
Legal Protection Of Intellectual Property Rights Owned By Mojorangagung Village

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Abstract

The development of the digital world is so rapid and has penetrated the business sector, making companies compete with each other to find candidates for digital marketers to support their business. Therefore, it is not surprising that digital marketers are now a separate profession. In addition to thriving digital marketing services are also run by independent agencies. BUMDes must take part in the development of this digital world, considering that BUMDes also run businesses that require a market as a buyer or target market. So that existing developments need to be followed, digital marketing methods must be mastered, because the world is rushing towards the digital era. BUMDes must be aware of digital marketing. Because in this all-digital era, marketing through digital media is very important, and the market has gradually shifted to digital media. Someone will search for a product by just clicking through the search page on Google, or when someone wants to look for village tourism visits, then he will also search on Google or social media.

Keywords: Legal Protection, Intellectual Property Rights, BUMDes

INTRODUCTION

Village-Owned Enterprises, hereinafter referred to as BUMDes, are village economic institutions/bodies that are legal entities formed and owned by the Village Government, managed economically independently and professionally with all or most of the capital being assets. separated village. In the end, BUMDes was formed with the aim of gaining profits to strengthen Village Original Income (PADes), advancing the village economy, and improving the welfare of rural communities. and welfare of rural communities. The hope with the existence of BUMDes is the formation of new businesses rooted in existing resources and optimizing the economic activities of rural communities.

BUM Desa has not been able to empower the community and reduce the unemployment rate because the total absorption of labor from BUMDesa business units is still small, although the BUM Desa turnover is good, the profit earned is still very small so it has not been able to contribute to Village Original Income (Hidayah, U., Mulatsih, S., & Purnamadewi, YL,2019: 144-153).

In the business world, every company will rely on the marketing team in an effort to generate sales and revenue for the company. This also applies to business units run by Village-Owned Enterprises (BUMDes), because basically BUMDes have the same way of working with companies in general, so it is important when BUMDes has a superior marketing team or marketing team so that the products or services produced by the BUMDes business unit can be recognized and sold in the market.

BUMDes is also expected to be able to stimulate and move the wheels of the economy in rural areas. Economic assets in the village must be fully managed by the village community (Nurcholis, Hanif, 2011 :88).

Therefore, the marketing process becomes something that is very crucial for all businesses, whether they are personal businesses or joint business units, and village-owned enterprises (BUMDes). So according to the definition of marketing above, we can have an idea

of what the actual function of marketing is. In this case, the main thing is marketing for village-owned enterprises (BUMDes).

RESEARCH METHODS

This writing is a community service activity that is directly carried out in Village-Owned Enterprises by looking at the problems that exist in the development of BUMDes and providing solutions to legal problems that occur. In accordance with the problems faced by the villagers of Mojarangagung and also based on our pre-survey, there are several things that need to be discussed and resolved together. Some of the existing problems are related to the existence of BUMDes in Mojarangagung Village, Wonoayu District, Sidoarjo Regency which is still not optimal. It's simple here in the sense that the management and businesses are still developing, even though there is no legality yet. The problems that we have mentioned above, we got based on the results of the Focus Group Discussion (FGD) with village officials and also the fathers/mothers who were registered in the catfish cultivation group. The following is a description of the FGD activities that we have carried out in Mojarangagung Village, Wonoayu District, Sidoarjo Regency.

RESULTS AND DISCUSSION

BUMDes is still a new thing in its existence, so inevitably in practice, several obstacles arise that are related to the process of its formation. First, there is no legal basis for the existence of BUMDes in the village. Although it is implied that the spirit to institutionalize BUMDes has been mandated and underpinned by the issuance of Law Number 8 of 2005 concerning amendments to Law Number 32 of 2004 concerning Regional Government, as mandated in Chapter VII Part Five which states that Village Governments can establish Business Entities. Village property in accordance with the needs and potential of the village in the hope of increasing the income of the community and village. As a follow-up to the implementation of the establishment of BUMDes, based on Article 78 of PP 72 of 2005 concerning Villages, it is explained that the Regency/City Governments need to stipulate a Regional Regulation (PERDA) on the Procedures for the Establishment and Management of Village Owned Enterprises (BUMDes).

The position of the village is considered strategic in state development because the village is the basis for identifying community problems to planning and realizing state goals at the village level (Sidik, F. 2015 : 155 – 131).

