ABSTRACT

Dwi Novitasari (NIM: 05120120087)

JURIDICAL ANALYSIS ON THE PIERRE CARDIN FAMOUS TRADEMARK PROTECTION: CASE STUDY No. 15/Pdt.Sus-Merek/2015/PN.Niaga.Jkt.Pst

(xiii + 100 pages + 1 attachment)

This thesis discusses the trademark protection of famous brand against business actors conducting any violation specifically the replication of the products protected under the trademark law in pursuance to the Indonesian law regime and international conventions. The thesis as well discusses on how the judgment should be rendered by the judge, how the court should analyze the fame of certain brand and the good faith of the local business actor that violates the trademark law by replicating the famous brand. The case that being used as the case study purpose under this thesis is the lawsuit No. 15/Pdt.Sus-Merek/2015/PN.Niaga.Jkt.Pst claimed by foreign business actor that hold the trademark of Pierre Cardin brand. The lawsuit intends to revoke the Pierre Cardin trademark owned by the local business actor. In light thereof, Law No. 15 of 2001 regarding Trademark shows how ineffective the protection under this regulation. Additionally, the case intends to show that the judgment rendered by judge is lack of legal certainty due to the judge’s lack of information in regard to the famous branding criterions.

References: 34 (1980-2014)