

## **ANALYSIS OF LEGAL CERTAINTY, LEGAL PROTECTION AGAINST CANCELLATION OF REGISTERED MARKS (STUDY OF DECISION NUMBER 03/PDT.SUS-MEREK/2015/PN NIAGA MEDAN)**

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### **Abstract**

The purpose of this research is to analyze legal certainty and legal protection against cancellation of registered trademarks (Decision Study Number 03/Pdt.Sus-MEREK/2015/PN Niaga Medan). The type of research used in writing this thesis is normative juridical research. Normative juridical research, "is a research conducted by examining literature or secondary data such as laws and regulations, legal theory, and opinions of leading legal scholars". The data used as material for the analysis of this thesis research is secondary data, namely the data in this study consists of primary legal materials, secondary legal materials and tertiary legal materials. The analysis was carried out by means of qualitative analysis, namely an analysis that uses normative (juridical) aspects through a method that is descriptive in nature, an analysis that describes an overview of the legal materials obtained and links them to one another to obtain a general conclusion. The results of the study show that the implementation of trademark registration must be based on the good intentions and honesty of the trademark registrar to register their mark without any hidden intention to hitchhike or knock over other people's marks in order to gain the maximum economic advantage. Good faith in trademark registration includes an understanding in a subjective sense whereby a trademark registrant must have good and honest intentions in his heart to register his mark solely to protect said mark from fraudulent actions by other parties. Thus it can be said that in the case of trademark registration by the trademark registrant, the intention, both subjectively and objectively, must comply with the provisions of the laws and regulations that apply in the field of marks. In order to fulfill the legality of trademark ownership, the trademark registrant must have a trademark certificate, because a trademark certificate is proof that the mark has been registered and also as proof of ownership. By having legality, the brand owner will get legal protection which is a guarantee to process if there is a violation of the mark..

**Keywords :** *Legal Certainty, Legal Protection, Trademark Cancellation*

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### **1. INTRODUCTION**

Intellectual Property Rights or known by the abbreviation IPR, comes from the translation of Intellectual Property Rights which comes from the Anglo Saxon legal system. Substantively, the notion of Intellectual Property Rights (IPR) can be said to be the right to ownership of works that arise or are born due to human intellectual abilities in the field of science and technology. Meanwhile, Helianti Hilman, in a paper entitled "The Benefits of Protecting Intellectual Work in the Intellectual Property Rights System" provides an understanding that what is meant by Intellectual Property Rights is an exclusive right granted by the state to a person or group of people or entities to hold a monopoly in using and benefiting from intellectual work that contains IPR. IPR law is a law that must keep abreast of technological developments to protect the interests of creators. The word property or ownership in IPR has a more specific scope compared to the term wealth. This is also in line with the concept of Indonesian civil law which applies the term property to objects that are owned by a person. One type of IPR is a brand.

According to Article 1 paragraph (1) of the Law of the Republic of Indonesia Number 20 of 2016 Concerning Marks and Geographical Indications (hereinafter referred to as Law No. 20 of 2016), a Mark is a sign that can be displayed graphically in the form of an image, logo, name, word, letters, numbers, color arrangements, in the form of 2 (two) dimensions and/or 3 (three) dimensions, sounds, holograms, or a combination of 2 (two) or more of these elements to distinguish goods and or services produced by persons or entities law in trading activities of goods and/or services. Brand discovery begins with findings in the field of other interrelated intellectual property rights. As in a brand, there are elements of creation, for example logo designs, letter designs or number designs. There is copyright in art, so what is protected is not copyright in art, but what is protected is the brand itself. Brands are very valuable in IPR because they are associated with the quality and desire of consumers in a product or service. With a brand, someone will be interested or not interested in consuming something. Something that is not visible in the brand can make users or consumers loyal to the brand.

Trademark rights will be obtained after registration. Mark owners will also receive legal protection if they have applied for registration of their mark in accordance with the provisions in Article 4 to Article 19 of Law no. 20 of 2016. In submitting a trademark application, the applicant must meet the material requirements and formal requirements. Material requirements are requirements in which the registered mark does not conflict with absolute reasons and relative reasons, while formal requirements are requirements related to administrative documents. There are 2 (two) ways to apply for registration of a mark, namely the usual way and with priority rights. Applications for registration in the usual way are made because the mark being requested for registration has never been registered at all, while applications for registration with priority rights are made because the mark to be registered in Indonesia has already been registered in another country. According to registration with the Constitutive (active) system with its doctrine of "prior in filling" that the party entitled to a trademark is the party registering the trademark, also known as the principle of "presumption of ownership". So the registration creates a right to the mark. The party that registers is the only one entitled to a mark and third parties must respect the rights of the registrant as absolute rights.

