

Education on Brand Rights Protection as a Marketing Strategy for PT Products. Cisarua Mountain Dairy (Cimory)

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Abstract

PT. Cisarua Mountain Dairy (Cimory), produsen makanan premium dan produk susu di Indonesia, didirikan pada tahun 2005. Artikel ini menekankan pentingnya edukasi perlindungan hak merek sebagai strategi pemasaran Cimory. Perlindungan ini diatur oleh UU No. 20 Tahun 2016 tentang Merek dan Indikasi Geografis, yang mencakup pendaftaran, hak eksklusif, dan penegakan hukum. Pendaftaran merek memberikan hak eksklusif dan mencegah penggunaan tidak sah. Metode penelitian melibatkan kunjungan langsung ke Cimory Dairy Land On The Valley di Semarang, di mana penulis memperoleh informasi tentang identifikasi merek, proses produksi, dan perlindungan hak merek. Hasil penelitian menunjukkan bahwa edukasi perlindungan hak merek sangat penting untuk menjaga reputasi dan integritas merek, serta mengurangi risiko pelanggaran. Perusahaan seperti Cimory dapat lebih efektif dalam melindungi aset intelektual mereka, mencegah penggunaan yang tidak sah, dan mempertahankan kepercayaan konsumen. Langkah-langkah seperti pendaftaran merek dan edukasi internal menjadi kunci dalam strategi pemasaran yang bertujuan untuk memperkuat posisi merek di pasar dan mencegah potensi Pelanggaran yang dapat merugikan perusahaan

Keywords: Brand Protection, Cimory, Brand Registration

INTRODUCTION

PT. Cisarua Mountain Dairy or commonly known by the Cimory trademark, is a well-known producer of premium consumer foods and dairy products in Indonesia. Cimory started its business in 2004 by Mr. Bambang Sutantio, who graduated from a German university majoring in Food Technology. PT. Cisarua Mountain Dairy was founded on September 30 2005 and started production on February 6 2006. This company has milk processing factories in Bogor, Semarang and Pasuruan, as well as food factories in Tangerang and Semarang. There are several products sold by Cimory, namely Cimory Milk, Cimory Yoghurt, Kanzler Singles Sausage, Kanzler Singles Meatballs, and Kanzler Nugget. A brand is a sign in the form of an image, name, letters, numbers, color arrangement or a combination of these elements which has distinguishing power and is used in trading activities in goods and services. According to Kotler, a brand is a name, term, sign, symbol, or design, or a combination of these, which is intended to identify goods or services or a group of sellers and to differentiate them from competing goods or services. Thus, a brand is a product or service that adds dimensions that in some way differentiates it from other products or services designed to satisfy the same needs.

The role of a brand identifies the source or manufacturer of a product and allows consumers, either individuals or organizations, to assign responsibility to a particular manufacturer or distributor. Trademark rights protection is a legal right given to the brand owner to protect his brand identity from unauthorized use by other parties [1]. A brand is not just a logo or name, but also a company identity that differentiates it from its competitors. This protection includes brand names, logos, symbols, and other elements used to identify a company's products or services.

This right gives the owner the exclusive right to use the brand and prevents others from using a similar mark which could cause confusion in the market. Trademark rights are regulated by Law Number 20 of 2016 concerning Trademarks and Geographical Indications. This law regulates rights related to trademarks, including registration, exclusive rights, and infringement of trademark rights. Article 1 point 1 of the Law defines a brand as "a sign in the form of an image, name, word, letter, number, color, shape, sound, or a combination of these elements which has distinguishing power and is used in goods trading activities and/ or services."

In Cimory, the brand not only includes the logo and name but also other elements that form the product identity. Article 4 of the

Trademark and Geographical Indications Law states that trademark registration is a must to obtain legal protection. Without registration, the brand owner cannot claim exclusive rights to the mark and is more vulnerable to infringement from third parties Salsabilla [2]. For Cimory, trademark registration gives the exclusive right to use the brand on its products, such as milk and dairy products, and prohibits other parties from using similar brands which could cause consumer confusion. The trademark registration process is regulated in Articles 5 to 11 of the same Law, which includes the steps for registration, administrative examination and issuance of a trademark certificate. Article 5 states that "Marks must be registered with the Directorate General of Intellectual Property."

