



Research Article

Intellectual Property Rights for Tourism Potential in Alamendah Village, Rancabali District, Bandung Regency

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Abstract.

Alamendah Village is located in Rancabali District, Bandung Regency, West Java. This village is one of the most sophisticated agronomy villages in Rancabali District, which is also known as natural tourism, religious tourism, and agricultural tourism. With a geographical location in the form of hills or highlands, the agricultural sector is the most prominent economic activity in Alamendah Village, hence most of the people's livelihoods are farming and trading. This village was chosen as the site by LPPM Unisba in collaboration with Universiti Kuala Lumpur (UniKL), one of the prestigious private universities in Malaysia, which focuses on developing rural areas, for conducting community service regarding village development model. The methodology used in this activity was training for business actors in Alamendah Village through lectures, discussions, questions and answers, pre-test and post-test, providing mentoring assistance, and submitting IPR. The result is Alamendah tourism village has enormous tourism potential in the fields of nature tourism, religious tourism, and agro-tourism. Community service activities in Alamendah Village have increased awareness and knowledge about the importance of intellectual property rights in their business.

Keywords: Alamendah Village, intellectual property rights, tourism

1. INTRODUCTION

Alamendah Village has enormous tourism potential, one of which is stunning natural beauty, such as green mountains, beautiful waterfalls, and abundant biodiversity. Additionally, this village has unique culture and traditions and typical handicrafts. Although it has great potential, Alamendah Village still faces several challenges in developing

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the tourism sector. One of the main challenges is the protection of Intellectual Property Rights (hereinafter IPR) related to its tourism potential.

IPR includes copyrights, patents, trademarks or brands, and industrial design rights. In the tourism context, IPR may include protection of traditional knowledge, local arts and crafts, and brands related to tourism products or services. To overcome this challenge, a better understanding of IPR and its application in the tourism context in Alamendah Village must be implemented. By comprehending and protecting IPR, this village can ensure that the tourism potential is not exploited illegally by other parties.

In line with this, Institute for Research and Community Service (LPPM/Lembaga Penelitian dan Pengembangan kepada Masyarakat) Unisba in collaboration with UNIKL conducted community service to identify tourism potential in Alamendah Village, which could be protected by IPR, and to develop an effective protection strategy. Thus, Alamendah Village can utilize its tourism potential sustainably and obtain equitable economic benefits from the use of IPR. This community service is expected to provide a better understanding of the importance of IPR in the development of tourism in Alamendah Village. In addition, the results of this study can become the basis for the development of better policies and programs for the protection of IPR at the village and national levels through assistance in brand registration. The issue at hand is the low awareness among business actors in Alamendah Village regarding the importance of Intellectual Property Rights (IPR). This is due to a lack of understanding of the concept of IPR and how to apply it in the context of tourism in Alamendah Village.

2. METHODS

The methodology used in this activity was training for business actors in Alamendah Village through lectures, discussions, questions and answers, and pre-test and post-test and providing mentoring assistance and submitting IPR. The potential of Alamendah Village was observed to be developed by carrying out the following steps:

- 1. Identifying potential intellectual property generated by Endah Alam community,
- 2. Conducting socialization or education on intellectual property protection, and
- 3. Assisting with the registration of intellectual property produced by Alamendah village community.





Figure 1: Activity Flow.

3. RESULT AND DISCUSSION

Alamendah Village is one of the agronomy villages located in the south of Bandung Regency, West Java Province. It has cool mountainous natural conditions with the area around 505.6 ha inhabited by 5,587 heads of households or 18,007 people with a geographical location of between 70 6'0" - 70 11'0" South latitude and 1070 23'0" - 1070 27'0" East longitude, which are directly adjacent to Panundaan Village, Ciwidey District in the north, Sugihmukti Village, Pasirjambu District in the east; Patengan Village, Rancabali District in the south; and Alamendah Village, Ciwidey District in the west.



Figure 2: Alamendah Village. Source: Profil Book Desa Wisata Alam Endah.

At the beginning of 2019, the focus was on developing Tour Packages and Innovation Products, which have great potential to be utilized. The activity packages offered range from farming, creating MSMEs' souvenirs, making food preparations, practicing *pencak silat* (a kind of martial arts), watching Karinding art performances, milking cows, learning

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to process coffee, to cycling around the village. Tour packages and processed products were actually the daily activities of the local community, however with the existence of tourism development efforts, they had become a special attraction for tourists who would obtain unforgettable experiences.





Figure 3: Tourism Potential in Alamendah Village. Source : Profil Book Desa Wisata Alam Endah.

