LEGAL PROTECTION OF INTELLECTUAL PROPERTY RIGHTS (IPR) ACTORS IN THE TOURISM INDUSTRY IN TOURISM BUSINESS IN WEST LOMBOK REGENCY

Muhammad Saiful Fahmi*, Zainal Asikin**, Aris Munandar**

*Postgraduate Student of Magister Law Study Program, Mataram University, Indonesia
**Lecture of Law Faculty Mataram University, Indonesia
Jalan Pemudan No. 35, Mataram-83125, Tlp. (0370), Fax. 646919
Email correspondence: Email : akusaifulfahmi@gmail.com

Abstract: This study aims to analyze the regulatory norms for the protection of Intellectual Property Rights (IPR) against tourism industry players in the tourism business in West Lombok Regency. This study uses normative-empirical legal research, namely legal research whose object of study includes the provisions of legislation (in abstracto) and its application to legal events (in concreto) in society, especially developments in the tourism industry business. Research technique uses library research, field research, and interview. The sampling technique from the population in this study is non-probability or non-random with purposive sampling where the selection of a group of subjects for certain characteristics or traits that is considered to have a close relationship with the characteristics of the population previously known. The results of this research show: First, regulation of IPR of tourism industry actors in the tourism business has been regulated generally in Law Number 10 of 2009 concerning Tourism, Law Number 28 of 2014 concerning Copyright, Law Number 30 of 2000 concerning Trade Secrets, Law Number 31 of 2000 concerning Industrial Design, and Law Number 20 of 2016 concerning Trademarks and Geographical Indications. Second, Legal protection for IPR in the tourism industry of tourism business in West Lombok Regency has so far been implemented, even though there are some obstacles.

Keywords: legal protection, intellectual property rights, and tourism industry actors

I. INTRODUCTION

Business in tourism in Indonesia today is one of the mainstay sectors in obtaining foreign exchange for development both regionally and nationally. For this reason, tourism activities in Indonesia must be able to create new innovations to maintain and enhance

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1 Business is defined as (1) A commercial enterprise carried on for profit; a particular occupation or employment habitually engaged in for livelihood or gain; (2) Commercial enterprises (business and academia often have congruent aims); (3) Commercial transactions (the company has never done business in Louisiana). Henry Campbell Black, M. A, Black’s Law Dictionary, Eight Edition, West Publishing Co., p. 592. Business activities are all profit-oriented business activities.
competitiveness on an ongoing basis. Tourism is one of the potential that is favored to improve people's welfare. This is in line with one of the functions of tourism that as mandated by Article 3 of Law Number 10 of 2009 concerning Tourism, namely tourism has a function to meet the physical, spiritual and intellectual needs of every tourist with recreation and travel as well as increasing state revenues to realize people's welfare.\(^2\) In addition, tourism is also intended, among others, to improve economic growth and people's welfare. Based on data from the World Bank in 2016, the business in tourism occupies the third largest position after oil and automotive.\(^4\) According to The Travel and Tourism Competitiveness Report 2017, Indonesian tourism is now ranked 42nd out of 136 countries, tourist visits to Indonesia in 2016 amounted to 11.5 million people, and the government targets 20 million tourists who can come to Indonesia in 2019 which have equivalent of Rp. 280 trillion which can become the country's foreign exchange.\(^5\)

One of the provinces which is the main destination of tourism destinations in Indonesia is West Nusa Tenggara, which has many tourism destinations that are very interesting to visit. One area that is the cornerstone of the tourism industry in West Nusa Tenggara is West Lombok Regency. Based on statistical data from the Central Lombok Statistics Agency (BPS) of West Lombok in 2018, West Lombok Regency has 26 hotels with starred hotel classifications and 117 hotels with jasmine classifications and supported by 167 restaurants.\(^6\) While in terms of tourist arrivals staying at hotels in 2016 there were 232,083 international tourists and 157,545 foreign tourists.\(^7\)

The potential dynamics of the development of the tourism business in West Nusa Tenggara, especially in West Lombok Regency, but the law in this activity has not been able to run well, especially awareness of the benefits of the protection of intellectual property rights by tourism industry players is still lacking. As an example in terms of hotel brands and those related to the hotel field based on data from Indonesia, the WIPO Database Trademark up to 2018 in Indonesia is only around 186.\(^8\) Based on its classification, according to Neil Leiper the tourism system consists of seven (7) major components, where the component is the main sector in tourism that has relevance, dependence, and integration, namely: \(^9\)

1. Marketing sector (the marketing sector);
2. Transportation sector (the carrier sector);
3. Accommodation sector (the accommodation sector);
4. Attraction / tourist attraction sector (the attraction sector);
5. Sector tour operator (the tour operator sector);
6. Support sector / miscellaneous sector;
7. The coordinating sector.

