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Comparison of the Decision of the Medan District Court Number 2/Pdt.Sus.HKI/Merek/2022/PN Niaga Mdn and Surabaya District Court Number 2/Pdt.Sus.HKI/Merek/2022/PN.Niaga Sby

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Abstract: *A brand is an identifying mark used specifically to distinguish one product from another.With the advancement of technology and information, many trademark disputes arise. Such as the litigation between MS GLOW and PS GLOW, these brands are also involved in trademark plagiarism lawsuits. So, how is the trademark dispute resolution between MS GLOW and PS GLOW carried out, and what legal protection efforts exist for the registered trademarks MS GLOW and PS GLOW concerning trade of goods in Indonesia. The method used in this research is a legal and regulatory approach, a case approach, and then a conceptual approach. The results of this research indicate that dispute resolution takes place in two commercial courts. The trial in the Medan Commercial Court ruled in favor of MS GLOW, whereas the trial in the Surabaya Commercial Court ruled in favor of PS GLOW. The verdict of the Surabaya Commercial Court concluded that the use of the MS GLOW brand did not align with the registered trademark group. The 'first to file' system is a preventive legal protection effort, while repressive legal efforts are carried out through the imposition of criminal sanctions.*

Keyword: *Trademark, Trade Competition, Comparison of Decisions between Medan and Surabaya District Courts.*

Abstrak: Merek adalah tanda pengenal yang digunakan untuk secara khusus membedakan suatu produk dengan produk lainnya**.** Seiring berkembangnya teknologi dan informasi, akan banyak timbul sengketa merek. Seperti litigasi MS GLOW dan PS GLOW, merek tersebut juga terlibat dalam gugatan plagiarisme merek dagang. Lalu bagaimana cara penyelesaian sengketa merek antara MS GLOW dan PS GLOW, dan bagaimana upaya perlindungan hukum terhadap merek terdaftar MS GLOW dan PS GLOW dalam rangka perdagangan barang di Indonesia. Metode yang digunakan dalam penelitian ini adalah pendekatan hukum dan peraturan, pendekatan kasus dan kemudian pendekatan konseptual. Hasil penelitian ini menunjukkan bahwa penyelesaian sengketa dilakukan di dua pengadilan niaga. Sidang di Pengadilan Negeri Medan Niaga menang atas MS GLOW, sedangkan persidangan di Pengadilan Negeri Surabaya Niaga menang atas PS GLOW. Putusan Pengadilan Negeri

Niaga Surabaya menyimpulkan bahwa penggunaan merek MS GLOW tidak sesuai dengan kelompok merek yang terdaftar. Sistem *first to file* merupakan upaya perlindungan hukum yang bersifat preventif, sedangkan upaya hukum represif dilakukan melalui pengenaan sanksi pidana.

Kata Kunci: Merek, Persaingan Dagang, Perbandingan Putusan PN Medan dan PN Surabaya

INTRODUCTION

There is a lot of competition in the business world, and that is normal. But it becomes unnatural if the competition is conducted in an unhealthy manner, where competitors act to the detriment of other parties, either directly or indirectly. Disguise or imitation is usually done by followers or what is often referred to as followers of well-known brands, market leaders whose image is very good. The goal is to make the brand look attractive in the eyes of consumers because it has characteristics that are almost similar to those it imitates. Not a few brands that do this strategy eventually succeed. Nowadays, businesses are competing to build a brand. The reason is that the more positive the image of a brand in the community, the brand will affect the level of public purchases of the brand (Rachmadi, 2003).

Branding makes it easier for customers to identify goods because they have different qualities, producers offer a distinguishing mark from other trade products and services so that there is no equality, and producers feel certain legal protection. Branding is the key to ensuring fair and healthy commercial competitiveness (Pakpahan, et al., 2022). In summary, the concept of intellectual property can be defined as a code of entities created or born from human intelligence. Intellectual works, including science, art, literature or technology, are born by sacrificing effort, time and even money. The presence of these sacrifices leads to productive work. Along with the economic benefits that can be enjoyed, economic benefits support the concept of intellectual property. In the business world, these activities are called corporate assets (Wibawaningsih, 2020).