Article 21 Law no. 20 of 2016.

In legal protection for trademark rights holders, there are several principles used, including:

1. Territoriality Principle

This principle can be formulated as a limitation on the scope of legal protection for a registered mark. The boundaries are the jurisdictions of the countries concerned where the mark is registered. The consequence is that a trademark registered in Indonesia does not protect the use of the mark in other countries.

2. Principles of National Treatment

The principle of National Treatment is one of the important basic principles in relation to trademark protection within the framework of relations between countries. This principle requires that foreigners be subject to provisions that apply to nationals of the country concerned or can also be said to be Non-Discrimination Treatment.

3. Constitutive Principle

This principle has been used since Law Number 19 of 1992 and Law Number 14 of 1997. This principle stipulates that trademark protection is given to the first registrant. One of the main objectives contained in this system is to eliminate or minimize the emergence of disputes where the rights to a mark are based on ownership of the first registrant.

4. Declarative Principle

The declarative principle, also known as the first-to-use principle, means "brand rights are based on first use". This principle is used in Law Number 21 of 1961. A declarative system based on legal protection for those who first use a mark, apart from not guaranteeing legal certainty, also creates problems and obstacles in the business world.

In practice, in business activities, it is often found that the same brand is used for several goods and/or services that are actually produced by different business actors. The use of a mark by several business actors can occur for the same class of goods and/or services or also for different classes of goods and/or services. If a trademark violation is found, the aggrieved party can complain about the violation through the Commercial Court. The commercial court is the Commercial Court is a special court that is within the scope of the general court of cases that become the competence of the commercial court is to only handle cases of Intellectual Property Rights. The provisions of the Law on Trademarks and Geographical Indications Number 20 of 2016 use the Commercial Court channel as an institution to resolve trademark disputes. The trading business is named "Toko FORTUNE". The business license has been registered with the Medan City Government as evidenced by a Business License issued by the Department of Trade, Land and Building Tax on behalf of Toko REZEKI, as well as a certificate of domicile issued by the Head of the Central Market Village of Medan Kota District, Medan City.

This business has been running well for quite a long time, and is well known by the wider community and has many customers. Around 2005, a shop with the same name as the shop owned by Seniawaty Loeis was established, and it was located not far from "Toko FORTUNE" which was owned by Seniawaty Loeis. Seniawaty Loeis has been economically disadvantaged by having a shop with the same name as hers. Not a few people go shopping at Ng Tek Seng's "REZEKI Shop" because they don't know the real "REZEKI Shop". Seniawaty Loeis has known this. In 2006 Seniawaty Loeis gave a warning (subpoena) to Ng Tek Seng for using the name "Toko REZEKI". In the same year, Ng Tek Seng registered the brand "Toko REZEKI" with the Directorate General of Intellectual Property Rights, Ministry of Law and Human Rights of the Republic of Indonesia, under the name "Toko REZEKI", with certificate number IDM000137573.

Against this lawsuit the Medan District Court Judge decided to grant Seniawati Loeis' lawsuit, and stated that Seniawati Loeis was the sole owner of the mark who had the exclusive right or special right to use the mark in Indonesia, and ordered the Ministry of Law and Human Rights of the Republic of Indonesia to recorded the cancellation of the registration of the trademark "Toko REZEKI" with certificate No. IDM000137573. Based on the description above, a study was conducted with the title "Analysis of Legal Certainty, Legal Protection Against Cancellation of Registered Marks (Study of Decision Number 03/PDT.SUS-Merek/2015/PN Niaga Medan).

## **2.LITERATURE REVIEW**

### **2.1.Legal Certainty Theory**

Legal certainty refers to the enactment of a law that is clear, permanent, consistent, and consequently the implementation of which cannot be influenced by subjective circumstances. Legal certainty according to Gustav Radbruch in Theo Huijbers is the relationship between justice and legal certainty that needs attention. Therefore legal certainty must be maintained for the sake of security in the country, positive law must always be obeyed, even if the contents are unfair or also not in accordance with the objectives of the law, but there are exceptions, namely when the conflict between the contents of the legal system and justice becomes so great , so that the legal system seems unfair at that time the legal system may be released.

### **2.2.Legal Protection Theory**

The theory of legal protection according to Salmond is that law aims to integrate and coordinate various interests in society because in a traffic of interests, the protection of certain interests can be done by limiting various interests on the other side. The interest of law is to deal with human rights and interests, so that law has the highest authority to determine human interests that need to be regulated and protected. Satjipto Rahardjo, legal protection is to provide protection for human rights (hereinafter referred to as HAM) which are harmed by other people and this protection is given to the community so that they can enjoy all the rights granted by law.

