

ABSTRACT

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CRIMINAL OFFENSE VIOLATION OF TRADE SECRETS (PROCESSING METHOD AND TRADE PATH OF COFFEE)

(xv + 100 pages; 3 attachments)

Trade industry is an essential part of society, due to the need to fulfill the necessity as well as the quality of life of the aforementioned society. With the rise and growth of the globalization era up till this day, it is also paralleled by the advances made by the trade industry which in itself is a highly competitive industry. However, it is disheartening to realize the reality that within the competitive industry, exists numerous acts of misconduct on varying level of severity. With that understanding, a certain form of protection is necessary in order to secure the existing trade industry system. One example of said protection is the Intellectual Property (IP) which specifically contains the Trade Secret. The research methodology used by the writer is a normative research involving the use of secondary data types. There are 3 (three) classifications within the Undang-Undang Rahasia Dagang (UURD) that separates the violation of Trade Secret as a criminal act: the act of misusing other parties' Trade Secret, the act as stated on UURD Article 13, and the act as stated on UURD Article 14. These classifications will be used as a guideline in which a certain party can be charged with criminal act(s) in alignment with the act that said party has committed. The Law Enforcement Agencies such as the *Jaksa Penuntut Umum* (Attorney General) and Judge must be thorough in seeing whether the criminal charges should be held towards a single party or if there are any other parties that should be complicit in the charges.

References: 20 (1984-2019)

Key Words: Trade Secret, Criminal Act, Complicity in Criminal Act