

City Branding of Province of Riau on National Law

Adi Tiaraputri*

Faculty of Law

Universitas Riau

Pekanbaru, Indonesia

*adi.tiaraputri@lecturer.unri.ac.id

Abstract—City branding is one of the tools or intermediaries for the community to be familiar with a tourism destination. Branding is an identity in introducing the potential and advantages of tourism in certain areas including Riau Province. Therefore, the Riau Provincial government formed a branding that represents and introduces tourist attractions in Riau Province. This branding is not just a logo, but Riau The Homeland Of Melayu branding is a whole, meaning and value embedded in it. Riau The Homeland of Melayu and Riau Menyapa Dunia are destination brand that includes tourism and cultural elements. In this study, focus to Riau The Homeland of Melayu and Riau Menyapa Dunia on perspective of Indonesian national law. The research method used is empirical legal research methods.

Keywords—branding, the homeland of malay, riau menyapa dunia, national law

I. INTRODUCTION

City branding is a method used in city marketing [1]. City branding can be said as a strategy of a country or region to create a strong positioning in the minds of their target market, like positioning a product or service, so that the country and region can be widely known throughout the world [1]. City branding can also be interpreted as a process of branding a city or an area to be known by the target market (investors, tourists, talents, events) of the city by using icons, slogans, exhibitions, and good positioning in various forms of promotional media [1]. According to Anholt in Moilanen and Rainisto, giving the definition of city branding as a strategic innovation and coordination of economic, commercial, image management of a social, cultural destination and government regulations [1].

One form of city branding is Riau The Homeland of Melayu and Riau Menyapa Dunia which is the logo of Riau Province in tourism. These two logos have been registered with the Directorate General of Intellectual Property with the number IDM000625104 [2], for Riau The Homeland of Melayu and for Riau Menyapa Dunia with the number IDM000625105 [3].

In addition to Riau province, other provinces in Indonesia also have city branding such as "Jogja Istimewa" which is used by the Province of Yogyakarta [4], "Siak The Truly Malay for Siak Regency [5], Ponorogo Regency with "Ethnic Art of

Java", Batu City with "Sining Batu", "Beautiful Malang for Malang City, "Sunrise of Java" for Banyuwangi Regency, "City of Music" for Ambon City, Medan City with "Colorful Medan" [1]. Among the city branding in Indonesia, some have been registered as trademarks and copyrights with the Director General of Intellectual Property.

City branding is one of the tools or intermediaries for the community to be familiar with a tourism destination. City branding is an identity in introducing the potential and advantages of tourism in certain areas including Riau Province. Therefore, the Riau Provincial government formed a branding that represents and introduces tourist attractions in Riau Province such as Riau The Homeland of Melayu, Riau Menyapa Dunia, so based on this in this paper we will focus on the city branding of Riau Province in the rule of Indonesian law.

II. METHODOLOGY

The research method can be defined as the science of revealing and explaining natural phenomena or social phenomena in human life by using work procedures that are systematic, orderly, and scientifically justifiable, this research is scientific in nature [6]. The approach method used in this study is a normative juridical approach. This method is used to obtain a legal basis relating to city branding [7]. The specifications in this study are included in analytical descriptive, meaning that they provide an overview and describe the object of research based on the existing facts systematically based on scientific principles on the application of city branding which are then analyzed based on data related to the problems above, so that conclusions can be drawn.

III. ANALYSIS

A. City Branding in Riau Province

In 2018, the governor of Riau Province issued Governor Regulation Number 44 of 2018 concerning Logo Riau Tanah Tumpah Darah Melayu (Riau The Homeland of Melayu) dan Riau Menyapa Dunia (Riau Greets World). These two logos are a form of regional imaging facility that characterizes the character of Malay culture as a regional promotion principle

that plays an active role in the activities of the Riau Province regional government, especially related to tourism.

Riau The Homeland of Melayu is a branding tagline of Riau province which is expected to introduce Riau tourism which has been the main attraction of Riau Province. Branding is also a destination brand that includes tourism and cultural elements. A tourism destination is not seen as a place but is also considered a place that has cultural and natural value. This branding is expected to increase the public's attraction to Riau Province tourism and visit Riau Province Branding Riau The Homeland of Melayu is to build the identity of Riau tourism. Riau The Homeland of Melayu is a medium to convey ideas about superior tourism in Riau Province. Tourist attraction is one of the most important dimensions in the formation of a tourism brand [8].