As for the application of Intellectual Property Rights (IPR) that can be applied by tourism industry players, it can be explained through the following chart:

\(^2\) Tourism is all activities related to tourism and is multidimensional and multidisciplinary in nature that emerge as a manifestation of the needs of every person and country as well as interactions between tourists and the local community, fellow tourists, the Government, Regional Governments, and entrepreneurs. Article 1 of Law Number 10 of 2009 concerning Tourism.

\(^3\) Law Number 10 of 2009 concerning Tourism


\(^7\) BPS West Lombok Regency, West Lombok Regency In Figures 2016, West Lombok, 2016, p. 346-348.

\(^8\) Indonesia Trademark Database, in http://www.wipo.int/branddb/id/en/, accessed on Wednesday, February 27, 2018, at 11:35 p.m.

Figure 1. Chart of IPR Applications in the Tourism Industry

The form of application of Intellectual Property Rights (IPR) on products in the tourism industry is basically divided into 2 (two), namely: first Copyright and rights relating to copyrights as examples are promotional material, company profiles, brochures, image objects photos, artwork, traditional cultural expressions, company domain names, and multimedia products. Second, is Industrial Property Right which includes Industrial Design, Trademark, Geographical Indication, and Trade Secret. For example, designs on merchandise and Handicrafts (Industrial Design), services and facilities for tourism services such as Ballroom, Food & Beverage and Slogan (Trade Mark), products such as wine, tobacco, grains, fruit, animals, mineral water, beer, and flowers (Geographical Indications), and Recipes Food & Beverage products (Trade Secret). The rule of law regarding Intellectual Property Rights (IPR) must be admitted is still very “unfamiliar” among industry players in the tourism sector, it can even be said that it is very rarely observed and applied in their business activities. In fact, the main motive in this business is activities involving goods and services which in the transactional process require certainty and guarantee for Intellectual Property Rights (IPR). Therefore, based on the description, the authors feel interested in researching on Legal Protection of Intellectual Property Rights (HKI) Actors in the Tourism Industry in Tourism Business in West Lombok Regency.

This study aims to analyze the regulatory norms for the protection of Intellectual Property Rights (HKI) of tourism industry players in the tourism business and its readiness in West Lombok Regency. This research is a normative-empirical legal research in which the object of study includes statutory provisions (in abstracto) and their application to legal events (in concreto) in society. Research techniques use library research (library research), field research (field research), and interviews (interviews). The sampling technique uses non-probability (non-random) with purposive sampling by selecting a group of subjects for certain traits that are considered to have a close relationship with the characteristics of the population that were previously known.

Based on the background stated above, the problems to be discussed in this paper are as follows:
1. What are the norms for protecting Intellectual Property Rights (IPR) against tourism industry players?
2. What is the legal protection for Intellectual Property Rights (IPR) for tourism industry players in the tourism business in West Lombok Regency?
II. RESULT AND DISCUSSION

2.1 Regulatory norms for the protection of Intellectual Property Rights (IPR) against tourism industry players

In its history, Intellectual Property Rights (IPR) are part of the mandate rights of rules/regulations, namely rights because they are granted/regulated by the community through regulations / laws and are not basic rights (absolute), because they are not basic rights that cannot be disturbed sue, the criteria for granting Intellectual Property Rights (IPR) is a matter that can be debated by the public. To avoid and resolve debates and disputes, the regulation of legal norms must be made both by the state and based on international agreements. Intellectual Property Rights (IPR) is very important to stimulate the pace of the economy and is expected to be able to bring prosperity in Indonesia, especially for tourism industry players. Indonesia is known to have high biodiversity, even the highest in the world.

