

# Raising Legal Awareness on the Importance of Trademark Registration for Household Product Protection

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## **Abstract**

*This writing aims to enhance the legal awareness of home industry actors in Tombawatu Village, Konawe Regency, regarding the importance of trademark registration for legal protection and certainty. Despite being a tourism area with many home industry businesses, the awareness of trademark registration among entrepreneurs remains low. The objectives of this community service activity were to improve the understanding of business actors about trademark registration and its legal benefits. The methodology employed in this study involved several stages. The first stage was the preparation phase, which included a location survey and determining the target audience. The second stage was the implementation phase, which consisted of a pre-test, delivery of material through lectures and discussions, followed by a post-test to assess the level of understanding of the participants. The community service activities used a lecture and discussion method conducted through direct face-to-face interaction with the community. The results showed a significant improvement in legal awareness among the participants regarding trademark registration and its procedures. Before the legal counseling, 80% of the participants had low legal awareness. After the counseling session, 60% of participants demonstrated a high level of understanding, while 20% showed a very high level of understanding, and none had a low level of*

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*understanding. This indicates a successful increase in legal awareness and understanding of trademark registration among the home industry entrepreneurs in Tombawatu Village.*

**Keyword:** *Legal Awareness; Trademark; Home Industry*

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## Introduction

The development of trade in goods and services in Indonesia has seen a significant increase due to advancements in information technology and transportation facilities. This growing trade flow is likely to align with national economic growth. This is evidenced by the emergence of numerous producers manufacturing various goods to meet the needs of society, which typically have distinctive features to differentiate similar products. This differentiation is solely an effort to ensure the products are recognizable by consumers. The distinction of a product from others is known as a trademark. A trademark is something (a logo or name) used to identify a product or company in the marketplace. (Lindsey 2013). Legally, the definition of a Trademark according to Article 1, Paragraph (1) of Law No. 20 of 2016 on Trademarks and Geographical Indications (hereinafter referred to as the Trademark and Geographical Indication Law) is a sign that can be displayed graphically in the form of images, logos, names, words, letters, numbers, color combinations, in two (2) dimensions and/or three (3) dimensions, sounds, holograms, or a combination of two (2) or more of these elements to distinguish goods and/or services produced by individuals or legal entities in the trade of goods and/or services. As a sign, a trademark is used so that consumers can easily recognize a product, because without a trademark, it would be difficult for the public to describe the product they intend to consume. (Nurrachmad 2011). This is the reason why trademarks are considered an important form of intellectual property that plays a vital role in the smooth operation and growth of trade in goods and/or services. The crucial role of trademarks in commercial activities often leads to various issues. These issues include imitation, counterfeiting, and even the misuse of trademarks by other parties, which can result in losses for the businesses involved. This is why trademarks need legal protection to provide legal certainty for the public. (Miru 2005).

Based on its importance, it is hoped that every business, both micro and macro, will adhere to the regulations and register their trademarks to ensure exclusive rights to a product/good. By registering a trademark and obtaining a trademark certificate, it serves as a preventive measure for the trademark owner to avoid harmful situations caused by irresponsible individuals, such as the unauthorized use of the trademark. (Supramono 2010). However, a common issue that arises in society is that popular products/brands have been used without the knowledge and consent of the trademark owner. This act can be categorized as piracy, which not only harms consumers but also producers. Piracy can lead to a lack of trust from the public towards a particular trademark.

Trademark protection follows the "first to file" principle (first to register). The implication of this principle is that the party/business that registers the trademark first at the Directorate General of Intellectual Property (DGIP) of the Ministry of Law and Human Rights will receive protection as the trademark owner and benefit from this ownership.

Trademark protection today is governed by the Trademark and Geographical Indications Law. A trademark is an economic asset for its owner, and based on this law, it must be registered with the Directorate General of Intellectual Property (DJKI) of the Ministry of Law and Human Rights to obtain a Trademark Certificate for legal protection. This also serves to minimize misuse by other parties, which can result in losses for the business owner.

The household industry is closely linked to Intellectual Property, particularly for anticipating or protecting trademarks in the event of disputes. However, protection can only be granted if the trademark is registered. Therefore, it is crucial for actors in the household industry to understand the trademark registration process to raise legal awareness regarding the importance of registering a trademark to avoid misuse by other business actors. Despite the crucial nature of trademark registration, many household industry actors still fail to register their trademarks, indicating a lack of understanding and legal awareness about trademark registration. Given the importance of trademark registration in line with the Trademark and Geographical Indications Law, it is a vital step to take.

Based on the above, it is clear that trademark registration is essential for household industry actors, especially in areas like Tombawatu Village in Konawe Regency.