This registration ensures that the Cimory brand is officially recognized and protected in all Indonesian jurisdictions. Article 8 regulates the exclusive rights obtained by the owner of a registered mark, which includes the right to use the mark exclusively in the trade in goods and/or services. Education includes an understanding of the rights and obligations of the mark owner after registration. Article 10 states that the owner of a registered mark has the exclusive right to prohibit third parties without permission from using the same or similar mark. This is important to prevent violations and ensure the integrity of the Cimory brand is maintained. In case of violation,

Articles 82 to Article 85 give brand owners the right to file a lawsuit in court and request compensation for losses arising from infringement of brand rights. Brand rights protection education also involves marketing strategies to increase consumer awareness about the importance of the brand. Cimory, for example, can use marketing campaigns that emphasize the quality and uniqueness of their products and the importance of using products that have registered brands Prakoso [3].

Brand rights infringement is a serious legal issue because it can damage reputations and cause financial losses for companies. In Indonesia, this violation is regulated by Law Number 20 of 2016 concerning Trademarks and Geographical Indications, which provides legal protection for trademarks, including packaging designs and product labels. For Cimory, brand

protection not only functions as a legal remedy, but is also an important marketing strategy to maintain brand identity, build consumer trust, and ensure their products are recognized and appreciated in the market.

IMPLEMENTATION METHOD

This service program was carried out directly by National Education University students who immediately visited Cimory Dairy Land on The Valley in Semarang. We were told how to differentiate the Cimory milk brand from other milk brands, and we were told how Cimory products are made and the history of the formation of PT. Cisarua Mountain Dairy or commonly known as the Cimory trademark, there are various documentations that the author has. This place is also a tourist recreation area where there are various kinds of miniature world rides or what is called minimania, such as the Borobudur temple, moai statues, Eiffel Tower, twin towers and many other miniature worlds. Apart from that, there is also a Dairyland mini zoo and farm where there are many animals such as ponies, dairy cows, camels, crocodiles, sheep, rabbits and tourists can also feed these animals. At Cimory itself there are rides such as a mini waterpark, sky ride and ATV and tourists can also buy Cimory products directly at the shopping center located directly inside Cimory Dairy Land on The Valley

RESULTS AND DISCUSSION

Implementation of Trademark Rights Protection Education

Article 21 paragraph (1) of Law Number 20 of 2016 concerning Marks and Geographical Indications states that brand owners have the right to use their marks exclusively in trading activities in goods or services. Brand rights protection education helps consumers understand these exclusive rights, which can increase their trust in the products they purchase. Consumers are becoming more aware of the difference between genuine products and imitation products. In the case of Cimory products, education about brand rights can teach consumers to recognize special features and labels that indicate product authenticity, which in turn strengthens Cimory's brand image as a high

quality and trustworthy product [4]. Article 25 paragraph (1) of the Trademark and Geographical Indications Law regulates infringement of trademark rights, which includes actions such as trademark imitation and use without permission. By understanding this legal aspect, consumers can be more alert to products that may violate Cimory's brand rights

If consumers have knowledge of the signs of brand infringement, they can more easily differentiate genuine Cimory products from fake or counterfeit products that may be circulating on the market. Education regarding brand rights protection also plays a role in creating customer loyalty. Article 3 of Law Number 8 of 1999 concerning Consumer Protection emphasizes that consumers have the right to correct, clear and honest information about products and services. Effective education about brand rights ensures that consumers receive accurate information about Cimory products, so they feel more confident in choosing and purchasing these products. High awareness of brand rights can also influence consumers' purchasing decisions, because they tend to choose products that they believe to be genuine and of high quality [5]

Brand rights protection education can help in building product differentiation in the market. Cimory can strengthen its brand identity and communicate the values and quality of its products to consumers. Article 4 paragraph (1) of the Trademark and Geographical Indications Law explains that registered marks must have distinguishing power. Good education enables consumers to better understand and identify the Cimory brand as a unique entity and different from competitors. If consumers know the history of the brand, the values it promotes, and the distinctive features of Cimory products, they will be more inclined to choose the product compared to other brands that do not have adequate education or information.

Consumer Understanding of Brand Rights

Consumers' understanding of brand rights can increase their awareness of the authenticity of Cimory products. When consumers know that a brand has exclusive rights to their name and logo, they are more likely to pay attention to features that indicate product authenticity. They are more careful in checking product packaging,

labels, and authentication signs that indicate that the product is a genuine Cimory product. This is especially important in a market where imitation or counterfeit products often circulate. Consumers who understand brand rights will tend to avoid products whose authenticity is unclear and choose Cimory products that they consider genuine and trustworthy Tanjung [6]. Understanding brand rights influences consumer perceptions of Cimory product quality. Trademark rights are often associated with certain quality standards.