### 2.3. Conception

The concept comes from the Latin, *conceptus* which means an activity or process of thinking, the power of thinking, especially reasoning and consideration. The concept is one of the most important parts of the theory. The role of concepts in research is to connect the world of theory and observation, between abstraction and reality. The concept is defined as a word that unites generalized abstractions from specific things called operational definitions. The conceptual framework is a description between specific concepts which are a collection in a related sense, with terms that will be examined and/or described in scientific work.

## 3. METHODS

### 3.1. Types of Research and Nature of Research

The type of research used in writing this thesis is normative juridical research. Normative juridical research, "is a research conducted by examining literature or secondary data such as laws and regulations, legal theory, and opinions of leading legal scholars". Normative legal research is "legal research that places law as a system of norms."

### 3.2. Data source

This research is contrary to the notion that research essentially includes data collection activities, data analysis and data construction, all of which are carried out systematically and consistently. The data used as material for the analysis of this thesis research is secondary data, namely the data in this study consists of primary legal materials, secondary legal materials and tertiary legal materials.

### 3.3. Data collection technique

Data collection techniques used in this study are:

- a. Library Studies (Library Research)  
Literature study is the single method used in normative legal research.
- b. Field Studies (Field Research)  
Field studies are direct data collection using data collection techniques.

### 3.4. Data analysis

The analysis was carried out by means of qualitative analysis, namely an analysis that uses normative (juridical) aspects through a method that is descriptive in nature, an analysis that describes an overview of the legal materials obtained and links them to one another to obtain a general conclusion. From the results of this analysis will be drawn deductive conclusions with the deductive method. That is a way of thinking that draws conclusions based on facts that are general in nature and then specific, that fact is the result of the Judge's decision which is analyzed in the case raised.

## 4. RESULTS AND DISCUSSION

### 4.1. Cancellation of Registered Marks

The act of canceling a registered mark can only be carried out in a trademark dispute relating to the ownership of rights to a trademark, not to a trademark dispute regarding the use of rights to a trademark. Arrangements regarding the cancellation of registered marks are contained in Article 76, Law no. 20 of 2016 namely:

- 1) A lawsuit for cancellation of a registered Mark can be filed by an interested party based on the reasons referred to in Article 20 and/or Article 21.
- 2) Mark owners who are not registered can file a lawsuit as referred to in paragraph (1) after submitting an application to the Minister.
- 3) A lawsuit for cancellation was filed with the Commercial Court against registered Mark owners.

The decision of the Commercial Court in question can only be submitted at the cassation level. The court clerk concerned immediately conveys the contents of the Court's decision to the Directorate General of Intellectual Property Rights, which will only carry out the removal of the mark in question from the General Register of Marks if the decision of the judicial body has been received and has permanent legal force as stated in Article 78 of Law No. 20 of 2016, namely;

- 1) Against the decision of the Commercial Court for the lawsuit for cancellation as referred to in Article 76 paragraph (3) an appeal may be filed.
- 2) The clerk of court shall immediately deliver the decision to the parties to the dispute,

The Registrar of the Supreme Court must convey the contents of the cassation decision to the clerk no later than 7 (seven) days after the date the decision on the cassation request was pronounced. Based on the description above, it is clear that the act of canceling mark registration was carried out because:

#### 1. Good Faith

The definition of good faith in law subjectively is the honesty of a person in carrying out a legal action, while in the objective sense of good faith is the implementation of an agreement must be based on compliance norms or what is felt according to what is appropriate in society.

The subjective definition of good faith is contained in Article 530 of the Civil Code which regulates the position of power (bezit) which implies an honest attitude or behavior in carrying out every action and deed in society. Good faith in an objective sense is also called decency, this is formulated in Article 1338 paragraph (3) of the Civil Code which states that, "An agreement must be implemented in good faith".

#### 2. Legal Legality

In order for a mark to receive legal protection, the mark must be registered at the Directorate General of Intellectual Property Rights (Dirjen HKI). Because it is stated in Article 1 point 5 of Law no. 20 of 2016, that:

"Brand rights are exclusive rights granted by the state to trademark owners who are registered for a certain period of time by using the mark themselves or giving permission to other parties to use it."

A registered mark has the exclusive right to prohibit third parties without the permission and knowledge of the mark owner from using the same mark for goods and/or services that have been previously registered. What is meant by special rights granted by the state to owners of registered marks include:

##### a. Creating sole rights (sole or single right)

Laws or laws give separate rights to brand owners. That right is separate and independent in its entirety without the interference of other parties;

##### b. Realizing monopoly rights

Anyone is prohibited from imitating, using, and using in trading goods and services without the permission of the brand owner;

##### c. Giving superior rights

Superior rights are rights granted by the doctrine of superior rights for the first applicant. Therefore, the holder of special rights to a brand is superior to other people's marks to be protected.