The growing conception of wealth for intellectual works in the end also raises the need to protect or maintain that wealth. In turn, these needs give birth to the concept of legal protection for wealth, including the recognition of rights to it. In accordance with its essence, Intellectual Property Rights (IPR) is grouped into intangible individual rights.

The Law on Intellectual Property Rights (IPR) was first in Venice, which involved patent matters in 1470. Caxton, Galileo, and Guttenberg were listed as inventors born during this period and had monopoly rights to their discoveries. The laws of the patent were later adopted by the British Empire in the Tudor Age in the 1500s and then the law concerning the first patent in the UK was born, the Statute of Monopolies (1623). The United States then only had a Patent Law in 1791. The harmonization efforts in the field of Intellectual Property Rights (IPR) first occurred in 1883 with the birth of the Paris Convention for Patent, Trademark and Design issues. Then the Berne Convention 1886 for Copyright (Copyright) problems. ¹⁰

According to the TRIPs Agreement, protected Intellectual Property Rights (HKI) includes:

a. Copyright
b. Patent
c. Trademark
d. Industrial Design
e. Geographical Indications
g. Undisclosed Information. ¹¹

Legal Protection of Intellectual Property Rights (IPR) Copyright, Patents, Brands, Industrial Designs and International Trade Secrets are set forth in various Conventions and Agreements, and in the national scope are set forth in the form of legislation and various

implementing regulations are as follows: 1). The Agreement on Trade Related Aspect of Intellectual Property Rights (TRIPs)\textsuperscript{12} is one of the most important multilateral agreements relating to Intellectual Property Rights (IPR), this Agreement entered into force January 1, 1995 Indonesia has ratified it and is obliged to implement and apply since 2000. 2). The Convention Establishing The World Intellectual Property Organization (WIPO) is one of sixteen “Specificized Agencies” from the United Nations (UN) which was signed in Stockhon on July 14, 1967, and took effect in 1970. Formally its presence through The Convention Establishing the World Intellectual Property Organization,\textsuperscript{13} 3). The Paris Convention for the Protection of Industrial Property is known as the Convention which regulates the protection of industrial property rights. Industrial property rights include Patents, Brands and Industrial Designs. This Convention entered into force March 20, 1883; 4). The Patent Cooperation Treaty (PCT) is a multilateral Patent Cooperation Agreement, established in Washington on June 19, 1970;\textsuperscript{14} 5). The Berne Convention for the Protection of Literary and Artistic Works is the most important multilateral Convention in Copyright. This Convention first came into effect on September 9, 1886;\textsuperscript{15} 6). Universal Copyright Convention is a Copyright Convention which was born because of the ideas of participants of the Berne Convention and the United States sponsored by the United Nations especially UNESCO, namely to unite a system of universal copyright law; 7). Madrid Agreement Concerning the International Registration of Mark, this agreement was signed in Madrid on April 14, 1891, and began its practice since July 15, 1892, then revised in Stockholm on July 14, 1967, and was open to all Paris Union members. The Madrid Agreement regulates international brand registration, both for goods and services, through registration through a sigle application system with the international bureaucracy of WIPO.

The arrangements for the protection of Intellectual Property Rights (HKI) of tourism industry players in the tourism business in Indonesia refer to Law Number 20 of 2016 concerning Trademarks and Geographical Indications, Law Number 28 of 2014 concerning Copyright, Law Number 13 of 2016 concerning Patents, Law Number 30 of 2000 concerning Trade Secrets, and Law Number 32 of 2000 concerning Industrial Design. The scope of application for the protection of Intellectual Property Rights (IPR) in the tourism industry is as follows:

a. Copyright

In Article 1 paragraph 1 of Law Number 28 of 2014 concerning Copyright, what is meant by Copyright is:

“Copyright is an exclusive right for the Creator or the recipient of the right to announce or reproduce his work or give permission for it by not reducing the restrictions according to the applicable laws and regulations”\textsuperscript{16}


\textsuperscript{13} Ida Bagus Wiyasa Putra, Aspek-Aspek Hukum Perdata Internasional dalam Transaksi Bisnis Internasional, Refika Aditamaa, Bandung, 2000, p. 7

\textsuperscript{14} WIPO, The PCT now has 152 Contracting States, in http://www.wipo.int/pct/ en / pct_contracting_states.html, accessed on Wednesday, October 24, 2018, at 10.31 pm


