

## ABSTRAK

Sean Matthew, (01659190046)

*”Penerapan Asas First To File Dalam Sistem Pendaftaran Merek Studi Kasus Merek Terkenal Pierre-Cardin di Indonesia”*

(vi + 113 halaman)

Banyaknya pembajakan terhadap merek-merek terkenal tersebut sudah barang tentu menimbulkan suatu kerugian yang bukan saja dialami oleh para pemilik merek itu sendiri, terlebih lagi hal itu juga ikut menambah citra buruk Indonesia dalam masalah perlindungan Hak atas Kekayaan Intelektual khususnya dalam perlindungan merek terdaftar. Perlindungan merek terkenal merupakan salah satu aspek yang penting dari hukum merek. Perlindungan terhadap merek terkenal juga diatur di dalam beberapa perjanjian internasional, seperti; *Paris Convention for the Protection of Industrial Property* kemudian pada *The Agreement on Trade-Related Aspect of Intellectual Property Rights (TRIPS Agreement)* dan Undang-Undang Nomor 20 Tahun 2016 Tentang Merek dan Indikasi Geografis juga Peraturan Menteri Hukum dan HAM No. 67 Tahun 2016 Tentang Pendaftaran Merek.

Dalam penelitian ini pengumpulan data dilakukan dengan pendekatan perundang-undangan dan studi kasus untuk melihat penerapan asas First to File dalam sistem pendaftaran merek dengan studi kasus merek terkenal yaitu Pierre-Cardin (Perancis) melawan Pierre Cardin (Alexander Satryo Wibowo).

Asas First to File benar-benar diterapkan sesuai dengan peraturan perundang-undangan yang berlaku, tanpa mempertimbangkan itikad yang melatarbelakangi pendaftaran Merek tersebut.

Referensi: (48, 1985-2022, Merek, Kekayaan Intelektual)

## ABSTRACT

Sean Matthew, (01659190046)

### “Application of the First To File Principle in the Mark Registration System Case Study of the Famous Mark Pierre-Cardin in Indonesia”

(vi + 113 pages)

The number of piracy of these well-known brands of course causes a loss that is not only experienced by the brand owners themselves, moreover it also adds to Indonesia's bad image in terms of protection of Intellectual Property Rights, especially in the protection of registered marks. Protection of well-known marks is an important aspect of trademark law. Protection of well-known marks is also regulated in several international agreements, such as; Paris Convention for the Protection of Industrial Property then in The Agreement on Trade-Related Aspect of Intellectual Property Rights (TRIPS Agreement) and Law Number 20 of 2016 concerning Marks and Geographical Indications as well as Minister of Law and Human Rights Regulation No. 67 of 2016 concerning Trademark Registration.

In this study, data collection was carried out using a statutory approach and a case study to see the application of the First to File principle in the trademark registration system with a case study of famous brands, namely Pierre-Cardin (France) against Pierre Cardin (Alexander Satryo Wibowo).

The First to File principle is strictly implemented in accordance with the applicable laws and regulations, without considering the intentions behind the registration of the Mark.

Reference: (48, 1985-2022, Trademark, Intellectual Property)