The definition of a trademark is regulated in the Law of the Republic of Indonesia Number 20 of 2016 concerning trademarks and Geographical Indications, which revises the previous Law, namely Law Nornor 15 of 2001 concerning authentic trademarks which states that a trademark is a sign that can be displayed graphically in the form of images, logos, colors, words, letters, numbers, color arrangements, in the form of 2 (two) dimensions or 3 (three) dimensions, sound, holograms, or combinations and 2 (two) or more of these elements to distinguish goods and / or services produced by persons or legal entities in trading activities for goods and / or services. Trademarks can be included in the goods, or on the package of goods or included in particular on things related to services (Stanley, et al., 2020).

In managing a business in the form of goods or services, everyone really needs a name or symbol to be used for the goods or services, which serves as a sign of where the goods or services come from. In market strategy/market share activities, a name or symbol used is referred to as: trademark, business name, and company name. Brands have the following functions: to distinguish the goods or services of one product from another, as a guarantee of quality and to avoid unfair business competition that tries to piggyback on the reputation of the brand owner and as a means of marketing and advertising by placing advertisements to make the public know a lot about the brand, with advertising media also a brand in the form of goods or services can attract many consumers to be interested in the brand (Prasetyo, et al., 2022).

Trademarks are marks that can be used by a person, or more, or can be used by legal entities that trade their goods with the intention of distinguishing them from other types of goods (Stanley, et al., 2020). Service marks are marks that can be used by a person, or more, or can be used by legal entities that trade their services with the intention of distinguishing

them from other types of services. Trademarks play an important role in the business world. This is related to the rapidly increasing trade sector and has even put the business world as a single market together. However, what happens in the field is not as expected in Law No. 15 of 2001 concerning trademarks as amended by Law No. 20 of 2016, which is still found many violations, for example, new brands that piggyback on the popularity of other brands that previously existed first (Dewi, 2018).

Because of the importance of the role of trademarks, it is necessary to provide legal protection, to prevent irresponsible parties from misusing trademarks such as following well-known brand names (Stanley, et al., 2020). Protection of well-known trademarks is provided by the state through the Act, both preventive and repressive protection. The existence of such protection shows that the state is obliged to enforce trademark law. Therefore, if there is an infringement of a registered trademark, the trademark owner can file a lawsuit to the Court, with such protection it will realize the justice that is the goal and the law. The existence of legal protection then the legitimate trademark owner terlindugi his rights (Mirfa, 2017).

Intellectual Property Rights (IPR) can be interpreted as an exclusive right granted by the state to a person, group of people or institutions to hold the power to use and benefit from intellectual property owned or created (Keliat, 2020). Exclusive rights are rights attached to creators, brand owners, inventors in the form of moral rights and economic rights that require legal protection (Permata, 2017). To obtain these exclusive rights, the brand owner must go through the trademark registration procedure and also the brand must meet the requirements in order to be registered as a trademark.

MS Glow and PS Glow are cosmetic products known in Indonesia. The problems that occur between the two are related to trademark disputes (Ilmiawan & Gultom, 2022). In 2018, the company PT Primadona Worldwide, which produces MS Glow, filed a trademark application with the Directorate General of Intellectual Property (DJKI) for the mark "MS Glow" in the cosmetics and beauty care product class. However, in 2020, cosmetic products with the brand "PS Glow" sold by PT Puncak Semesta Glowindo appeared. PT Primadona Worldwide felt that PT Puncak Semesta Glowindo's "PS Glow" brand resembled its "MS Glow" brand and harmed its business. PT Primadona Worldwide then filed a lawsuit to the Central Jakarta District Court regarding this trademark dispute. This lawsuit is based on Article 20 of Law No. 20 Year 2016 on Trademarks and Geographical Indications which stipulates the prohibition of using a mark that resembles or is the same as a registered mark that has been used by another party. In addition, PT Primadona Worldwide also filed a temporary injunction to prohibit PT Puncak Semesta Glowindo from using the mark "PS Glow" until a court decision.

