



Application of the first to file principle in trademark registration in Indonesia

Oktavianto Setyo Nugroho¹, Setyawati², Harry Qurba³

¹Program Studi Ilmu Hukum, Universitas Pembinaan Masyarakat Indonesia, Indonesia.
E-mail:oktavianitosn@gmail.com

²Program Studi Ilmu Hukum, Universitas Islam Sultan Agung Semarang, Indonesia.

³Program Studi Ilmu Hukum, Universitas Dharma Indonesia, Indonesia.

ARTICLE INFO

Keywords:

First to File Principle;
Trademark Registration;
Trademarks;
Indonesia.

Article history:

Received Jun 20, 2026;
Revised Jul 22, 2026;
Accepted Jul 28, 2026;
Online Jul 30, 2026.

ABSTRACT

Trademark registration in Indonesia adheres to the first-to-file principle, whereby trademark rights are obtained after legal registration with the state. This study aims to analyze the application of this principle through a case study of the trademark dispute over "I Am Geprek Bensu" between Benny Suono and Ruben Onsu. This research uses a normative uridical method with a statutory approach and literature study. Although the first-to-file has been widely discussed in Indonesian trademark literature, most existing studies examine the principle in the abstract or in dispute in between commercial entities, leaving unexamined the evidentiary and bad-faith dynamics that arise when a public figure's fame is invoked against a first register. This study addresses that gap by using the Geprek Bensu dispute to examine how courts weigh documented bad faith against public recognition under a constitutive registration system, offering a novel account of how the first-to-file principle interacts with the bad-faith doctrine under Article 21(3) of Law No. 20 of 2016. The results of the study show that the first-to-file principle provides legal certainty to the party who first submits the registration application, as stipulated in Article 3 of Law No. 20 of 2016 concerning Trademarks and Geographical Indications. In this case, Benny Suono, as the first registrant of the "I Am Geprek Bensu" trademark, was recognized as the legal owner and received legal protection, while Ruben Onsu's claim was rejected by the court because it did not meet the formal requirements for trademark registration. The ruling confirms that the trademark registration system in Indonesia is constitutive, meaning that only registered trademarks receive legal protection. The application of the first-to-file principle is important to create legal certainty, protect business owners, and prevent confusion among the public in distinguishing between similar products.

This is an open access article under the [CC BY-NC](#) license.



Corresponding Author:

Oktavianto Setyo Nugroho,
Study Program Law,
Universitas Pembinaan Masyarakat Indonesia,
Jl. Teladan No. 15, Teladan Bar, Kec. Medan Kota, Kota Medan,
Sumatera Utara, 20217, Indonesia
Email: oktavianitosn@gmail.com

1. Introduction

Trademarks play a very important role in the smooth running of trade and investment in Indonesia (Sutedi, 2009). The role of trademark is very important because it is not only a distinguishing mark of a business but also a guarantee of the quality of a business and a form of promotion for the product (Sari, 2025). Trademarks are no longer just the identity of a product but have become an indicator of product quality (Lindsey, T., Damian, E., Butt, S., & Utomo, 2006). In this highly competitive free trade era, brands are intangible assets with high economic value (Oktaviarni et al., 2025). Therefore, legal protection for trademarks has become an urgent necessity (Sitohang et al., 2025). Such protection is realized through a trademark registration system as stipulated in Law No. 20 of 2016 concerning Trademarks and Geographical Indications.

The definition of a trademark according to Law No. 20 of 2016 concerning Trademarks and Geographical Indications is a sign that can be displayed graphically in the form of images, logos, names, words, letters, numbers, color arrangements, in two-dimensional and/or three-dimensional form, sounds, holograms, or a combination of two or more of these elements to distinguish goods and/or services produced by individuals or legal entities in the trade of goods and/or services (Tanung et al., 2023).

Indonesia adopts a trademark registration system based on the constitutive principle or first to file, whereby any individual or legal entity who first submits a trademark registration for a particular class and type of goods or services is considered the legitimate holder of the trademark rights (Nurrasman et al., 2026). In other words, the party who submits the registration first obtains legal certainty and legitimacy as the official owner of the trademark (Ramadhan, 2025). This ownership status remains valid as long as no other party files an objection or opposition during the registration process until the trademark certificate is issued (Mardianto et al., 2023). In practice, many parties are unaware of the application of the first-to-file principle, especially when a party feels entitled to use a trademark with the same name even though the trademark has already been registered by another party in their business activities (Pangalila et al., 2024).