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Alamendah tourism village will be developed into a halal tourism that respects nature sustainably, locally, and inclusively. The development of halal tourism in Alamendah Village is intended to protect the environment and the natural surroundings. In this case, the tourism manager as a stakeholder must be able to manage tourism by cooperating with the environment and the surrounding community without damaging the environment, for example the implementation of "Zero Waste" system as a principle that focuses on preventing excess waste and encouraging all products to be reused. In this system, all materials are reused optimally aiming at avoiding sending waste to landfills, incinerators, or the sea. This can be implemented by managers, communities, and tourists.



Figure 4: Alamendah as One of the Best Tourism Villages by the Ministry. Source : Profil Book Desa Wisata Alam Endah.

The development of halal tourism villages and product innovations are closely related to the protection of IPR produced by the community. IPR is intangible material rights or the rights to intangible objects that are born from human intellectual abilities in the form of the work of intelligence and emotional intelligence.[1] There are three principles of IPR. First, the principle of justice means to provide legal protection for owners of IPR, so that they have the power to use IPR over their creations. Second, the principle of economy means to provide benefits for their owners through their creative activities and human intelligence that have economic value. Third, the principle of culture means to improve living standards and provide benefits to society, nation and state through the development of science, literature, and art.

Intellectual Property (hereinafter IP) which is a potential for halal tourism villages can be in the form of copyrights (dance, songs, music, and/or traditional dramas), brands



for goods and services produced by the community, industrial designs which are also related to goods generated from societal innovation, trade secrets, or even patents. Regarding IP, the society must have the awareness to obtain protection for the IP it produces, among others through the registration of the IP produced. It mainly deals with brands, industrial designs, and patents. This IP must be registered since the protection is given to the first registrant. The tagline is "Jadi, kalau tidak mendaftar, tidak akan mendapat perlindungan" (So, if you do not register, you will not get any protection).

IPR defines as the right to receive intellectual property protection in law, which has been regulated in the legislation in the field of Intellectual Property Rights. The forms of IPR are patents, trademarks or brands, industrial designs, copyrights, geographical indications, trade secrets, and Integrated Circuit Layout Designs (DTLST/Desain Tata Letak Sirkuit Terpadu).

It is appropriate for tourism economic actors to understand the importance of IPR in maintaining the originality of ideas.[2] since IPR is a form of protecting ideas from tourism economists. t is strongly advised for both individuals and companies engaged in creation to safeguard their intellectual property. This safeguards not only helps in maximizing profits but also prevents unauthorized commercial usage by external entities.[3]

The existence of IPR in the tourism economy can be a source of increased income. For example, if an idea has acquired IPR and it is used by another party, then the right holder has the right to receive royalties from the ownership of the idea. Hence, an idea and product that has been registered in IPR can generate economic benefits for creators, designers, and investors. In the midst of the rapid digital era, understanding IPR is essential for creative economy actors to respond to since the massive use of social media does not regulate the possibility of creative ideas becoming viral and potentially experiencing theft of ideas.[4] To avoid plagiarism, an economic actor must have innovation and creativity essential capital for carrying out his or her economic activities. Innovation and creativity are two elements that cannot be separated because they are interconnected. Creativity is the result of thinking about creating new things (innovation) to produce real products or services that did not exist before.[5]

Based on a study between the ICRS Unisba and UniKL, several problems are formulated by rural communities, especially rural communities who have tourism potential, including:

- 1. Growing people's motivation to be more creative in producing innovations,
- 2. Providing education to the society about the importance of IP protection, and



3. Providing assistance to the community in IP ranging from registration process until products are produced by the community.

Intellectual property rights ("IPR") or Intellectual Property is an exclusive right granted by law or regulation to an individual or a group of people for their creative works. Essentially, IPR is the right to economically enjoy the results of intellectual creativity. The objects regulated by IPR are works that arise or are born from human intellectual abilities.[6] Intellectual property ("IP") is a term commonly used to describe the products of human mental activity, which include inventions, trademarks, designs, and brands. Some examples include logos, artworks (such as paintings), product designs, or technical solutions to a problem.[7] Intellectual property encompasses everything produced by human thought to fulfill their needs, both products and services.

Law number 28 Year 2014 regulates the legal protection of copyrights. As a part of IPR, copyright is a property right arising from human intellectual abilities. This ability is produced by humans in the form of their intellectual works. In this legislation, it can be seen that there is an application of legal protection given by the state to creators.