\textsuperscript{16} Law Number 28 of 2014 concerning Copyright
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The basic idea of copyright is born of intellectual ability. This legal protection only has a distinctive form so that they can be seen, heard or read. With the illustration it shows that the substantive conditions, which include three elements namely; originality, creativity, and fixation. A work can be said to have an element of originality and form of creativity if it is the result of self-creation event though it can be inspired by the work of others. The fixation element is the intention of a work.\(^{17}\) Based on the explanation of Copyright (Copyright) above, then in the tourism industry there are actually many things that can be given protection for tourism industry players relating to Copyright one of which is as follows:

b. Brand

Understanding of Brands according to WIPO is:

“A trademark is a sign that is capable of distinguishing companies from those of other enterprises. Trademarks are protected by intellectual property rights.\(^{18}\)

Whereas in Law Number 20 of 2016 concerning Trademarks and Geographical Indications as stated in Article 1 number 1 Trademarks are:

A brand is a sign in the form of images, names, words, letters, numbers, arrangement of colors, or a combination of these elements which have distinguishing features, and are used in the activity of trading goods or services.\(^{19}\)

The examples of brands used by hotels as brands of products sold to consumers are as follows:


\(^{18}\) Trademarks in http://www.wipo.int/trademarks/en/, accessed on Wednesday, October 24, 2018, 11.21 pm

\(^{19}\) Law Number 20 of 2016 concerning Trademarks and Geographical Indications

Source: processed from https://www.kilahotels.com and http://www.jayakartahotelsresorts.com
c. Geographical Indications

In Article 1 paragraph 6 of Law Number 20 of 2016 concerning Trademarks and Geographical Indications states that:

Geographical Indication is a sign that shows the area of origin of an item and / or product which due to geographical environment factors including natural factors, human factors or a combination of these two factors gives reputation, quality, and certain characteristics to the goods and / or products produced.\(^{20}\)

Protection of Geographical Indications includes agricultural products and food products that are closely related to certain geographic regions. At least one stage of production, processing, or cooking takes place in the geographic area. In the Geographic Indication setting it is always in the context of the Brand arrangement. However, there are clear differences between Geographic and Brand Indications. In contrast to Trademarks whose protection is solely due to the creation of human creativity (human factors) in the trade and service environment, the Geographic Indication is protected as a sign indicating the area of origin of an item due to geographical factors including natural factors, human factors, or a combination of these two factors that give certain characteristics and qualities to the goods produced. It shows the identity of an item originating from a certain place, region, or region that shows the quality, reputation, and characteristics including natural factors and human factors that are the attributes of the item. The signs used as an indication can be in the form of etiquette or labels attached to the goods produced. The sign can be the name of a place, region or region, word, picture, letter, or a combination of these elements.

In Article 53 paragraph 3 letter a of Law Number 20 of 2016 concerning Trademarks and Geographical Indications, goods / products which are said to be Geographical Indications can be in the form of:

a. Natural resources;
b. Handicraft items; or
c. Industrial results.

\(^{20}\)Ibid.
Examples of applications of Geographical Indications that have been obtained by the Province of West Nusa Tenggara are as follows:

<table>
<thead>
<tr>
<th>Susu Kuda</th>
<th>Kangkung Lombok</th>
<th>Madu Sumbawa</th>
<th>Kopi Robusta Tambora</th>
</tr>
</thead>
</table>

Source: DJKI in https://pdki-indonesia.dgip.go.id/

Figure 4. Applications of Geographical Indications

d. Trade Secret

In the provisions of Article 1 Paragraph 1 of Act Number 30 of 2000 concerning Trade Secrets, Trade Secret is information that is not known to the public in the field of technology and / or business, has economic value because it is useful in business activities and is kept confidential by owner of a Trade Secret. Different from other types of Intellectual Property Rights, trade secrets are not published to the public. As the name implies, Trade Secret is confidential.

In the provisions of Article 3 of Law Number 30 of 2000 concerning Trade Secrets, Trade Secrets are protected by the following conditions:

1. Trade secrets are protected if the information is confidential, has economic value, and is kept confidential through appropriate efforts.
2. Information is considered confidential if the information is only known by certain parties or is not generally known by the public.
3. Information is considered to have economic value if the nature of the confidentiality of the information can be used to carry out commercial activities or businesses or can increase profits economically.
4. Information is considered to be kept confidential if the owner or the parties who control it have taken appropriate and appropriate steps.

