

BIBLIOGRAPHY

Legislations and Reports

Badan Pembinaan Hukum Nasional/National Legal Development Agency (BPHN), 2008. Naskah Akademik Peraturan Perundang-Undangan Rancangan Undang-Undang Tentang Merek. <https://www.bphn.go.id/data/documents/merek.pdf> (accessed on 1 September 2019)

Badan Pembinaan Hukum Nasional/National Legal Development Agency (BPHN), 2015, “Draf Naskah Akademik Peraturan Perundang-Undangan RUU tentang Merek”, Kementerian Hukum dan HAM RI

Badan Pusat Statistik/Central Bureau of Statistics , 2019, “Potensi Peningkatan Kinerja Usaha Mikro Kecil”, Badan Pusat Statistik, Jakarta

Direktorat Jenderal Kekayaan Intelektual/ Director General of Intellectual Property (DJKI), 2014, “ASEAN Common Guidelines for the Substantive Examination of Trademarks”, at <https://dgip.go.id/images/ki-images/pdf-files/merek/asean-Guideline-full.pdf> (accessed 5 March 2020)

Law Number 20 of 2016 regarding Trademark and Geographical Indication
The Lanham Act

McCarthy, 2009, op. cit.; *Qualité: Company v. Jacobson Products Company* 514 U.S. 159 (1995)

Office of the United States Trade Representative. 2019. 2019 Special 301 Report. https://ustr.gov/sites/default/files/2019_Special_301_Report.pdf (accessed 1 May 2020)

Taryadi, T. Didik, “Current Situation on the Preparatory Work for the Introduction of 3D Marks in Indonesia”, Directorate of Trademark Directorate General of Intellectual Property Ministry of Law and Human Rights, 2016 https://www.wipo.int/edocs/mdocs/mdocs/en/wipo_tm_jkt_16/wipo_tm_jkt_16_1.pdf. (accessed 5 March 2020)

WIPO Magazine, July-August 2004 edition, at https://www.wipo.int/export/sites/www/wipo_magazine/en/pdf/2004/wipo_pub_121_2004_07-08.pdf (accessed 15 April 2020)

Books, Journals, and Papers

- Adi, Rianto, 2004, *Metodologi Penelitian Sosial dan Hukum*, Granit, Jakarta
- Aishat, Abdul-Qadir Zubair, “The Role of Comparative Legal Research in The Development of Law”, *Aust. J. Basic & Appl. Sci.*, 8(9): 249-256, 2014
- Alfons, Maria, “Implementasi Hak Kekayaan Intelektual Dalam Perspektif Negara Hukum”, *Jurnal Legislasi Indonesia*, Vol. 14. No. 03 September 2017
- Bell, Tom W., “Virtual Dress; a Very Real Problem”, 56 Md. L. Rev. 384, 1997
- Bhat, P.I. “Comparative Method of Legal Research: Nature, Process and Potentiality”, *Journal of the Indian Law Institute* Vol. 57, No. 2 April-June 2015
- Blakeney, Michael, 1996, *Trade Related Aspects of Intellectual Property Rights: A Concise Guide to the TRIPs Agreement*, Sweet & Maxwell, London
- Darussalam, 2009, “Kedudukan Pengadilan Pajak di Berbagai Negara”, at <http://www.ortax.org/ortax/?mod=issue&page=show&id=41&q=&hlm=3> (accessed 27 April 2020).
- Dutfield, Graham and Suthersanen, Uma, 2008, *Global Intellectual Property Law*, Edward Elgar Publishing, Inc. Cheltenham, UK and Northampton, MA
- Gaske, William F., “Trade Dress Protection: Inherent Distinctiveness as an Alternative to Secondary Meaning”, 57 *Fordham Law Review* 1123, 1989
- Jened, Rahmi, 2015, *Hukum Merek (Trademark Law) dalam Era Globalisasi dan Integrasi Ekonomi*, Prenadamedia Group, Jakarta
- M. McJohn, Stephen, 2006, *Intellectual Property: Example and Explanation*, 6th Edition, Aspen Publisher, New York.
- May, Christopher, 2007, *The World Intellectual Property Organization Resurgence and the Development Agenda*, New York, London, Routledge
- Mayana, Ranti Fauza, “Perlindungan Merek Non-Tradisional untuk Produk Ekonomi Kreatif Berdasarkan Undang-Undang Nomor 20 Tahun 2016 tentang Merek, Indikasi Geografis dan Perspektif Perbandingan Hukum”, *Jurnal Bina Mulia Hukum*, Vol. 2, No. 1, September 2017
- McCarthy J. Thomas, 1993, *Trademarks and Unfair Competition*, Clark Boardman Calachan, New York

