

ABSTRACT

YURIDICAL REVIEWS IN THE CASE OF ALSTYLE BRANDS AND THEIR INFLUENCE ON LEGAL CERTAINTY IN OWNERSHIP OF FAMOUS BRANDS (Case Study Decision Numbers: 999 K / PDT.SUS-HKI /2019)

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Brands are used as a sign to distinguish products produced by a person or a legal entity with the products produced by other parties. The main function of a brand is that consumers can characterize a product of both goods and foundies owned by the company so that it can be distinguished from other similar or similar company products that are owned by its competitors. But until now there are still many cases of brands in Indonesia, especially famous brands as will be discussed in this study, namely the case of Alstyle brands. Research II uses normative-empirical legal research that will examine a laws and regulations, namely brand legislation and also see the application of brand legislation and also the case verdict No. 999 K / PDT.SUS-HKI/2019. In this study also used a legislation approach and a case approach to analyze cases and qualitative methods. Legal protection against the right of famous brands in Indonesia is currently regulated through Law Number 20 of 2016 concerning Brands and Geographical Indications and Implementation Regulations. In the brand registration party registering the brand is referred to as a "rights holder of the brand". Famous brands that have not been registered in Indonesia will still get protection, because Indonesia has ratified the Paris Convention and Trips Agreement. In the case of the Alstyle brand, this brand is categorized as a famous brand because it has been fulfilled by the famous brand criteria regulated in the Minister of Law and Human Rights Regulation of the Republic of Indonesia Number 67 of 2016 concerning Brand Registration. That the Alstyle brand has fulfilled the criteria of the famous brand criteria, besides that the Alstyle brand has been registered in more than 4 (four) countries.

Reference : 48 (1983 - 2020)

Keywords : Brands, Famous Brands, Alst