

Legal Analysis of Co-Branding as an Identity for Creative Economy Products in Bangkalan Regency

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ABSTRACT: Intellectual property rights provide exclusive protection as in brand protection. By registering a brand, a creative economy product will receive repressive legal protection, obstacles in brand registration are experienced by some creative economy actors in Bangkalan Regency. Until now, there has been no regional legal product regarding intellectual property protection, especially convenience through the concept of co-branding as the identity of creative economy products for business actors. Therefore, this study was conducted to determine the concept of using a brand as co-branding in Law Number 20 of 2016 concerning Brands and Geographical Indications and the views of stakeholders in Bangkalan Regency regarding the implementation of co-branding regulations in the future. The research method used is empirical juridical. The approaches used in this study are factual approaches and statutory approaches. The results of this study indicate that the use of brands as co-branding is closer to the concept of collective brands. Regional legal products in Bangkalan Regency regarding brand protection have not yet had a discourse on the creation and regarding the concept of using brands as co-branding related to creative economy products.

Keywords: Co-Branding, Creative Economy, Regional Regulations.



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INTRODUCTION

Bangkalan Regency has great potential as a tourist center on Madura Island because it has beautiful natural landscapes, various tourist attractions and tourism potentials are found, including Siring Kemuning Beach, Jaddih Hill, Arosbaya Limestone Hill, Geger Hill, Sembilangan Beach, and so on (Farida et al., 2018). Bangkalan Regency will become one of the National Tourism Development Areas and National Economic Development. In addition, Bangkalan Regency will

play a major role in the development of the creative economy because it has extraordinary potential. This has been discussed in a discussion forum between the Bangkalan Regency Government and the Ministry of Tourism and Creative Economy on April 29, 2021 (Faisol, 2021).

A creative economy is a concept to form sustainable economic development based on creativity. The use of resources that are not only renewable but also unlimited such as ideas, concepts, talents, and creativity (Purnomo, 2006). The direction of creative economic development in Indonesia begins with creative ideas that originate from local wisdom. So that the development of creative economics in the regions can be encouraged by paying attention to and maximizing local wisdom. Each region must have products that reflect its regional culture (Rakiib, 2017). There is a correlation between the development of regional creative economic products and the development of tourism. Both will support each other to contribute to regional income and provide welfare to the surrounding community. The existence of tourism in Bangkalan Regency will indirectly introduce regional creative economic products in the eyes of tourists and consumers.

The current condition in Bangkalan Regency is that creative economy products are still found that have great potential to develop but do not yet have brand protection (Howkins, 2007; O.E.C.D., 2014). The obstacles faced by creative economy business actors in Bangkalan range from lack of knowledge and insight into the importance of brand protection, brand registration procedures that are relatively difficult and require a relatively long time, and the high cost of brand registration are considerations for business actors to use their funds for business development (Bangkalan, 2021).

This is an obstacle for creative economy products to compete in the market and will be a loophole for naughty business actors to duplicate products with their brands (Abisuga Oyekunle & Sirayi, 2018; Aristo Surya Gunawan, 2024). For a product, a brand is an identity that can differentiate it from other products. The existence of a brand is important in increasing product competitiveness and encouraging consumers to buy a product. (Asri, 2018). In the concept of ownership of intellectual property rights, the owner of intellectual property rights can use them himself for profitable purposes or other purposes, the owner of intellectual property rights can transfer the implementation of these rights to others, and the owner of intellectual property rights can prevent others from exercising these rights without his consent (Saidin, 2015). So the registration of brands on creative economy products will benefit creative economy actors in the form of product identity and protection to prevent other people from using brands that are not theirs without permission.