A trademark dispute case that can be used as an example of the application of the first to file principle is "I am Geprek Bensu" between Ruben Onsu and Benny Suono (Puspita Sari, 2025). Ruben Onsu, better known as Bensu, is a public figure who is synonymous with the geprek chicken brand. However, the party that first registered the trademark application was not Ruben Onsu, but another company called PT. Ayam Geprek Benny Suono. Ruben Onsu finally sued PT. Ayam Geprek Benny Suono in September 2018 for the use of the name Bensu at the Central Jakarta Commercial Court with registration number: 48/Pdt-Sus/Merek/2018/PN Niaga.kt.Pusat (Sulthan Faisal Esa M, 2022). The difference in understanding of the use of the name Bensu has caused quite a widespread controversy.

This phenomenon shows that there is still a lack of understanding regarding the first-to-file principle in the practice of trademark registration in Indonesia. The general public often assumes that the party that is better known to the public or has used the trademark first without registering it is the party entitled to legal protection (Imayani, M.T Marbun, 2024). In fact, Law No. 20 of 2016 concerning Trademarks and Geographical Indications emphasizes that trademark rights can only be obtained through the registration process (Nabella et al., 2026). In this case, the use of a trademark without registration does not provide legal protection for the user. Even if a trademark is widely known among the public, the owner still does not have exclusive rights if it has not been registered with the Directorate General of Intellectual Property.

The trademark dispute case also shows that the trademark protection system is not merely a legal issue, but also relates to business strategy (Kermite et al., 2024). Companies that do not immediately register their trademarks may lose their exclusive rights even though they are widely known in the community. This teaches us that trademark registration is not an option,

but a necessity for every business operator. Therefore, the study of the first-to-file principle is of high urgency in the context of legal protection and business continuity.

Several studies have examined the first-to file principle in Indonesian trademark law, generally focusing on its normative basis and its function in providing legal certainty (Asmara et al., 2019; Tanung et al., 2023; Mudofi & Roisal, 2024). These studies tend to treat first-to-file disputes as straightforward applications of Article 3, without examining cases where public fame creates friction with the formal registration requirement. Studies on bad-faith registration (Mardianto et al., 2023) similarly focus on commercial rivalries rather than disputes involving public figures whose popularity might be mistakenly assumed to substitute for registration. This creates a theoretical gap, whether existing literature does not adequately explain how Indonesian courts reconcile the constitutive system with claims grounded in reputation and use rather than filing priority. This article addresses that gap by analyzing the *Geprek Benu* case, showing that Indonesian courts apply first-to-file strictly regardless of public recognition, and that bad-faith doctrine under Article 21 (3) operates as a supplementary, not alternative, basis for protecting first registrants.

Based on the description, this article will specifically discuss “The application of the first-to-file principle in trademark registration in Indonesia with a case study of the *I'm Geprek Benu* trademark”. The discussion will focus on a normative analysis of the applicable legal provisions. This study is expected to provide a comprehensive understanding of the importance of early trademark registration. In addition, this article also contributes to the development of legal science, particularly in the field of intellectual property law.

2. Method

This study uses normative legal research with a statutory and case approach (Marzuki, P.M., & Sh, 2020). Data were collected through library research using three categories of legal materials, primary (Law No. 20 of 2016 on Trademarks and Geographical Indications, Commercial Court Decision No. 48/Pdt-Sus/Merek.2018/PN Niaga kt.Pusat, and District Court Determination No. 384/Pdt.P/2018/PN.kt.Sel), secondary (books and journal articles on trademark law, and tertiary (legal dictionaries), used only where statutory terminology required further clarification.

