

ABSTRAK

YONGKY SUSANTO." *Legal Protection of Trademarks Against the Passing Off of the Geprek Benu Chicken Brand ((Analysis of the Decision of the Supreme Court of the Republic of Indonesia No.57 K / Pdt.Sus-Brand / 2019 / PN. Niaga Central: Jakarta.*

PT. Ayam Geprek Benny Sujono, the owner of the legal rights to the I Am Geprek Benny Sujono Sedep Beneerr and Lukisan or Geprek Benu brands. The study analyzes the Supreme Court Decision No. 57 K / Pdt.Sus-Merek / 2019 / PN. Niaga Central Jakarta is legally normative. The research problem is how the legal protection against the act of hoarding a brand's reputation (pissing off) and whether the judge's interpretation in his legal considerations is in accordance with the laws and regulations on trademarks in Indonesia. This research method is normative juridical by referring to legal norms in statutory regulations, court decisions, and is descriptive analysis by describing the pissing off of brands that occur in relation to theory, practice and regulations against the Supreme Court Decision No. 57 K / Pdt.Sus-Merek / 2019 / PN. Niaga Jakarta Pusat, which answered the research problem, was based on legal considerations to decide that the I Am Geprek Benny Sujono Sedep Beneerr or Geprek Benu trademarks were owned by PT. Chicken Geprek Benny Sujono legally while the I Am Geprek Benu Sedep Beneerr or Geprek Benu brand belonging to Ruben Samuel Onsu turned out to have similarities in essence from paintings, logos, shapes, placement methods, writing methods, a combination of elements and speech sounds where actions hoarding the reputation of the Geprek Benu brand has occurred and violates Article 22 paragraph (1) and paragraph (3) of the Trademark Law number 20 of 2016 concerning brands and geographic indications. So the results of this study are expected to be a reference and description for future researchers who want to study and learn more about brand pissing off.

Keywords: Trademark, Equation in essence, Geprek Benu.