



Intellectual Property Rights in Tourism Management in Cirebon

Surono¹, Bastoni², Oqke Prawira Triutama³, An Nuur Khairune Nisa⁴

¹Universitas Muhammadiyah Cirebon, West Java, Indonesia, email: surono.nrmn@gmail.com

²Universitas Muhammadiyah Cirebon, West Java, Indonesia

³Universitas Multimedia Nusantara Tangerang, Banten, Indonesia

⁴Universitas Gadjah Mada, Yogyakarta, Indonesia

Abstract. Tourism requires risk management for its sustainability. With risk management, we can prevent *the peril* that causes losses, especially in tourism. Looking at the current conditions, the rampant piracy cases of tourism products certainly require a strategy as a preventive measure. Especially with the development of society 5.0, of course, it makes *the hazard* of these risks even more significant. Moreover, it gives new *exposure* to tourism management. The Ministry of Tourism and Creative Economy makes a strategy to protect tourism products by collaborating with the Director General of IPR of the Ministry of Law and Human Rights and training tourism actors to carry out legal protection by owning Intellectual Property Rights (IPR). The IPR was registered with the Directorate General of Intellectual Property Rights of the Ministry of Human Rights. Tourism management in Indonesia requires instilling in the community and local tourism entrepreneurs an understanding of the importance of IPR ownership. The Ministry of Tourism and Creative Economy is intensively organizing socialization of the importance of IPR to tourism actors, which will be held in December 2021 in various cities to prevent theft of culture and tourism products to realize sustainable tourism. One of them is in Cirebon City; at the end of December, an Intellectual Property Class will contain education about IPR.

Keywords: Tourism, Intellectual, Heritage, Cirebon

INTRODUCTION

Tourism management is a series of activities that involve planning, organizing, mobilizing, and supervising to achieve predetermined goals. Tourism management aims to build sustainable tourism. Tourism sustainability is reviewed from cultural, social, environmental, and economic aspects. From the economic side, it consists of economic behavior, political economy, and economic circles. There have been several cases regarding claims of Indonesian products by other countries, so protective measures are needed to prevent product piracy, especially tourism products, for the economic benefit of tourism actors.

METHOD

This research uses a qualitative method approach to describe the natural condition of objects, where the researcher is the key instrument. The reason researchers choose descriptive research is to be able to describe systematically and accurately facts and characteristics about the population or a particular field. The researcher here intends to provide an overview of a particular social phenomenon that already exists. This method can make it easier for researchers to analyze and understand data one by one and conclude it.

DISCUSSION

To protect, develop, and utilize tourism products and the creative economy owned by Indonesia. Along with the development of industrial technology 4.0, which is continued by the era of society 5.0, it has undoubtedly changed the face of the world and the culture of its people. Many unexpected things that have yet to happen before include tourism. The ease of access to information makes the risk of piracy high. This encourages tourism players to start considering tourism risk management along with the development of this technology. Risk management strategies must be prepared to prevent the negative impact of developing these technologies.

Looking at the dynamic tourism conditions, of course, it will always make updates in it. The novelty value will give an intangible property, that is, rights. This right is in the form of IPR, known internationally as *Intellectual Property Rights* (IPR). Intellectual Property Rights are the right to enjoy economically the results of intellectual creativity. Most people who are tourism actors need to know the importance of IPR registration for the works/products they create. External parties, such as foreign businessmen, read this problem well and try to make claims on using or using *local genius* Indonesia, so preventive measures are needed as legal protection in tourism management. The tourism industry in Indonesia often intersects with several types of IPR, including copyright, patent, and trademark rights to industrial design.

Tourism products that can be protected can be copyrights, geographical indications, patents, brands, and industrial designs. Copyright includes written works, works of art, audiovisual works, drama and choreography, and musical compositions. Local people use guidelines (*pakem*) that produce a unique product made by hand to provide high selling value. Local wisdom born from Indonesian culture in *tangible* and *intangible* culture is considered knowledge for tourism actors in Cirebon.

Local genius co, mainly called local wisdom, is traditional knowledge created to benefit local communities and oriented to local communities. The works/products resulting from the use

of *local genius* should be registered to obtain IPR. A work/product produced, besides being a new creation, is also still adopting the original culture of Indonesia that must be maintained. IPR is more oriented towards *private* ownership (individuals). IPR owners will find their rights and economic value from each work/product they register with the Director General of Intellectual Property Rights of the Ministry of Human Rights.