#### 3. Discriminating Power

According to Law Number 20 of 2016 in Article 1 number 1 which reads:

"A brand is a sign that can be displayed graphically in the form of an image, logo, name, word, letter, number, color arrangement, in 2 (two) dimensions and/or 3 (three) dimensions, sound, hologram, or a combination of 2 (two) or more of these elements to differentiate the goods and/or services produced by a person or legal entity in the activity of trading goods and/or services".

From this article, a brand is essentially a sign. However, in order for the mark to be accepted as a brand, it must have differentiating power. What is meant by having differentiating power is having the ability to be used as a sign that can distinguish the results of one company from another. Cannot be accepted as a mark if the sign is simple, such as a picture of "A Piece of a Line" or a sign that is too complicated, such as a picture of "Tangled Threads". In marketing, the brand acts as a sign that guides consumers to identify the source of the goods attached to it. So that based on its designation, the meaning of a brand is in line with the definition of a brand as conveyed by Harsono Adisumarto "A brand is an identification mark that distinguishes one's property and that of another person..," namely *mutatis mutandis* with the concept of a brand at the level of Intellectual Property Rights (IPR) by Wauran that "IPR can be understood as the property of an individual over the results of his intellectual work including to enjoy the material and/or non-material consequences of the work.

#### **4.2.Evidence that can be submitted by the first brand user in a trademark cancellation lawsuit**

The law of evidence in civil procedural law occupies a very important place. Proof is "presenting legal evidence to a judge examining a case in order to provide certainty about the truth of the events put forward". The essence of trademark registration is to make it easier to prove who is the owner of the mark or the first user of a mark. Because according to the principle of civil procedural law, everyone can claim an object belonging to another person as the property of the applicant if he can prove it. Proof aims to seek the truth and legal certainty. Proof in civil procedural law says that proving means giving certainty to the judge because that proof takes place in the judicial process. Besides that, the issue of proof is a very important factor, bearing in mind that electronic data is not only not yet accommodated in the Indonesian procedural law system, but in reality the said data is very vulnerable to being altered, intercepted, falsified and sent to various parts of the world in a matter of seconds. So that the resulting impact can be so fast.

##### **1. Requirements and evidentiary procedures that can be submitted by the first trademark user in a trademark cancellation suit**

In Indonesia, trademarks that have been registered can still be sued by other parties. For this reason, other instruments or other supporting evidence must be properly owned by the holder of the rights to the trademark, this is related to proving that if a case occurs, having evidence from beginning to end will get maximum legal protection. Brand owners wishing to file a lawsuit for cancellation must provide sufficient evidence to prove that the mark they own is a well-known brand. It should be noted that the reputation of a well-known brand is obtained due to vigorous and large-scale promotion, investment in several countries in the world by the owner and accompanied by proof of registration of the mark in several countries. If these things are deemed sufficient, the commercial court may order an independent institution to conduct a survey in order to obtain conclusions about whether or not the mark is the basis for the rejection. This is regulated in the Regulation of the Minister of Law and Human Rights No. 67 of 2016 concerning Trademark Registration.

A mark that can get legal protection from the state is a registered mark that is valid and recognized by law and has a register number, so that it gets protection from the state through the court office. While brands that have not been or are not registered do not receive legal protection from the state.

##### **2. Evidence that can be submitted by the first trademark user so that he can apply for cancellation of the registered mark**

###### **a) Administratively**

Registration is carried out to ensure that the application for registration of a mark meets administrative requirements which include the application form, trademark label, proof of payment of the application fee, statement of trademark ownership, power of attorney if the application is submitted through a proxy, and proof of priority if the

application is filed using priority rights. If the incompleteness of the requirements is found in the form of a statement of brand ownership, or a power of attorney, the applicant can fulfill the completeness of the requirements within a maximum period of two months from the date of sending the notification letter to fulfill the completeness of the requirements. However, as described in the previous sub-chapter, if the incomplete requirements are not included in one of the minimum requirements, it means that the application is entitled to a date of receipt and has the right to be announced.

b) Financially

The basic concept of granting trademark rights is that a mark is an intellectual property object. Trademark is a property right that is born from human intellectual ability through creativity and intention, with the sacrifice of energy, thought, time and money, which makes the work of economic value. The economic value attached to property rights gives rise to the conception of wealth (property). With the concept of wealth, the state provides legal protection for the mark. Brand owners need to be legally protected against anyone who uses them without permission. Mark registration aims to obtain legal certainty and legal protection of trademark rights. Brands play a very important role in economic life, especially in the world of trade in goods and services to differentiate them from other similar products in one class. Classes of goods and services are groups of types of goods and services that have similar characteristics, methods of manufacture and intended use. Trademark registration is legal evidence of a registered mark, mark registration is also used as a basis for rejecting the same brand as a whole or the same in principle as applied for by another person for similar goods or services. Mark registration as a basis for preventing other people from using the same mark in principle or as a whole in the circulation of goods or services.