In December 2020, the Central Jakarta District Court granted PT Primadona Worldwide's provisional application and ordered PT Puncak Semesta Glowindo to stop using the "PS Glow" mark until a court decision. In June 2021, the Central Jakarta District Court ruled that PT Puncak Semesta Glowindo's "PS Glow" trademark infringed PT Primadona Worldwide's "MS Glow" trademark and ordered PT Puncak Semesta Glowindo to cease using the "PS Glow" trademark and pay damages and legal fees to PT Primadona Worldwide. The issue between MS Glow and PS Glow is an example of a frequent trademark dispute in Indonesia. This shows the importance of trademark protection in civil law and the expansion of trademarks through the trademark registration process at the DJKI to avoid trademark disputes in the future. Once a mark is registered, the Minister has the right to remove the registered mark. The Minister's authority to restore a registered mark may be passive or active. The form of transferring the registration of a mark includes the initiation of legal proceedings or proactive reinstatement by the minister based on certain conditions or requests (Masnun & Pratama, 2020).

The minister can be interpreted as the minister's authority to remove a registered mark due to a request from the mark owner itself or through its attorney. As long as the revocation

of a mark by the minister is active, it can be explained that it is the minister himself who initiates the removal of the mark. The removal of a mark is allowed as it is based on three factors as specified in Article 72(7) of Law No. 20 of 2016 (Trademarks and Indications and Geographical Law), namely: first, that the already registered marks have similarities. In principle or in general in Geographical Indications; second, that the registered mark is contrary to laws and regulations, public opinion, customs, morals, religion, and public order; third, that the registered mark is in full connection with intangible cultural heritage, cultural expressions (EBT), or names or marks that are traditional heritage. The second reason for the removal of a registered mark is that one of them is contrary to the laws and regulations, so with the authority he has, the Minister can remove the mark first after getting advice from him. The Trademark Appeal Board has a record of whether a registered trademark deserves to be removed or not (Public Relations of the Directorate General of Intellectual Property, 2017).

Based on the background of the above problems, researchers are interested in more in-depth study of the legal protection of registered trademarks based on the decision of case No. 2/Pdt.Sus.HKI/Merek/2022/PN Niaga Mdn and No. 2/Pdt.Sus.HKI/Merek/2022/PN.Niaga Sby which the author then titled: "**Comparison of the Decision of the Medan District Court Number 2/Pdt.Sus.HKI/Merek/2022/PN Niaga Mdn and Surabaya District Court Number 2/Pdt.Sus.HKI/Merek/2022/PN.Niaga Sby**".

METHOD

Method This research is normative juridical law research, namely research on the provisions of laws and regulations that apply as positive law in Indonesia. This writing collects data through literature studies related to problems and analysis related to the formulation of existing problems and then associated with the applicable legal bases. The author uses qualitative analysis techniques in analyzing data, namely focusing more on legal analysis and examining legal materials, both from laws and regulations and books related to the title of this research.

RESULTS AND DISCUSSION

Legal protection of registered trademarks that are similar in essence or in whole according to the Trademark Law No. 20 of 2016

Legal Protection of Registered Trademarks

The state grants special (exclusive) rights to the trademark owner to use the trademark personally or authorize others to do so. Since the state grants special rights, obtaining such rights must go through a registration process, thus the nature of registration is necessary (mandatory). Trademark owners must register these trademark rights with the state so that they are protected and recognized by the state. Trademarks will not get government protection if they are not registered. As a result, anyone can use the mark (Sujatmiko, 2011). Application for trademark registration in Indonesia is done first by completing several requirements and then the registration process is carried out at the Directorate General of Intellectual Property Rights (DJKI) (Sukalandari, et al., 2023). In registering a trademark there are four stages that must be fulfilled, namely the formality examination of the trademark, substantive examination, and announcement after the process of formality examination and substantive examination of the trademark is completed, then certification, this indicates that someone has the right to the trademark (Stanley, et al., 2020).

