

ABSTRACT

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JUDICIAL ANALYSIS OF ALEXANDER MCQUEEN'S FAMOUS MARK LEGAL PROTECTION IN THE CANCELLATION OF REGISTERED TRADEMARKS IN INDONESIA (CASE STUDY OF COMMERCIAL COURT DECISION NUMBER 04 / PDT.SUS-MERЕК / 2019 / PN.NIAGA.JKT.PST)

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Every human being certainly has a very broad idea and creativity, an idea and creativity can be poured into various forms, and can be used as a source of income if used properly. That is why every result of creativity and ideas of everyone should be appreciated, because it takes a lot of time and requires effort that is not easy. Intellectual Property Rights can provide legal protection for the owner of the right to use or exploit his wealth safely, and provide protection for the creators and inventors of innovative works in connection with the use of their works widely in society. Trademark Rights is one type of intellectual property rights that have been regulated and have a legal basis in Indonesia, which is regulated in Law Number 20 of 2016 concerning Trademark Rights and Geographical Indications. This study will discuss the dispute that occurred between the ALEXANDER MCQUEEN brand and the MCQUEEN brand. McQueen brand is judged to have similarity with the brand Alexander McQueen. Alexander McQueen is considered one of the *brand* well-known fashion brand, and has been registered in many countries worldwide. Seeing this, the owner of ALEXANDER MCQUEEN filed a trademark cancellation lawsuit against the MCQUEEN brand and considered that it had similarities with the ALEXANDER MCQUEEN brand. MCQUEEN brand in its trademark registration is also considered to be based on bad faith because it intends to imitate, and complement the fame of the ALEXANDER MCQUEEN brand. Referring to Law Number 20 of 2016, the MCQUEEN mark should not be registered because it is considered to have similarities with the well-known trademark ALEXANDER MCQUEEN.

Source : (2003-2020)

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