There is no obligation for someone to register their trademark. However, if they want to obtain legal protection, the trademark must be registered first as regulated in Article 1 Number 5 of the MIG Law (Faradz, 2008). This is because the MIG Law uses a constitutive system, which means that exclusive rights can only be obtained by registering a trademark by submitting a registration application, and fulfilling all the requirements until the application is granted and the trademark certificate is issued (Djulaeka, 2020). Registered brands receive legal protection for 10 (10) years from the date of receipt which can then be extended following Article 35 of the MIG Law. So with the registration of brands, it becomes one of the efforts to provide preventive legal protection to the products of creative economy actors and boost the development of creative economy products. Protection of brands on creative economy products is related to the social principle in the concept of Intellectual Property Rights protection. The social principle, which means legal

protection, is the granting of rights to individuals or associations with the hope of meeting the needs of all people (Djulaeka, 2020).

Based on Article 5 in conjunction with Article 10 in conjunction with Article 23 Paragraph (1)(Undang-Undang Nomor 24 Tahun 2019 Tentang Ekonomi Kreatif, 2019)(hereinafter referred to as the Creative Economy Law) stipulates that every Creative Economy Actor has the right to receive support from the Government and/or Regional Government through the development of the Creative Economy Ecosystem, one of which is in the form of intellectual property facilities and protection of creative results. In line with this, the Government and/or Regional Government facilitate the registration of copyright and related rights and the registration of industrial property rights to Creative Economy Actors.

In addition, each region has the authority to develop the creative economy through the utilization and protection of the Attachment to Law Number 23 of 2014 concerning Regional Government (hereinafter referred to as the Regional Government Law). Based on the attachment(Undang-Undang Nomor 23 Tahun 2014 Tentang Pemerintahan Daerah, 2014)Regarding Regional Government (hereinafter referred to as the Attachment to the Regional Government Law), there is a sub-affair regarding the development of the creative economy through the use and protection of IPR.

As in the Special Region of Yogyakarta, there has been(Peraturan Gubernur Daerah Istimewa Yogyakarta Nomor 21 Tahun 2017 Tentang Penggunaan Merek Jogjamark, 2017)Regarding the Use of the Jogjamark, 100%Jogja, and Jogjatradition Brands as Co-Branding of Regional Products, hereinafter referred to as the DIY Governor Regulation as a legal umbrella to make it easier for business actors to obtain brand protection.

The DIY Governor Regulation was initiated by a large number of creative economy actors or Micro, Small, and Medium Enterprises, hereinafter referred to as UMKM in Yogyakarta who have difficulty in managing trademarks and feel burdened by the expensive registration fees. So that the existence of the DIY Governor Regulation aims to increase the competitiveness of products, traditional knowledge, and traditional cultural expressions. In addition, it is also to provide legal protection for Regional Products. Creative economy actors get convenience with this because they do not need to register brands individually. But it is quite easy and efficient to submit a license application.

Several studies have explored the role of co-branding and brand protection for UMKM in Indonesia, yet significant research gaps remain. First, a study on the implementation of co-branding policies in Yogyakarta found that co-branding enhances the reputation and competitiveness of local products (Linanjung & Abdulrahman, 2020). However, this study focuses on an already established policy, while other regions like Bangkalan Regency lack any legal framework for brand protection, making it unclear how a similar co-branding system could be introduced in different regional contexts. Second, research on legal protection for UMKM trademarks highlights the benefits of brand registration in preventing infringement and ensuring legal certainty (Fatmawati & Aminah, 2023). However, this approach primarily addresses individual brand registration, which can be costly and complicated for many small businesses, without considering alternative solutions such as co-branding as a collective legal mechanism. Third,

studies on co-branding in commercial marketing demonstrate that strategic co-branding positively influences consumer purchasing decisions (Pramiawati & Aulia, 2022). While these findings show the effectiveness of co-branding as a business strategy, they do not examine co-branding as a regulatory tool for protecting creative economy products at the regional level.