Tombawatu, a tourism area in Konawe, has given rise to many household industry actors. However, these actors still do not fully understand the importance of trademark registration. This highlights the low awareness of household industry actors, particularly in Tombawatu Village, regarding trademark registration. Despite the growing number of household industry businesses, the legal awareness of the community remains low. Generally, household industry actors create business names, but only as business names without registering them.

A strategic step that household industry actors must take is to improve their ability to build a well-known brand, making the understanding of trademark law very important. Awareness and utilization of intellectual property rights, particularly regarding trademark registration, should be given special attention so that their products can compete in the market.

Based on the situational analysis described above, several problems faced by the partners in trademark registration are as follows: a low understanding of trademark law among household industry actors regarding the importance of registration, a lack of knowledge about the trademark registration process and required documents, and the economic challenges faced by household industry actors.

The goal of this community service activity is to raise legal awareness about the importance of trademark registration for household industry actors in Tombawatu Village, ensuring that their products receive legal protection and legal certainty.

## Methods

The stages of the activity to be carried out are as follows: First, the preparation stage, which includes conducting a location survey, determining the location and target audience, coordinating with the Head of Tombawatu Village, identifying legal issues of concern to the community, and preparing materials related to the importance of trademark registration for household industry actors. Second, the implementation stage, which starts with an initial test (pre-test). This is done before delivering the material to assess the community's understanding of the importance of trademark registration and the procedure or process for trademark registration. Next, legal counseling is conducted by providing explanations focusing on the importance of trademark registration and the procedure or process of trademark registration as a form of education for the partner

village community. Finally, a post-test will be administered at the end of the material presentation to evaluate the community's understanding of the information provided. (Herman 2022).

The method used in this community service activity is in the form of lectures and discussions conducted through face-to-face interaction with the community. This lecture and discussion method is considered more effective as it enables two-way communication between the speaker and the target audience, with quick responses or feedback from the audience. Legal counseling in the form of a lecture is organized to provide explanations on legal materials related to the importance of trademark registration and the procedures or process of trademark registration. Meanwhile, legal counseling in the form of a discussion is held to deepen the material presented. This legal counseling is carried out using a persuasive, educational, communicative, and accommodative approach, in accordance with the provisions in the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number: M.01-Pr.08.10 of 2006 on the Legal Counseling Pattern. (Herman 2022).

## **Result and Discussion**

### **1. The Importance of Trademark Registration to Protect Home Industry Products**

Trademark registration plays a crucial role for home industries, especially for entrepreneurs in the Tombawatu region, which was the target of the community service activity on November 2, 2024. An initial survey conducted before the outreach activity showed that most participants had very limited knowledge about the importance of trademark registration. This is a significant issue, as trademark registration is not only about administrative procedures but also about legal protection that is essential for the continuity of a business, especially for home industries that have great market potential but are vulnerable to unhealthy competition (Betlehn and Samosir 2018).

A trademark, in this context, can be understood as a symbol or identity that distinguishes one product from another in the market. A trademark is not just a name or logo, but an integral part of the business identity that helps consumers recognize and differentiate products from one brand to another. For example, a food or beverage product with a particular trademark is easier for consumers to recognize, thereby providing confidence in the product's quality and taste. Without trademark registration, products released by home industry entrepreneurs can easily be imitated by others,

whether in the form of the trademark name, logo, or other attributes attached to the product. This can cause confusion among consumers between the original product and counterfeit ones, which in turn can damage the reputation of a business that has been built with great effort (Yulia, Herinawati, and Subaidi 2024).

By registering a trademark, home industry entrepreneurs will gain the legal protection they need. Trademark registration grants exclusive rights to the trademark owner to use it in their commercial activities. This means that only the registered owner has the right to use the trademark, and no one else can use the same or similar trademark for competing products. If someone uses the same or similar trademark, the registered trademark owner has the right to take legal action against the violation. The legal protection provided by trademark registration is crucial for maintaining the integrity of the brand and protecting the products produced by home industry entrepreneurs from potential counterfeiting or imitation by irresponsible parties (Fajri, Abdallah, and Apriadi 2023).

The legal protection obtained by registering a trademark not only guarantees the exclusivity of its use by the owner but also grants the owner the right to prevent others from using it without permission. For example, if there is a product with a similar or identical trademark to a registered one, the rightful trademark owner can file a lawsuit and request that the product be withdrawn from the market. Legal action can include suing those who infringe on the trademark, which harms the reputation and credibility of the original brand. Therefore, trademark registration becomes an effective tool in preventing unhealthy competition and reducing the risk of counterfeit products that could tarnish the brand's reputation in the market (Verawati 2022).