In the formality examination, the applicant must meet the administrative requirements, namely the registration form, brand identity, proof of payment of application fees, statement of brand ownership, power of attorney if the application is submitted through a power of attorney, and proof of priority if the application is submitted using proof of priority. If there is

a lack of administrative requirements made by the applicant, then the time limit given is a maximum of two months after the date of sending the notification letter to fulfill the administrative requirements sent. However, if the incompleteness of the requirements is not one of the minimum requirements, the application has the right to obtain an acceptance date and is entitled to be announced. If the application is not completed within the period given to complete the deficiencies, the application is deemed withdrawn.
If the applicant experiences an event beyond his/her control that prevents the application from being completed, the applicant or his/her attorney may request an extension of the time period for the completion of the requirements. If the lack of requirements in the administrative process in the form of proof of priority, then the time limit is given up to 3 months from the expiration of the period of filing the application by using the right of priority, if the applicant is unable to meet the requirements of proof of priority, the application can still be filed but without using the right of priority. Exclusive use of a trademark is granted for a period of ten (10) years, and may be renewed once every ten (10) years. If this is the case, the person who registered the trademark is then permitted to use it (Betlehn & Samosir, 2018).

Legal protection that has similarities in principle or in whole according to the Trademark Law No. 20 of 2016

Trademark rights are exclusive rights granted by the government to registered trademark owners within a certain period of time in using the symbol itself or authorizing other parties to use the trademark (Adawiyah, et al,m 2023). Trademark rights become exclusive because trademark rights are usually generated from the human mind and not everyone can give birth to the work of the brand. Therefore, it is appropriate for each holder of trademark rights to get protection through exclusive rights. As explained in Trademark Law No. 20 of 2016, Article 1 point (1), a trademark is a sign that can be displayed graphically in the form of images, logos, names, words, letters, numbers, color arrangements, in the form of 2 (two) dimensions and / or 3 (three) dimensions, sound, holograms, or a combination of 2 (two) or more of these elements to distinguish goods and / or services produced by persons or legal entities in trading activities for goods and / or services (Jotyka & Suputra, 2021).

A protected trademark consists of a mark in the form of an image, logo, name, word, letter, number, color arrangement, in the form of 2 (two) dimensions and/or 3 (three) dimensions, sound, hologram, or a combination of 2 (two) or more of these elements to distinguish goods and/or services produced by a person or legal entity in the course of trading goods and/or services. Trademark rights are classified into two parts, trademarks and service marks (Sunarto, et al., 2023). Trademarks are marks used on goods traded by a person or several persons jointly or legal entities to distinguish with other similar goods. Meanwhile, service marks are marks used on services traded by a person or several persons jointly or legal entities to distinguish with other similar services. In connection with the dispute that occurred between MS Glow and PS Glow, it is necessary to resolve the dispute set forth in Article 83 of the Trademark Act 2016 which regulates the lawsuit on Trademark Infringement as follows (Widiantoro, 2022):

1. The registered Trademark Owner and/or the recipient of the Registered Trademark License may file a lawsuit against another party who without the right to use the Trademark which has similarities in essence or in whole for similar goods and/or services in the form of:
   a. Compensation lawsuit and/or
   b. Termination of all acts relating to the use of the Trademarks.
2. A lawsuit as referred to in paragraph (1) can also be filed by the owner of a well-known Brand based on a court decision.

3. The lawsuit as referred to in paragraph (1) is filed with the Commercial Court.

Legal Analysis and Legal Comparison of the Decision of the Medan District Court and the Decision of the Surabaya District Court Regarding the MS Glow and PS Glow Brands

Legal Analysis of the Decision of the Medan District Court and the Decision of the Surabaya District Court

The beginning of the problem occurred because MS GLOW felt that PS GLOW was copying MS GLOW products which had been registered since 2016 while MS GLOW was only registered in 2021. After being contacted by MS GLOW for information and accountability, there was no good faith from PS GLOW so that MS GLOW followed up on the problem that occurred by filing a lawsuit at the Medan District Court on March 15, 2022 with register number 2/Pdt.Sus.HKI/Merek/2022/PN Niaga Mdn regarding the similarity of names, packaging and types of products. The results of the judge's decision stated that the application was partially granted, after the judge's decision stated that the plaintiff's claim was partially granted and the defendant's registration of the PS Glow brand was canceled, PS GLOW did not accept the lawsuit and then reported back to the Surabaya Commercial Court registered at the Registrar of the Commercial Court on April 5, 2022 with decision Number 2/Pdt.Sus.HKI/Merek/2022/PN.

