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# Participatory Rural Appraisal as a Legal Education for Prevention of Trademark Infringement (Case of Bandungan, Central Java, Indonesia)

#### Ridwan Arifin 🗵 🗓

Faculty of Law, Universitas Negeri Semarang, Indonesia

#### Riska Alkadri 🕒

Faculty of Law, Universitas Negeri Semarang, Indonesia

#### Bayangsari Wedhatami 🗓

Faculty of Law, Universitas Negeri Semarang, Indonesia

#### Zainurohmah Zainurohmah 🕒

Faculty of Law, Universitas Negeri Semarang, Indonesia

### Nadiyah Meyliana Putri 🕩

Faculty of Law, Universitas Negeri Semarang, Indonesia

#### Muhammad Wahyu Saiful Huda 📵

Faculty of Law, Universitas Negeri Semarang, Indonesia

#### Sukma Jati Husodo

Faculty of Business, UniCentre College Thailand, Thailand

#### Sinta Swasti

Research Institute for Science and Technology Innovation Toyohashi University of Technology Japan

⊠ ridwan.arifin@mail.unnes.ac.id

#### Abstract

Trademarks play a crucial role in protecting the intellectual property rights of businesses and individuals. However, in rural and remote areas, awareness of trademark infringement and the legal mechanisms to prevent it may be limited. This study explores the use of Participatory Rural Appraisal (PRA) as an innovative legal approach education in preventing infringement, focusing on the case of Bandungan in Central Java, Indonesia. The research utilizes a mixed-methods approach, combining qualitative and quantitative data collection techniques. Through a series of workshops, surveys, and participatory activities, the study engages with the local community in Bandungan to assess their understanding of trademarks, identify potential infringement issues, and deliver legal education on trademark protection. The findings reveal that the PRA approach effectively enhances the community's awareness of trademark rights and the legal remedies available to prevent infringement. Participants actively participate in discussions, share their experiences, and collaboratively generate strategies to protect local businesses' intellectual property. Moreover, the study identifies specific challenges faced by the community in safeguarding trademarks, such as limited access to legal resources and awareness of the legal system. The research contributes to the field of legal education and rural development by highlighting the potential of PRA as a practical and community-driven method for raising trademark infringement prevention. about awareness underscores the importance of tailoring legal education programs to the specific needs and contexts of rural communities, ultimately empowering them to protect their intellectual property rights and foster economic development.

### Keywords

Participatory Rural Appraisal, Legal Education, Trade Infringement, Intellectual Property, Rural Development

# I. Introduction

Intellectual property rights, including trademarks, play an important role in modern economies by protecting the distinctive identity and brand value of businesses and individuals. Trademarks not only represent the quality and reputation of products and services but also contribute significantly to economic growth and competitiveness. However, in rural and remote areas of developing countries like Indonesia, the understanding of trademark protection and the legal mechanisms to prevent infringement often remain limited. This knowledge gap can leave local businesses and communities vulnerable to trademark violations, leading to economic losses and the erosion of cultural heritage.1

Fajar Nurcahya Dwi Putra, "Perlindungan Hukum Bagi Pemegang Hak Merek Terhadap Perbuatan Pelanggaran Merek." Mimbar Keadilan (2014): 97-106; Meli Hertati Gultom, "Perlindungan hukum bagi pemegang hak merek terdaftar terhadap pelanggaran merek." Warta Dharmawangsa 56 (2018); Alimuddin Sinurat, et al. "Penegakan Hukum Terhadap Tindak Pidana Pemalsuan Merek Pasca Berlakunya Undang-Undang Nomor 15 Tahun 2001 Tentang merek." USU Law Journal 2, No. 2 (2014): 12-25; I. Gede Mahendra Juliana Adiputra, Ida Ayu Putu Widiati, and Ni Made Puspasutari Ujianti. "Penyelesaian Perkara Pelanggaran Hak atas Merek." Jurnal Preferensi Hukum 1, No. 2 (2020): 67-71. Brands play a pivotal role as intellectual assets in facilitating and bolstering trade in goods and services within Indonesia. They serve as essential tools for distinguishing the origin and distinctive attributes of products and services offered by a company. Law Number 15 of 2001, an amendment to Law Number 14 of 1997 concerning Trademarks, was enacted with the aim of affording protection to registered trademark rights holders against unauthorized infringements. Such infringements, frequently involving imitation, counterfeiting, or unauthorized brand