Given these gaps, the novelty of this research lies in its focus on co-branding as a legal protection mechanism rather than just a marketing strategy. Unlike previous studies that analyze existing policies or individual trademark protections, this research proposes a new legal framework for co-branding in Bangkalan Regency, a region that currently lacks intellectual property regulations. By examining the legal foundation of co-branding under Law No. 20 of 2016 on Trademarks and Geographical Indications, this study provides a regulatory perspective on how co-branding can serve as a practical alternative for brand protection. Furthermore, this research takes a stakeholder-centered approach by gathering insights from government officials, UMKM owners, and legal experts to evaluate the feasibility of co-branding regulations in Bangkalan. Through this approach, the study aims to develop policy recommendations that will help establish a legal umbrella for UMKM, simplify brand registration, and enhance the competitiveness of creative economy products in the region (Hsiao, 2018).

Based on the obstacles faced by creative economy actors in Bangkalan Regency, it is the responsibility of the Bangkalan Regency Government to provide a legal umbrella so that creative economy actors can easily register brands, such as issuing regulations related to the use of brands initiated by the region with a co-branding system for regional products.

In addition to increasing creative economic products that have brand protection, it also provides an identity for regional products that are the potential and characteristics of Bangkalan Regency. So that it can encourage the progress of creative economic actors in Bangkalan Regency and support creative economic products so that they can compete in the national and international arena.

This study aims to understand the concept of using brands as co-branding from a perspective (Undang-Undang Nomor 20 Tahun 2016 Tentang Merek dan Indikasi Geografis, 2016) Regarding Trademarks and Geographical Indications (hereinafter referred to as the MIG Law) and to find out the views of stakeholders in Bangkalan Regency regarding the implementation of co-branding regulations in the future.

METHOD

The research method used is empirical legal research. Empirical legal research, also known as field research, is research related to implementing positive law in every legal event that occurs in society (Muhammad, 2004). It examines the norms in laws and regulations and observes the reactions and interactions that occur when norms are processed in society (Djulaeka et al., 2019). The research approach used is the fact approach and the statute approach. The fact approach is an approach that raises an existing fact to find out the relationship between the fact and the law (Soemitro, 2004). The statute approach is an approach to studying laws and regulations that are related to legal issues in this study (Marzuki, 2011). The data sources used are primary and secondary data.

Data were obtained through interviews and literature studies, which were then analyzed descriptively.

This study utilizes both primary and secondary data. The primary data is collected through interviews with key stakeholders, including government officials, UMKM owners, and legal experts in Bangkalan Regency. These interviews aim to understand the challenges faced in brand registration and explore perspectives on implementing co-branding regulations. The secondary data is gathered from legal documents, academic journals, books, and policy reports, particularly those related to Law No. 20 of 2016 on Trademarks and Geographical Indications, regional regulations, and previous studies on co-branding. The data analysis process follows these steps:

1. Conduct and transcribe interviews with relevant stakeholders.
2. Gather and categorize legal documents and literature relevant to the study.
3. Identify key challenges in trademark registration faced by UMKM in Bangkalan.
4. Examine stakeholder opinions on the feasibility and benefits of co-branding as a legal framework.
5. Compare the existing legal framework in Indonesia with international best practices in co-branding.
6. Analyze the alignment of co-branding with Law No. 20 of 2016 on Trademarks and Geographical Indications and other relevant regulations.
7. Interpret findings to determine whether co-branding can be a viable regulatory solution in Bangkalan.
8. Synthesize the empirical and legal analysis to formulate recommendations for the development of regional regulations on co-branding.

RESULT AND DISCUSSION

Co-branding including old concepts in the marketing world. Co-branding is defined as marketing that utilizes 2 (two) or more brands in a product or service (Tri, 2008). Simply put, co-branding is a marketing strategy aimed at strengthening brand positioning and consumer perception, often referred to as a joint brand in Indonesian terminology (Asri, 2018).

In the business world, co-branding serves as a powerful strategy to extend product life cycles and sustain long-term consumer engagement. By adopting a co-branding strategy, companies or business actors can enhance perceived product value, attract a broader consumer base, and mitigate the risks associated with launching new products or entering new markets (Rahma & Nita, 2018). The implementation of co-branding in Indonesia is not a novel phenomenon, as major corporations such as Wonderful Indonesia with Pesona Indonesia, BNI with Garuda Indonesia, and BNI with Indosat (Matrix BNI Mastercard) have successfully utilized this strategy.