In the author's view regarding this dispute, the two decisions in both MS GLOW and PS GLOW resulted in different final decisions. Shandy Purnamasari or MS GLOW won the case filed at the Medan Commercial District Court. The judge considered it true that Shandy Purnamasari was the first party to use and register the MS GLOW brand to the Intellectual Property Agency. More clearly in this case it is true that there is a fundamental similarity between the MS GLOW and PS GLOW trademarks. With the decision of the Medan Commercial District Court, it was ordered to cancel the registration of the PS GLOW trademark and delete the registered trademark PS GLOW and its derivatives. But in fact, this case did not stop there. Because Putra Siregar has just filed a counterclaim to the Surabaya Commercial Court registered under number 2/Pdt.Sus-HKI/Merek/2022/PN Niaga Sby, Putra Siregar has charged Shandy Purnamasari with being guilty of the unlawful act.

Against the law by making beauty products with the MS GLOW brand. Both parties also completed the mediation process before reaching the final settlement of the case. In this settlement, MS GLOW requested compensation of Rp. 60,000,000,000.00 (Sixty billion rupiah) to PS GLOW. However, PS GLOW did not comply with the request and only apologized to MS GLOW. Thus, the mediation did not find a settlement or solution to the parties' dispute.

After the conciliation process between MS GLOW and PS GLOW failed, the Surabaya Commercial Court finally made a decision contrary to the Medan Commercial Court. The case was won by Putra Siregar, who was proven to be the owner as well as the owner of the exclusive rights of the PS GLOW trademark. The verdict of the Surabaya Commercial District Court decided that Shandy Purnamasari committed infringement or unlawful acts as the owner of the MS GLOW trademark. After conducting a search for the MS GLOW trademark which caused harm to Shandy Purnamasari because it was revealed that the registered trademark MS GLOW is class 32 ie. Class of soluble powdered beverages. However, it is in category 3, viz. In the category of beauty products or cosmetics, the registered trademark is the trademark "MS GLOW For Cantik Skincare".

But until now Shandy Purnamasari has only used or incorporated MS GLOW into her skincare products that she made without For Beautiful Skincare. This of course contradicts the BPOM (Food and Drug Supervisory Agency) policy which states that the use of trademarks on manufactured products must be in accordance with the products registered by

the Directorate General of Intellectual Property Rights (DJKI). From this explanation, it can be concluded that the use of the mark must be in accordance with the registered mark and the type of category of the mark. This is done for the sake of legal certainty, not only for the trademark owner. But also must provide certainty, assurance and security to the public as consumers. In addition, Shandy Purnamasari as the owner of MS GLOW also received an award of Rp. 37,990,726,332 (Thirty Seven Billion Nine Hundred Ninety Million Seven Hundred Twenty Six Thousand Three Hundred Thirty Two Rupiah) as compensation to PS GLOW. This was given as a form of responsibility for material and non-material losses.

According to the author, this research can also show that the MS GLOW and PS GLOW brand disputes that sue each other can be mediated by Arbitration Non-litigation dispute resolution can also be done through arbitration institutions. According to Law Number 30 Year 1999, arbitration is a way of resolving a civil dispute outside the public courts based on an arbitration agreement made in writing by the parties to the dispute. With this without having to sue each other and find a middle ground for both parties.