## 5. CONCLUSION

Based on the discussion that has been stated previously, the conclusion of this study is that the implementation of mark registration must be based on the good intentions and honesty of the trademark registrant to register their mark without any hidden intention to copy or drop someone else's mark for the greatest possible profit. Good faith in trademark registration includes an understanding in a subjective sense whereby a trademark registrant must have good and honest intentions in his heart to register his mark solely to protect said mark from fraudulent actions by other parties. Thus it can be said that in the case of trademark registration by the trademark registrant, the intention, both subjectively and objectively, must comply with the provisions of the laws and regulations that apply in the field of marks. In order to fulfill the legality of trademark ownership, the trademark registrant must have a trademark certificate, because a trademark certificate is proof that the mark has been registered and also as proof of ownership. By having legality, the brand owner will get legal protection which is a guarantee to process if there is a violation of the mark.

REFERENCES

- Ali, Zainuddin. 2009. *Metode Penelitian Hukum*, Sinar Grafika, Jakarta.
- Bustani, B., Khaddafi, M. ., & Nur Ilham, R. (2022). REGIONAL FINANCIAL MANAGEMENT SYSTEM OF REGENCY/CITY REGIONAL ORIGINAL INCOME IN ACEH PROVINCE PERIOD YEAR 2016-2020. *International Journal of Educational Review, Law And Social Sciences (IJERLAS)*, 2(3), 459–468. <https://doi.org/10.54443/ijerlas.v2i3.277>.
- Damian, Eddy.2002. *Hak Kekayaan Intelektual Suatu Pengantar*, Alumni, Bandung.
- Djumhana, Muhamad. 2006. *Perkembangan Doktrin dan Teori Perlindungan Hak Kekayaan Intelektual*, Citra Aditya Bakti. Bandung.
- Djumhana, Muhamad dan R.Djubaedillah. 2017. *Hak Milik Intelektual: Sejarah, Teori dan Prakteknya di Indonesia*, Citra Aditya Bakti, Bandung, 2017.
- Fajar, Mukti dan Yulianto Achmad. 2010. *Dualisme Penelitian Hukum.Normatif dan Empiris*, Pustaka Pelajar, Yogyakarta.
- Falahuddin, F., Fuadi, . F., Munandar, M., Juanda, R. ., & Nur Ilham, R. . (2022). INCREASING BUSINESS SUPPORTING CAPACITY IN MSMES BUSINESS GROUP TEMPE BUNGONG NANGGROE KERUPUK IN SYAMTALIRA ARON DISTRICT, UTARA ACEH REGENCY. *IRPITAGE JOURNAL*, 2(2), 65–68. <https://doi.org/10.54443/irpitage.v2i2.313>.
- Firmansyah, Hery. 2011. *Perlindungan Hukum Terhadap Merek*, Pustaka Yustisia, Yogyakarta.
- Geovani, I. ., Nurkhotijah, S. ., Kurniawan, H. ., Milanie, F., & Nur Ilham, R. . (2021). JURIDICAL ANALYSIS OF VICTIMS OF THE ECONOMIC EXPLOITATION OF CHILDREN UNDER THE AGE TO REALIZE LEGAL PROTECTION FROM HUMAN RIGHTS ASPECTS: RESEARCH STUDY AT THE OFFICE OF SOCIAL AND COMMUNITY EMPOWERMENT IN BATAM CITY. *International Journal of Educational Review, Law And Social Sciences (IJERLAS)*, 1(1), 45–52. <https://doi.org/10.54443/ijerlas.v1i1.10>.
- Hadiarinanti, Venantria Sri. 2009. *Hak Kekayaan Intelektual Merek & Merek Terkenal*, Unika Atmajaya, Jakarta.
- Hadjon, Phillipus M. *Perlindungan Hukum bagi Rakyat Indonesia*, Bina Ilmu, Surabaya, 1987.
- Harahap, M. Yahya. 1996. *Tinjauan Merek Secara Umum dan Hukum Merek di Indonesia Berdasarkan Undang-Undang No. 19 Tahun 1992*, Citra Aditya Bakti, Bandung.
- Hariyani, Iswi. 2010. *Prosedur Mengurus HAKI (Hak Atas Kekayaan Intelektual) Yang Benar, Membahas Secara Runtut Dan Detail Tentang Tata Cara Mengurus Hak Atas Kekayaan Intelektual*, Pustaka Yustisia, Yogyakarta.
- Hartono, Sunaryati. 1994. *Penelitian Hukum di Indonesia Pada Akhir Abad ke-20*, Alumni, Bandung.
- Huijbers, Theo. 1982. *Filsafat Hukum Dalam Lintasan Sejarah*, Kanisius, Yogyakarta.
- Ibrahim, Johnny. *Teori dan Metodologi Penelitian Normatif*, Bandung: Citra Aditya Bakti, 2007. Jened, Rahmi. 2015. *Hukum Merek Trademark Law Dalam Era Global Integrasi Ekonomi*, Prenada Media Grup, Jakarta.
- Ilham, Rico Nur. *et all* (2019). Comparative of the Supply Chain and Block Chains to Increase the Country Revenues via Virtual Tax Transactions and Replacing Future of Money. *International Journal of Suplly Management*. Volume 8 No.5 August 2019.
- Ilham, Rico Nur. *et all* (2019). Investigation of the Bitcoin Effects on the Country Revenues via Virtual Tax Transactions for Purchasing Management. *International Journal of Suplly Management*. Volume 8 No.6 December 2019.
- Jeddawi, Murtir. 2012. *Hukum Administrasi Negara*, Total Media, Yogyakarta.
- Jenie, Ismijati. *Iktikad baik Sebagai Asas Hukum*, Pascasarjana UGM, Yogyakarta, 2009.
- Juliansyah, Noor. 2011. *Metodologi Penelitian*, Prenada Media Group, Jakarta.
- Kahmad, Dadang. 2000. *Metode Penelitian Agama*, Pustaka Setia, Bandung.