Over time, regional entrepreneurs began to use co-branding, especially for superior regional products. However, co-branding is not exclusive to corporate brands; it is also relevant for regional branding initiatives. Over time, regional entrepreneurs have adopted co-branding to promote locally produced goods, especially those that already hold strong brand recognition. For example, the collaboration between Bon Gout and Wonderful Indonesia has contributed to increasing regional product visibility and market competitiveness. This demonstrates that co-branding extends beyond corporate marketing and can function as an economic tool for regional development.

Regulation Regarding Co-Branding Concept

On the other hand, co-branding can contribute to the region's progress toward economic growth and increase the competitiveness of superior regional products. One example of co-branding on superior regional products implemented through regional legal products is in the Special Region of Yogyakarta Province. The Provincial Government of the Special Region of Yogyakarta, through the Industry and Trade Service of the Special Region of Yogyakarta Province, initiated the use of brands as co-branding with the DIY Governor Regulation.

The concept of co-branding in the DIY Governor Regulation slightly differs from the general concept of co-branding. This is because the background of the DIY Governor Regulation is not used for business purposes. Here are some of the things that are the background of the DIY Governor Regulation as follows:

1. Aimed at the interests of the community to achieve community welfare and have competitiveness with products from other regions and other countries;
2. The difficulty for creative economy actors in registering brands is due to the inability of human natural resources and the expensive registration costs;
3. Aimed at the interests of all people in the Special Region of Yogyakarta Province, especially creative economy entrepreneurs and MSMEs.(Asri, 2018)

Based on the understanding and definition of co-branding that has been explained previously, the application of co-branding cannot stand alone because its essence is two or more brands that are together or side by side to achieve the agreed goals. So that the application of co-branding in the Special Region of Yogyakarta is a companion brand but can be used for various products, both those that already have a brand and products that do not yet have a brand.(Asri, 2018). This is because one of its objectives is to provide brand protection for creative economy actors who have obstacles in registering brands.

Viewed from the scope of brands regulated in the MIG Law, there are trademarks and service marks as stated in Article 2 Paragraph (2) of the MIG Law. In addition, there are also collective brands which are brands with the same characteristics regarding the nature, general features, and quality of goods or services and their supervision for use on goods and/or services that will be traded by several people or legal entities together which can be seen in Article 1 Number 4 of the MIG Law. So explicitly the concept of co-branding is not recognized in the MIG Law.

However, if we examine the DIY Governor Regulation, several things can be considered to find the concept of co-branding in the MIG Law as follows:

1. **Target users of regional legal products.** The DIY Governor Regulation is intended to build the reputation of regional products, recognition and legal protection of regional products, traditional knowledge, or traditional cultural expressions typical of the Special Region of Yogyakarta with the use of the Jogjamark, 100%Jogja, and Jogjatradition brands. So the Governor Regulation is intended for all people of the Special Region of Yogyakarta, especially creative economy actors, whether individuals, legal entities, or communities. One of the brands regulated in Article 1 Number 4 of the MIG Law is a collective brand that must be used by several people or legal entities together or is usually used by certain business actor associations or communities. The application for a collective brand will be accepted if it clearly states that the brand will be used as a collective brand as regulated in Article 46 Paragraph (1) of the MIG Law. The use of the Jogjamark, 100%Jogja, and Jogjatradition brands and the use of collective brands have similarities in terms of use together with the specified scope. The Jogjamark, 100%Jogja, and Jogjatradition brands are intended for the people of the Special Region of Yogyakarta, while the collective brand is intended for each community or specific association that applies to a collective brand in Indonesia.
2. **Product criteria or product characteristics.** Article 6 of the DIY Governor Regulation regulates the characteristics of products that can use the Jogjamark, 100%Jogja, and Jogjatradition brands as follows:
 - a. *Jogjakarta* regional products with raw materials partly or entirely from outside the Special Region of Yogyakarta and the production process in the Special Region of Yogyakarta;
 - b. 100% Jogja, a regional product where all raw materials and the entire production process are carried out in the Special Region of Yogyakarta;
 - c. *Jogjatradition* products that have the criteria of traditional knowledge and traditional cultural expressions typical of the Special Region of Yogyakarta.Based on the criteria or characteristics of the product, it has similarities with the regulation of collective brands in the MIG Law. Collective brands are used on goods and/or services with the same characteristics regarding the nature, general features, and quality of goods or services as regulated in Article 1 Number 4 of the MIG Law.
3. **License application mechanism.** Article 8 Paragraph (1) of the DIY Governor Regulation requires a license application for creative economic actors who wish to use the Jogjamark, 100%Jogja, and Jogjatradition brands. The license application mechanism for the Jogjamark brands is to complete the following documents:
 - a. Business license;
 - b. Certificate of Company Registration;
 - c. A stamped statement stating that the production process was carried out in the Special Region of Yogyakarta;
 - d. Example of co-branding placement in product packaging for goods;
 - e. Proof of product standards in the form of PIRT, Halal Certificate, SNI, or proof of similar product standards.