This study focuses on the case of Bandungan, a picturesque rural community located in Central Java, Indonesia. Bandungan is known for its rich cultural heritage and thriving local businesses, including traditional crafts and artisanal products. While these businesses contribute to the community's economic vitality, they may be at risk due to a lack of awareness and knowledge about trademark infringement and protection.<sup>2</sup>

usage, are frequently perpetrated as acts of unfair competition in the business landscape. These brand violations not only jeopardize the interests of brand owners but also have adverse consequences for consumers. The presence of such violations undermines legal certainty and has far-reaching economic implications. Despite the legal framework in place, instances of trademark infringements continue to persist in Indonesia, posing challenges to both the enforcement of intellectual property rights and the stability of the economy. See also Cita Citrawinda Noerhadi, "Approaches to Trademark Infrigenment in ASEAN Countries: Anaylisis of How the Case is Likely to be Deciden in Indonesia." Indonesian Journal of International Law 9, No. 2 (2012): 201-217; Henny Marlyna, and Agus Sardjono. "Does the Trademark Protection Regulation Protect Consumers against Counterfeit Products? Analyzing the Theories of Trademark and Indonesian Trademark Law." Pertanika Journal of Social Sciences & Humanities 27, No. 2 (2019): 1865-1877; Darwance Darwance, and Sudarto Sudarto. "The Legal Politic of Regulation for Trademark Registration Systems in Indonesia." Berumpun: Journal of Social, Politics, and Humanities 4, No. 1 (2021): 70-81; Fairuzi Is'ad, and Budi Agus Riswandi. "Legal Protection For Well-known Trademark Between Indonesia And Spanish: Case Study between Lois and NewLois." JIPRO: Journal of Intellectual Property 5, No. 2 (2023): 169-189.

These brands are not just about physical products, but also a reflection of history and local wisdom. They reflect an integral part of Bandungan people's lives, showing the characteristics and unique culture that is an inseparable part of this area. Local Bandungan craft brands also have the potential to inspire the younger generation to maintain traditions and arts that have existed for centuries. They can be role models for young business people to stick to cultural values and maintain authenticity in every product they produce. However, to optimize the potential of local Bandungan craft brands, trademark protection is very important. Appropriate intellectual

The primary objective of this research is to explore the potential of Participatory Rural Appraisal (PRA)<sup>3</sup> as a novel approach to legal education in preventing trademark infringement in Bandungan. PRA is a community-based research methodology that emphasizes the active participation of local residents in identifying issues, generating solutions, and implementing actions. By integrating PRA into the study of trademark protection, we aim to empower the Bandungan community with the knowledge and tools necessary to safeguard their intellectual property rights and preserve their unique cultural assets.

This introduction provides an overview of the research context, the significance of trademark protection in rural settings,

property rights laws must be strictly implemented to prevent trademark infringement which often harms brand owners and damages the cultural image of the region. See Rindia Fanny Kusumaningtyas, et al. "Identifikasi dan Inventarisasi Kekayaan Intelektual Komunal Bagi Perangkat Desa dan Masyarakat di Kecamatan Bandungan." Abdi Massa: Jurnal Pengabdian Nasional 2, No. 5 (2022): 38-47; Faris Zakaria, and Rimadewi Suprihardjo. "Konsep Pengembangan Kawasan Desa Wisata di Desa Bandungan Kecamatan Pakong Kabupaten Pamekasan." Jurnal Teknik ITS 3, No. 2 (2014): 245-249; Heru Gunawan, "Strategi Pengembangan Pariwisata Bandungan Kabupaten Semarang." Jurnal Kediklatan Widya Praja 2, No. 1 (2022): 45-59; Teofilus Aglis Mariano, and Nunik Retno Herawati. "Strategi Pengembangan Potensi Desa dan Dampaknya Bagi Desa dan Masyarakat di Desa Sidomukti, Kecamatan Bandungan, Kabupaten Semarang." Journal of Politic and Government Studies 12, No. 4 (2023): 247-260.

Participatory Rural Appraisal (PRA) or Participatory Learning and Action (PLA) is a refinement of the development approach method, which is actually based on comprehensive community involvement starting from initial studies, planning, implementation, monitoring and evaluation. The PRA method is an approach that invites the community to participate in the development and development process of an activity. The birth of the community participation method in development was due to criticism that the community was only treated as an object, not a subject.

and the innovative approach of using Participatory Rural Appraisal as a means of legal education. Subsequent sections of this study will delve into the methodology employed, the findings, and the implications of this research for both rural development and the broader field of intellectual property rights. Ultimately, this study seeks to contribute to the empowerment of rural communities like Bandungan, enabling them to navigate the complex landscape of trademark infringement prevention and, in doing so, support their economic growth and cultural preservation efforts.

