation. As well as legal protection for awards that will provide a stimulus for the parties to create new intellectual works, will be more creative, so that it will produce benefits.⁹

Therefore there is a need for community service activities in the form of Science and Technology for the Society (*Ipteks bagi Masyarakat*, IbM) on the

⁶ Fukunari Kimura, Lurong Chen, Maura Ada Iliuteanu, Shimpei Yamamoto, & Masahito Ambashi, TPP, IPR Protection, and Their Implications for Emerging Asian Economies, *Policy Brief Economic Research Institute for ASEAN and East Asia*, No. 2016-02, April 2016, pp.1-7.

⁷ Khoirun Nissa, Protection of Industrial Design Law in the Enhancement of Economic Development in Indonesia, *Journal of Private and Commercial Law*, Vol. 3 No. 2, 2019, pp. 76-81; Ridwan Arifin, Indonesian Political Economic Policy and Economic Rights: An Analysis of Human Rights in the International Economic Law, *Journal of Private and Commercial Law*, Vol. 3 No. 1, 2019, pp. 38-49; Andry Setiawan, Dissemination of Copyright Law in Digital Products In Semarang City, *Journal of Private and Commercial Law*, Vol. 2 No. 1, 2018, pp. 47-54.

⁸ Debashis Bandyopadhyay, *Emergence of IPR Regimes and Governance Frameworks*. In: *Securing Our Natural Wealth: South Asia Economic and Policy Studies*, Springer, Singapore, 2018, pp. 17-19; Shidarta, *Karakteristik Penalaran Hukum dalam Konteks Keindonesiaan*, Utomo, Bandung, 2005, p. 112.

⁹ Johanna Gibson, *Community Resources: Intellectual Property, International Trade and Protection of Traditional Knowledge*, Routledge, London, 2016, pp. 214-215; Candra Irawan, Protection of Traditional Knowledge: A Perspective on Intellectual Property Law in Indonesia, *The Journal of World Intellectual Property*, Vol. 20 No. 1-2. 2017, pp.57-67.

Designers of the Goyor Gloves to be able to increase economic value and also legal protection of the Goyor Glove motifs whose designs.

Furthermore, based on preliminary research conducted by Authors, it was found that the problems faced by the Designers of the North Wanarejan Goyor Gloves are as follows:

1. Limitations of the type of design motif
2. There is no awareness of legal protection for the results of the Goyor Sarong Industrial Design in North Wanarejan.

The inevitability of registering works into IP in the form of copyrights, patents, brands, trade secrets and others as unlimited needs in the realization of legal protection for the design of the goyor glove industry. Based on the identification of these problems, it can be formulated the focus of the application of the skills in preparing the Industrial Design IP document as follows:

1. What is the concept of registering the Industrial Design IP that should be practiced in the design of the goyor glove in North Wanarejan?
2. How to model the application of the preparation of Industrial Design registration documents in the design of the goyor glove in North Wanarejan?
3. How to empower the potential of the IP invention to be an Industrial Design to support the achievement of legal protection of the Rights product in the SME designer of goyor gloves in North Wanarejan?
4. How to facilitate registration, acceleration of acquisition of IP- Industrial Design in the goyor glove designer SMEs in North Wanarejan so as to increase the economic value of the Goyor glove design industrial design in North Wanarejan?

B. Method

Based on the results of discussions with partners, namely the owner of the design of the goyor glove industry in North Wanarejan, it was agreed that the handling or problem solving is prioritized or focused on the problems of: (1) Improving the quality of human resources in terms of improving quality and product development and management application; (2) Development of the goyor glove industrial design products in North Wanarejan, and (3) Application of SME management, especially marketing. (4) Acquisition of IP for legal protection and increasing the economic value of the design of the goyor glove industry in North Wanarejan.

Therefore, the solutions that will be carried out to solve problems or achieve the targets of the application of science and technology are: *First*,

improve the quality of human resources to be able to: (1) Improve quality and develop products and motives that are unique and quality, and representative to be presented to buyers; and (2) Implement good management, which can support efforts to improve the quality of product packaging. *Second*, helping partners or SMEs in: (1) Improving the quality and developing products of the design of the goyor glove industry in North Wanarejan, by creating products and creativity that are distinctive and quality or representative; (2) Implement SME management. *Third*, improving legal awareness of product protection in the context of acquisition of IP for legal protection and enhancing economic value. As well as the ability to prepare IP documents for Industrial and Copyright Designs so that Acquisition of IP is for legal protection and enhancing the economic value of the design of the goyor glove industry in North Wanarejan.