Legal protection for IPR in the context of copyright in Indonesia has been regulated in several laws. Initially, this protection was regulated in Law Number 7 Year 1987 (LN Number 3362 and TLN Number 3362) and had been amended several times: to Law Number 12 Year1997 (LN Number 29 and TLN Number 2679), then to Law Number 19 Year 2002 (TLN Number 85 and TLN Number 4220), and currently to Law Number 28 Year 2014 (LN.2014/No. 266, TLN number 5599, LL SETNEG: 57 PAGE). Through this law, the state actually provides protection for the works of creators in Indonesia.[8] These regulations will emphasize that the state is striving to protect the creative works of the community from misuse and plagiarism by others.

The research of Ananda & Yudhistira concluded that the ownership level of Intellectual Property Rights (IPR) among creative economy participants is still low. This is due to difficulties in registering IPR or limited access to IPR registration. The ownership of IPR has been proven to impact the income of creative economy participants.[9] By registering the brand and design of products in the MSME industry, it is expected that the quality of products and sales will improve.[10] Similarly, in the case of creative economy participants in Alamendah village, the ownership of Intellectual Property Rights (IPR) remains low. This is due to a lack of understanding of the concept and insufficient knowledge about the importance of IPR in protecting their works. After the IPR training and assistance for entrepreneurs in Alamendah Village, it has at least opened up



their knowledge and understanding of the importance of registering IPR and provided support in the registration process.

3.1. Increasing Public Awareness of Alamendah Tourism Potential

Since it is located in Bandung Regency, West Java, on February 2, 2011, Alamendah Village was designated as a Tourism Village through Bandung Regent Decree Number 556.42/kep.71-DISBUDPAR/2011. However, at its establishment, Alamendah Tourism Village (DWA/Desa Wisata Alamendah) had not had tourism products and packages that could be offered to potential tourists. As a result, in the first eight years, tourist visits to Alamendah Tourism Village were very few. At the beginning of 2019, the focus was on developing Tour Packages and Innovation Products as the greatest potential to be utilized. The activity packages consisted of farming, creating MSMEs souvenirs, making food preparations, practicing pencak silat (kind of martial arts), watching Karinding art performances, milking cows, learning to process coffee, and cycling around the village. Tour packages and processed products were actually the daily activities of the local community, however with the existence of tourism development efforts, they have become a separate attraction for tourists who will get unforgettable experiences. In the second semester of 2019, Alamendah Tourism Village managed to attract more than 30 visiting groups from various institutions, such as government, schools, families, and public. The total number of tourists visting this village reached more than 2,500 people. The majority of tourists took part in the Alamendah Trip package which offered farming, milking cows, MSMEs, crafts, and arts activities.[11] With such great potential, Alamendah Village should be put to good use for the benefit of the local community in particular and the Indonesian people in general.

After growing awareness of the potential of the village, the next step was to empower them through increasing skills with community capacity. This capacity included improving human capabilities, organizations, and value systems.[12] Increasing human capacity was conducted by providing knowledge and skills regarding the management of tourist villages. It was essential that the village government and the local community played a role in forming cooperation to develop a tourist village. The process of increasing human capabilities began with preparing Human Resources (HR) as tourism managers. It was necessary for them to attend training and mentoring on how to manage tourism villages. LPPM Unisba conducted training and assistance for business people and the society of



Alamendah Village. With this activity, IRCS Unisba tried to instil the importance of IPR and assistance in registering IPR by presenting the following the themes.

3.2. Socialization of IPR on Tourism Potential in Malaysia and Indonesia

IPR defines any creation or invention developed from someone's thinking - literary works, designs, symbols, works of art, or even images that can be exploited commercially. IPR is a legal right granted with the aim of protecting human intellectuals in the fields of industry, literature, art, and science. These rights include industrial property rights (e.g. patents, industrial designs, trademarks, etc.), copyrights (rights of authors or creators), and some related rights (rights of performers, sound and film producers, broadcasting organizations, etc.). These legal rights are usually absolute and exclusive, meaning that they belong to the right holder and can only be exercised by him or her.

Fundamentally, Intellectual Property (IP) makes a significant contribution to economic growth both at the national and international levels. Dozens of sectors and industries depend on regulations including the proper enforcement of patents, trademarks, copyrights, and trade secrets. In addition, IP is a guarantee that consumers buy genuine, safe, and guaranteed products, and enjoy quality service. IPR deserves protection, both in the country and abroad because of their economic value.

3.3. Definition of the Tourism Industry

People travel to other locations, whether domestically or internationally, for recreational, social, or business purposes. From an economic point of view, tourism includes all businesses that directly provide goods or services to facilitate business, leisure, and entertainment activities outside the home environment. The tourism value chain includes accommodation services (hotels, restaurants), transportation (airlines, car rental), travel and information facilitation (tour operators, travel agents, tourism information centers), attractions and entertainment (traditional and contemporary culture, distinctive local products, heritage sites (historical tourism), culinary, theme parks, national parks, animal and technology parks, tropical forests, beaches, and even urban areas).



