

## TABLE OF CONTENTS

<b>ENDORSEMENT.....</b>	<b>2</b>
<b>APPROVAL PAGE.....</b>	<b>3</b>
<b>STATEMENT OF ANTI-PLAGIARISM.....</b>	<b>4</b>
<b>ACKNOWLEDGEMENTS.....</b>	<b>5</b>
<b>ABSTRACT.....</b>	<b>8</b>
<b>INTISARI.....</b>	<b>9</b>
<b>CHAPTER I.....</b>	<b>10</b>
a. Background.....	10
b. Research Questions.....	14
c. Guarantee of Authenticity.....	14
d. Objective of Research.....	19
1. Subjective Purposes.....	19
2. Objective Goals.....	19
e. Benefits of Research.....	20
1. Academic Benefits.....	20
2. Practical Benefits.....	21
<b>CHAPTER II.....</b>	<b>22</b>
a. Defining Luxury.....	22
b. Defining Trade Marks.....	23
c. Elements of Trade Marks.....	25
d. Trade Mark Protection Under EU Law.....	26
i. Trade Mark Rights.....	26
ii. When is Confusion Actionable?.....	29
e. Trade Mark Protection Under Indonesian Law.....	33
i. Likelihood of Confusion in Indonesia.....	33
ii. Protection of Well-Known Marks.....	36
f. Post-Sale Confusion.....	39
g. Functions of Trade Marks.....	41
h. Current EU Legal Framework for Post-Sale Protection.....	45
<b>CHAPTER III.....</b>	<b>50</b>
a. Type of Research.....	50
b. Research Data.....	51
1. Primary Legal Sources:.....	51

2. Secondary Legal Sources:.....	51
c. Data Collection Method.....	51
d. Method of Data Analysis.....	52
<b>CHAPTER IV.....</b>	<b>53</b>
a. The Desirability of a Formal Post-Sale Confusion Doctrine in the EU Second-Hand Luxury Market.....	54
i. Policy Considerations: A Comparative Outlook.....	54
ii. Essential Function and Post-Sale Confusion.....	57
iii. Accessory Functions and Post-Sale Confusion.....	60
iv. Theory of Harm of Post-Sale Confusion.....	61
v. Risks of Overextending Post-Sale Confusion in EU Law.....	67
b. Post-Sale Confusion in EU Law: Lessons for the Development of Indonesian Trade Mark Law.....	69
i. The Absence of a Codified Likelihood of Confusion in Indonesian Law.....	69
ii. Protection of Well-Known Marks as a More Advanced Tool.....	70
iii. Developing Well-Known Mark Protection Instead of Adopting Post-Sale Confusion.....	72
<b>CHAPTER V.....</b>	<b>75</b>
<b>BIBLIOGRAPHY.....</b>	<b>79</b>