C. Result and Discussion

1. Framework of Program: Intellectual Property for SMEs and Its Protection

1) Basic Framework of Intellectual Property

Intellectual property according to Bambang Kusumo as quoted by Saleh, that substantively as a right to wealth arising or born because of human intellectual abilities.¹⁰ Another opinion states that intellectual property is the right to enjoy economically the results of intellectual creativity. Economic rights are the right to obtain economic benefits from creation in the form of royalties or awards.¹¹

Intellectual Property Rights are rights that come from the work, intentions, and creativity of human intellectual abilities that have benefits and are useful in supporting human life and have economic value. The real form of the work, intentions, and creativity of human intellect can be in the form of science, technology, art and literature. Innovation or the creation of a work by using intellectual abilities is reasonable if the inventor or creator gets a reward.¹²

¹⁰ Ismail Saleh, *Hukum dan Ekonomi*, Gramedia Pustaka Utama, Jakarta, 1990, p.51; Kusumo Bambang, *Pengantar Umum Mengenai Hak Atas Kekayaan Intelektual (HAKI) di Indonesia*, Faculty of Law Universitas Gadjah Mada, Yogyakarta, 1995, p.51.

¹¹ Much. Nurachmad, *Segala Tentang HAKI Indonesia*, Buku Biru, Yogyakarta, 2012, p.22

¹² Christopher May, *The global Political Economy of Intellectual Property Rights: The New Enclosures*, Routledge, London, 2015, pp. 125-126; Graham Dutfield, *Intellectual Property Rights and The Life Science Industries: A Twentieth Century History*, Routledge, London, 2017, pp. 117-119; Andry Setyawan, Non-Traditional Trademarks in Indonesia: Protection under the Laws and Regulations (An Intellectual Property Law), *JILS (Journal of Indonesian Legal Studies)*, Vol 2 No. 2, 2017, pp. 123-130.

Intellectual Property Rights (IPRs) are generally divided into two main categories as emphasized by Senewe¹³, namely: Copyright and the Right to Industrial Property consisting of:

- a. Patent.
- b. Brand rights.
- c. Industrial Product Rights.
- d. Rights to Plant Varieties.
- e. Right to Layout Design of Integrated Circuits.

Furthermore, concerning to principle of intellectual property rights protection, the law provides guarantees for every authority to enjoy their products and creations with the help of the state. Legal protection guarantees that the interests of the owner are maintained. To balance interests, the intellectual property rights system must be based on the principle:

a. The Principle of Natural Justice

Based on this principle, the law gives protection to the creator in the form of a power to act in the framework of interests called rights. A creator who produces a work based on his intellectual ability is reasonable if his work is recognized.

b. Economic Principles (the Economic Argument)

Based on this principle IPR has economic benefits and value and is useful for human life. The economic value of IPR is a form of wealth for the owner. The creator benefits from ownership of his work such as in the form of royalty payments for music and song compositions.

c. Cultural Principles (the Cultural Argument)

Based on this principle, recognition of literary creations from human creations is expected to be able to arouse enthusiasm and interest to encourage the birth of new creations. This is because the growth and development of science, art and literature are very useful for improving the standard of life, civilization and human dignity. In addition, IPR will also provide benefits for the community, nation and state.

d. Social Principles (the Social Argument)

Based on this principle, the IPR system provides protection to the creator not only to meet the interests of individuals, partnerships or unity, but is based on the balance of individuals and society. This form of balance

¹³ Emma Valentina Teresha Senewe, Efektivitas Pengaturan Hukum Hak Cipta dalam Melindungi Karya Seni Tradisional Daerah, *Jurnal LPPM Bidang Ekosobudkum*, Vol. 2 No. 2, 2015, pp. 12-23.

can be seen in the provisions of social functions and compulsory licenses in the Indonesian Copyright Act¹⁴.

