

**KOMPARASI HUKUM MEREK INDONESIA DENGAN AMERIKA
SERIKAT DAN ANALISIS PENGGUNAAN SIMBOL *REGISTERED* (®)
DALAM MEREK TERDAFTAR DI INDONESIA**

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INTISARI

Penelitian ini memiliki 2 (dua) tujuan. *Pertama*, mengetahui dan memahami komparasi perlindungan hukum terhadap merek terdaftar di Indonesia dan di Amerika Serikat. *Kedua*, mengetahui dan memahami ada tidaknya urgensi pengaturan penggunaan simbol *registered* (®) dalam merek terdaftar di Indonesia.

Metode penelitian ini menggunakan jenis penelitian yuridis normatif yang didukung oleh wawancara dengan narasumber. Penelitian ini bertujuan mencari data sekunder, yaitu data yang diperoleh dari kepustakaan. Data tersebut bersama dengan data hasil wawancara narasumber diolah menggunakan metode analisis data kualitatif dan pendekatan komparatif.

Berdasarkan penelitian yang peneliti lakukan, didapat hasil bahwa Indonesia dan Amerika Serikat telah memberlakukan perlindungan hukum terhadap merek terdaftar. Namun, terdapat perbedaan yang antara lain berupa Indonesia belum memiliki pengaturan perlindungan terhadap dilusi merek dan Indonesia belum memiliki pengaturan penggunaan simbol *registered* (®) sebagai *registration notice* dalam merek terdaftar.

Indonesia belum memiliki urgensi untuk mewajibkan penggunaan simbol *registered* (®) sebagai *registration notice*. Namun, Indonesia perlu memiliki pengaturan tentang penggunaan simbol *registered* (®) agar dapat mencegah dan memberikan efek jera kepada pelaku penyalahgunaan simbol tersebut.

Kata Kunci: Simbol *Registered* (®), Perlindungan Merek Terdaftar, Hukum Merek Indonesia, Hukum Merek Amerika Serikat.

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***COMPARASION OF INDONESIAN TRADEMARK LAW WITH THE
UNITED STATES AND ANALYSIS OF THE USE OF REGISTERED
SYMBOLS (®) ON REGISTERED TRADEMARK IN INDONESIA***

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ABSTRACT

This research has 2 (two) objectives. First, to find out and understand the comparison of legal protection for registered trademarks in Indonesia and the United States. Second, to find out and understand whether there is an urgency in regulating the use of the registered symbol (®) on a registered trademark in Indonesia.

This is normative research which is supported by an interview. This research aims to find secondary data from the literature. That data is then processed using qualitative analysis methods and comparative, along with data from interview.

Based on the research that the researchers did, it was found that Indonesia and the United States had enforced legal protection for registered trademarks. However, there are differences, among others, Indonesia does not yet have a regulation on protection against trademark dilution and Indonesia does not yet have a regulation on the use of the registered symbol (®) as a registration notice on a registered trademark.

Indonesia does not yet have the urgency to require the use of the registered symbol (®) as a registration notice. However, Indonesia needs to have regulations regarding the use of registered symbols (®) to prevent and provide a deterrent effect to those who misuse the symbols.

Keywords: *Registered Symbol (®), Protection of Registered Trademark, Indonesian Trademark Law, the United States Trademark Law.*

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