

Prinsip persamaan pada pokoknya dalam kasus Merek Go Travel + Logo : studi kasus Ketetapan Direktur Merek Nomor KI/4/010/2018 dan Keputusan Komisi Banding Merek Nomor 233/KBM/HKI/2021 = The principle of similarity in the case of The Go Travel + Logo : case study on the decision of the Trademark Director Number KI/4/010/2018 and The Decision of The Mark Appeal Commision Number 233/KBM/HKI/2021

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Abstrak

Merek Go Travel + Logo dengan Nomor Agenda: DID2019013608 diajukan oleh Pemohon merek beritikad baik yang hendak mendaftarkan mereknya namun telah ada merek lain yang mendaftarkan Merek Go Travel + Logo lebih dulu. Sehingga melalui Ketetapan Direktur Merek Nomor KI/4/010/2018 dan Keputusan Komisi Banding Merek Nomor 233/KBM/ HKI/ 2021, permohonan Merek Go Travel + Logo dengan Nomor Agenda: DID2019013608 dinyatakan ditolak dengan alasan persamaan pada pokoknya. Unsur-unsur yang ada pada kedua merek tersebut dapat dikatakan berbeda, terlebih Pemohon Merek Go Travel + Logo dengan Nomor Agenda: DID2019013608 merupakan Pemohon beritikad baik. Dengan metode yuridis-normatif, peneliti akan menganalisis mengenai penerapan prinsip persamaan pada pokoknya di dalam Merek Go Travel + Logo sebagai alasan atau dasar penolakan yang digunakan oleh Pemeriksa Merek dan Komisi Banding Merek dalam Ketetapan Direktur Merek Nomor KI/4/010/2018 dan Keputusan Komisi Banding Merek Nomor 233/KBM/ HKI/ 2021.

.....The Go Travel Mark + Logo with Agenda Number: DID2019013608 is submitted by a good faith trademark applicant who wants to register his mark but there is already other trademark that have registered the Go Travel + Logo Mark first. Thus, through the Decree of the Director of Mark Number KI/4/010/2018 and the Decision of the Mark Appeal Commission Number 233/KBM/HKI/2021, the application for the Go Travel + Logo Mark with Agenda Number: DID2019013608 is declared rejected due to the similarities on the substantive principles. Some of the elements contained in the two brands can be said to be different, especially the Applicant for the Go Travel Mark + Logo with Agenda Number: DID2019013608 is an Applicant with good faith. With the juridical-normative method, the researcher will analyze the existence of the principle of Similarity in the Go Travel + Logo Mark as the reason or basis used by the Mark Appeal Commission in the Decree of the Director of Mark Number KI/4/010/2018 and the Decision of the Mark Appeal Commission Number 233/KBM/HKI/2021.