2) *Industrial Design and Its Protection for SMEs*

Industrial Design is a creation of a shape, configuration, or composition of lines or colors, or lines and colors, or a combination thereof in the form of three dimensions or two dimensions that gives an aesthetic impression and can be realized in three-dimensional or two-dimensional patterns and can be used to produce a product, goods, industrial commodity or handicraft. Article 1 paragraph 1).

Simanjuntak¹⁵ based on the understanding in the Act there are several elements of the Industrial Design, namely:

- a. There is a creation about the shape, configuration, or composition of lines, colors, or lines and colors or combinations thereof in the form of three dimensions or two dimensions.
- a. Give aesthetic impression.
- b. Can be realized in three-dimensional or two-dimensional patterns.
- c. The pattern can be translated into products, goods, industrial commodities or handicrafts.

While the designer is the designer is a person or several people who produce industrial designs. Article 1 paragraph 5 further stated that the Right to Industrial Design is an exclusive right granted by the state of the Republic of Indonesia to the Designer for his creation for a certain period of time to implement himself or give his approval to other parties to carry out that right.

Furthermore, it is said that not all Industrial Designs produced by designers can be protected as the right to Industrial Designs. Only new industrial designs can be given to the designer. According to Saidin¹⁶ that limitation on the new Industrial Design by the Industrial Design Law states that Industrial Design is considered new if on the date of receipt, the Industrial Design is not the same as the previous disclosure. Previous disclosures are disclosures of Industrial Designs before:

- a. Receipt date;
- b. Priority date if the application was submitted with priority rights, it has been announced or used in Indonesia or outside Indonesia.

¹⁴ R. Djubaedillah and Muhammad Djumhana, *Hak Milik Intelektual*, PT.Citra Aditya Bakti, Bandung, 1993, pp. 25-26.

¹⁵ W. Simanjuntak, *Perlindungan Hak Cipta di Indonesia*, Dirjen HKI, Jakarta, 2006, pp. 34-36.

¹⁶ O.K. Saidin, *Aspek Hukum Hak Kekayaan Intelektual (Intellectual Property Rights)*, Raja Grafindo Persada, Jakarta, 2013, p. 274.

An Industrial Design cannot be considered to have been announced if within a period of a month prior to the date of receipt, the Industrial Design;

- a. Has been demonstrated in a national or international exhibition in Indonesia or abroad that is official or recognized as official;
- b. Has been used for educational, research or development purposes. The right to industrial design cannot be granted if the industrial design is contrary to the applicable laws and regulations, public order, religion, or decency.

Then furthermore, who is the legal subject in this case? According to Mertokusumo the subject of law is anything that can obtain rights and obligations and which can obtain rights and obligations is human. So humans are recognized by law as rights and obligations as legal subjects or as people.¹⁷ The subjects of industrial design according to Article 6-8 of Law Number 31 of 2000 are:

- a. The designer or who receives the rights from the designer.
- a. In the case of designing several people together, the right of Industrial Design is given to them jointly, unless agreed otherwise
- b. If an Industrial Design is made in an official relationship with another party in the environment, the right holder of the Industrial Design is the party for and/or in his office the Industrial Design is carried out, unless there is another agreement between the two parties without prejudice to the right of designer if the use of the Design The industry expanded beyond official relations.
- c. If an Industrial Design is made in a work relationship or on an order basis, the person making the Industrial Design is considered as the designer and right holder of the Industrial Design, unless otherwise agreed between the two parties. The aforementioned provisions do not nullify the designer's right to remain listed in the Industrial Design Certificate, General Register of Industrial Designs, and the Official Gazette of Industrial Designs.

Application for Industrial Design The right to industrial design is granted by the state. Of course the state will not give it away, not necessarily without registration as is the case with Copyright because later the Industrial Design Right will be granted by the state with the issuance of an Industrial Design Certificate. As it is known that the procedure for registration of industrial designs must go through constitutive principles. The right to industrial design is granted by the state as long as there is a

¹⁷ Sudikno Mertokusumo, *Mengenal Hukum Suatu Pengantar*, Liberty, Yogyakarta, 2005, pp. 25-28; See also Geoffrey Samuel, *Epistemology and Method in Law*, Routledge, London, 2016, pp. 117-119.