An example of a Trade Secret application for a hotel food product is as follows:

Source: processed from http://www.jayakartahotelsresorts.com

Figure 5. Example of a Trade Secret application

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21 Law Number 30 of 2000 concerning Trade Secrets
e. Industrial Design

Design drawings of a product are known to have existed since at least 2800 BC, at that time some were considered designers.\(^{22}\) Definition of Industrial Design in the provisions of Article 1 paragraph 1 of Act Number 31 of 2000 concerning Industrial Design, namely:

Industrial design is a creation of the shape, configuration, or composition of lines or colors, or lines and colors, or a combination of three-dimensional or two-dimensional shapes that give an aesthetic impression and can be realized in three-dimensional or two-dimensional patterns and can be used to produce a product, item, industrial commodity, or handicraft.\(^{23}\)

Industrial Design is a field that is very much related to human life, especially in the industrial sector. The development of the industrial sector and technological reforms to drive the economy can run if it is supported by a reliable field of design. Such conditions occur because Industrial Design provides a very high economic value in the form of increasing product market, helps to utilize natural wealth, and culture with innovative product appearance, so it is no exaggeration if Industrial Design is grouped as one of the ways of coverage of Intellectual Property Rights.

In the tourism industry business, we find many industrial designs in the results of merchandise and handicrafts which are usually traded to tourists who basically have a function to give a souvenir to something that can be described by merchandise and handicrafts, these are usually made by design which represents the nature of the tourism, for example on Lombok Island, it will be very thick with ornaments related to the beauty of the beaches in Lombok, Mosque, Temple, Peresean, and Bale Lumbung Padi (Grain). What were realized later became products such as t-shirts, bracelets, necklaces, carvings, fabrics, and pottery products. While for the tourism industry players, especially accommodation service providers use them in the following matters, namely: 1). Web Design; 2). Billboard Design; and 3). Design of flyers and brochures.

2.2 Legal Protection of Intellectual Property Rights (HKI) Actors in the Tourism Industry in Tourism Business in West Lombok Regency

2.2.1 Local Government Policy in Providing Legal Protection to Tourism Industry Players

In carrying out tourism activities in West Lombok Regency, the local government made Law Number 10 of 2009 concerning Tourism a basic reference in making tourism implementation policies in West Lombok Regency. Where the law then generally becomes the basis for every policy relating to tourism including in the matter of providing legal protection to tourism industry players, besides of course specifically relating to the protection of Intellectual Property Rights, it will still refer to the laws and regulations concerning Rights Existing Intellectual Property (IPR).

In Law Number 10 of 2009 concerning Tourism in Article 4 letter b stated that “tourism aims to improve people's welfare”, while in Article 5 letter b stated that “tourism is

\(^{22}\) Agus Sacrani, Seni Desain Antara Teknologi: Konflik dan Harmoni, Cetakan Pertama, Nova, Bandung, 1987, p. 30x

\(^{23}\) Law Number 31 of 2000 concerning Industrial Design
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The two articles in Law Number 10 of 2009 concerning Tourism are actually a philosophical foundation for the government, especially the regional government in an effort to realize people's welfare (tourism industry players in the tourism business) in West Lombok Regency, one of them through protection of Intellectual Property Rights (IPR) for the creativity and products it produces. As a follow-up to the mandate of the law, the policies taken by the West Lombok District government regarding tourism are contained in West Lombok District Regulation Number 6 of 2016 concerning the 2016-2025 Regional Tourism Development Plan, where the Master Plan for Regional Tourism Development (RIPPARDA) West Lombok Regency contains directions on regional tourism development in the period 2016 to 2025.

This legislation is one of the guarantees that effective and successful law enforcement in terms of the substance of the law (substance of the law), as according to Lawrence M. Friedman that law enforcement depends on three elements of the legal system, namely the legal structure (structure of law), substance of the law and legal culture. The legal substance includes legislation that contains rules, norms, and patterns of real human behavior in the system. So the legal substance concerns the applicable laws and regulations that have the power that binds and becomes a guideline for law enforcement officers.

