

**ANALISIS PERUBAHAN STATUS *TYING PRODUCT* DAN *TIED PRODUCT*  
DALAM *TYING AGREEMENT* SESUAI HUKUM PERSAINGAN USAHA  
DI INDONESIA (STUDI KASUS: PRODUK JASA TELEPON  
TETAP, INTERNET, DAN TELEVISI BERBAYAR  
PT TELEKOMUNIKASI INDONESIA Tbk)**

Imam Dwi Nugroho<sup>1</sup>, Nindyo Pramono<sup>2</sup>

**INTISARI**

Penelitian ini bertujuan untuk mengetahui indikator penetapan *tying product* di Indonesia, dampak dari perubahan status *tying product* dan *tied product* terhadap strategi *tying product*, serta melihat potensi penerapannya oleh KPPU pada kasus persaingan usaha yang masuk ke KPPU dengan Nomor Perkara 10/KPPI-I/2016.

Metode penelitian yang digunakan dalam penelitian ini adalah metode yuridis-empiris dengan pendekatan kualitatif. Penelitian dilakukan dengan menggunakan sumber data yang diperoleh dari penelitian lapangan dan penelitian kepustakaan. Data yang diperoleh kemudian dianalisa dengan pendekatan deskriptif analisis sehingga mendapatkan kesimpulan dan menjawab permasalahan.

Berdasarkan hasil pembahasan yg ada, hasil penelitian ini adalah: **Pertama**, bahwa di Indonesia, ada tiga indikator untuk menetapkan *tying product* yaitu produk yang akan ditetapkan harus produk yang sedang tinggi permintaannya, produk harus merupakan produk yang dominan dibanding produk pesaing, dan produk tersebut harus berbeda secara karakteristik dengan produk lain yang diikatkan. **Kedua**, ketika terjadi perubahan status pada *tying product* dan *tied product* maka berpotensi mempengaruhi jalannya *tying agreement* pada kondisi tertentu. **Ketiga**, dalam kasus bernomor perkara 10/KPPU-I/2016 KPPU belum menjalankan indikator *tying product* dengan maksimal dan terdapat perubahan status yang potensial di produk jaringan telepon tetap milik PT Telkom Indonesia Tbk.

Kata kunci : *Tying Product*, *Tying Agreement*, Perjanjian Tertutup

---

<sup>1</sup> Mahasiswa Fakultas Hukum Universitas Gadjah Mada

<sup>2</sup> Dosen Fakultas Hukum Universitas Gadjah Mada

***ANALYSIS OF THE STATUS TYING PRODUCT AND TIED PRODUCT  
CHANGES IN TYING AGREEMENT IN ACCORD TO INDONESIAN  
COMPETITION LAW (CASE STUDY: SERVICES IN FIXED LINE  
NETWORK, INTERNET NETWORK, AND PAID TELEVISION  
NETWORK BY PT TELEKOMUNIKASI INDONESIA Tbk)***

Imam Dwi Nugroho<sup>3</sup>, Nindyo Pramono<sup>4</sup>

***ABSTRACT***

*The purpose of this research is to determine indicators that used to fix the tying product in Indonesia, the impact from the changes of tying product and tying product status to tying agreement strategy, and to see the implementation of these indicators by KPPU and the potential for changing the tying product in case number 10/KPPU-I/2016*

*This methods is using empirical juridicial research with qualitative approach. Data collection in this research use collaborative methods between field research to collect main data and litterature research to collect secondary data and these will support the the main data. Data analyzed by qualitative descriptive analysis to get the results and respond the problems.*

*Based on the analysis in this research, the results are: **First**, that in Indonesia, there are three indicators for determaining a product to be the tying product in tying agreement, first one is the product must be a product that is ini high demand when the agreement is made, secondly, the product must be the most dominant product among its competitors, the last is between the first product with the second one must be a product wiht different charasteristics. **Secondly**, that the changes of tying product and tied product potential to affect the curse of the tying agreement in certain conditions. **Thirdly**, KPPU has not upheld the indicators of tying product maximally and from the product that ar tied up, fixed line network has potential to no longer be a tying product even though in the past few years it fulfilled indicators if tied to an internet network product.*

*Keyword : Tying Product, Tying Agreement, Exclusive Agreement.*

---

<sup>3</sup> Undergraduate Program Student of Law Faculty, Gadjah Mada University

<sup>4</sup> Lecturer of Law Faculty, Gadjah Mada University