requesting party. Normatively it is required that the birth of these rights must be carried out in certain ways and procedures.¹⁸

Application for registration of Industrial Designs is regulated in Article 10-19 of Law Number 31 of 2000 concerning Industrial Designs, including the following conditions:

- a. An application shall be submitted in writing in the Indonesian language to the Directorate General with payment of fees as regulated in this Law.
- b. The application referred to in paragraph (1) is signed by the Applicant or his Proxy.
- c. The application must contain:
 - a) date, month and year of application;
 - b) the name, full address, and nationality of the Designer;
 - c) name, complete address, and nationality of the Applicant;
 - d) full name and address of the Power of Attorney if the Application is filed through a Proxy; and
 - e) the name of the country and the date of receipt of the first application, if the application is filed with priority rights.
- d. The application referred to is enclosed with:
 - a) physical samples or drawings or photographs and descriptions of Industrial Designs being applied for registration;
 - b) a special power of attorney, if the Application is filed through a Proxy;
 - c) a statement that the industrial design being applied for registration is the property of the applicant or the property of the designer.
- e. In the case that an Application is jointly filed by more than one Applicant, the Application is signed by one of the Applicants by attaching written approval from the other Applicants.
- f. In the case that an Application is submitted by a non-Designer, the Application must be accompanied by a statement that is accompanied by sufficient evidence that the Applicant is entitled to the Design Industry in question.
- g. Provisions regarding the procedure for application shall be regulated further by a Government Regulation. The party who first submits the Application is deemed to be the holder of the Right to Industrial Design, unless proven otherwise.

And each Application can only be filed for one Industrial Design or several Industrial Designs which are a unity of Industrial Designs or which have the same class. An application using Priority Rights must be submitted

¹⁸ Muchtar A Hamid Labetubun, Perlindungan Hukum Desain Industri Di Dunia Maya (Kajian Overlapping Antara Hak Cipta Dengan Hak Desain Industri), *Jurnal Sasi*, Vol. 17 No. 4, 2011, pp. 8-19.

no later than 6 (six) counts from the date of receipt of the application which was first received in another country that is a member of the Paris Convention or a member of the Agreement on the Establishment of the World Trade Organization. Requests with Priority Rights must also be completed with priority documents that are approved by the office conducting registration of Industrial Designs accompanied by their translation in Indonesian within a maximum period of 3 (three) months after the end of the period for filing Applications with Priority Rights. If these conditions are not fulfilled, the Application is deemed filed without using Priority Rights.

In addition to the copy of the Application as referred to in the description above, the Directorate General can request that the Application using Priority Rights be completed with:

- a. A complete copy of the Right to Industrial Design that has been granted in connection with the registration which was first submitted in another country
- b. Legitimate copies of other documents needed to facilitate an assessment that the Industrial Design is new. The date of receipt of the Application is also very important because it is related to the starting point of protection of the proposed Industrial Design Right. The date of receipt of the Application on condition that the Applicant has:
 - a) Fill in the Application form
 - b) Attach physical samples or drawings or photographs and a description of the Industrial Design being applied for registration
 - c) Pay the Application fee.

If there is a deficiency in fulfilling the requirements and completeness of the Application, the Directorate General shall notify the Applicant or his Proxy that the deficiency be fulfilled within 3 (three) months from the date of sending the notice of the shortage. The period can be extended for a maximum of 1 (one) month at the request of the Applicant.

Furthermore, if deficiencies cannot be met, the Directorate General shall notify the Applicant or his Proxy in writing that the Application is deemed withdrawn. In the event that an Application is deemed withdrawn, all costs that have been paid to the Directorate General cannot be withdrawn. Requests for withdrawal of applications can be submitted in writing to the Directorate General by the Applicant or his Proxy as long as the Application has not yet been granted a decision.

2. Improvement of Legal Capacity for Preparing Legal Documents of IPR for Goyor Sarung Craftsmen

1) Realization of Programs

The form of problem solving realization is reported as follows. The activity began with 1 July 2019, the Team made communication with the North Wanarejan Village as the giver of the service of the Goyor sarong craftsman in North Wanarejan Pemalang Regency. The team communicated with the North Wanarejan Village Chief, Mr. Mahmud, who then communicated intensely to the craftsmen of the Goyor Gloves, which at that time also made an invitation letter for the craftsmen totaling 100 craftsmen. Basically the North Wanarejan Village Head did not object and stated that he could go ahead and coordinate with the Team to prepare for the activity.