Riau The Homeland of Melayu logo was chosen and established by the Riau Provincial Government in 2015, precisely in conjunction with the 58th Anniversary of Riau Province [9]. Riau The Homeland of Melayu logo is made from geometric decorative lines forming a vector design for the sailing Lancang Kuning boat. in the ocean, appearing with proportions, distances and sizes and the colors blue, yellow, red and green [10]. This logo is for the purpose of promoting regional tourism abroad. Here's what the logo looks like [3] (figure 1):



Fig. 1. Riau the Homeland of Melayu logo.

Another city branding in Riau Province is "Riau Menyapa Dunia". This logo is made with striking colors that reflect the local government's strong determination in tourism as an alternative economic base that touches the public economy which also illustrates the confidence in building a tourism sector with character by making the elegance of Malay culture as its frame [11]. Here's the logo [2] figure 2:



Fig. 2. Riau Menyapa Dunia logo.

B. City Branding of Riau Province Based on Law Number 20 of 2016 concerning Merek dan Indikasi Geografis

In the discussion of this subchapter, we will discuss the legal aspects of city branding used by Riau Province based on Law Number 20 of 2016 concerning merek dan indikasi geografis. This is because the Riau logo and tagline Riau The Homeland of Melayu dan Riau Menyapa Dunia are registered as brands with a class code of 35, namely services as an advertising or promotion model [2,3].

The term city branding cannot be separated from things related to brands, because city branding resembles a concept with a brand [12]. Recent effort to brand places also knows as "destinations branding" has at its core a trademark, whether by virtue of a registered logo or tagline. As indicated earlier branding is more than the registered logo or tagline but it is its bedrock. Also creating a fancy logo or catchy tag line is not enough for trademark purposes [13]. Although the definition of city branding is not specifically stated in Law Number 20 of 2016 concerning Merek dan Indikasi Geografis.

Article 1 point 1 of Law Number 20 of 2016 concerning Merek dan Indikasi Geografis, provides a definition of a mark, which if it is concluded that a mark is a sign that is displayed graphically, in the form of images, logos, names, words, letters, numbers, color composition, can be two-dimensional, and/or three-dimensional, sound, hologram, or a combination of two or more, sound, hologram, or a combination of 2 (two) or more of these elements to distinguish goods and/or services produced by a person or legal entity in the activities of trading goods and/or services". The definition of a mark according to Article 1 point 5 is that it is known that the right to a mark is an exclusive right granted by the state to the owner of a registered mark for a certain period of time, and this right authorizes the owner of the mark to use it himself or to give permission to other parties to use it. There are several types of marks contained in Law Number 20 of 2016 namely trademarks, service marks and collective marks. Referring to the type of brand, the city branding owned by Riau Province, namely Riau The Homeland of Malay and Riau Menyapa Dunia, are both service marks. This is also confirmed by the code classification in the registration of the two logos to the Direktorat General of Intellectual Property with a class code of 35, namely advertising or promotional model services [2,3].

The main function of a brand is for consumers to determine the characteristics of a product (goods or services) that belong to a company so that it can be classified from other companies' products that are similar or similar to those owned by competitors. If the consumer is satisfied with a certain product, then the consumer will buy or use the product in the future. Determination of the product can only be done if the user can easily distinguish the original product from the distinguishing product, the user must be able to easily distinguish between the original product and identical or similar products [14].

Indonesia adheres to a registration system or a constitutive system. If the registration has been carried out, the law assumes that he is the first user of a mark. However, this assumption can

change if the other party entitled to a brand can prove that he is the real owner of the brand. For the use of a mark, a person is not required to register his trademark, but to obtain protection under trademark law, he must register his trademark. The power of trademark registration can be canceled if the interested party can prove that he is the first user. They should ideally be registered in the relevant national or regional register for trademarks and depending on a variety of factors should also be registered internationally [13].

In other countries, registrations related to city branding have also been carried out, such as in addition to neighboring countries such as Malaysia and Singapore, which have registered their regional brands with trademarks and service marks. Malaysia which carries the logo and tagline "Malaysia Truly Asia" registers with classes 35 and 39, with the owner of the Malaysia Tourism Promotion Board. Meanwhile, Singapore which carries the logo and tagline "Uniquely Singapore" registers with classes 16, 18, 19, 20, 24, 25, 28, and 35, with the owner of the Singapore Tourism Board. In the NICE Classification, there is no classification for regions or regions, but other classes can be an alternative for registering regional brands in the trademark corridor, namely as goods or services [4]. For logo of Riau The Homeland of Melayu and Riau Menyapa Dunia the owner is the Riau Provincial Government, namely the Riau Province Tourism Office [2,3].