- Natalia., dan W, Indirani., “Tumpang-Tindih Pengaturan Bentuk Tiga Dimensi dalam Undang-Undang Merek dan Undang-Undang Desain Industri”, *Jurnal Hukum Ius Quia Iustum*, Vol.26 Issue 1, January 2019.
- Reese, Joel W., “ Defining the Elements of Trade Dress Infringement under Section 43(a) of the Lanham Act”, *Texas Intellectual Property Law Journal*, Vol. 2 Issue. 2 1994, State Bar of Texas
- Rizaldi, Julius, 2009, *Perlindungan Kemasan Produk Merek Terkenal terhadap Persaingan Curang di Indonesia*, PT. Alumni, Bandung
- Robinson, Paul H., 2005, “Fair Notice and Fair Adjudication: Two Kinds of Legality”, *University of Pennsylvania Law Review*, Vol. 154, December 2005
- Rudensky, Rachel and Senterfitt, Akerman, “Aesthetic Functionality After Loubotin”, *INTA Bulletin*, date/when??? 2013, at <https://www.inta.org/INTABulletin/Pages/AestheticFunctionalityAfterLoubotin.aspx> (accessed 30 April 2020)
- Sasongko, Wahyu, “Perlindungan Hukum terhadap Trade Dress di Indonesia”, in Sasongko, Wahyu, Febrianto, Dita, and Sonata, Depri Liber, 2015, *Hukum Perdata dalam Berbagai Perspektif*, Harakindo Publishing, Bandar Lampung
- Sasongko, Wahyu, 2012, *Indikasi Geografis: Studi Tentang Kesiapan Indonesia Memberikan Perlindungan terhadap Produk Nasional*, Penerbit Universitas Lampung, Bandar Lampung
- Scalise, David, Koenig, Alexa, and Carr, Brandon. “Secondary Meaning in Trademark and Trade Dress Law What It Is and What You Need to Know” at <https://gbr.pepperdine.edu/2011/06/secondary-meaning-in-trademark-and-trade-dress-law/> (accessed 7 March 2020)
- Sequeira, Antonia, “Briefing Paper: Wal-Mart Stores, Inc. v. Samara Bros, Inc. 120 S. Ct. 1339 (2000)”, at https://www.law.berkeley.edu/files/bclt_AnnualReview_Wal-Mart_Briefing_Paper.PDF (accessed 9 December 2019)
- Stevens, Linda and Vanderbroek, Mark S., “Protecting and Enforcing Trade Dress”, Paper of 32nd Annual Forum on Franchising, American Bar Association, Toronto, Ontario, 14-16 October 2009, at <http://www.schiffhardin.com/Templates/media/files/publications/PDF/Protecting-and-Enforcing-Trade-Dress.pdf> (accessed 5 October 2019)

Sulistianingsih, Dewi and Satata, Bagas Bilowo Nurtyantyono, “Dilema dan Problematik Desain Industri di Indonesia”, *Jurnal Suara Hukum*, Vol. 1, 2019

Tiwarit, Anu, “Passing off and the Law on ‘Trade Dress’ Protection: Reflections on Colgate v. Anchor”, *Journal of Intellectual Property Rights*, Vol. 10, November 2005

Utomo, Tomi Suryo, 2010, *Hak Kekayaan Intelektual (HKI) di Era Global: Sebuah Kajian Kontemporer*, Graha Ilmu, Yogyakarta

Wallerstein, Mitchel B. Mogee, Mary Ellen, and Schoen, Roberta A., 1993, *The Global Dimension of Intellectual Property Rights in Science and Technology*, the National Academies Press, Washington, DC

Waluyo, Bambang, 2002, *Penelitian Hukum dalam Praktek*, Sinar Grafika. Jakarta

Wauran, Indirani and Kurnia, Titon S., “Confusion dan Pembatalan Merek oleh Pengadilan”, at <https://jurnal.ugm.ac.id/jmh/article/view/15888/10497> (accessed 10 March 2020)

Zae, “Saksi Ahli: Ada Kesamaan Persepsi dalam Extra Joss dan Enerjos”, at <https://www.hukumonline.com/berita/baca/hol12733/saksi-ahli-ada-kesamaan-persepsi-dalam-extra-joss-dan-enerjos/> (accessed 10 September 2020).

Zhan, Qian, “The International Registration of Non-traditional Trademarks: Compliance with the TRIPS Agreement and the Paris Convention”, *World Trade Review*, Vol. 16, Issue 1. 2017

Zweigert, K. and Kötz, H., 1992, *Introduction to Comparative Law*, Oxford University Press, USA

Online Sources

Anonymous. “Trademark Protection: Everything You Need To Know”. <https://www.upcounsel.com/trademark-protection>. (Accessed 18 January 2020)

Anonymous, “What Is Trade Dress?”, at <https://www.marottalaw.com/Articles/What-is-Trade-Dress.shtml>. (accessed on March 7th 2020)

DGIP, “Peraturan Terkait KI”, at <http://www.dgip.go.id/peraturan-terkait-ki> (accessed 25 August 2019)

DGIP, “Sejarah Perkembangan Perlindungan Kekayaan Intelektual (KI), at <http://www.dgip.go.id/sejarah-perkembangan-perlindungan-kekayaan-intelektual-ki> (accessed 25 August 2019)

Golden, Robert B. “Trade Dress: The Forgotten Trademark Right”, at <http://corporate.findlaw.com/intellectual-property/trade-dress-the-forgotten-trademark-right.html> (accessed 16 January 2020)

HKI, “Sejarah Perkembangan”, at <http://www.hki.co.id/sejarah.html> (accessed 26 August 2019)

Lasky, Michael, “Three Dimensional Trademarks: Understanding United States Law and Practice”, *Altera Law Group*, at <http://www.alteralaw.com/docs/3d-trademarks.pdf> (accessed 9 March 2020)

Sirsiya, Namita. “How to Register Unconventional Trademarks?” <https://www.latestlaws.com/wp-content/uploads/2018/06/How-to-Register-Unconventional-Trademarks-By-Namita-Sirsiya.pdf>, (accessed 20 January 2020)

World of Intellectual Property Organizations (WIPO), “What is Intellectual Property?”, at <https://www.wipo.int/about-ip/en/> (accessed 25 August 2019)