Additionally, trademark registration also guarantees the owner the ability to benefit from the reputation they have built. A registered trademark can be a valuable asset for a business, not only functioning as a product identifier but also as a means to expand the market. For example, a trademark that is widely recognized in the market can attract investors or business partners for collaboration. Trademark registration also provides consumers with a sense of security because they know that the products they buy come from a legitimate and officially registered producer. This, of course, builds consumer trust in the products produced by home industry entrepreneurs (Fathanudien and Anugrah 2022).

However, despite the many advantages and legal protections that trademark registration offers, many home industry entrepreneurs still do not realize the importance of this step. In Tombawatu, for instance, many home industry entrepreneurs have yet to register their trademarks, despite having created high-quality products with great market potential. One of the main reasons why they have not registered their trademarks is the lack of understanding regarding the procedures and benefits of the registration process. They may feel that the cost or process of registration is too complicated or not that important for their small-scale business. In fact, without legal protection through trademark registration, they are highly vulnerable to intellectual property violations that could harm them in the long run.

Furthermore, many home industry entrepreneurs do not understand that trademarks are not just symbols but are an important part of a marketing strategy that can improve competitiveness in the market. A registered trademark helps consumers easily identify and choose that product among many options available. Therefore, trademark registration should be viewed as a long-term investment that provides protection and economic benefits for its owner. In this regard, it is important for the government and relevant parties to provide wider education on the importance of trademark registration for home industry entrepreneurs (Fathanudien, Budiman, and Tendiyanto 2021).

Through the community service activity held on November 2, 2024, in Tombawatu, the public was educated on the importance of trademark registration and the procedures involved in registering their trademarks. This activity is expected to enhance legal awareness among home industry entrepreneurs. In addition to providing material on trademark registration, the outreach session also included discussions and a Q&A session, where participants could ask questions related to their difficulties or confusion in registering trademarks. Through these Q&A sessions, participants were able to gain a deeper understanding of the process, the costs involved, and the benefits they could obtain after registering their trademarks (Hasri et al. 2024).

One important point emphasized during the outreach was that trademark registration is not only applicable to large businesses but is also highly relevant for home industry entrepreneurs with products that have distinctive characteristics. Trademark registration ensures that their products will be protected from imitation and

counterfeiting practices that can damage their image in the market. On the other hand, trademark registration can also provide a competitive advantage because consumers are more likely to trust products that have registered trademarks recognized by law.

Additionally, this outreach also touched upon another important aspect—the trademark registration process itself. Many home industry entrepreneurs are confused about the procedure they must follow to register their trademarks. Therefore, through this outreach, participants were provided with explanations on the steps to take, from filling out registration forms, selecting product or service classes, to submitting the required documents. All of this information aims to simplify the process for home industry entrepreneurs, helping them register their product trademarks and obtain the legal protection they need (Makbul and Fathaniyah 2023).

Trademark registration is not complicated when done with the right understanding. Therefore, it is important for home industry entrepreneurs to realize that their trademark is a valuable asset, and by registering it, they not only gain legal protection but also create a strong foundation for expanding their market and growing their business. Although the registration process may require some effort and cost, the long-term benefits far outweigh them, providing a sense of security for the business to grow and thrive.

With increased legal awareness about the importance of trademark registration, it is hoped that home industry entrepreneurs in Tombawatu and other areas will take the necessary steps to protect their products and prevent losses caused by imitation or counterfeiting. Trademark registration is a form of protection that can be provided for their products, as well as a strategic step to create stronger competitiveness in the market (Oktiani et al. 2023).

Overall, trademark registration is an essential step in maintaining product integrity, building consumer trust, and creating sustainability for home industry entrepreneurs. By increasing understanding and awareness of the process and benefits of trademark registration, home industry entrepreneurs can maximize their product potential and face market challenges with greater confidence (Siregar, Saidin, and Leviza 2022).

## **2. Trademark Registration Process and Improving Public Understanding of Intellectual Property Rights**



The trademark registration process and the public's understanding of intellectual property rights (IPR) are crucial aspects in the business world, especially for home industry players. Trademark registration is not just a mandatory administrative step but also a legal protection that guarantees the exclusivity of the brand. A trademark, which serves as a symbol or identity of a product or service, plays a vital role in marketing and distinguishing one product from another. Therefore, understanding the trademark registration process and its associated rights is essential, particularly for business owners in the home industry sector, which has significant potential for growth but is also vulnerable to unhealthy competition (Fathanudien, Budiman, and Tendiyanto 2021).

One of the main objectives of the community service activity held on November 2, 2024, in Tombawatu was to enhance the public's understanding, especially among home industry players, on how to register trademarks and the procedures involved in the registration process. Prior to this activity, most home industry players in the area had a limited understanding of the importance of trademark registration and how to go about it. This presented a challenge, as without sufficient understanding, these entrepreneurs were unaware of the potential losses that could arise from not registering their trademarks.

