

ABSTRAK

Veronica Putri (01051190049)

TRADEMARK LEGAL PROTECTION IN INDONESIA (CASE STUDY OF PS GLOW AGAINST MS GLOW)

(xii+76 Pages ; 2 tables)

The growing trade competition, increasing problems in the brand. Brand has become an important thing in trading activities of goods and/or services. If there is a similarity or similarity in the mark, this can be considered as a mark registration with bad intentions and cannot be protected by law. When a dispute occurs in court it is discovered that the brand purchased has been purchased with another brand, the registration of the mark concerned can be cancelled. In this study, data collection was carried out by conducting a case study based on Supreme Court Decision Number 2/Pdt.Sus.HKI/Merek/2022/PN.Niaga Sby. The data used in this study are primary data, secondary data and tertiary data. The purpose of this study is to find the provisions for implementing Law no. 20 of 2016 concerning Trademarks and Geographical Indications regarding good faith in trademark registration and development of legal protection efforts for the MS GLOW trademark based on acts of good faith relations with the PS GLOW brand. In this case, the authors see that the PS GLOW brand is similar to the MS GLOW brand and there are facts that indicate that PS GLOW had bad faith in building its brand. From this case, it can be concluded that the judge has not applied good faith in accordance with the applicable provisions and the judge has not provided protection for the MS GLOW brand as the first registrant so that it has not fulfilled the aspect of legal justice.

Keywords: Trademarks, Bad Fait, Good Faith, Similarity in principle and

overall Reference: 51 (1945-2022)