

ABSTRACT

Graciella Meilinda Sahe Lambey (01051190175)

THE ROLE OF THE DIRECTORATE GENERAL OF INTELLECTUAL PROPERTY IN DISPUTE RESOLUTION OF CASE STUDY OF CASE NUMBER: NOMOR 56/PDT.SUS-MEREK/2022/PN.NIAGA JKT.PST.

References: 40 (1983-2022)

(xiv + 101 Pages)

The author did an internship at the Ministry of Law and Human Rights, Directorate General of Intellectual Property, in the Directorate of Brands and Geographical Indications. One of the activities is the settlement of brand dispute cases. The background of this topic is that the Directorate General of Intellectual Property is tasked with organizing the formulation and implementation of policies in the field of intellectual property in accordance with the provisions of laws and regulations. Law Number 20 of 2016 concerning Brands and Geographical Indications can provide legal protection for registered trademark holders. This raises questions for this paper: 1) How is the settlement of disputes related to famous brands reviewed from the Trademark Law? 2) How is the role of DJKI in resolving disputes related to famous brands in case Number 56/PDT. SUS/BRAND/2022/PN NIAGA JKT. PST? This writing aims to find out how to resolve disputes related famous brands in terms of the Trademark Law and the role of the Directorate General of Intellectual Property in resolving disputes related to famous brands in case Number 56/PDT.SUS-MEREK/2022/PN.NIAGA JKT.PST. Legal remedies that can be taken civilly are in the form of filing a lawsuit for the cancellation of the brand, the abolition of the brand, a lawsuit for brand infringement, and a lawsuit against the decision of the trademark appeal commission. A famous brand do not need to be registered in advance to obtain legal protection. It's just that to be able to get exclusive rights must be registered first. A famous brand can also be abolished if the brand is not used by its owner for 3 years consecutive years from the date of registration or the date of last use.

Keywords : Directorate General of Intellectual Property, Brand, Law Number 20 of 2016 and famous brands