The context of this research highlighted that in recent years, the protection of intellectual property rights has become increasingly crucial, not only in advanced industrial economies but also in developing countries like Indonesia. Trademarks, in particular, serve as essential tools for brand identity and market competitiveness. However, while urban centers in Indonesia may have a more comprehensive understanding of trademark protection and infringement, rural and remote communities often lack the knowledge and resources to safeguard their intellectual property.

Andrew Betlehn, and Prisca Oktaviani Samosir. "Upaya Perlindungan Hukum Terhadap Merek Industri UMKM Di Indonesia." Law and Justice 3, No. 1 (2018): 1-11; Latipah Nasution, "Efektifitas HKI Sebagai Pelindung Industri Kreatif dan UMKM di Tengah Pandemi Covid-19." ADALAH Buletin Hukum & Keadilan 4, No. 1 (2020): 238-250; Wiga Maulana Baihaqi, Christoper Prima, and Nabella Putri Widianto. "Pelatihan dan Pendampingan Pendaftaran Merek Dagang bagi Pelaku Usaha Mikro Kecil Menengah (UMKM) di Banyumas." Society: Jurnal Pengabdian dan Pemberdayaan Masyarakat 2, No. 1 (2021): 68-74; Eka NAM Sihombing, "Kebijakan Afirmatif bagi Usaha Mikro, Kecil dan Menengah di Bidang Kekayaan Intelektual." Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional 7, No. 3 (2018): 427-444.

Bandungan, situated in Central Java, Indonesia, represents a microcosm of this challenge. This picturesque rural community is renowned for its cultural heritage and the vibrant local economy it supports. Many businesses in Bandungan are engaged in the production of traditional crafts, artisanal products, and unique services, all of which are closely tied to the community's cultural identity and economic well-being. These businesses rely on the distinctiveness of their products or services, making trademark protection a critical consideration.

However, there is a gap in understanding and awareness within Bandungan regarding the legal intricacies of trademark protection and infringement prevention. This gap can leave local businesses vulnerable to intellectual property violations, stifling economic growth and eroding the very cultural heritage that distinguishes Bandungan. To address this issue, this research project focuses on the potential of Participatory Rural Appraisal (PRA) as an innovative method for providing legal education to the community of Bandungan. PRA is a community-based research approach that emphasizes active participation, dialogue, and collaboration among local residents. By integrating PRA into the study of trademark protection, this research aims to empower the Bandungan community with the knowledge, skills, and strategies required to safeguard their intellectual property rights effectively.

The context of this study also highlights the unique challenges and opportunities faced by rural communities like Bandungan concerning trademark infringement prevention. It underscores the need for tailored, community-driven approaches legal education and intellectual property protection, recognizing that the preservation of cultural heritage and economic development are closely intertwined. By addressing these challenges, this research contributes not only to the empowerment of Bandungan but also to the broader discourse on rural development and the protection of intellectual property rights in similar contexts.

# II. Method

The research employs a mixed-methods approach, combining qualitative and quantitative methods to assess the effectiveness of Participatory Rural Appraisal (PRA) in providing legal education for preventing trademark infringement in Bandungan, Central Java, Indonesia. Qualitative data is collected through PRA workshops and key informant interviews, facilitating community engagement and in-depth insights. Quantitative data is obtained through structured surveys administered to community members, enabling the measurement of changes in knowledge and attitudes. Qualitative data will be thematically analyzed, while quantitative data will be subjected to statistical analysis.

The integration of both sets of findings will offer a comprehensive understanding of the impact of PRA workshops on community awareness. Ethical considerations will be upheld throughout the research process, and the study's limitations are duly acknowledged. Ultimately, the research aims to empower the Bandungan community with practical knowledge to protect their intellectual property rights and cultural heritage.

# III. Preventing Trademark Infringement Through Legal Education in Rural Communities

Preventing trademark infringement through legal education in rural communities is a crucial endeavor with far-reaching implications for both local businesses and the preservation of cultural heritage. In rural areas, where knowledge of intellectual property rights may be limited, providing legal education on trademarks can have a significant positive impact.