The existence of a license application as a requirement for using a brand in the DIY Governor Regulation when viewed from the MIG Law applies to registered goods or service brands as regulated in Article 42 Paragraph (1) of the MIG Law that "The owner of a registered brand may grant a license to another party to use the brand, either in part or in whole, for goods

and/or services." Meanwhile, registered collective brands cannot be licensed to other parties because they can only be used by the collective brand community as regulated in Article 50 of the MIG Law. The Jogjamark, 100%Jogja, and Jogjatradiation brands can be used by creative economy actors and the people of the Special Region of Yogyakarta by submitting a license application to the Regional Government of the Special Region of Yogyakarta.

1. **Obligation to Use Trademarks.** Article 14 Paragraph (1) of the DIY Governor Regulation stipulates that companies, individuals, or communities that have received a license have several obligations. One of the obligations is to maintain product quality following product standards or characteristics that are required to obtain a license. Article 46 Paragraph (3) of the MIG Law also regulates the use of collective brands that contain general characteristics or quality of goods and/or services to be produced or traded, supervision of the use of collective brands, and sanctions for violations of collective brand provisions. Regulations on the use of collective brands are specifically agreed upon by the community that will use the collective brand to have the same product quality. This is an obligation for every member of the community that uses the collective brand.

Based on the 4 (four) considerations with the approach of the DIY Governor Regulation and the MIG Law, there are 3 (three) similarities in concept, including the use of brands together with specified limitations, having product or service characteristics that have been determined with the aim of meeting the same standards, and having an obligation to use the brand to maintain the characteristics and quality of the product or service that has been determined. So it can be concluded that the use of brands as co-branding is closer to the concept of collective brands. This is based on the concept and regulation of collective brands in the MIG Law. There is 1 (one) a slightly different concept, namely the existence of a license application in the DIY Governor Regulation, but if reviewed again, the existence of a license application aims to accommodate requirements, administrative data collection, and legal order. This is because the Jogjamark, 100%Jogja, and Jogjatradiation brands belong to the Regional Government of the Special Region of Yogyakarta.

Legal protection of a brand refers to its exclusive nature as regulated in Article 1 Number 5 of the MIG Law that "The right to a brand is an exclusive right granted by the state to the owner of a registered brand for a certain period by using the brand himself or giving permission to another party to use it". The phrase "The right to a brand is an exclusive right" proves that the right to a brand is monopolistic. So that the brand owner has full power over the ownership of his brand.(Waworuntu et al., 2022).