Table 1. Types of Intellectual Property Rights in Tourism Management

No	Form of IPR	Definition
1	Copyright (UU/28/2014)	Copyright is the exclusive right of the creator that arises automatically based on the declarative principle after a work is realized in tangible form without prejudice to restrictions in accordance with the provisions of laws and regulations
2	Patents (UU/14/2001)	Patent Rights are exclusive rights granted by the State to inventors of the results of their inventions in the field of technology, who for a certain time carry out their own inventions or give their consent to other parties to carry them out
3	Heel Brand (UU/15/2001)	Brand is a sign in the form of images, names, words, letters, numbers, color arrangements, or combinations of these elements that have distinguishing power and are used in trading activities for goods or services.
4	Industrial Design (UU/31/2000)	Industrial Design is a creation of the shape, configuration, or composition of lines or colors, or lines and colors, or a combination thereof that is three-dimensional or two-dimensional 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 commodities, or handicrafts

Tourism is inseparable from a law regulating tourism's stability, especially tourism in Indonesia. The existence of a very close relationship between IPR and tourism provides many issues that must be resolved immediately by the Indonesian government. Intellectual Property Rights among tourism and creative economy actors towards works/products that utilize local wisdom are only one issue in IPR. The culture claimed by neighboring countries also requires a serious response from the Indonesian government. It is inconceivable that if Indonesia is in crisis for internationally recognized cultural ownership, hopes for the tourism industry will slowly fade because culture is one of the greatest assets for Indonesian tourism.

Indigenous Indonesian culture and the works/products of local people who utilize culture have different houses in IPR registration. Many people need help understanding the difference between registering cultural IPR and registering works/products that utilize *Indonesian local genius*. The following are the differences in IPR protection for Indonesian culture with works/products that utilize Indonesian local genius.

The magnitude of *intellectual property benefits* for creative industry players makes the Ministry of Tourism and Creative Economy / Baparekraf the Deputy for Digital Economy and Creative Products, through the Directorate of Creative Industry Intellectual Property Development, take the initiative to organize an Intellectual Property Rights Class program. This

program is one of the flagship programs of the Ministry of Tourism and Creative Economy / Baparekraf, which encourages accelerating the creative economy industry in Indonesia. I worked with tourism activists. This program is a *workshop* intended for tourism and creative economy actors to increase insight and knowledge in the *intellectual property* industry. IPR is a protection of tourism management from the political-economic side in order to achieve sustainable tourism. *Training of Trainer activities* are carried out in various cities to socialize the importance of IPR at the end of this year.

Currently, many tourism actors in Cirebon do not record IPR, which is feared to cause plagiarism by irresponsible parties. Meanwhile, the enthusiasm of the people of Cirebon to work is very high, so protection is needed. These works range from new dance creations, music with darling song innovations, painting with glass painting, woven art with rattan weaving, and Tripe ballet to creative economy handicraft. IPR legal protection is needed to develop tourism in Cirebon and Indonesia.

This is reinforced by the results of an interview with Kak Venggar, Chairman of the Tourism and Creative Economy Community, who states that the socialization of the importance of IPR is currently being intensified. He is also a *trainer* from the Directorate of Creative Industry Intellectual Property Development of the Ministry of Tourism and Creative Economy. This is undoubtedly for tourism development and its economic benefits for creators, actors, and the community, especially in Cirebon and Indonesia.

CONCLUSION

The development of Society 5.0 increases the possibility of a creative idea quickly becoming viral and, of course, has a great potential to experience idea theft. Preventive steps for claims on products, brands, and works, as well as other creative tourism ideas from irresponsible parties, tourism, and creative economy actors, should register products, brands, and works, as well as their creative ideas to the Director General of IPR of the Ministry of Human Rights. By having Intellectual Property Rights, tourism players do not need to worry if competitors take or imitate their products. The reason is that IPR has protected a product from possible claims of other parties.

However, tourism players, especially in Cirebon, apparently need help understanding the importance of IPR. This condition makes the Ministry of Tourism and Creative Economy currently intensively conducting socialization about IPR so that tourism and creative economy actors understand the rights and other IPR owners' rights, which, in the end, are expected to

maintain their rights and avoid IPR violations. IPR classes are conducted in various cities, including those that will be held in Cirebon at the end of December, which is one of the strategies in tourism industry risk management, a preventive step for the sustainability of tourism in Cirebon in particular and Indonesia in general. Products or works that have been registered in Intellectual Property Rights will provide economic benefits for creators, creators, designers, and investors, as well as, of course, tourism actors.

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