

Strategi Brand Proliferasi sebagai bentuk penyalahgunaan posisi dominan dalam konteks persaingan usaha = Brand proliferation strategy as a form of abuse dominant position in the context of business competition

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Abstrak

Merek/ Brand merupakan salah satu strategi yang dapat digunakan untuk mempertahankan posisi dominan, salah satunya adalah strategi Brand Proliferasi, yaitu dengan mengubah strategi pemasaran yang lebih menekankan pada usaha untuk mendapatkan brand awareness dari para konsumen. PT Bogasari sebagai salah satu produsen terigu di Indonesia yang sampai saat ini menguasai pangsa pasar tertinggi di sektor tepung terigu, pada saat ini menerapkan brand proliferasi dalam strategi pemasaran produknya. Dalam strategi brand proliferasi, Bogasari memproduksi lebih dari satu merek di kelas harga yang sama. Namun, tidak semua strategi brand proliferasi dianggap sebagai bentuk penyalahgunaan posisi dominan sebagaimana ditentukan dalam Pasal 25 UU No. 5 Tahun 1999 seperti pada industri tepung terigu, dimana brand proliferasi dilakukan PT Bogasari bertujuan untuk segmentasi manfaat dan segmentasi geografis. Brand proliferasi merupakan salah satu strategi bersaing non harga yang dapat dilakukan oleh pelaku usaha untuk mengembangkan dan memasarkan produknya. Strategi Brand Proliferasi dapat dikatakan melanggar hukum persaingan usaha apabila terjadi excessive profit dan adanya entry barrier yang dilakukan dengan analisa ekonomi.

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Dominant position in competition law is not prohibited as long as business actors is not abusing the dominant position. From economic perspective, the ability to control the market has a positive impact for consumer related to price. This is because the business actors that dominated the market can delivering cost efficiency or ensuring the supply of raw materials or product, and to achive economic of scale or scope. While the form of abuse of dominant position is created barrier to entry, inhibit development of market or technology and many other competition behavior. Brand proliferasi is a strategy that can be used to maintain a dominant position by restricting the entry of new firms into the market. The brand proliferasi changing the marketing strategy to emphasis on the effort to get awareness of consumer, where The most obvious that can be seen by consumer is the brand PT Bogasari as one of wheat flour producer in Indonesia, which has the highest market share in wheat flour product implementing brand proliferasi as a marketing strategy. PT Bogasari produces more than one brand at the same class of product. Strategy launched many brands in the same class of products called the strategy of brand proliferasi. This strategy, by using a brand for many products (brand proliferasi) is part of non-price strategy. Not all brand proliferasi strategy is considered as a form of abuse of dominant position as defined in Article 25 of Law no. 5 of 1999 as in the flour industry, where brand proliferasi that used by PT Bogasari aims to benefit consumer from segmentation of the uses if wheat flour by consumer and geographical location. Brand proliferasi is one of the non-price competitive strategy that can be done by businesses actors to develop and market its products. Brand Proliferasi Strategy can be said to violate the competition law in case of excessive profits and creating the entry barrier to the economic analysis that had been conducted.