3. Analysis and Results

3.1. The “First to File” Principle in Trademark Protection in Indonesia

Trademark protection in Indonesia is based on Law No. 20 of 2016 concerning Trademarks and Geographical Indications. In general, according to the World Intellectual Property Organization (WIPO), a trademark is a sign that distinguishes the goods or services of one company from those of other companies. Meanwhile, in international agreements, the term “trademark” is defined in Article 15 paragraph (1) of the TRIPs Agreement as any sign or combination of signs that can distinguish goods or services from one company to another and can be used as a trademark. The sign in question, particularly words, including personal names, letters, figurative elements, and combinations of colors and signs, must meet the requirements for trademark registration. If a sign is not capable of distinguishing the goods or services to which it relates, member countries may register the sign based on the distinctive character acquired through use. Member countries may add as a condition of registration that the sign must be visually apparent (Asmara et al., 2019).

In the provisions of Article 1 paragraph (1) of Law Number 20 of 2016 concerning Trademarks and Geographical Indications, a trademark is defined as a sign that can be displayed graphically in the form of images, logos, names, words, letters, numbers, color arrangements, in two-dimensional and/or three-dimensional form, sounds, holograms, or a combination of two or more of these elements to distinguish goods and/or services produced by individuals or legal entities.

Basically, registration is a form of legal protection for trademarks. Trademark registration is an absolute requirement for trademark owners in order for their trademarks to be legally recognized and recorded by the Directorate General of Intellectual Property. Exclusive rights to a trademark will be granted by the state to trademark owners registered in the General Trademark Register. Therefore, the first registrant to have rights to the trademark will receive exclusive rights for 10 (ten) years, during which time no one may use the registered trademark for commercial purposes without the permission of the trademark holder (Sulastri et al., 2018).

The trademark registration system that prevails in Indonesia in accordance with Law Number 20 of 2016 concerning Trademarks and Geographical Indications adheres to a constitutive system. Under the constitutive system, the first-to-file principle applies, which means that the person who registers a trademark first is the party who will own or be recognized as the owner of the trademark, and for trademarks that are similar to those registered earlier, the state is obliged to reject the registration of such trademarks (Dumhana, M., & Dubaedillah, 2014). With this provision, parties with similar trademarks must comply with applicable laws (Miftakhur Rokhman Habibi, 2020).

3.2. Application of the "First to File" Principle in the Geprek Bensu Trademark Case

The I am Geprek Bensu trademark dispute case can be an example of the application of the first to file principle in Indonesia. The public knows Ruben Onsu as a famous artist who owns a chicken geprek business under the brand name "Geprek Bensu." Behind his popularity, it turns out that the trademark "I am Geprek Bensu" had already been registered by PT. Ayam Geprek Benny Suono (Bensu). This fact then triggered a legal dispute between Ruben Onsu and Benny Suono as the owner of the trademark at PT. Ayam Geprek Benny Suono, which had registered the trademark "I am Geprek Bensu" first. This issue has become the center of attention because it involves a public figure and demonstrates the practical application of the first to file principle. The case timeline for the I'm Geprek Bensu trademark dispute between Ruben Onsu and Benny Suono can be explained as follows: (Purnama et al., 2023).

1. April 2017: Yangcent Kurniawan and Stefani Livinus founded a fried chicken business under the trademark I Am Geprek Bensu. ordi Onsu joined as the operations manager. ordi Onsu suggested his brother Ruben Onsu as the brand ambassador. Ruben Onsu was chosen as the brand ambassador because he is well known to the public as a public figure. Ruben's photo and name were then displayed at a number of branches or outlets of the "I Am Geprek Bensu Sedep Bener" culinary brand. Ruben and ordi also had no problem with the use of the name Bensu in the fried chicken business. According to Benny Suono's side, the use of the name Bensu as a trademark had actually been used earlier by PT. Ayam Geprek Benny Suono. Bensu is an abbreviation of the owner's name, Benny Suono, who founded the fried chicken business under the name I Am Geprek Bensu.
2. May 2017: From May 9, 2017 to August 14, 2017, Ruben Onsu is known to have received compensation in connection with his position as a promotional ambassador for a number of branches of the food brand "I Am Geprek Bensu Sedep Bener". The ruling states that, based on evidence, Ruben has received at least Rp 663 million. Therefore, the panel of judges emphasized that Ruben Onsu has only served as a promotional ambassador, not the owner of "I Am Geprek Bensu Sedep Bener."
3. August 2017: Ruben Onsu recruited employees who worked in the kitchen and established his own ayam geprek business called "Geprek Bensu." Ruben then prohibited Yangcent from using the name Bensu in his business.
4. May 2018: Ruben Onsu registered the name Bensu as an abbreviation of Ruben Samuel Onsu at the South Jakarta District Court. Ruben Onsu claims that the name belongs to him. Ruben requested that the name Bensu be established as an abbreviation of his name Ruben Samuel Onsu at the South Jakarta District Court with case number 384/Pdt.P/2018/PN.kt.Sel.

