

## **ABSTRACT**

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### **PROTECTION OF THE FAMOUS BRAND HUGO BOSS IN COMMERCIAL COURT DECISION NUMBER 2/PDT.SUS.MEREK/2020/PN NIAGA JKT.PST JUNTO DECISION OF THE SUPREME COURT NUMBER 520 K/PDT-SUS-HKI.2021**

(xiii + 93 pages: 4 images; 1 table ; 4 appendix)

*The plaintiff is a German company that owns the brand name “Hugo Boss” and its variations. The Defendant named Anthony Tan who registered the trademark under the name “Hugo Selection”. In the Commercial Court Decision Number 27/Pdt.Sus-Merek/2020/PN Niaga Jkt.Pst, the Panel of Judges stated that the defendant's the defendant's trademark had a distinguishing element. However, in the Supreme Court Decision Number 520 K/Pdt.Sus-HKI/2021, the Panel of Judges stated that the Plaintiff's brand was a well-known brand and the Defendant's mark was proven to have committed bad faith. The author will analyze the regulation of the protection of well-known brands and compare the judge's considerations in the two decisions. This study uses normative legal research. The type of data used is primary, secondary and tertiary legal materials. The data collection method used was literature study and resource interviews. The type of approach used in this study is the statutory approach and the case approach. The nature of data analysis is qualitative. Result: Law Number 20 of 2016 has provided protection for well-known brands. The Panel of Judges of the District Court did not apply the law properly. The Panel of Judges of the Supreme Court has applied the law appropriately.*

*Key words: Famous brand, Brand cancellation*

*References: 23 Books (1988 – 2018)*