The legality of the proper form of legal entity turned out to be a bigger problem for the establishment of BUMDes. Although in some districts/cities already have local regulations that regulate the procedures for the formation and management of village-owned enterprises (BUMDes), in some of these regulations there is often an inaccuracy in choosing the right legal entity construction for BUMDes. Even the cases that often occur, BUMDes do not use the form of a legal entity, but "only" in the form of a business entity that is not a legal entity. Whereas the provisions of article 78 paragraph (3) of Government Regulation Number 72 of 2005 concerning Villages state that the Form of Village-Owned Enterprises must be a legal entity. BUMdes

Establishment of BUMDes accompanied by Legality of BUMDes Mojarangagung Village, Wonoayu District, Sidoarjo Regency as one of the villages in Wonoayu sub-district, Sidoarjo district is very much needed as a legal umbrella in the implementation of BUMDes

business. In addition, there is a need for Digital Marketing as a marketing tool for business products from BUMDes which aims to increase the original income of the Mojorangagung village.

Good management and management is needed in the development of BUMDes so that it can increase the village's original income which further improves the welfare of the community. Management is a collection of people who carry out management activities. and according to the third understanding, management is an art or science is the art and science of planning, organizing, compiling, directing, and supervising human resources to achieve predetermined goals (Manullang, 2010 : 15-17).

Community participation is also very important in the development and management of BUMDes. participation is the participation of a person or group of people in the development process either in the form of activities by providing input of thoughts, energy, time, expertise, capital, and or materials, as well as participating in utilizing and enjoying the results of development. There are several forms of community participation, namely vertical participation, horizontal participation, direct participation, and indirect participation (Stefanus Anandya Sumantri, 2021).

The Village Law and all its implementing regulations are considered to still have weaknesses regarding regulations related to BUMDes, one of which is about the type of business entity owned by BUMDes. Article 1 number 6 of the Village Law reads: "Village-Owned Enterprises, hereinafter referred to as BUM Desa, are business entities whose entire or most of the capital is owned by the Village through direct participation originating from Village assets which are separated to manage assets, services, and other efforts for the greatest welfare of the Village community." In Article 1 point 6, BUMDes is only referred to as a business entity that makes BUMDes' position not as strong as a legal entity such as a limited liability company which makes BUMDes difficult to obtain capital from banks and cooperation with other parties. Another problem is that it is difficult for BUMDes to be independent without the influence of the village head or village government. Management in BUMDes is carried out by appointing, without professional recruitment. Thus, BUMDes are always associated with village head elections.

BUMDes must take part in the development of this digital world, considering that BUMDes also run businesses that require a market as a buyer or target market. So that existing developments need to be followed, digital marketing methods must be mastered, because the world is rushing towards the digital era.

BUMDes must be aware of digital marketing. Because in this all-digital era, marketing through digital media is very important, and the market has gradually shifted to digital media. Someone will search for a product by just clicking through the search page on Google, or when someone wants to look for village tourism visits, then he will also search on Google or social media.

Due to their lack of knowledge about the legality of business, we provide a brief overview of the methods and conditions for legalizing a business. It is hoped that after they understand the required points, they will have a better understanding and enthusiasm to manage, market, and improve their management. According to our conversation with several residents of Mojorangagung village, they mentioned that in Mojorangagung village there are already several very large ponds and several catfish harvests are then marketed to nearby areas. From here we can see that there has been effort and high enthusiasm made by the residents of Mojorangagung village in developing a catfish cultivation business, but the business permit has not been officially available, therefore we, the community service team of the Faculty of Law, UPN Veterans, East Java, will facilitate the making of a notary deed. which contains the

legality of BUMDES MINA MOJOJAYA.

In addition, in this activity, the team from the National Development University conducted socialization as well as digital marketing training as a marketing strategy for products from BUMDES, namely agricultural equipment and MSME products, namely food and beverages made from turmeric. This training activity is planned to be held in October 2022, and the training participants are MSME actors in turmeric-based food and beverage products in Mojarangagung Village, Sidoarjo Regency. This training is to utilize technology as a marketing medium, especially using the website. Digital marketing makes it easier for MSME actors to provide information and interact directly with consumers, expand market share, increase awareness and increase sales for SMEs.