- Komaruddin dan Yooke Tjuparmah Komaruddin, 2000. *Kamus Istilah Karya Tulis Ilmiah*, Bumi Aksara, Jakarta.
- Kotler, Philip dan Keller. 2007. *Manajemen Pemasaran*, Jilid I, Edisi Kedua belas, Indeks, Jakarta.
- Kurnia, Titon Slamet. *Konstitusi HAM, Pustaka Pelajar*, Yogyakarta, 2014
- Lasta Irawan, A. ., Briggs, D. ., Muhammad Azami, T. ., & Nurfaliza, N. (2021). THE EFFECT OF POSITION PROMOTION ON EMPLOYEE SATISFACTION WITH COMPENSATION AS INTERVENING VARIABLES: (Case Study on Harvesting Employees of PT. Karya Hevea Indonesia). *International Journal of Social Science, Educational, Economics, Agriculture Research, and Technology (IJSET)*, 1(1), 11–20. <https://doi.org/10.54443/ijset.v1i1.2>.
- Likdanawati, likdanawati, Yanita, Y., Hamdiah, H., Nur Ilham, R., & Sinta, I. (2022). EFFECT OF ORGANIZATIONAL COMMITMENT, WORK MOTIVATION AND LEADERSHIP STYLE ON EMPLOYEE PERFORMANCE OF PT. ACEH DISTRIBUS INDO RAYA. *International Journal of Social Science, Educational, Economics, Agriculture Research, and Technology (IJSET)*, 1(8), 377–382. <https://doi.org/10.54443/ijset.v1i8.41>.
- Mahfud *et all* (2020). Developing a Problem-Based Learning Model through E-Learning for Historical Subjects to Enhance Students Learning Outcomes at SMA Negeri 1 Rogojampi. *IOP Conf. Series: Earth and Environmental Science 485 (2020) 012014* doi:10.1088/1755-1315/485/1/012014.
- Mahfud *et all* (2021). PEMANFAATAN TRADISI RESIK LAWON SUKU USING SEBAGAI SUMBER BELAJAR SEJARAH LOKAL PADA SMA DI BANYUWANGI. *Media Bina Ilmiah Vol.16 No.3 Oktober 2021*. <http://ejurnal.binawakya.or.id/index.php/MBI/article/view/1294/pdf>.
- Mahfud, M., Yudiana, I. K., & Sariyanto, S. (2022). HISTORY OF BANYUWANGI KALIKLATAK PLANTATION AND ITS IMPACT ON SURROUNDING COMMUNITIES. *International Journal of Educational Review, Law And Social Sciences (IJERLAS)*, 3(1), 91–104. <https://doi.org/10.54443/ijerlas.v3i1.492>.
- Majied Sumatrani Saragih, M. ., Hikmah Saragih, U. ., & Nur Ilham, R. . (2021). RELATIONSHIP BETWEEN MOTIVATION AND EXTRINSIC MOTIVATION TO ICREASING ENTREPRENEURSHIP IMPLEMENTATION FROM SPP AL-FALAH GROUP AT BLOK 10 VILLAGE DOLOK MASIHUL. *MORFAI JOURNAL*, 1(1), 1–12. <https://doi.org/10.54443/morfai.v1i1.11>.
- Marbun, S.F dan Moh. Mahfud MD, 2009. *Pokok-Pokok Hukum Administrasi Negara*, Liberty, Yogyakarta
- Margono,Suyud. 2003.*Hukum & Perlindungan Hak Cipta*, Novindo Pustaka Mandiri, Jakarta.
- Marzuki, Peter Mahmud.2010. *Penelitian Hukum*, Kencana, Jakarta.
- Miru, Ahmadi.2005. *Hukum Merek (Cara Mudah Mempelajari Undang-Undang Merek)*, Jakarta, : Raja Grafindo.
- Moleong, Lexy J.2002. *Metode Penelitian Kualitatif*, Remaja Rosdakarya, Bandung.
- Muhammad, Abdulkadir. 2001. *Kajian Hukum Ekonomi Hak Kekayaan Intelektual*, Citra Aditya Bakti, Bandung.
- Nur Ilham, R. ., Arliansyah, A., Juanda, R., Multazam, M. ., & Saifanur, A. . (2021). RELATHIONSIP BETWEEN MONEY VELOCITY AND INFLATION TO INCREASING STOCK INVESTMENT RETURN: EFFECTIVE STRATEGIC BY JAKARTA AUTOMATED TRADING SYSTEM NEXT GENERATION (JATS-NG) PLATFORM. *International Journal of Economic, Business, Accounting, Agriculture Management and Sharia Administration (IJEBAS)*, 1(1), 87–92. <https://doi.org/10.54443/ijebas.v1i1.27>.
- Nur Ilham, R., Heikal, M. ., Khaddafi, M. ., F, F., Ichsan, I., F, F., Abbas, D. ., Fauzul Hakim Hasibuan, A. ., Munandar, M., & Chalirafi, C. (2021). Survey of Leading Commodities