IV. CONCLUSION

Based on the explanation above, it can be concluded that city branding is a process of branding a city or an area to be known by the target market (investors, tourists, talents, events) of the city by using icons, slogans, exhibitions, and good positioning in various fields form of promotional media. This is what Riau Province uses by registering Riau the Homeland of Melayu dan Riau Menyapa Dunia at the Directorate General of Intellectual Property with a service class code as an advertising or promotion model.

REFERENCES

- [1] A. Kusumawati, *City Branding: Konsep dan Isu dalam Pemasaran Pariwisata*. Yogyakarta: Yogyakarta: Deepublish, 2020.
- [2] Pangkalan Data Kekayaan Intelektual, "Riau 'THE HOMELAND OF MELAYU,'" 2017, [Online] Retrieved from: <https://pdki-indonesia.dgip.go.id/detail/J042017019482?type=trademark&keyword=I DM000625104>.
- [3] Pangkalan Data Kekayaan Intelektual, "Riau Menyapa Dunia," 2017, [Online] Retrieved from: <https://pdki-indonesia.dgip.go.id/detail/J042017019484?type=trademark&keyword=I DM000625105>.
- [4] F.A. Rahman, I.W. NA, and J.M. Silmina, "Aspek Hukum Regional Branding Dalam Undangundang Nomor 15 Tahun 2001 Tentang Merek Dan Undangundang Nomor 28 Tahun 2014 Tentang Hak Cipta (Studi Kasus Jogja Istimewa Sebagai Brand Daerah Istimewa YOGYAKARTA)," J. Penelit. Hukum-Fakultas Huk. Univ. Gadjah Mada, vol. 2, no. 3, pp. 178–207, 2015.
- [5] A.T. Putri and L. Diana, "Logo Dan Tagline 'Siak The Truly Malay' Kabupaten Siak Provinsi Riau Dalam Hukum Kepariwisataaan," J. Priv. Econ. Law, vol. 1, no. 1, pp. 47–62, 2021.
- [6] P.M. Marzuki, "Penelitian Hukum, Prenada Media." Jakarta, 2005.
- [7] S. Soerjono and S. Mamudji, "Penelitian Hukum Normatif Suatu Tinjauan Singkat." PT Raja Grafindo Persada, Jakarta, 1995.
- [8] A. Fajriandhany, I. Gemiharto, and E. Rizal, "Branding Riau The Homeland Of Melayu Untuk Meningkatkan Daya Tarik Wisata Dan Kunjungan Wisata Di Provinsi Riau," *Tornare J. Sustain. Res.*, vol. 2, no. 3, pp. 51–62, 2020.
- [9] R. Heru, "Riau The Homeland of Melayu Juara 1 Anugerah Pariwisata Indonesia, Begini Penjelasannya," 2021. .
- [10] Peraturan Gubernur, "Pasal 5 Peraturan Gubernur Nomor 44 Tahun 2018 Tentang Logo Riau Tanah Tumpah Darah Melayu (Riau The Homeland of Melayu) Dan Riau Menyapa Dunia (Riau Greets World)." 2018.
- [11] Peraturan Gubernur, "Pasal 7 Peraturan Gubernur Nomor 44 Tahun 2018 Tentang Logo Riau Tanah Tumpah Darah Melayu (Riau The Homeland of Melayu) Dan Riau Menyapa Dunia (Riau Greets World)." 2018.
- [12] A. Yuli, "City Branding Sebagai Strategi Pengembangan Pariwisata Ditinjau Dari Aspek Hukum Merek (Studi Kasus City Branding Daerah Istimewa Yogyakarta Sebagai Daerah Tujuan Wisata Unggulan Di Indonesia)," *QISTIE*, vol. 5, no. 1, 2011.
- [13] T. Nanayakkara, "Role of Intellectual Property in Enhancing the Competitiveness of the Tourism Industry," *Netherl. Fr.*, 2011.
- [14] K. Jayadi and D. Cahyadi, "Pengetahuan HKI: Sebuah Pengantar Memahami HKI Dalam Desain." Program Studi Desain komunikasi Visual Fakultas Seni dan Desain Universitas ..., 2015.