

**PERAN DINAS PERINDUSTRIAN, PERDAGANGAN, KOPERASI DAN
UKM KABUPATEN BULELENG DALAM MEMBERIKAN
PERLINDUNGAN HUKUM TERHADAP HAK ATAS KEKAYAAN
INTELEKTUAL PELAKU USAHA UMKM DI KABUPATEN BULELENG
BALI**

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ABSTRAK

Penelitian ini bertujuan untuk mengetahui (1) peran Dinas Perdagangan Perindustrian dan Koperasi UKM Kabupaten Buleleng dalam upaya memberikan perlindungan hukum terhadap hak kekayaan intelektual pelaku Industri Usaha Mikro Kecil dan Menengah (UMKM) di Kabupaten Buleleng. (2) kendala-kendala apa saja yang mempengaruhi upaya perlindungan hukum dalam melindungi hak atas kekayaan intelektual pelaku usaha UMKM oleh Dinas Perindustrian, Perdagangan, Koperasi dan UKM Kabupaten Buleleng. Jenis penelitian ini dengan menggunakan metode hukum empiris. Teknik penentuan sampel menggunakan *nonprobability* sampling. Subjek penelitian ini Dinas Perdagangan, Perindustrian dan Koperasi, Usaha Kecil dan Menengah Kabupaten Buleleng dan Pelaku usaha UMKM. Objek penelitian adalah peran Dinas Perdagangan, Perindustrian dan Koperasi, Usaha Kecil dan Menengah Kabupaten Buleleng. Teknik pengumpulan data yang digunakan dalam penelitian ini adalah studi dokumen, observasi dan wawancara. Data yang dikumpulkan dianalisis secara deskriptif kualitatif. Hasil penelitian ini menunjukkan bahwa: (1) peran yang ada pada Dinas Perindustrian, Perdagangan, Koperasi, dan UKM Kabupaten Buleleng dalam upaya memberikan perlindungan hukum terhadap HAKI pelaku Industri UMKM di Kabupaten Buleleng yang termasuk dalam bentuk upaya perlindungan hukum preventif, yakni: Pembinaan yang intensif terhadap para pelaku UMKM mengenai pentingnya HAKI, Memberikan rekomendasi pendaftaran HAKI kepada para pelaku UMKM, Memberikan bimbingan teknis dan pendampingan kepada UMKM selama proses pendaftaran HAKI, Memfasilitasi pendaftaran HAKI kolektif bagi kelompok pelaku usaha UMKM, dan upaya perlindungan hukum represif diwujudkan melalui pemberian bantuan hukum kepada pelaku UMKM ketika terjadi pelanggaran terkait Hak Kekayaan Intelektual (HAKI). (2) adapun kendala ataupun hal yang mempengaruhi upaya tersebut adalah kurangnya kesadaran dan kemampuan pelaku usaha UMKM dalam melindungi hak kekayaan intelektual, Kurangnya pemahaman mengenai pentingnya Hak Kekayaan Intelektual, jenis-jenis HAKI dan manfaatnya (HAKI) oleh pelaku usaha UMKM, rumit atau berbelit-belitnya proses pendaftaran HAKI yang melibatkan beberapa lembaga dalam proses pendaftaran dan simpang siurnya informasi pendaftaran, kurangnya kompetensi beberapa pegawai dalam memberikan pelayanan terkait haki ke pelaku usaha UMKM. Dan terbatasnya kuota pemberian rekomendasi pendaftaran HAKI setiap tahunnya.

Kata Kunci: Hak Kekayaan Intelektual, Perlindungan Hukum, Pelaku Usaha UMKM

**THE ROLE OF THE DEPARTMENT OF INDUSTRY, TRADE,
COOPERATIVES AND SMES OF BULELENG REGENCY IN PROVIDING
LEGAL PROTECTION FOR INTELLECTUAL PROPERTY RIGHTS OF
UMKM BUSINESS ACTORS IN BULELENG REGENCY, BALI**

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ABSTRACT

This study aims to determine (1) the role of the Department of Trade, Industry and Cooperatives of Buleleng Regency in efforts to provide legal protection for intellectual property rights of Micro, Small and Medium Enterprises (MSMEs) in Buleleng Regency. (2) what obstacles influence legal protection efforts in protecting the intellectual property rights of MSMEs by the Department of Industry, Trade, Cooperatives and MSMEs of Buleleng Regency. This type of research uses empirical legal methods. The sampling technique uses nonprobability sampling. The subjects of this study were the Department of Trade, Industry and Cooperatives, Small and Medium Enterprises of Buleleng Regency and MSMEs. The object of the study is the role of the Department of Trade, Industry and Cooperatives, Small and Medium Enterprises of Buleleng Regency. The data collection techniques used in this study were document studies, observations and interviews. The data collected were analyzed descriptively qualitatively. The results of this study indicate that: (1) the role of the Industry, Trade, Cooperatives, and SMEs Service of Buleleng Regency in efforts to provide legal protection for the IPR of MSME Industry actors in Buleleng Regency which is included in the form of preventive legal protection efforts, namely: Intensive guidance for MSME actors regarding the importance of IPR, Providing recommendations for IPR registration to MSME actors, Providing technical guidance and assistance to MSMEs during the IPR registration process, Facilitating collective IPR registration for MSME business actor groups, and repressive legal protection efforts are realized through the provision of legal assistance to MSME actors when violations occur related to Intellectual Property Rights (IPR). (2) The obstacles or things that affect these efforts are the lack of awareness and ability of MSME business actors in protecting intellectual property rights, lack of understanding of the importance of Intellectual Property Rights, types of IPR and their benefits (IPR) by MSME business actors, the complicated or convoluted IPR registration process involving several institutions in the registration process and the confusion of registration information, the lack of competence of several employees in providing IPR-related services to MSME business actors. And the limited quota for providing IPR registration recommendations each year.

Keywords: Intellectual Property Rights, Legal Protection, MSME Business Actors