

## ABSTRACT

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### **JURIDICAL ANALYSIS OF WELL-KNOWN TRADEMARKS PROTECTION BRAND "EIGER" UNDER ORDER NUMBER 41 / PDT.SUS-HKI / TRADEMARK / 2019 / PN NIAGA JKT.PST**

(xiv + 151 pages : 2 pictures; 1 table; 1 attachment)

Trademarks are very important in facing the current era of globalization. As one the form of Intellectual Property Rights, the function of the trademark is not only used as a differentiator of a product, but also an invaluable company asset, especially for brands that are well-known in the community. However, the more well-known a trademark is among consumers, might also lead to the presence of competitors who have bad intentions by carrying out unfair competitions using several methods. The owner of a trademark has the rights to prohibit others from using the same or similar brand trademarks with their own and also the right to revoke registration of similar brands if it is proven to have bad faith. This action is caused by a “trademark cancellation” lawsuit. The latest brand legal protection in Indonesia is under order Act Number 20 of 2016 regarding Brand and geographic indication, which also regulates well known trademarks. Based on the description above, the author wants to explain the implementation of legal trademarks in Indonesia, especially the protection of well known marks under Act number 20 of 2016. The author would also like to apply the criterias of a well known mark of the EIGER brand that belongs to Ronny Lukito. Based on the analysis of this thesis, the author agrees on the decision the judge has made to cancel the EIGER brand owned by Budiman Tjoh due to it having been proved of bad faith and proving the fame of Ronny Lukito’s EIGER.

Refference: 77 (1975-2019)

Keywords : Well-known Marks, Trademark Cancellation, Well-Known Mark Protection, Bad Faith and Similarity in Principle