-
5. September 2018: Ruben Onsu sued PT Ayam Geprek Benny Suono for the use of the name Benu. The lawsuit was filed at the Central Jakarta Commercial Court, registered under number 48/Pdt-Sus/Merek/2018/PN Niaga. kt. Pusat on September 25, 2018. In his lawsuit, Ruben claims to be the owner and first registrant of the "Benu" trademark used in his culinary business. Ruben claims that the defendant has used the Benu trademark for its culinary business, namely "I Am Geprek Benu Sedep Bener," without his permission, based on information from the intellectual property database of the Directorate General of Intellectual Property.
 6. May 2019: Finally, the Central Jakarta District Court ruled that PT. Ayam Geprek Benny Suono is the first legitimate owner and user of the trademark "I Am Geprek Benu Sedep Bener/Beneerrr" with registration number IDM000643531, Class 43, registered on May 24, 2019.

Based on the chronology of the case, it can be analyzed that the constitutive or first to file system applies in Indonesia. This is regulated in Article 3 of Law Number 20 of 2016 concerning Trademarks and Geographical Indications, which states that trademark rights are obtained after the trademark is registered. In addition, Article 1 paragraph 5 of Law Number 20 of 2016 concerning Trademarks and Geographical Indications also emphasizes that trademark rights are exclusive rights granted by the state to registered trademark owners for a certain period of time to use the trademark themselves or to grant permission to other parties to use it (Mudofi & Roisah, 2024). Based on this legal basis, Ruben Onsu cannot claim that the Geprek Benu trademark belongs to him, because the I Am Geprek Benu trademark was first registered by Benny Suono.

In this case, Ruben Onsu's legal standing is weak because the principle adopted in Indonesia's trademark registration system is first to file, not first to use. This means that the party who first submits a trademark registration application is legally recognized as the owner of the trademark, regardless of who first used the trademark in the trade of goods and/or services. The Supreme Court's decision to reject Ruben Onsu's lawsuit further reinforces Benny Suono's legal position as the rightful owner of the "I Am Geprek Benu" trademark. This case shows that an artist's fame does not automatically constitute a valid basis for claiming ownership of a trademark.

The first-to-file principle in trademark registration in Indonesia is also in line with the principle of legal certainty. Gustav Radbruch emphasized that legal certainty is defined as a situation where the law is certain because of the concrete power of the law in question. The existence of the principle of legal certainty is a form of protection for those seeking justice against arbitrary actions, which means that a person will and can obtain what is expected in certain circumstances (ulyano & Sulistyawan, 2019). This statement is in line with what Van Apeldoorn said, that legal certainty has two aspects, namely the determinability of the law in concrete cases and legal security. This means that those seeking justice want to know what the law is in a particular case before they initiate proceedings, and that justice seekers are protected (Imayani, M.T Marbun, 2024). In the context of trademark registration, legal certainty is achieved through strict rules stipulating that trademark rights only arise after registration, as regulated in Article 3 of Law Number 20 of 2016 concerning Trademarks and Geographical Indications. This shows that Indonesia adheres to a first-to-file system based on formal certainty.

The court ruling in favor of Benny Suono signals that the law should not be influenced by external factors outside the law itself, such as fame or social influence. By enforcing the provisions of Article 3 of Law Number 20 of 2016 concerning Trademarks and Geographical Indications, the state provides certainty to the public that trademark rights will only be protected for parties who have registered their trademarks with the Directorate General of Intellectual Property. This prevents uncertainty that could harm other business owners and consumers.

Furthermore, legal certainty in the trademark system also serves to maintain order in trade in Indonesia. If Ruben Onsu's claim is accepted solely because of his popularity, it will set a bad example that could weaken the trademark registration system in Indonesia. With legal certainty

through the first-to-file principle, every business actor has the same standard to immediately register their trademark to obtain legal protection without exception.