When consumers understand that brands have the legal right to protect their products, they tend to attribute this to the brand's commitment to product quality and consistency. If consumers know that Cimory invests in protecting its brand rights, they assume that the brand is also committed to ensuring that its products always meet high standards. This could lead to the perception that Cimory products are of higher quality than products that do not have the same brand protection or that do not have a clear reputation. Understanding brand rights can increase consumer trust in the brand. Education about brand rights helps consumers understand that Cimory has the legal right to protect its products from imitation and infringement. This trust is important in making purchasing decisions, because consumers tend to choose brands that they trust to provide quality and authentic products

When consumers feel confident that Cimory has exclusive rights to its brand and protects the brand seriously, they are more motivated to buy Cimory products rather than competing products that do not have the same brand protection or are not widely known. Consumers' understanding of brand rights can influence their purchasing decisions through perceptions of brand value [7]. Brand rights often reflect the investments and efforts made by companies to build and maintain their brands. Consumers who understand this feel that they are getting more value when purchasing Cimory products, because they trust that the products are the result of significant efforts to ensure quality and authenticity. This could encourage them to pay a premium price for Cimory products

because they feel the value they receive is commensurate with their investment

The impact of understanding brand rights is visible in terms of customer loyalty. When consumers feel that they have good knowledge of brand rights and their protection, they feel more connected to the brand. Education about brand rights can help build stronger relationships between consumers and the Cimory brand, because consumers feel that they are supporting a brand that respects its rights and is committed to providing quality products. This loyalty can influence repeat purchase decisions and word-of-mouth recommendations, ultimately contributing to the long-term success of the Cimory brand. In practice, how consumers' understanding of brand rights influences purchasing decisions can be measured through surveys and market research. Through this method, companies can evaluate how much impact various brand rights education initiatives have on consumer perceptions and behavior

The Urgency of Trademark Rights Protection

Brand rights violations often occur in various forms, including copying brands, using similar names or logos, and copying product packaging designs. In Indonesia, violations of this kind are regulated by Law Number 20 of 2016 concerning Trademarks and Geographical Indications. Article 1 Paragraph 1 of this law explains that a brand is a sign that can be displayed graphically in the form of an image, logo, name, word, letter, number, color arrangement, in two-dimensional and/or three-dimensional form, sound, hologram, or a combination of two or more of these elements to distinguish goods and/or services produced by individuals or legal entities in goods and/or services trading activities [8]. Based on this definition, brand rights protection for Cimory covers various aspects ranging from the company name, logo, packaging design, to other visual elements that are an integral part of the brand identity.

The urgency of protecting brand rights for Cimory is also closely related to the company's marketing strategy. A strong and well-protected brand not only increases product competitiveness in the market, but also strengthens consumer loyalty. As a company that

produces premium food and dairy products, Cimory has built a good reputation in the eyes of consumers, which is reflected in consumer trust in the quality and safety of the products offered. Brand rights protection ensures that this trust is not misused by other parties who try to imitate or exploit the Cimory brand for personal gain.

By protecting brand rights, Cimory can prevent unauthorized use of its brand identity, so that consumers remain confident that the products they buy are genuine products from Cimory that have gone through a production process that complies with high quality standards. Article 21 of the Trademark Law stipulates that packaging designs that differentiate a product from other products can also be protected as a brand. This shows that brand protection is not only limited to the company name and logo, but also includes packaging design elements that are part of the brand identity. For Cimory, packaging design and product labels are important elements that help consumers recognize and remember their products.

Cimory can prevent imitations that could obscure their brand identity and confuse consumers. This is important because packaging design is often a determining factor in consumer purchasing decisions, especially in competitive markets where many similar products compete for consumers' attention. Brand rights protection also has a significant impact on a company's financial stability. Brand rights violations that are not handled properly can cause a decrease in revenue due to the sale of counterfeit or imitation products that damage the image of the original brand. Additionally, companies can also face high legal costs for prosecuting trademark infringement, which can ultimately burden the company's finances. In the long term, brand rights infringement can lead to a decline in brand value, which impacts a company's competitiveness in the market.

Impact of Educational Campaigns

Education about brand rights helps consumers understand the importance of brand protection in maintaining product authenticity. According to Article 21 paragraph (1) of Law Number 20 of 2016 concerning Marks and Geographical Indications, brand owners have the

exclusive right to use their marks in the trade of goods or services. When consumers are taught about these rights, they are more likely to value Cimory products as authentic and protected. This knowledge encourages consumers to pay attention to elements that indicate product authenticity, such as logos, labels and packaging that comply with brand protection standards. Brand rights protection education campaigns can influence perceptions of Cimory product quality by emphasizing the brand's commitment to quality standards and integrity. Article 4 paragraph (1) of the Trademark and Geographical Indications Law regulates that a brand must have a distinguishing power that makes it unique.