Based on the characteristics of exclusive IPR protection, the concept of using a brand as co-branding in the DIY Governor Regulation is not directly fulfilled because the Jogjamark, 100%Jogja, and Jogjatradiation brands belong to the Yogyakarta Special Region Government. So that brand protection does not have a direct impact as mandated by the MIG Law. However, the existence of the DIY Governor Regulation can minimize regional products that do not have brands that are very vulnerable to being duplicated by irresponsible parties. In addition, it also provides convenience for creative economy actors who have not been able to register brands due to the obstacles they experience.

Legal Framework of Co-Branding

As regulated in Article 5 Jo Article 10 Jo Article 23 Paragraph (1) of the Creative Economy Law and the Attachment to the Regional Government Law. The following are the provisions in the Creative Economy Law:

Article 5 of the Creative Economy Law

"Every Creative Economy Actor has the right to receive support from the Government and/or Regional Government through the development of the Creative Economy Ecosystem."

Article 10 of the Creative Economy Law

"The development of the Creative Economy Ecosystem is carried out through:

- a. Research development;
- b. Educational development;
- c. Facilitation of funding and financing;
- d. Provision of infrastructure;
- e. Marketing system development;
- f. Provision of incentives;
- g. Intellectual property facilitation; And
- h. Protection of creative results."

Article 23 Paragraph (1) of the Creative Economy Law states that "The Government and/or Regional Government facilitates the registration of copyright and related rights as well as the registration of industrial property rights for Creative Economy Actors."

In the Appendix to the Regional Government Law, there is a mapping of concurrent government affairs between governments listed in the Appendix to the Regional Government Law. The division of concurrent government affairs between the central government and provincial and district/city governments is classified into 32 (thirty-two) fields, one of which is tourism.

The division of government affairs in the tourism sector consists of 4 (four) sub-affairs, including the following:

1. Tourism destinations;
2. Tourism marketing;
3. Development of the creative economy through the use and protection of intellectual property rights;
4. Development of tourism resources and the creative economy.

In the sub-affair of developing the creative economy through the utilization and protection of IPR, district/city areas must provide infrastructure (creative zones/creative spaces/creative cities) as a space for expression, promotion and interaction for creative people in the district/city area.

Based on the 2 (two) laws, creative economy actors in Bangkalan Regency have the right to obtain brand registration facilities or other IPR registrations from the Regional Government and obtain supporting facilities in the form of creative zones or creative spaces. However, until now there has

been no regional legal product that realizes the mandate of the Regional Government Law and the Creative Economy Law, be it Regional Regulations, Regent Regulations, Regent Decrees, and others related to IPR protection.(Aziz, 2021). So that Bangkalan Regency does not yet have a regional legal product regarding IPR protection, especially ease in trademark registration, so a legal umbrella is needed for creative economy actors in Bangkalan Regency.

Judging from several other regions in Indonesia, they already have regional legal products related to IPR protection, including the following:

1. Special Regional Regulation of Papua Province Number 19 of 2008 concerning the Protection of Intellectual Property Rights of Indigenous Papuans;
2. Lampung Provincial Regulation Number 4 of 2016 concerning the Protection of Intellectual Works of the Lampung Community;
3. Regional Regulation of West Java Province Number 10 of 2018 concerning Intellectual Property Management;
4. Regional Regulation of West Manggarai Regency Number 3 of 2021 concerning the Implementation of Intellectual Property Protection;
5. Bandung Regency Regional Regulation Number 3 of 2021 concerning the Implementation of the Creative Economy;
6. Regulation of the Governor of the Special Region of Yogyakarta Number 21 of 2017 concerning the Use of the Jogjamark, 100%Jogja and Jogjatradiation Brands as Co-Branding of Regional Products.

Several regulations on IPR protection in these regions are outlined in different types of legal products but have the same essence and purpose. IPR protection is regulated generally and some are regulated specifically by raising one of the IPR regimes that are most needed by the community, such as the Regulation of the Governor of the Special Region of Yogyakarta Number 21 of 2017 concerning the Use of the Jogjamark, 100%Jogja and JogjaTradition Brands as Co-Branding of Regional Products. Among the 6 regional legal products that have regulated IPR protection in the region, the Special Regional Regulation of Papua Province Number 19 of 2008 concerning the Protection of Intellectual Property Rights of Indigenous Papuans was enacted before the Creative Economy Law and uses one of the legal bases of Law Number 32 of 2004 concerning Regional Government.