Furthermore, the service team coordinates the material that must be delivered as well as the personnel who are prepared. Coordination is carried out primarily to make the material relevance of the Training of Preparation of Intellectual Property Documents of Industrial Designs in the Craftsmen of Pemalang Typical Goyor Gloves in Pemalang District

The arrangement of the Skills Training for the Development of Intellectual Property Documents of Industrial Design in the Pemalang Typical Goyor Craftsmen in Pemalang Regency is as on Table 1.

Table 1 Skills Training Agenda for Development of IP Document

No	Time	Agenda
1	13.00-13.30	Participant preparation
2	13.30-13.40	The opening of the program was begun with a prayer and the purpose of the activity was carried out by the Head of the Team - Waspiah, SH.,MH.
3	13.40-14.40	Skills Training of Intellectual Property Document Preparation of Industrial Design in Pemalang Typical Goyor Craftsmen In Pemalang District, power point material in very simple language was delivered by the Unnes Community Service Team (Waspiah, SH., MH, and Dian Latifiani, SH.,MH)
4	14.40-15.30	Discussion and question and answer
5	15.30-17.00	Assistance in the preparation of Intellectual Property documents for Industrial Designs to Craftsmen of Goyor Gloves in North Wanarejan
6	17.00-17.15	Closing

Source: Authors's document

The implementation of giving material in a simple way with language that is easily understood by the participants is to jointly examine the

material presented using LCD tools that are facilitated with powerpoints, which contain matters relating to knowledge of Industrial Design in general and then provide Proficiency Training The Preparation of Intellectual Property Documents of Industrial Design in Pematang Typical Permanent Goyor Craftsmen in Pematang District can provide the importance of legal protection to the designer of the importance of design registration in the interest of protecting moral rights and economic rights for Designers and Village Heads in order to motivate their citizens, 75% of whom there is a Goyor Sarong designer to carry out an inventory and registration of the Goyor Sarong Design for legal protection related to economic and moral rights, and can advance the welfare of the designer in Desa Wanarejan Utara. Legal protection also needs to avoid using the design of the goyor holster without permission to the designer.

Provision of material by way of sharing using material clarity will make it easier for participants to understand the material, carry out and then make an appeal to the designer of the goyor glove in Wanarejan Village. Especially other designers so that they are motivated to register the design of the goyor glove for legal protection from irresponsible parties by plagiarizing designs that are impacted by the lack of protection of moral rights and economic rights which cause one of them is the welfare of the designer and especially attention to the Pematang Regency government as a regional asset.

The discussion and question and answer were enthusiastically welcomed by the participants, especially the designers, with a number of questions about how to do the registration and how it relates to the design registration with the welfare of the designers because all this time they did not know that the designs they created with high intellectualness were protected by the state. One important thing is when giving the next material questions and answers are many questions that arise not only about how to protect industrial design but also questions about Intellectual Property and how the relationship of registration of intellectual property specifically Industrial design and brand can improve the level and welfare designer As well as what actions should be done by designers so that their designs are protected and how to register.

In this question and answer session showed that the designers were very enthusiastic about the Training of Proficiency Preparation of Intellectual Property Documents of Industrial Design in Pematang Typical Goyor Craftsmen in Pematang District. This kind of activity is the first time there so that the curiosity of the designer is very high, things related to intellectual property, according to them are very new, even that is the first

thing they hear. So far, their designers only know the brands and patents. Related to industrial design is the smell of the designer, especially how to prepare documents for registration.