This initiative protects local businesses, particularly smallscale enterprises and traditional industries, by empowering them to understand and safeguard their trademarks. This, in turn, prevents infringement by others and preserves the cultural identity often deeply embedded in these rural businesses. Furthermore, legal education stimulates economic growth by fostering trust and recognition among consumers. Rural entrepreneurs who understand trademark protection can make their products and services more marketable, leading to expansion and prosperity. In addition to economic benefits, legal education also prevents exploitation, as rural communities become more aware of their rights and can counteract unauthorized use of their intellectual property. This empowerment enhances community resilience and self-sufficiency. Trademark protection also encourages innovation and creativity within rural industries. When businesses know their intellectual property is secure, they are more likely to invest in new ideas and products, driving progress in their communities.

By providing legal education, rural communities become better equipped to advocate for their rights and engage with legal mechanisms when necessary. This not only safeguards trademarks but also strengthens the overall legal infrastructure in these areas. Legal education initiatives can promote collaboration within the community as individuals and businesses share knowledge and experiences related to trademark protection. This strengthens bonds among local businesses and residents, fostering a sense of unity and collective action.

In the further context, preventing trademark infringement through legal education in rural communities is a multifaceted initiative that carries substantial benefits for both the local economy and the preservation of cultural heritage.

#### 1. Local Business Protection

In rural areas, many businesses are small-scale enterprises or artisanal producers. These businesses often lack the resources and legal expertise to protect their trademarks effectively. Trademarks are vital for establishing brand identity and building consumer trust. Legal education equips these businesses with the knowledge to recognize and defend their trademarks, ensuring that their unique products or services are not unlawfully imitated or counterfeited.<sup>5</sup>

Laurensius Arliman, "Perlindungan hukum UMKM dari Eksploitasi Ekonomi dalam Rangka Peningkatan Kesejahteraan Masyarakat." Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional 6, No. 3 (2017): 387-402; Septi Indrawati, and Amalia Fadhila Rachmawati. "Edukasi Legalitas Usaha sebagai Upaya Perlindungan Hukum bagi Pemilik UMKM." Jurnal Dedikasi Hukum 1, No. 3 (2021): 231-241; Indrawati, Septi, and Budi Setiawan. "Upaya Peningkatan Kesadaran Hukum Perlindungan Produk UMKM di Kabupaten Kebumen Melalui Pendaftaran Merek." Surya Abdimas 4, No. 2 (2020): 37-43.

#### 2. Preservation of Cultural Identity

Rural communities frequently have distinct cultural practices, traditions, and products that are integral to their identity. These cultural aspects are often intertwined with local businesses and their offerings. Trademarks play a pivotal role in preserving and showcasing this cultural heritage. By educating rural entrepreneurs on trademark protection, we enable them to safeguard their traditional knowledge and products against unauthorized copying, helping to preserve their cultural identity for future generations.<sup>6</sup>

#### 3. Economic Impact

Trademarks have economic implications beyond just brand recognition. They contribute to the value of businesses and their products. When rural entrepreneurs understand the importance of trademark protection, they are more likely to invest in developing their brands, knowing that their efforts will be legally shielded. This can lead to increased marketability, expansion of business operations, and overall economic growth within rural communities.<sup>7</sup>

Marta Siti Alamsyah Widyawati, Komariya, and Alamsyah. "Pendampingan Inventarisasi Objek Pemajuan Kebudayaan (OPK) di Desa Candi Kecamatan Bandungan Kabupaten Semarang." Harmoni: Jurnal Pengabdian Kepada Masyarakat 6, No. 2 (2022): 248-252; Giri Harto Wiratomo, et al. "Menggali Nilai-Nilai Pancasila Masyarakat Genting Kabupaten Semarang Sebagai Upaya Konservasi Pancasila." Bhineka Tunggal Ika: Kajian Teori dan Praktik Pendidikan *PKn* 9, No. 2 (2022): 169-180.