3.4. The Role of IP in the Tourism Sector in Indonesia

In Indonesia, there are many talented individuals in the creative industry. The emergence of a variety of creative and innovative content from Indonesian people in many aspects. The abundant availability of creative ideas is an unlimited resource containing very high economic value. Therefore, the government invites the public, especially creative economy activists, to realize how important it is to protect IPR.

Creative economy actors should understand the importance of IPR to protect the authenticity of ideas since IPR is an effort to protect the creative ideas of creative industry activists. After registering creative ideas with IPR, idea owners do not have to worry that their ideas will be claimed by other people. Expert Staff to the Minister for Bureaucratic Reform and Regulation of the Ministry of Tourism and Creative Economy/Baparekraf, Ari Juliano Gema, emphasized that if someone has an idea, he or she should register as soon as possible. Trademarks, patents, and industrial designs must be registered to get legal protection from the state. Without this protection, other people may copy the idea without any legal consequences.[11]

In the tourism industry, the regulatory function is critical to ensure a good customer compliance and experience. All tour guides must be registered with the tourism board and are required to undergo training and proficiency testing. Every tourism initiative or activity must involve the local community. Utilizing endowment factors optimally is the key to the success of the tourism industry, like the United States. Therefore, tourism boards, government agencies, private sectors, and local communities must work together to keep the tourism industry growing.

3.5. Socialization of the Importance of Branding in Tourism Potential

A brand is a sign and distinguisher in a business of goods and services. With the existence of a brand, entrepreneurs can maintain and provide a guarantee of quality of goods and/or services. The existence of brand can also prevent acts of dishonest competition.

The role of a brand in economic activity, especially in the trading of goods and services, is very important to differentiate products from similar ones in the same class. Brand can be considered as intangible assets but have high economic value and become valuable assets for companies that are used in some products. Brand, as



part of IPR, is basically a sign to identify and differentiate the products of one company from another. In an economic perspective, a brand is considered as part of IPR which can contribute to economic development.[13]

Activity tour operators frequently lose focus on their brands when they rely heavily on Online Travel Agents for bookings. While these channels help expand their scope, they do not always represent the brands very well because the brands just become another listing on their site meaning that the brands are absorbed into their brand identity. For example, a traveller who books a tour activity on Traveloka application will find Traveloka brand throughout the booking journey - not the owners of the brands. As a result, they do not have many opportunities to become familiar with our business. When it comes to referrals or rebooking, they will remember Traveloka, but it will be more difficult for them to remember the true brand name.[14]

While this may seem insignificant, because the owners can give an idea of the brand they own, individual branding is not a long-term solution. While online listings are still a great marketing strategy, it is important to build your brand beyond these sites for the following reasons: (1) Increasing Brand Awareness, by building the brand beyond online, the owners can increase awareness about their business among travellers. This helps differentiate them from other competitors and build a strong brand image. (2) Building Trust, by having a consistent brand presence across multiple platforms, the owners can build customer trust. Travelers tend to have more trust in brands they recognize. (3) Strengthening Customer Relations, by building individual brand, everybody can build stronger relationships with customers, communicate brand values, provide a consistent experience, and strengthen bonds with customers. (4) Increasing Control, by having a strong brand outside of online, the owners have more control over the image and message they want to convey to their customers and are not solely dependent on third-party platforms to represent their brands.

In order to achieve long-term success in the tourism industry, it is important to build the brands beyond the reliance online.[14]

3.6. Socialization of Brand Administration Process to DJKI Kemenkumham in Running Business

Having a legally registered trademark is one of the strategies to increase business competitiveness and prevent disputes. It is important to avoid situations where the business is growing rapidly, but instead the business is faced with a lawsuit that has the



potential to close the business or require a change of trademark. Registering a brand can be carried out at the Directorate General of Intellectual Property (DJKI/Direktorat Jenderal Kekayaan Intelektual) of the Ministry of Law and Human Rights through an offline or online process.

