

## ABSTRACT

Vianca Indah (01051170016)

### **LEGAL PROTECTION OF THE RIGHTS REGISTERED IN INDONESIA (IN THE CASE STUDY OF THE SUPREME COURT DECISION NUMBER 320 K / PDT.SUS-HKI / 2020)**

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Brand is a very important factor in the present. Due to the function of the brand as a differentiator that is used to distinguish the origin of the goods and services being traded, the brand also serves to ensure security in the transaction of goods and services. There have been many trademark disputes, especially the transfer of rights to a registered mark that is carried out unilaterally without the knowledge and permission of the right holder of the registered mark. Actions which are transferred unilaterally are the actions of the applicant with bad intentions and therefore violate Article 21 paragraph (3) of Law Number 20 of 2016 concerning Trademarks and Geographical Indications. Where a trademark has been registered, it should close the possibility for other parties to use a similar mark as a trademark that has been registered because by registering a mark, the right holder of the mark should get legal protection for the mark. However, in reality there are still trademark disputes that are still validated against registered marks. What should have been if a mark had been registered and had obtained a certificate of title to the mark, the right to a mark could be transferred in accordance with Article 41 paragraph (1) of Law Number 20 of 2016 concerning Marks and Geographical Indications. Therefore, an incident like this raises the question of why a registered mark still gets a certificate of rights over the mark and is legalized by the Director General of Intellectual Property Rights.

**Keywords** : Transfer Of Rights To Trademarks, Bad Faith, Director General Of Intellectual Property Rights and Legal Protection

**References** : 61 (1987-2020)