

## **ABSTRACT**

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### **REGULATIONS REGARDING THE PROTECTION OF BRANDS WHICH HAVE SIMILARITIES IN ESSENCE WITH REGISTERED BRANDS**

(xv + 106 pages: 2 picture: 3 table: 3 attachment)

Brands have a very important role in the era of globalization and global trade. In the business world, a brand is a company's asset that can generate huge profits so that each brand owner will protect his brand. However, there is often unfair competition in the business world, for example imitating other people's brands. Therefore, it is necessary to have a legal protection for a mark, especially a mark which is basically similar to a registered mark. In addition, Indonesia is also a constitutional state, so these laws and regulations are very important and essential in running this country. Trademark protection provided by the government through the first to file principle where legal protection will be given to the party who first registered the mark. Basically, the government has attempted to provide maximum legal protection by changing the Trademark Law several times. However in reality, there are still many cases of trademark infringement, especially cases involving trademarks that are basically similar to registered marks. This indicates that there are weaknesses in both the substance of the law which regulates equality in essence and that of law enforcement officials. Legal research that will be used in this research is normative legal research supported by empirical studies. This writing aims to further examine the regulations regarding the protection of brands which have similarities in essence to the registered marks and how to implement the regulations regarding the protection of marks in the trademark dispute between Suwandi Tanujaya and PT. Aneka Boga Citra (Supreme Court's Judgement No. 890 K/Pdt.Sus-HKI/2019).

Keywords: Brands, Mark Protection, Similarities in essence

References: 59 (1992-2020)