Bangkalan Co-Branding Concept

In Bangkalan Regency, 9 out of 10 creative economy actors or 90% spread across several sub-districts have not registered brands for their products. These creative economy actors have not registered their brands because they experience various obstacles. The obstacles faced by these creative economy actors are grouped into 3 (three) obstacles. The first obstacle is the lack of knowledge and insight into the importance of brand protection and/or brand registration mechanisms. This can be caused by several factors including the quality of human resources, lack of community initiative in seeking information, and the limited role of related agencies. The second obstacle is the brand registration procedure which is relatively difficult and takes a relatively long time. The third obstacle is the high cost of brand registration which is a consideration for business actors to use their funds for business development (Bangkalan, 2021).

The Bangkalan Regency Government must resolve or minimize these obstacles to provide legal protection for brands for creative economy products owned by creative economy actors in Bangkalan Regency. Legal protection for brands is given to registered brands in the form of preventive legal protection with brand registration and repressive legal protection with demands or lawsuits if there is a brand violation. In addition, the owner of a registered brand has the right to file for cancellation of someone else's brand registration (Wijaya & Wairocana, 2018). Therefore, trademark registration is needed as an effort to provide preventive legal protection to the products of creative economy actors in Bangkalan Regency.

With the existence of regional legal products in Bangkalan Regency regarding the protection of IPR, especially brands, it can provide legal protection for creative economy actors in Bangkalan Regency more specifically and with a focus on existing conditions. So that it can be one of the implementations of the principle of justice in the concept of IPR protection.

The principle of justice for every IPR owner can be in the form of material or non-material rewards such as comfort with legal protection (Djulaeka, 2020). In this case, the principle of justice intended for creative economic actors in Bangkalan Regency is in the form of legal protection.

Meanwhile, shortly, there has been no discourse on creating a regional legal product on co-branding because in 2022 it plans to focus on city branding to advance tourism in Bangkalan Regency. In the future, the idea of co-branding can be possible after it is implemented because tourism and creative economic products are related (Aziz, 2021).

CONCLUSION

This research finds that the concept of co-branding, when analyzed under Law No. 20 of 2016 on Trademarks and Geographical Indications (MIG Law), aligns more closely with the collective brand framework. However, the exclusive nature of intellectual property rights (IPR) protection limits the direct legal impact of co-branding as a regulatory mechanism. Despite this limitation, co-branding presents a practical solution for facilitating brand registration among creative economy actors in Bangkalan Regency, reducing administrative burdens and costs.

From a policy perspective, Bangkalan lacks any existing regional regulations on co-branding or brand protection for local products. While the Yogyakarta model (Jogjamark) demonstrates the effectiveness of a government-backed co-branding system, Bangkalan Regency remains focused on city branding initiatives rather than developing a structured framework for brand protection and economic identity. To address this gap, policymakers should consider creating a legal umbrella for creative economy actors through (1) collective brand registration in creative economy business centers and (2) a regional co-branding system for local products.

However, this research has certain limitations. The study primarily focuses on Bangkalan Regency, and the findings may not be fully generalizable to other regions with different economic and legal contexts. Additionally, while this study examines stakeholder perspectives and legal frameworks, it does not include quantitative data on consumer perceptions of co-branded products.

For future research, it is recommended to:

1. Expand the comparative analysis by studying co-branding implementations in other regions beyond Yogyakarta and Bandung.
2. Conduct empirical studies to measure the economic impact of co-branding on MSMEs and consumer behavior.
3. Explore legislative reforms to integrate co-branding into national trademark laws, ensuring stronger legal recognition for regional branding initiatives.

Future research can address these areas and contribute to developing a more structured and legally recognized co-branding system that supports regional economic growth while ensuring legal protection for creative economy actors.

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