

## **ABSTRACT**

Madeleine Evania Darmawan (01051180060)

### **BRAND PROTECTION IN CROSS BORDER TRADE BY CUSTOMS AGENCY IN INDONESIA**

(xiii+158 pages: 3 images)

*The era of globalization makes the movement of goods and/or services transactions no longer limited by country and time. Brand as a distinguishing power in trading activities is very important in this era so that business competition remains healthy. The Indonesian government's awareness of the importance of brand protection in international trade is evidenced by the establishment of several laws and regulations which principally regulate the prohibition and restriction of imports or exports as well as controlling the import or export of goods resulting from violations of intellectual property rights. However, in its implementation the legal protection has not been effective. Since its inception, in 2018 until now, there have only been 3 (three) cases related to violations of export-import KI that have been successfully carried out in the customs area.*

*This study uses a normative-empirical research method that will examine the synchronization of laws and regulations and their implementation in society. This study uses a qualitative approach that focuses on brand protection in general and then solves the problem of a special incident, namely regarding brand protection in cross-border trade activities in the legal case of counterfeiting Standard AE7 Alfa Tip 0.5 brand ballpoint products imported from Indonesia. China to Surabaya. The results of the study prove that the regulation of brand protection in cross-border trade activities (cross-border) is harmonious. However, in its implementation, this legal protection is still not effective enough. The factors for the ineffectiveness of the legal protection of the mark are that it cannot be carried out by foreign business entities that do not have a business entity domiciled in Indonesia, the value of the guarantee is quite large, and the lack of legal understanding and awareness of the community.*

References: 85 (1915-2021)

Kata Kunci: Trademark Protection, Custom, Cross Border Trade