The legal regulations that have so far been made by the West Lombok Regency Government in providing legal protection for Intellectual Property Rights to tourism industry players are as follows:

a. Article 17 letter g and h of West Lombok Regency Regional Regulation Number 6 Year 2016 concerning the Master Plan for Regional Tourism Development for 2016-2025, namely:
   - Letter g “provides protection against the continuity of micro, small and medium industries and business services for tourism services around the DPD”;
   - Letter h “improves the quality of micro, small and medium industrial products and tourism services”.

b. Article 25 paragraph 5 of West Lombok District Regulation Number 6 Year 2016 concerning the Master Plan for Regional Tourism Development for 2016-2025, which is explained that:
   - Creation of business credibility is carried out by developing credible and quality management and tourism services by applying Tourism Business Standards and Certification which refers to international principles and standards by optimizing local resources.
   - Understanding of intellectual property is very important in an effort to improve product competitiveness, competitiveness of the company, and regional competitiveness.
2.2.2 The Role of the West Lombok Regency Tourism Office Against the Protection of Intellectual Property Rights (HKI) Actors in the Tourism Industry in the Tourism Business

In the organizational work procedure in accordance with the West Lombok Regency Regulation Number 10 of 2016 concerning the Formation and Composition of Regional Devices and West Lombok Regent Regulation Number 74 of 2016 concerning Details of Main Tasks, Functions and Work Procedures of Lombok Regency Tourism Office, Human Resources Development and Creative Economy were formed Tourism, which includes Sub. Division of the Creative Economy Section, Tourism HR Development Section, and the Cooperation and Partnership Section.

Sub. This section of the Creative Economy Section then provides understanding (socialization) in terms of legal protection of Intellectual Property Rights (Copyright, Patents, Brands, Industrial Designs, Geographical Indications, and Trade Secrets) of tourism industry players.

Based on an explanation from the Head of West Lombok Regency Tourism Office, Drs. H. Ispan Junaedi, M.Ed. conveys that:

“Sub. The field of Creative Economy is structurally established in 2016, which is one of its main objectives, to collect data specifically on creative economic actors who are engaged in supporting tourism activities in West Lombok Regency, including providing an understanding of the potential products of their business. To be able to be given legal protection relating to Intellectual Property “.

The Tourism Office will then be organistically synergized (in collaboration) with the Office of Trade and Industry in an effort to provide legal protection for Intellectual Property Rights in the tourism industry.

Drs. H. Ispan Junaedi, M.Ed. adds in the explanation that:

“The realm of providing legal protection with regard to Intellectual Property Rights of the tourism industry is good starting from the process of application and management so far still at the Office of Trade and Industry, the Tourism Office has only been limited to being an intermediary actor in providing a list of tourism industry players. In the future it is Sub. The field of Creative Economy is expected to be the main actor in terms of managing intellectual property protection, especially for tourism industry players “.

Based on statistical data from the Central Lombok Statistics Agency (BPS) of West Lombok in 2018, West Lombok Regency has 26 hotels with starred hotel classifications and 117 hotels with jasmine classifications and supported by 167 restaurants.

Based on data from the Directorate General of Intellectual Property Directorate of Intellectual Property from 143 number of hotels (star hotels and jasmine) in West Lombok Regency until 2019 there is only 1 (one) hotel, namely The Jayakarta Lombok Beach Resort & SPA that has registered for the logo and the brand of amenities that they use in the hotel.24

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2.3 **The Role of the West Lombok Regency Industry and Trade Office on the Protection of Intellectual Property Rights (HKI) of the Tourism Industry Actors in the Tourism Business**

If the Tourism Office is still limited in its authority to provide legal protection for Intellectual Property Rights (HKI) of tourism industry players, so far those who have annual work programs relating to the protection of Intellectual Property Rights (IPR) are the Department of Industry and Trade where every year has a target to provide socialization and registration of Intellectual Property Rights (IPR) to industry players, although its nature is still common and not only for tourism industry players. As the leading sector in an effort to realize increased industrial and trade competitiveness through independent, efficient and accountable trade management, the West Lombok Regency Office of Industry and Trade has the following steps:

1) Develop and foster the capacity and capability of organizational resources in an effort to provide improved services to the community;
2) Growing community participation in efforts to develop industry and trade;
3) Efficient and accountable business governance;
4) Control and guidance of industries that have an impact on environmental damage;
5) Guidance and supervision to realize legal order in order to protect consumers;
6) Development and development of small industries and home industries;

Based on the data obtained by the author from the West Lombok Regency Office of Industry and Trade, in general, awareness of the protection of Intellectual Property Rights (IPR) by small and medium industry players is still very low. The efforts made by the West Lombok Regency Office of Industry and Trade to provide understanding and raise awareness about the importance of legal protection for Intellectual Property Rights (IPR) is to seek out socialization to business actors in West Lombok Regency. The form of socialization of the Office of Industry and Trade of West Lombok Regency which has been carried out so far is as follows: 1) Socialization of Management of Protection of Intellectual Property Rights for Small and Medium Enterprises (SMEs); 2) Dissemination About and the Legal Effects of the Use of Property Rights (IPR) of Other Parties.

These efforts were carried out by providing socialization and assistance in the management of Intellectual Property Rights (IPR) protection for business people in West Lombok Regency, especially for Small and Medium Enterprises (SMEs), this has then become a routine program carried out every year. As conveyed by the Head of the Consumer Protection, Intellectual and Metrology Division of the West Lombok Regency Office of Industry and Trade, Lalu Agha Farabi, ST., MM:

“The West Lombok Regency Government through the Department of Industry and Trade has budgeted for each year 10 (ten) types (classes) of protection of Intellectual Property Rights (IPR) for business people for free”.

Then Agha Farabi, ST., MM in his statement added the following:

“In West Lombok Regency, the protection of Intellectual Property Rights (IPR) so far through the Department of Industry and Trade is still limited to the Brands and Industrial Designs”.
Taking into account these conditions, the West Lombok Regency Industry and Trade Office took several strategic steps in an effort to provide legal protection for Intellectual Property Rights (HKI) of industrial actors in West Lombok Regency as follows:

1. Perform data storage based on Intellectual Property Rights that have been requested for registration.
2. Take strict action against all business actors if found to be fraudulent and indicated to violate the intellectual property rights (HKI) of others, with applicable legal regulations and withdraw all counterfeit goods circulating in the market.

III. CONCLUSION AND RECOMMENDATION

3.1 Conclusion

From the description above can be concluded the following matters:


b. Legal protection for Intellectual Property Rights (IPR) in the tourism industry in the tourism business in West Lombok Regency has so far been implemented, although there are some obstacles. Especially for hotel industry players, for example, they are still not familiar with the protection of intellectual property in their fields of business so that they are considered less useful. Whereas for tourism supporting industry craftsmen and sellers of food and beverage products also still have to be given socialization and assistance consistently.

3.2 Recommendation

Based on the conclusions above, some suggestions can be put forward, namely as follows:

a. The West Lombok Regency Government in this case the Tourism Office and the Office of Industry and Trade must be able to work together and collaborate better through work programs that they agree on in efforts to improve legal protection for Intellectual Property Rights (HKI) in the tourism industry in the tourism business in West Lombok Regency.

b. Village and Urban Village officials and hotel union organizations or other tourism support business associations should be given an understanding of the importance of protecting Intellectual Property Rights (IPR) in every effort carried out and inventions or works that have been produced.
REFERENCES

Books

Regulations
Law Number 30 of 2000 concerning Trade Secrets (State Gazette of the Republic of Indonesia of 2000 Number 241, Supplement to State Gazette Number 4044).
Law Number 31 of 2000 concerning Industrial Design (State Gazette of the Republic of Indonesia of 2000 Number 243 Additional State Gazette Number 4045).
Law Number 10 of 2009 concerning Tourism (State Gazette of the Republic of Indonesia of 2009 Number 11 Additional State Gazette Number 4966).
Law Number 28 of 2014 concerning Copyright (State Gazette of the Republic of Indonesia of 2014 Number 266 Additional State Gazette Number 5599).
Law Number 20 of 2016 concerning Trademarks and Geographical Indications (State Gazette of the Republic of Indonesia of 2016 Number 252 Additional State Gazette Number 5953).
West Lombok District Regulation Number 6 Year 2016 concerning the Master Plan for Regional Tourism Development for 2016-2025.