When Cimory is active in protecting its brand rights, this shows that the brand is invested in ensuring that every product they market meets certain quality standards[9]. Consumers who know that Cimory protects its brand seriously associate this protection with a commitment to product quality. They believe that brands that focus on protecting their rights also strive to maintain high quality in their products. This can strengthen consumers' views that Cimory products are a reliable and quality choice. An effective education campaign can also build consumer confidence in the value of Cimory products. Article 3 of Law Number 8 of 1999 concerning Consumer Protection emphasizes that consumers have the right to receive correct, clear and honest information about products.

By providing education about brand rights and how Cimory protects its products, consumers receive clear information about the value and benefits of these products. This education promotes transparency, which helps consumers feel more confident about the value they receive. For example, if consumers know that Cimory Actively protects its brand rights to prevent counterfeiting, they may be more likely to believe that the product has greater value and is worth paying a premium price for.

Educational campaigns can strengthen the perception of the value of Cimory products by enlightening them about the differences between original products and imitation products. Education about brand rights may include information about the risks associated

with unprotected products, such as inconsistent quality or potential health hazards. Consumers will appreciate Cimory products more as safer and higher quality choices. They will see additional value in purchasing products that have gone through a brand rights protection process, compared to products that do not have the same guarantees. This can change consumers' view of Cimory products from simply purchased goods to investments that provide quality and safety guarantees. Educational campaigns can improve the perception of Cimory product quality by showing how brand rights protection contributes to the brand's reputation.

Consumers tend to pay attention to and appreciate brands that have a good reputation and are known for their commitment to protecting their rights. If Cimory is successful in communicating how their brand protection efforts contribute to the brand's positive reputation, this can strengthen consumers' views that Cimory products are products worth choosing. A good reputation is often associated with quality, and by educating consumers about brand protection efforts, Cimory can leverage this positive reputation to increase product quality perceptions. Brand rights protection education campaigns can influence perceptions of Cimory's product value by emphasizing corporate social responsibility. In Article 21 paragraph (2) of the Trademark and Geographical Indications Law, it is stated that brand owners also have a responsibility to ensure that the products they offer do not infringe the brand rights of others. Consumers can view companies as responsible and ethical entities. This can increase the value of the product in the eyes of consumers, as they feel that they are supporting a brand that cares about social and legal responsibility.

The impact of the brand rights protection educational campaign on the perception of quality and value of Cimory products in the eyes of consumers is very significant. One of the main challenges for Cimory is the lack of consumer awareness and understanding of the importance of brand rights protection. Many consumers are unaware of the role of brand rights in maintaining product authenticity and quality. To overcome this, Cimory needs to run informative marketing

campaigns through social media, websites, printed materials and direct outreach, tailored to different audience characteristics.

Another challenge is limited resources for broad and effective educational campaigns. Cimory must design an adequate budget and consider partnerships with organizations, government agencies, or influencers to efficiently expand educational reach. Measuring the effectiveness of the campaign is also an important challenge. Cimory needs to develop evaluation mechanisms such as surveys and sales analysis to assess the impact of campaigns on consumer perceptions and purchasing decisions. Additionally, maintaining message consistency across communication channels is necessary to avoid confusion and ensure a strong understanding of brand rights protection.



Figure 1. Brand Rights Education Activities for Students in Observing Brand Formation and the Cimory Milk and Milkshake Production Process

CONCLUSION

The conclusion of this discussion shows that brand rights protection is a crucial aspect in marketing strategy, especially for companies like PT Cimory. Through a good understanding of brand rights as regulated in Law Number 20 of 2016 concerning Trademarks and Geographical Indications, such as Article 21 which grants exclusive rights to brand owners and Article 25 which regulates infringement, consumers can better understand and appreciate the authenticity of products. Effective education regarding brand rights can increase consumer awareness of the differences between original and imitation products, strengthen brand image, and increase customer trust and loyalty to the products they buy.

However, challenges such as lack of consumer awareness, market segmentation, limited resources, and the need to maintain message consistency require special attention. To overcome this challenge, Cimory needs to develop segmented educational campaigns, utilize various communication channels, and carry out appropriate evaluations. Through this approach, companies can increase consumer understanding, maintain brand reputation, and ensure effective protection of their brand rights, ultimately contributing to the brand's long-term success in the marketplace.

SUGGESTION

There are suggestions that can be made so that the brand rights protection that PT Cimory has implemented as part of its marketing strategy can be implemented by other companies because it has proven effective in designing comprehensive educational campaigns. This includes using various communication channels that suit audience characteristics, such as social media, websites, and print materials, as well as utilizing strategic partnerships to expand reach in a cost-efficient manner.

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