- Of Aceh Province As Academic Effort To Join And Build The Country. *IRPITAGE JOURNAL*, 1(1), 13–18. <https://doi.org/10.54443/irpitage.v1i1.19>.
- Nur Ilham, R., Arliansyah, A., Juanda, R. ., Sinta, I. ., Multazam, M. ., & Syahputri, L. . (2022). APPLICATION OF GOOD CORPORATE GOVERNANCE PRINCIPLES IN IMPROVING BENEFITS OF STATE-OWNED ENTERPRISES (An Emperical Evidence from Indonesian Stock Exchange at Moment of Covid-19). *International Journal of Economic, Business, Accounting, Agriculture Management and Sharia Administration (IJEBA)*, 2(5), 761–772. <https://doi.org/10.54443/ijevas.v2i5.410>.
- Nur Ilham, R., Likdanawati, L., Hamdiah, H., Adnan, A., & Sinta, I. . (2022). COMMUNITY SERVICE ACTIVITIES “SOCIALIZATION AVOID STUDY INVESTMENT” TO THE STUDENT BOND OF SERDANG BEDAGAI. *IRPITAGE JOURNAL*, 2(2), 61–64. <https://doi.org/10.54443/irpitage.v2i2.312>.
- Purwaningsih, Endang. 2005 *Perkembangan Hukum Intellectual Property Rights*. Ghlmia Indonesia, Bogor.
- Rahardjo, Satjipto. 2000. *Ilmu Hukum*, Citra Aditya Bakti, Bandung.
- Rahmaniar, R., Subhan, S., Saharuddin, S., Nur Ilham, R. ., & Anwar, K. . (2022). THE INFLUENCE OF ENTREPRENEURSHIP ASPECTS ON THE SUCCESS OF THE CHIPS INDUSTRY IN MATANG GLUMPANG DUA AND PANTON PUMP. *International Journal of Social Science, Educational, Economics, Agriculture Research, and Technology (IJSET)*, 1(7), 337–348. <https://doi.org/10.54443/ijset.v1i7.36>.
- Rico Nur Ilham, Irada Sinta, & Mangasi Sinurat. (2022). THE EFFECT OF TECHNICAL ANALYSIS ON CRYPTOCURRENCY INVESTMENT RETURNS WITH THE 5 (FIVE) HIGHEST MARKET CAPITALIZATIONS IN INDONESIA. *Jurnal Ekonomi*, 11(02), 1022–1035. Retrieved from <http://ejournal.seaninstitute.or.id/index.php/Ekonomi/article/view/481>.
- Rizaldi, Julius.2009. *Perlindungan Kemasan Produk Merek Terkenal Terhadap Persaingan Curang*.Alumni, Bandung.
- Saidin, OK. 2015. *Aspek Hukum Hak Kekayaan Intelektual (Intellectual Property Rights)*, Raja Grafindo Persada. Jakarta.
- Salman S, HR.Otje dan Anton F. Susanto. 2005. *Teori Hukum*, Refika Aditama, Bandung.
- Sandi, H. ., Afni Yunita, N. ., Heikal, M. ., Nur Ilham, R. ., & Sinta, I. . (2021). RELATIONSHIP BETWEEN BUDGET PARTICIPATION, JOB CHARACTERISTICS, EMOTIONAL INTELLIGENCE AND WORK MOTIVATION AS MEDIATOR VARIABLES TO STRENGTHENING USER POWER PERFORMANCE: AN EMPERICAL EVIDENCE FROM INDONESIA GOVERNMENT. *MORFAI JOURNAL*, 1(1), 36–48. <https://doi.org/10.54443/morfai.v1i1.14>.
- Shidarta, 2006 *Moralitas Profesi Hukum Suatu Tawaran Kerangka Berfikir*, Revika Aditama, Bandung.
- Singarimbun, Masri dan Sifian Effendi. 1998. *Metode Penelitian Survei*, LP3ES, Jakarta.
- Sinta, I., Nur Ilham, R. ., Authar ND, M. ., M. Subhan, & Amru Usman. (2022). UTILIZATION OF DIGITAL MEDIA IN MARKETING GAYO ARABICA COFFEE. *IRPITAGE JOURNAL*, 2(3), 103–108. <https://doi.org/10.54443/irpitage.v2i3.467>.
- Sinurat, M. ., Heikal, M. ., Simanjuntak, A. ., Siahaan, R. ., & Nur Ilham, R. . (2021). PRODUCT QUALITY ON CONSUMER PURCHASE INTEREST WITH CUSTOMER SATISFACTION AS A VARIABLE INTERVENING IN BLACK ONLINE STORE HIGH CLICK MARKET: Case Study on Customers of the Tebing Tinggi Black Market Online Store. *MORFAI JOURNAL*, 1(1), 13–21. <https://doi.org/10.54443/morfai.v1i1.12>.
- Soekanto, Soerjono. *Pengantar Penelitian Hukum*, UI Press, Jakarta, 2014.
- Soekanto, Soerjono dan Sri Mamudji. 2013. *Penelitian Hukum Normatif Suatu Tinjauan Singkat*, Raja Grafindo Persada, Jakarta.
- Sudaryat, dkk.2010. *Hak Kekayaan Intelektual*. Oase Media, Jakarta.

