

ABSTARCT

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At this time, the development of international trade is increasingly advanced. Of course, the development of international trade is driven by brands. Brands have a very important role in the economic growth and the country, because brands have a significant role in helping the economic growth of a country, so brands are very important assets for companies and should be protected by the state. Especially for well-known brands that have been known in general and have been around for a long time. Famous brands have been protected internationally through the Paris Convention and Trips Agreement which later Indonesia joined and became a member. Because Indonesia has joined the Paris Convention and Trips Agreement, then Indonesia must ratify the Paris Convention and Trips Agreement and adapting these regulations into national laws. Trips agreement has regulated protection for well-known brands not only for similar classes of goods, but also for different classes of goods. Legal protection for well-known brands in Indonesia is regulated in Law No. 20/2016 on Trademarks and Geographical Indications, in this Law there are regulations for well-known brands but protection of well-known brands for different class of goods is still not very clear so that the protection of brands famous for its dissimilar class of goods still using Trips Agreement. In this case, the author will discuss further regarding the regulation and protection of well-known marks for different class of goods as in the case of the Plaintiff's HOT STAR mark.

Keywords: Well-Known Mark, Mark protection, Different classes of goods