Trademark registration is often perceived as complicated and time-consuming. However, through a well-structured and systematic outreach session, the community service team successfully explained the trademark registration process in a manner that was easy for participants to understand. The participants were given a comprehensive overview of what trademarks are, the different types of trademarks, and how to register their trademarks through the Directorate General of Intellectual Property (DGIP) in Indonesia. Trademark registration through the DGIP is not merely a formality but the first step to obtaining legal protection for their trademark, safeguarding their products or services from counterfeiting or imitation by others (Gunawan and Putra 2023).

During the outreach session, participants were given the opportunity to ask questions and discuss various issues they faced related to their products, such as the potential circulation of counterfeit goods in the market or how to protect their trademarks from unauthorized use. This discussion provided an opportunity for participants to share experiences, learn from one another, and gain a clearer understanding of how trademark registration can help protect their trademarks and products. Some participants expressed

concerns about their products being copied by competitors and how they could ensure their marketed products maintained their authenticity. In this regard, the community service team explained that by registering their trademark, they would acquire exclusive rights to the trademark, preventing others from using it without permission.

Additionally, the team educated participants about other benefits of trademark registration, such as facilitating licensing agreements, enhancing competitiveness, and building consumer trust. A registered trademark signifies that the product is legally recognized, providing consumers with assurance that they are purchasing from a legitimate producer. This enhances the product's reputation and strengthens its market position. For home industry players, trademark registration can also increase the value of their products, as a registered trademark is an asset that can be maintained and leveraged for greater profit (Julranda et al. 2024).

The outreach session also included information about the trademark registration process, which can be done online through the DGIP's trademark registration system. Explaining how to submit an electronic trademark application helped participants understand how easy the process is. They were also provided with information regarding the necessary documents, registration fees, and the time required to obtain a registered trademark certificate. All of this information was delivered in a simple and easy-to-understand manner, so participants did not feel burdened by the administrative process, which is often perceived as complicated.

One of the primary goals of this outreach activity was to provide a clear understanding of how trademark registration can help home industry players protect their businesses from potential threats that could harm them. As is known, many home industry players may assume that their trademarks will not be copied or counterfeited, especially if their products are still small-scale. However, without legal protection through trademark registration, they are vulnerable to imitation, which can undermine consumer confidence and damage the reputation of the brand they have worked hard to build. Trademark registration provides exclusive rights that allow them to protect their products and ensure they remain unique in the market (Kamani and Khaerunnisa 2023).

The results of the post-test after the outreach activity showed a significant improvement in participants' understanding. Before the session, most participants had limited knowledge of trademark registration. However, after receiving more in-depth

explanations about the trademark registration process and its benefits, the majority of participants showed a significant improvement in their understanding. This improvement not only indicates that they now have a better grasp of the trademark registration procedure but also that they understand how important this step is for the sustainability and protection of their businesses.

This increased understanding is crucial, as in the long run, it can help home industry players protect their products legally and avoid losses caused by unhealthy competition. By raising awareness about the importance of trademark registration, it is hoped that more home industry players in the Tombawatu region and other areas will register their trademarks and obtain the legal protection they deserve. This will also provide a positive boost to the local economy, creating a fairer and more competitive market, where quality products receive the proper recognition and protection (Makbul and Fathaniyah 2023).

Furthermore, through this outreach activity, participants also came to realize that trademarks are not just symbols attached to products but are valuable business assets. A registered trademark can increase product competitiveness and provide security to consumers, making them more likely to choose products with a legally recognized and registered trademark. Trademark registration also guarantees producers exclusive use of their trademark, preventing others from using it for the same product (Widanti and Winatha 2023).

Thus, this outreach activity not only provided benefits in terms of knowledge about trademark registration but also strengthened participants' understanding of the importance of protecting their intellectual property. In the long term, this will have a positive impact on the development of the home industry and the local economy as a whole. It is hoped that through continuous education and outreach, home industry players will become more aware of the importance of trademark protection and other intellectual property rights, enabling them to protect their products and compete fairly in the market.

## Conclusion

Trademark registration is a strategically vital step for home industry entrepreneurs. This process not only ensures the distinctiveness of a product's identity

but also provides legal protection that shields the product from imitation and unfair competition. Through the outreach activity in Tombawatu on November 2, 2024, many home industry entrepreneurs gained a deeper understanding of the trademark registration procedures and their benefits, including enhanced consumer trust and opportunities for collaboration and attracting investment.

The increased understanding of intellectual property rights encourages entrepreneurs to view trademark registration as a long-term investment that can strengthen their competitive edge in the market. Consequently, educational and outreach efforts on the importance of trademark registration are crucial for sustaining and growing businesses, while also creating a more equitable and competitive market environment.

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