- Sugiono, Dedy. 2008. *Kamus Besar Bahasa Indonesia*, Pusat Bahasa, Jakarta
- Sumida, Yoshiro dan Insan Budi Maulana, 1994. *Perlindungan Bisnis Merek Indonesia-Jepang*, Pustaka Sinar Harapan, Jakarta.
- Supramono, Gatot. 2008. *Menyelesaikan Sengketa Merek Menurut Hukum Indonesia*, Rineka Cipta. Jakarta.
- Suryabrata, Samadi. 1998. *Metodologi Penelitian*, Raja Grafindo Persada, Jakarta.
- Sutedi, Adrian. 2009. *Hak Atas Kekayaan Intelektual*, Sinar Grafika, Jakarta.
- Syahrani, Riduan. 2004. *Buku Materi Dasar Hukum Acara Perdata*, Bandung, Citra Aditya Bakti.
- Taryana, Soenandar. 1996. *Perlindungan Hak Milik Intelektual di Negara-negara ASEAN Cet.I* ; Sinar Grafika, Jakarta.
- Tresna, R. 2005. *Komentar HIR*, Pradnya Paramitha, Jakarta.
- Usman, Rachmadi. 2009. *Hukum Hak atas Kekayaan Intelektual – Perlindungan dan Dimensi Hukumnya di Indonesia*, Alumni, Bandung.
- Wayan Mertha, I. ., & Mahfud, M. (2022). HISTORY LEARNING BASED ON WORDWALL APPLICATIONS TO IMPROVE STUDENT LEARNING RESULTS CLASS X IPS IN MA AS'ADIYAH KETAPANG. *International Journal of Educational Review, Law And Social Sciences (IJERLAS)*, 2(5), 507–612. <https://doi.org/10.54443/ijerlas.v2i5.369>.
- Yusuf Iis, E., Wahyuddin, W., Thoyib, A., Nur Ilham, R., & Sinta, I. (2022). THE EFFECT OF CAREER DEVELOPMENT AND WORK ENVIRONMENT ON EMPLOYEE PERFORMANCE WITH WORK MOTIVATION AS INTERVENING VARIABLE AT THE OFFICE OF AGRICULTURE AND LIVESTOCK IN ACEH. *International Journal of Economic, Business, Accounting, Agriculture Management and Sharia Administration (IJEBAS)*, 2(2), 227–236. <https://doi.org/10.54443/ijebas.v2i2.191>.