Designers feel difficulties related to what they prepare and what to do. Therefore, the Training of Proficiency in Preparation of Intellectual Property Documents of Industrial Design in Pematang Typical Goyor Craftsmen in Pematang Regency needs to be carried out continuously, so that the results are in accordance with what is expected. Because training in the skill of preparing industrial design Intellectual Property Documents which is only done once is less helpful in how designers know and understand and apply Intellectual Property Documents. In the context of this application, the Faculty of Law UNNES Community Services Team communicates with the Head of North Wanarejan Village and works closely with the Pematang district government with the Department of Education to work together on how to provide Intellectual Property Documents and other matters relating to one's intellectual property in this case are the designer and how designers give their goyor gloves a brand name. It turns out that all this time they only make goyor gloves based on orders, without brands. Eventhough the buyer who gives the brand sells the price twice the purchase price. Designers and craftsmen reasoned that when the goods they gave the brand, if long sold, goyor gloves will become quality goods 2 and inevitably they sell at low prices. This happened because they did not use the old sales method, word of mouth. In a time that is growing so rapidly, sellers and buyers don't have to meet using online sales. Even with online sales, the goyor glove can be better known in the world. With so the welfare of craftsmen and designers more remembered, given the goyor gloves have existed since 1942 since the Japanese occupation.

In the final session of affirmation by the team with the same material for the Training of Preparation of Intellectual Property Documents Industrial Design in the Craftsmen of Pematang Typical Goyor Crafts Industries and Brands, whose hopes the design of the Pematang goyor holster get legal protection, so that there is no imitation of the design and then claim that it is theirs. This legal protection is also related to the welfare of the designers and craftsmen and the recognition of their products is not only national but also international.

In general, the results of the Skills Development Training on Intellectual Property Document Design of Industrial Design in Pematang Typical Goyor Craftsmen in Pematang District showed positive results with activities that took place as planned and were enthusiastic about the

participants with high levels of benefit. The delivery method is felt to be more realistic and pragmatic.

The Skill Training of Intellectual Property Document Preparation of Industrial Design in Pemalang Typical Goyor Craftsmen in Pemalang District can be achieved as follows: Criteria used to mark the success of this activity are as follows:

- a. The seriousness of the participants (Craftsmen and designers of the Pemalang goyor gloves) in following the material explanation of the Training on the Preparation of Intellectual Property Documents of Industrial Design in Pemalang Typical Goyor Craftsmen In Pemalang, seen from the presence, enthusiasm at the meeting.
- b. Active involvement in the Training of Proficiency in the Preparation of Intellectual Property Documents of Industrial Design in Pemalang Typical Goyor Craftsmen in Pemalang District.
- c. Willingness and implementation of the activities of the Training of Preparation of Intellectual Property Documents Industrial Design in Craftsmen of Pemalang Typical Goyor Gloves In Pemalang District and want to do the same knowledge to the craftsmen and designers in their environment, especially in the North Wanarejan Village, 75% of the people are working in Pemalang District the production of the Pemalang Goyor sarong.
- d. Increased knowledge about the rights of industrial design, especially the Training of Preparation of Intellectual Property Documents for Industrial Design in Pemalang Typical Goyor Craftsmen In Pemalang District so that craftsmen and designers strive to protect their intellectual work by registering for legal protection, so that the design results they are not used by claimed by irresponsible parties, because their intellectual work is protected by law and there are inherent primary rights namely moral rights and economic rights. These economic rights play a very important role.
- e. The establishment of the ability to provide knowledge of industrial design Training in the Development of Intellectual Property Documents of Industrial Design in Pemalang Typical Goyor Craftsmen in Pemalang District. How a legal protection is given by the state to the designer through registration of industrial design.

2) Analysis of the Programs

In terms of attendance, the number of participants participating in the Training on the Preparation of Intellectual Property Documents for Industrial Design in the Craftsmen of Pemalang Typical Goyor Gloves in

Pemalang Regency is quite a lot, namely more than 50 participants. Participants consisted of craftsmen and designer of goyor gloves both men and women. Skills Training on Intellectual Property Document Preparation of Industrial Design in Pemalang Typical Goyor Craftsmen in Pemalang District, many participants and their enthusiasm for community service were chosen among the craftsmen and designers because they had not been informed at all about the importance of design registration for legal protection. , so far they only know the brand, and even then do not know the importance of trademark registration and industrial design. The words industrial design are new to them, so far they do not know that what they have created gets legal protection by registering. Knowledge of intellectual property for them is very minimal, this is reasonable given that all they know is that they only design and make orders, even though their gloor glove has been circulating in many countries.

