

ABSTRAK

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ASPEK PERLINDUNGAN DAN PENEGAKAN HUKUM DI BIDANG MEREK (STUDI KASUS PUTUSAN Nomor 2/Pdt.Sus.HKI/Merek/2022/PN.Niaga Sby)

The brand can usually encourage the emergence of many new manufacturers which start imitating the goods owned by that brand. Due to the increasing trade competition, it is able to encourage opportunities for other people to trade with shortcuts to a well-known brand. This is usually known as Free riding. This can be seen in decision Number: 2/Pdt.Sus.HKI/Merek/2022/PN.Niaga Sby where the trademark dispute between the owner of MS Glow Shandy Purnamasari and the owner of PS Glow Putra siregar, both parties report to each other to justify who will be more rights to trademarks of skincare and beauty products. This writing discusses brand protection and the regulation of sanctions in Indonesia and discusses the application of brand protection and the application of sanctions in view of decision Number 2/Pdt.Sus.HKI/Merek/2022/PN.Niaga Sby. This research is a type of normative research using primary data and secondary data, library data collection techniques, and data analysis using qualitative analysis. In terms of brand protection, it can be carried out in a preventive and repressive manner, the application of sanctions can be in the form of civil lawsuits and criminal sanctions for law enforcement and obtaining legal protection as stipulated in Law No. 20 of 2016 concerning Marks and Geographical Indications.

Keywords: Brand, Legal Protection, Application of Sanctions