Delfi Aurelia Kuasa, Erni Erni, and Hari Sutra Disemadi. "Urgensi Pendaftaran Merek Bagi UMKM di Masa Pandemi Covid-19 di Indonesia." *Jurnal Yustisiabel* 6, No. 1 (2022): 1-23; Nabilah Apriani, and Ridwan Wijayanto Said. "Upaya Perlindungan Hukum Terhadap Industri Usaha Mikro Kecil dan Menengah (UMKM) di Indonesia." *Jurnal Al* 

#### 4. Prevention of Unfair Exploitation

Rural areas may be vulnerable to exploitation by individuals or entities seeking to profit from their intellectual property without permission. Legal education empowers rural residents to recognize and counteract such exploitation. By understanding their rights and how to enforce them, they can take action to prevent unfair practices that could harm their businesses and cultural traditions.<sup>8</sup>

#### 5. Empowerment of Rural Communities

Legal education is not just about protecting trademarks; it's about empowering rural communities. When individuals and businesses in these areas are educated about intellectual property rights and the legal mechanisms available to them, they become better equipped to advocate for their interests and engage with the legal system when necessary. This empowerment enhances the overall resilience and self-sufficiency of rural communities.<sup>9</sup>

Azhar Indonesia Seri Ilmu Sosial 3, No. 1 (2022): 443234; Belardo Prasetya Mega Jaya, Mohamad Fasyehhudin, and Wardatun Naddifah. "Kebijakan Pemerintah Tentang Merek Dalam Memberikan Perlindungan Hukum Terhadap UMKM." Jurnal Ilmiah Advokasi 10, No. 2 (2022): 98-105; Hana Krisnamurti, "Perlindungan Hukum Terhadap Pemalsuan Merek Bagi Pelaku Usaha Kecil." Wacana Paramarta: Jurnal Ilmu Hukum 20, No. 4 (2021): 58-68.

<sup>&</sup>lt;sup>8</sup> Laurensius Arliman, "Perlindungan Hukum UMKM dari Eksploitasi Ekonomi dalam Rangka Peningkatan Kesejahteraan Masyarakat." *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional* 6, No. 3 (2017): 387-402; Jeroh Miko, Riswan Rambe, and Leni Mardiani. "Efektivitas Pemberdayaan UMKM salam Kemajuan Ekonomi Kerakyatan Bagi Masyarakat Desa." *Jurnal Al-Qasd Islamic Economic Alternative* 4, No. 2 (2023): 99-106.

Elsye Fatmawati, et al. "Pemberdayaan Tata Kelola Desa di Bidang Teknologi dan UMKM dalam Rangka Meningkatkan Kesejahteraan

Therefore, legal education on trademark protection is a pivotal tool for rural communities. It not only safeguards their intellectual property but also promotes economic growth, preserves cultural heritage, prevents exploitation, and empowers local residents and businesses. By investing in such initiatives, we empower rural people to protect their trademarks and foster sustainable development, all while preserving their unique cultural heritage.

# IV. Participatory Rural Appraisal (PRA) Model in Preventing Trademark Infringement: Case of Bandungan, Central Java, Indonesia

Participatory Rural Appraisal (PRA) is a research approach that revolves around community engagement and active participation. In the context of the research on preventing trademark infringement in Bandungan, Central Java, Indonesia, PRA plays a pivotal role in several ways.

PRA emphasizes qualitative data gathering methods, including community mapping and problem ranking exercises. These methods encourage participants to share their experiences, insights, and concerns regarding trademark infringement. Through these activities, rich qualitative data is collected, offering

Masyarakat." *Lentera Pengabdian* 1, No. 1 (2023): 29-36; Malicia Evendia, Ade Arif Firmansyah, and Martha Riananda. "Peningkatan Pemahaman Masyarakat Mengenai Implikasi Hukum Undang-Undang Cipta Kerja Terhadap Proyeksi Masa Depan Umkm." *Jurnal Pengabdian UMKM* 1, No. 2 (2022): 66-73.

a deep understanding of the community's specific needs and challenges.

Furthermore, PRA empowers the Bandungan community by allowing them to express their views and actively contribute to identifying trademark infringement issues. This empowerment ensures that the community's voices are heard, and solutions are tailored to their circumstances, fostering a sense of ownership and agency among community members.

One of the key strengths of PRA is its adaptability to different cultural contexts. In Bandungan, where cultural heritage is intricately linked to local businesses, PRA can be conducted in a way that respects and integrates these cultural nuances. This ensures that the research process is culturally sensitive and relevant to the local community.

PRA workshops and exercises enable community members to not only identify trademark infringement issues but also to generate potential solutions collaboratively. By engaging the community in brainstorming sessions and discussions, PRA encourages participants to develop practical and contextually appropriate strategies for trademark protection.