Skills Training for the Development of Intellectual Property Documents of Industrial Design in Pemalang Typical Goyor Craftsmen In Pemalang Regency does not only focus on industrial design, because in practice it turns out that many craftsmen do not know what intellectual property is. Even the design of the goyor cover is not only protected by industrial design but also by another intellectual property regime, namely Copyright, and some Intellectual Property regimes that protect the intellectual property of craftsmen and designers, such as the Brand, Copyright and Design industries. The initial purpose of a legal protection is to protect the results of human intentions and inventions as outlined in tangible form and all of that based on statutory regulations is through registration. That is the importance of how the preparation of intellectual property documents in this case the industrial design for registration submitted. All of these things cannot be realized by themselves, but the need for collaboration with several parties, namely *kelurahan*, and Pemalang District Government in this case is the related department. Providing assistance in compiling documents of intellectual property is not only biased directly to the craftsmen and designers but there must be continuous assistance. Usually this assistance is constrained by many factors, both internal and external.

Some rules and regulations have provided many facilities, especially if related to SMEs, from funding to the time for examination. Usually the obstacle arises from the district government itself, such as the Pemalang District Government based on the results of the study that does not yet have a regulation or regulation related to intellectual property protection or traditional cultural expression, whereas in Pemalang district there is a lot of intellectual property that can be an asset of the local government, such as

Pineapple Honey Belik, bromyang batik motifs, and Goyor sarong. These constraints arise related to inadequate funding and human resources, because for some people that the management of intellectual property requires skills and a deep understanding.

In this understanding and knowledge activity, Craftsmen and Designers are given an understanding of matters relating to Copyright, industrial and brand design as well as forms and infringement of copyright, brand and industrial design as well as its legal consequences. Industrial design is a creation of a shape, configuration, or composition of lines or colors, or lines and colors, or a combination thereof in the form of three dimensions or two dimensions that gives an aesthetic impression and can be realized in three-dimensional or two-dimensional patterns and can be used to produce a product, goods, industrial commodity or handicraft. Article 1 paragraph 1).

While the designer is the designer is a person or several people who produce industrial designs. Article 1 paragraph 5 further states that the Right to Industrial Design is an exclusive right granted by the state of the Republic of Indonesia to the Designer for his creation for a certain period of time to carry out by himself, or give his approval to another party to carry out that right.

Registration of intellectual property through a long process and there is no exception with the registration of industrial designs. So that the government in this case the Ministry of Law and Human Rights provides an alternative to cut the length of the bureaucracy through online registration where registrants do not have to come alone to the Director General of Intellectual Property but only need to pass through online registration. The direct registration is done directly with the files that have been mentioned in the law. Application for Industrial Design The right to industrial design is granted by the state. Of course the state will not give it away, not necessarily without registration as is the case with Copyright because later the Industrial Design Right will be granted by the state with the issuance of an Industrial Design Certificate. As it is known that the procedure for registration of industrial designs must go through constitutive principles. The right to industrial design is granted by the state as long as there is a requesting party. Normatively it is required that the birth of these rights must be carried out in certain ways and procedures.¹⁹

Application for registration of Industrial Designs is regulated in Article 10-19 of Law Number 31 of 2000 concerning Industrial Designs, including the following conditions:

¹⁹ *Ibid.*

- a. An application shall be submitted in writing in the Indonesian language to the Directorate General with payment of fees as regulated in this Law.
- b. The application referred to in paragraph (1) is signed by the Applicant or his Proxy.
- c. The application must contain:
 - a) date, month and year of application;
 - b) the name, full address, and nationality of the Designer;
 - c) name, complete address, and nationality of the Applicant;
 - d) full name and address of the Power of Attorney if the Application is filed through a Proxy; and
 - e) the name of the country and the date of receipt of the first application, if the application is filed with priority rights.
- d. The application referred to is enclosed with:
 - a) physical samples or drawings or photographs and descriptions of Industrial Designs being applied for registration;
 - b) a special power of attorney, if the Application is filed through a Proxy;
 - c) a statement that the industrial design being applied for registration is the property of the applicant or the property of the designer.
- e. In the case that an Application is jointly filed by more than one Applicant, the Application is signed by one of the Applicants by attaching written approval from the other Applicants.
- f. In the case that an Application is submitted by a non-Designer, the Application must be accompanied by a statement that is accompanied by sufficient evidence that the Applicant is entitled to the Design Industry in question.
- g. Provisions regarding the procedure for application shall be regulated further by a Government Regulation. The party who first submits the Application is deemed to be the holder of the Right to Industrial Design, unless proven otherwise.