3.3. The Difference Between the “First to File” Principle and the “First to Use” Principle

There is a difference between trademark registration under the “first to file” principle and the “first to use” principle, which will be explained in more detail in the following table:

Table 1. The difference between the first to file system and the first to use

No.	Difference	First to file	First to use
1.	Basis of Ownership	Trademark rights are obtained after being officially registered with the Directorate General of Intellectual Property.	Trademark rights are acquired from the first use in commercial activities, even if they have not been registered.
2.	Trademark Registration System	Constitutive (trademark rights arise after registration).	Declarative (trademark rights arise from the first use of the trademark).
3.	Legal Protection	Protection is granted to the party that first registers the trademark.	Protection is given to the party that uses the trademark first.
4.	Advantages	Providing legal certainty to brand owners who register their trademarks for the first time	Protecting small businesses that have been using trademarks from the outset, even if they have not been registered
5.	Disadvantages	Parties who have been using the brand for a long time but have not registered it may lose their rights.	This makes it difficult to prove because it requires showing evidence of first use.
6.	Countries	Indonesia, Europe, China	United States, Canada

In addition to violating the first-to-file principle, Ruben Onsu also violated Article 2 paragraph (3) of Law Number 20 of 2016 concerning Trademarks and Geographical Indications, which states that protected trademarks consist of signs in the form of images, logos, names, words, letters, numbers, color arrangements, in two-dimensional and/or three-dimensional forms, sounds, holograms, or a combination of two or more of these elements to distinguish goods and/or services produced by individuals or legal entities in the trade of goods and/or services. In this case, the logos of I am Geprek Benu and Geprek Benu have similarities, namely the use of a chicken image and the same colors, namely red, brown, orange, white, green, and yellow. In addition, the Ruben Onsu brand name also uses the same name as Benny Suono, namely “Geprek Benu”. This has the potential to cause confusion among the public because the two brands do not have a distinctive function.

In principle, trademarks and service marks can be registered and protected if they have distinctive character. The requirements regarding distinctive character are regulated in Article 20 point e of Law Number 20 of 2016 concerning Trademarks and Geographical Indications, which stipulates that a trademark cannot be registered if it does not have distinctive character. The function of distinctiveness is to convey the characteristics of a trademark and the source of goods and/or services, so that consumers can distinguish the source of one good and/or service from another good and/or service (McKenna, 2008). The requirements for trademark distinctiveness are essentially designed to prevent monopolization of certain generic or descriptive words that could prevent others who need to use those generic words from doing so (Yeh, 2006).

In addition to violating the provisions of Article 3, Article 1 paragraph 5, Article 2 paragraph 3 and Article 20 letter e, Ruben Onsu is also considered to have acted in bad faith in registering the trademark. This is because Ruben Onsu has received compensation of Rp 663 million as a promotional ambassador at several branches of I am Geprek Benu. Ruben also employed one (1) employee at the I am Geprek Benu branch, but persuaded the employee to leave and join his geprek business called Geprek Benu and prohibited PT. Ayam Geprek Benny Suono from using the name Geprek Benu for commercial activities. For this reason, Ruben Onsu also violated the provisions of Article 21 paragraph (3) of Law No. 20 of 2016 concerning Trademarks and Geographical Indications, which states that a trademark application shall be rejected if submitted by an applicant acting in bad faith, where Ruben Onsu had the intention to imitate, copy, or follow another trademark for the benefit of his business, thereby creating an unhealthy, misleading, and deceptive competitive environment for consumers.

The trademark dispute case involving “I am Geprek Benu” highlights the importance of legal awareness for business actors. Ruben Onsu, who was deemed to have no good faith and was not the first registrant of the Geprek Benu trademark, ultimately lost his exclusive rights despite having invested his popularity in the trademark. This serves as an important lesson that business strategies must be accompanied by legal protection. This analysis also highlights the important role of the Directorate General of Intellectual Property in providing legal certainty. Under the constitutional system, everyone has the right to register a trademark as long as they meet the requirements set out in the law. The Directorate General of Intellectual Property does not consider public popularity, but rather focuses on administrative formalities. This is in accordance with Article 21 of Law Number 20 of 2016 concerning Trademarks and Geographical Indications, which states that a trademark registration application can be rejected if it is essentially similar to a trademark that has been registered previously.