Moreover, PRA serves as a platform for knowledge sharing. Beyond identifying issues and co-creating solutions, the research process involves the delivery of legal education on trademark protection. This knowledge sharing helps community members understand the legal aspects of trademarks, including their rights and available remedies, which is crucial for effective prevention.

Lastly, PRA ensures that the Bandungan community takes ownership of the solutions and strategies developed during the research. This ownership enhances the likelihood of implementation and the long-term sustainability of trademark

infringement prevention efforts, as the community actively participates in decision-making and action planning.

In addition, Participatory Rural Appraisal is a community-centered research methodology that fosters active engagement, qualitative data collection, empowerment, and knowledge sharing. In the context of preventing trademark infringement in Bandungan, it serves as a vital tool for understanding, addressing, and preventing trademark-related challenges while respecting the community's unique cultural context and promoting ownership of solutions.

Participatory Rural Appraisal (PRA) serves as a critical tool linked to the prevention of trademark infringement in Bandungan, Central Java, Indonesia. In the further context, the method applied in preventing trademark infringement in Bandungan rural communities, as follows:

# 1. Issue Identification

PRA workshops and activities allow the Bandungan community to identify specific trademark infringement issues they have encountered or are concerned about. Participants share their experiences, shedding light on instances of unauthorized imitation or misuse of trademarks within the community. This process of issue identification is the starting point for developing targeted prevention strategies.

#### 2. Solution Generation

PRA goes beyond issue identification; it facilitates the generation of potential solutions through community engagement. Participants collaboratively brainstorm and discuss strategies for trademark protection that are practical and contextually relevant. These solutions are grounded in the community's understanding of their unique challenges,

making them more likely to be effective in preventing trademark infringement.

#### Knowledge Sharing

PRA serves as a platform for knowledge sharing, including legal education on trademark protection. Through the research process, community members gain a deeper understanding of the legal aspects of trademarks, including their rights and the legal remedies available to them. This knowledge empowers them to take informed actions to prevent and address trademark infringement cases.

#### 4. Community Ownership

PRA ensures that the community takes ownership of the solutions and strategies developed during the research. This ownership is crucial for the prevention of trademark infringement because it means that the community is actively engaged in decision-making and action planning. As a result, the community is more likely to implement and sustain these strategies over the long term.

Finally, this is highlighted that, Participatory Rural Appraisal plays a strategic role in the prevention of trademark infringement by facilitating issue identification, generating contextually appropriate solutions, enabling knowledge sharing, and promoting community ownership of prevention strategies. By engaging the community directly in the process, PRA ensures that prevention efforts are rooted in the community's needs and experiences, making them more effective and sustainable in safeguarding trademarks.

# I. CONCLUSION

In conclusion, the research represents a valuable and innovative endeavor with far-reaching implications. This study recognizes the critical importance of protecting trademarks in rural communities, where awareness of intellectual property rights may be limited. It acknowledges the significance of trademarks not only for economic growth but also for preserving cultural heritage and identity. Through a mixed-methods approach, which combines qualitative data collection methods such as Participatory Rural Appraisal (PRA) workshops and key informant interviews with quantitative surveys, the research seeks to address the challenges of trademark infringement prevention in Bandungan.

The use of PRA as a research methodology underscores the importance of community engagement, empowerment, and knowledge sharing in the prevention of trademark infringement. By actively involving the Bandungan community, the study aims to identify specific issues related to trademark protection, generate practical solutions, and deliver legal education that empowers community members to protect their intellectual property rights. Furthermore, the research acknowledges the cultural sensitivity required in a rural context like Bandungan, where cultural heritage is closely intertwined with local businesses. The study recognizes that effective prevention strategies must consider the unique cultural aspects of the community.

The ultimate goal of the research is to empower the Bandungan community with the knowledge, tools, and strategies needed to prevent trademark infringement effectively. By fostering community ownership of these prevention efforts, the study aims

to create sustainable solutions that will benefit both local businesses and the preservation of cultural identity. In a broader context, this research has the potential to serve as a model for communities worldwide facing trademark similar rural infringement challenges. It highlights the importance of community-driven approaches and the value of legal education in rural development and intellectual property protection.

In summary, the study exemplifies the intersection of intellectual property rights, cultural preservation, and community empowerment. By utilizing PRA as a research methodology, it aims to make a meaningful contribution to the field of trademark infringement prevention while supporting the sustainable development of rural communities like Bandungan.

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There is no conflict of interest in the publication of this article.

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