And each Application can only be filed for one Industrial Design or several Industrial Designs which are a unity of Industrial Designs or which have the same class. An application using Priority Rights must be submitted no later than 6 (six) counts from the date of receipt of the application which was first received in another country that is a member of the Paris Convention or a member of the Agreement on the Establishment of the World Trade Organization. Requests with Priority Rights must also be completed with priority documents that are approved by the office conducting registration of Industrial Designs accompanied by their translation in Indonesian within a maximum period of 3 (three) months after the end of the period for filing Applications with Priority Rights. If

these conditions are not fulfilled, the Application is deemed filed without using Priority Rights.

In addition to the copy of the Application as referred to in the description above, the Directorate General can request that the Application using Priority Rights be completed with:

- a. A complete copy of the Right to Industrial Design that has been granted in connection with the registration which was first submitted in another country
- b. Legitimate copies of other documents needed to facilitate an assessment that the Industrial Design is new.

The date of receipt of the Application is also very important because it is related to the starting point of protection of the proposed Industrial Design Right. The date of receipt of the Application on condition that the Applicant has:

- a. Fill out the Application form
- b. Attach physical samples or drawings or photographs and a description of the Industrial Design being applied for registration
- c. Pay the Application fee.

If there is a deficiency in fulfilling the requirements and completeness of the Application, the Directorate General shall notify the Applicant or his Proxy that the deficiency be fulfilled within 3 (three) months from the date of sending the notification of the shortage. The period can be extended for a maximum of 1 (one) month at the request of the Applicant.

And if deficiencies cannot be met, the Directorate General shall notify the Applicant or his Proxy in writing that the Application is deemed withdrawn. In the event that an Application is deemed withdrawn, all costs that have been paid to the Directorate General cannot be withdrawn. Requests for withdrawal of applications can be submitted in writing to the Directorate General by the Applicant or his Proxy as long as the Application has not yet been granted a decision.

3) Follow-up Plan of Programs

The next stage of the plan is to monitor and evaluate the craftsmen and the design of the goyor glove, and then follow up on the money activities by analyzing the extent of the understanding of the craftsmen and designers related to industrial design. So that craftsmen and designers can understand and know that their intellectual work can be protected by law from irresponsible parties, the legal protection through registration. He hopes that with this protection, craftsmen and designers can be even more

eager to explore better design results and meet market demands without fearing that their work will be used by irresponsible parties.

The main scourers of the existence of legal awareness for registration of insutri designs, brands and even aspirations are the Government of Pemalang Regency, related agencies and the North Wanarejan Kelurahan. Why do urban village officials, because the craftsmen and designers make up 75% of the total population of North Wanarejan, do not have a community, so things related to craftsmen and designers must go through the kelurahan. It also needs the support and cooperation of the Ministry of Law and Human Rights as an institution that can play an important role in the protection and understanding of the law related to intellectual property. As the main pillar that deals with the field of law Intellectual property must be concerned to be the Main Pengerak creation of early understanding of craftsmen and designers so that the craftsmen and designers can create better motives and designs to meet market desires both national and international.

D. Conclusion

Based on observations during the stages of the community service craftsmanship of this Pemalang Goyor craftsman, the Authors concluded that the participants of the activity paid considerable attention to the Training of Proficiency in Intellectual Property Document Development Industrial Design in the Craftsmen of Pemalang Typical Goyor Crafts in the District Pemalang. This can be seen from the enthusiastic craftsmen and designers during the training. During the training there were many questions about knowledge about Intellectual Property not only industrial design but also other intellectual property regimes such as brands and copyrights. In particular, industrial designs, craftsmen and new designers know that what they design has legal protection to avoid the use of irresponsible parties.

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F. Declaration of Conflicting Interests

The authors state that there is no potential conflict of interest in the research, authorship, and / or publication / publication of this article.

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QUOTE

Patents are not
forever, but
inventions are

Kalyan C. Kankanala
on Fun IP, Fundamentals of Intellectual Property

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