This website aims to assist MSME actors in developing their business, as well as providing opportunities to expand sales reach in order to attract a wider range of customers, so as to maximize the results of the business being carried out. The benefits obtained with digital marketing are not only being able to reach a wider market and making marketing costs effective, it also creates unlimited marketing space and time. In addition, digital marketing is real time so entrepreneurs can immediately pay attention to the interest and feedback from the target market, and can decide on an adjustment strategy related to advertising content for better results faster.

An important function of BUMDes marketing.

1. BUMDes Marketing has an Exchange Function

When we create a village-owned business entity (BUMDes) and then run a business unit, it basically has the goal of making sales, whether in the form of products or services, it becomes important that these products or services can be reached or accessed by the community. existing area or target market.

Thus, through marketing activities, the goods or services produced by the BUMDes business unit will be known and in demand by the wider community as the target market. In this case, BUMDes marketing carries out an exchange function, namely when there is a purchase of products or services by consumers by exchanging their money for products or services offered by the BUMDes business unit.

2. BUMDes Marketing has a Physical Distribution Function

A product or service run by the BUMDes business unit requires distribution so that the market in this case the community can own or get these goods and services. Therefore, there is a need for physical distribution activities.

For example, a BUMDes business unit produces handicrafts, so that BUMDes handicraft products can reach consumers, distribution activities are needed, namely through various processes, ranging from collection, classification, storage, packing, to delivery to locations closest to consumers.

The work of this distribution is carried out by the BUMDes marketing team, in addition to ensuring the goods arrive but also to establish a wider relationship, while taking a deeper look at the market potential in the delivery area.

3. BUMDes Marketing has an Intermediary Function

In addition to carrying out exchange and distribution functions, BUMDes marketing also carries out an intermediary function. So that the BUMDes marketing team acts as an intermediary between producers in this case the BUMDes business unit and the market in this case consumers, parties with business interests and investors.

In carrying out this function, the marketing team will run in various ways, for example through information search, financing, product classification, and others. So, here the marketing team does not just market products or services, but also offers greater cooperation with third parties, or when additional capital is needed, the function of intermediary for information on the funding needs of business units and potential investors can be carried out by the BUMDes marketing team.

MSME actors are given an understanding of the importance of using digital media as a product marketing medium. This training also involves village youth who are members of the Prasung Village Youth Organization. Their involvement is very important to support the operation of the website. They are trained to use the website as well as operate it. It is hoped that after they master the operation of the website, they can help MSMEs to sell their products. In addition to being given training on the digitalization of product marketing, MSME actors were also given an understanding of the importance of packaging and branding. This is because the use of the website must also be supported by some information and completeness such as product photos, product prices, product descriptions and so on.

CONCLUSION

Village-Owned Enterprises, hereinafter referred to as BUMDes, are village economic institutions/agencies that are legal entities formed and owned by the Village Government, managed economically independently and professionally with all or most of the capital being separated village assets. In the end, BUMDes was formed with the aim of gaining profits to strengthen Village Original Income (PADes), advancing the village economy, and improving the welfare of rural communities. and welfare of rural communities. The hope with the existence of BUMDes is the formation of new businesses rooted in existing resources and optimizing the economic activities of rural communities. The establishment of BUMDes accompanied by the Legality of BUMDes in Mojarangagung Village, Wonoayu District, Sidoarjo Regency as one of the villages in Wonoayu sub-district, Sidoarjo district is needed as a legal umbrella in the implementation of BUMDes business. In addition, there is a need for Digital Marketing as a marketing tool for business products from BUMDes which aims to increase the original income of the Mojarangagung village.

REFERENCES

- Hidayah, U., Mulatsih, S., & Purnamadewi, YL (2019). Evaluation of Village Owned Enterprises (BUMDes): Case study of BUMDes Harapan Jaya Pagelaran Village, Ciomas District, Bogor Regency. JSHP, 3(2)
- Nurcholis, Hanif (2011) Village Government Growth and Implementation. Jakarta, Erlangga
- Sidik, F. (2015). Exploring Local Potentials to Realize Village Self-reliance. Journal of Policy and Public Administration, 19(2)

Stefanus Anandya Sumantri, The Role of Village Owned Enterprises (BUMDes) in Increasing Community Participation Towards an Independent Village (Case Study of Mulyosari Village, Pagerwojo District, Tulungagung Regency, FEB Student Scientific Journal, Vol. 9. Number 2, 2021