Legal Comparison of the Medan District Court Decision and the Surabaya District Court Decision Regarding the PS Glow and MS Glow Brands

1. This case began when Putra Siregar planned to launch his beauty product under the name PS Glow, which comes from the name Putra Siregar, who is also known as a cellphone trading entrepreneur. In this case, Shandy Purnamasari had contacted Putra Siregar to work with Shandy Purnamasari in September 2019, but Putra Siregar decided to launch a new product under the name PS Glow. After making it, Shandy Purnamasari objected and considered imitating the name of her product, MS Glow. This led Shandy Purnamasari to report PS Glow at the Medan District Court.
2. This comparison decision is based on the Medan District Court Decision Number 2/Pdt.Sus.HKI/Merek/2022/PN Niaga Mdn with a trademark case with Plaintiff Shandy Purnamasari who reported PS GLOW a.n Putra Siregar in Medan District Court. This Shandy Purnamasari won the case on the decision of the Medan District Court, as the defendant PS Glow did not accept it, so tried to sue Shandy Purnamasari or MS Glow back in Surabaya District Court.
3. The issuance of the verdict of the Surabaya District Court with Number 2/Pdt.Sus.HKI/Merek/2022/PN.Niaga Sby, PS Glow tried to open a case to sue Shandy Purnamasari or MS Glow with the same lawsuit about the trademark and won the lawsuit in Surabaya District Court.

Not accepting the decision, MS Glow appealed to the Supreme Court (MA), then the Supreme Court (MA) rejected the cassation application II PT PSTORE GLOW BERSINAR INDONESIA and granted the cassation application of the cassation petitioners I PT KOSMETIKA GLOBAL INDONESIA, PT KOSMETIKA CANTIK INDONESIA Shandy Purnamasari, Gilang Widya Pramana, Titis Indah Wahyu Agustin, Sheila Marthalia, and also canceled the Surabaya Commercial Court Decision Number 2/Pdt. Sus.HKI/Merek/2022/PN.Niaga Sby dated July 12, 2022.

CONCLUSION

Based on the decision, we can conclude that the trademark dispute between MS GLOW and PS GLOW will be resolved through legal remedies. The case was originally filed by MS GLOW in Medan Commercial District Court, and a different final judgment was obtained in the case filed by PS GLOW in Surabaya Commercial District Court. The decision of the Medan Commercial District Court ruled that MS GLOW was legally correct as the party who first used the mark and registered it with the Intellectual Property Office, canceled the registration of the mark, and canceled the trademark registration of PS GLOW's registered mark. Legal protection efforts against MS GLOW and PS GLOW trademarks are conducted

in accordance with applicable legal and regulatory guidelines. First-to-file is the principle adopted in the trademark registration system in Indonesia. This principle states that rights to a trademark are granted by the party who first registers the trademark with the Directorate General of Intellectual Property Rights (DJKI).

REFERENSI

Adawiyah dkk. (2023). *ANALISIS YURIDIS PUTUSAN NOMOR 1082 K/PDT.SUS-HKI/2022 TENTANG SENGKETA MEREK YANG MEMILIKI PERSAMAAN PADA MEREK MASTERTINT*, Sibatik *Journal*, Vol. 3 No. 1. (Dosen)

Betlehn, A. & Samosir, P.O. (2018). *Upaya Perlindungan Hukum TerhadapMerek Industri UMKM di Indonesia*, Jurnal *Law and Justice*, Vol. 3 No. 1.

Dewi, N.I.K. (2018). *Perlindungan Hukum Merek Terdaftar*, Magelang : Fakultas Hukum Universitas Muhammadiyah Magelang.

Humas Direktorat Jenderal Kekayaan Intelektual, (2017). *Workshop Implementasi Penghapusan Merek Terdaftar Atas Prakarsa Menteri*. Diakses pada 13 Mei 2024, https://www.dgip.go.id/artikel/detail-artikel/workshop-implementasi-penghapusan-merek-terdaftar-atas-prakarsa-menteri?kategori=liputan-humas.