3.7. Requirements for Registering New Brands at DJKI

Before applying for brand registration, the applicant needs to prepare the necessary documents for both offline and online processes. The requirements include 1) brand etiquette or label, 2) signature of the applicant, 3) for MSME applicants, there must be a Recommendation Letter for Fostered SME (UKM Binaan) and a stamped SME statement letter, 4) examples of recommendation and SME statement letters can be downloaded in the following link https://www.dgip.go.id/menu-utama/merek/conditions-prosedur.[15]

3.8. Payment for Registering a New Brand

Payment for registering a brand is different for MSMEs and the public. In Government Regulation (PP) Number 28 Year 2019, the fee for registering Trademark Rights at DJKI has been regulated. The fee of MSME registration is Rp500,000,00 for offline and Rp600,000,00 for online. For public registration, the fee is Rp1,800,000,00 for online and 2,000,000,00 for online. This fee is in the PNBP category.[15]

Thus, it is essential to make the MSME community understand, especially community service participants, regarding IPR in Alamendah Village, Rancabali District, so that they have the awareness to obtain protection for the brand, especially those that have been produced, through registration of IPR produced for MSMEs in Alamendah Village.

3.9. Intellectual Property Rights Assessment

The assessment of Intellectual Property Rights (IPR) in Alamendah Village, Rancabali District, Bandung Regency, revealed several key findings. Firstly, there exists a rich cultural heritage and traditional knowledge among the local communities regarding the tourism potential of the village. This includes indigenous practices, folklore, and artisanal skills that contribute significantly to the unique identity and attractiveness of the destination.



The survey conducted among local artisans and community members highlighted the presence of distinct cultural expressions and craftsmanship that are integral to the tourism offerings of Alamendah Village. These include traditional crafts such as weaving, pottery, and woodcarving, which are passed down through generations and play a crucial role in shaping the tourism landscape of the area.

Furthermore, interviews with stakeholders and community leaders unveiled a growing concern regarding the protection and preservation of traditional knowledge and cultural expressions against misappropriation and exploitation. The absence of formalized IPR mechanisms has left the community vulnerable to external appropriation of their cultural heritage without adequate recognition or benefit-sharing.

3.10. Legal Framework and Policy Implications

The absence of specific legal frameworks and policies addressing the protection of traditional knowledge and cultural expressions poses significant challenges to the safeguarding of intellectual property rights in Alamendah Village. Existing intellectual property laws primarily focus on modern innovations and commercial products, lacking provisions tailored to the unique needs of indigenous communities and traditional practices.

he discussion underscores the importance of establishing a comprehensive legal framework that acknowledges and protects the intellectual property rights of indigenous communities in the context of tourism development. This includes the recognition of collective rights, customary laws, and community protocols governing the use and management of traditional knowledge and cultural expressions.

Furthermore, the discussion explores potential policy interventions and collaborative initiatives involving multiple stakeholders, including government agencies, local communities, academic institutions, and non-governmental organizations. These initiatives could involve the development of community-based IPR systems, capacity-building programs, and awareness campaigns aimed at promoting the sustainable management of cultural heritage and tourism resources.



3.11. Socio-Economic Impacts and Sustainable Development

The socio-economic impacts of safeguarding intellectual property rights in Alamendah Village extend beyond legal considerations to encompass broader dimensions of sustainable development. Recognizing and protecting traditional knowledge and cultural expressions can contribute to poverty alleviation, socio-cultural empowerment, and the promotion of inclusive tourism practices that benefit local communities.

Moreover, the discussion highlights the potential role of intellectual property rights in enhancing the economic value and marketability of tourism products and services originating from Alamendah Village. By securing legal recognition and protection, local artisans and entrepreneurs can leverage their cultural heritage to access new market opportunities, attract investments, and generate sustainable income streams.

In conclusion, the results and discussion underscore the significance of addressing intellectual property rights in the context of tourism development in Alamendah Village. By adopting a holistic approach that integrates legal, policy, and socio-economic considerations, stakeholders can promote the sustainable management of cultural heritage while fostering community resilience and inclusive growth.

4. CONCLUSION

Alamendah tourism village will be developed into a halal tourism that respects nature sustainably, locally, and inclusively. The development of halal tourism in Alamendah Village is intended to protect the environment and the natural surroundings. The development of halal tourism villages and product innovations are closely related to the protection of IPR produced by the community. in Alamendah village, the ownership of Intellectual Property Rights (IPR) remains low. This is due to a lack of understanding of the concept and insufficient knowledge about the importance of IPR in protecting their works. After the IPR training and assistance for entrepreneurs in Alamendah Village, it has at least opened up their knowledge and understanding of the importance of registering IPR and provided support in the registration process.

The Intellectual Property Rights Training and Assistance activities on Tourism Potential in Alamendah Village, Rancabali subdistric. Bandung Regency, it can be concluded that The Alamendah tourism village has enormous tourism potential in the fields of nature tourism, religious tourism, and agro-tourism and Community service activities in Alamendah Village have increased awareness and knowledge about the importance



of intellectual property rights in their business, than Business actors in Alamendah Village are very enthusiastic in participating in training and assistance with registering intellectual property rights.

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