Ilmiawan, S. & Gultom, E.R. (2022). *Analisis Putusan Nomor 2/PDT.SUS.HKI/MEREK/2022/PN.NIAGA.SBY TENTANG SENGKETA MEREK DAGANG ANTARA MS GLOW DENGAN PS GLOW,* Unes Law Review. Vol. 5 No. 2.

Jotyka, G. & Suputra, I.G.K.R. (2021). *Prosedur Pendafataran Dan Pengalihan Merek Serta Upaya Perlindugan Hukum Terhadap Merek Terkenal Menurut Undang-Undang Nomor 15 Tahun 2001*, Bali : Ganesha Law Review. Vol. 3 No. 2.

Keliat, V. U. (2020). *Aspek Perlindungan Hukum Hak Kekayaan Intelektual(HKI) :Fungsi Sentra HKI Dalam Pengembangan HKI Di Perguruan Tinggi*, Medan : Jurnal Ilmu Hukum Prima. Vol. 5 No. 2. (Dosen)

Mamudji, S. (2005). *Metode Penelitian dan Penulisan Hukum*, Depok : Badan Penerbit Fakultas Hukum Universitas Indonesia.

Masnun, M. A. & Pratama, R. N. (2020). *Analisis Penghapusan Merek Terdaftar atas Prakarsa Menteri Karena Bertentangan dengan Peraturan Perundang-undangan*, Mataram : Jurnal IUS Kajian Hukum dan Keadilan. Vol. 8 No. 3.

Mirfa, E. (2017). *Perlindungan Hukum Terhadap Merek Terdaftar*, Langsa-Aceh : Jurnal Hukum Samudra Keadilan. Vol. 2 No. 1.

Pakpahan dkk. (2022). *Perlindungan Hukum terhadap Pemegang Hak Merek Minyak Biawak yang Ditiru. Journal of Education, Humaniora and Social Sciences (JEHSS).* Vol. 5 No. 2. (Dosen)

Permata, R.R. (2017). *Hukum tentang merek dan dilusi merek : di Jepang dan Amerika Serikat*, Bandung : CV Global Sinergi Indonesia.

Prasetyo dkk. (2022). *Tinjauan Hukum Penyelesaian Atas Sengketa Persamaan Merek (Studi Putusan Nomor 4/PDT.SUS.HKI/MEREK2019/PN NIAGA MDN),* Jurnal Darma Agung. Vol. 30 No. 1. (Dosen)

Rachmadi, U. (2003). *Hukum Hak atas Kekayaan Intelektual*, Bandung : Sinar Grafika.

Stanley dkk. (2020). *Pembatalan Hak Merek Dagang Terdaftar Berdasarkan UU No. 20 Tahun 2016 (Studi Putusan No. 535 K/PDT.SUS-HKI/2018),* Jurnal Rectum. Vol. 2 No. 2. (Dosen)

Sujatmiko, A. (2011). *Tinjauan Filosofis Perlindungan Hak Milik Atas Merek*, Yogyakarta : Jurnal Media Hukum. Vol 18 No 2, Fakultas Hukum Universitas Muhammadiyah Yogyakarta.

Sukalandari dkk. (2023). *Sengketa Plagiasi Merek Dagang antara MS GLOW dan PS GLOW*, Denpasar-Bali : Jurnal Analogi Hukum, Fakultas Hukum Universitas Warmadewa.

Sunarto dkk. (2023). *Implementasi Hukum Terhadap Merek Sebagai Konsep Hak Kekayaan Intelektual*, Jurnal Preferensi Hukum. Vol. 4 No. 3, Fakultas Hukum, Universitas Prima Indonesia, Universitas Sumatera Utara Medan. (Dosen)

Undang-Undang Merek Nomor 20 Tahun 2016, Pasal 1 butir (2) dan (3)

Wibawaningsih, G. (2020). *Buku Panduan Kekayaan Intelektual*, Jakarta : Kementrian Perindustrian Republik Indonesia.

Widiantoro, R.F. (2022). *Pendaftaran Merek Sebagai Sarana Perlindungan Hukum*, Yogyakarta : Jurnal Lex Renaissance. Vol. 7 No. 2.