Thus, it can be seen that the “I am Geprek Benu” case demonstrates the consistent application of the first-to-file principle in Indonesian trademark law. The Supreme Court's decision shows that the law continues to be guided by the first registrant, even though the public is more familiar with the other party. This principle provides legal certainty, but also reminds us of the importance of registering trademarks from the outset. For business operators, this case serves as a valuable lesson to always prioritize legal aspects in developing a business.

3.4. Comparative Perspective and Evaluation of the Court's Ruling

Indonesia's constitutive, first-to-file system mirrors Japan's Trademark Act (*Shōhyōhō*), which grants registration to whoever files first regardless of prior use, and explicitly refuses to recognize an unregistered prior user's claim against a later-filed, registered mark (Japan Patent Office, 2026). Had the Geprek Benu dispute arisen in Japan, the outcome would likely have been the same, that PT. Ayam Geprek Benny Suono, as first applicant, would prevail over Ruben Onsu's unregistered use and public recognition. The contrast is sharper with Singapore, which follows a common law, self assessment approach to trademark protection, rather than Indonesia's civil law, constitutive registration system (Permata Sari, 2025), and with Australia, which follows a first-to-use approach, as illustrated by the well-known case in which Burger King could not use its own name in Australia due to a prior local registrant, and had to operate under the name Hungry Jack's instead (Tritanaya & Yulianingsih, 2022). Under either a Singapore or Australia style system, Ruben Onsu's documented prior use and public association with the Benu brand could plausibly have supported a competing claim, an outcome foreclosed under Indonesia's constitutive system.

This comparison shows the Indonesian ruling reflects a deliberate policy choice to prioritize registry-based certainty over use-based evidence, consistent with Radbruch's value of legal certainty (*Rechtssicherheit*). However, assessed against Radbruch's other values, justice and expediency, the ruling is more vulnerable: Ruben Onsu's documented compensation as brand ambassador and his recruitment of the original venture's employee point to conduct the court itself characterized as bad faith, which could have been evaluated as an independent basis under Article 21(3) rather than folded in merely as a supporting fact for the first-to-file finding. Separating these two legal bases, filing priority and bad faith, would have strengthened the ruling's deterrent function against future attempts to appropriate marks through fame rather than direct registration.

4. Conclusion

This study shows that Indonesia's constitutive, first-to-file system, as codified in Article 3 of Law No. 20 of 2016, functions as intended in the Geprek Benu dispute for filing priority, not public recognition or prior use, determined legal ownership. This carries theoretical significance for legal certainty theory which consistent with Radbruch's and Van Apeldoorn's accounts, a constitutive system produces predictable outcomes precisely because it excludes reputational

factors from the ownership determination, even where exclusion conflicts with public perception. The findings also carry legal implications: bad faith under Article 21(3) operates as an independent, supplementary ground for protecting first registrants, a distinction future rulings should make more explicit. For policy, the case underscores that Indonesian SMEs, who often build recognition through use before considering registration, need targeted outreach from the Directorate General of Intellectual Property emphasizing that use and fame confer no legal protection absent registration. Practically, the outcome demonstrates that in a first-to-file jurisdiction, registration is a precondition of ownership, not a formality, delaying it, regardless of popularity, creates real and litigable risk of losing rights to a later but formally prior registrant.

References

- Asmara, A., Rahayu, S. W., & Bintang, S. (2019). Studi Kasus Penerapan Prinsip Pendaftaran First To File Pada Pembatalan Merek Cap Mawar. *Syiah Kuala Law Journal*, 3(2). <https://doi.org/10.24815/skl.v3i2.11899>
- Dumhana, M., & Dubaedillah, R. (2014). Hak milik intelektual: Searah, teori, dan praktiknya di Indonesia. *Citra Aditya Bakti*.
- Imayani, M.T Marbun, R. A. (2024). Legal Protection for Registered Trademark Holders Against Trademark Infringement. *International Journal of Research and Innovation in Social Science (IRISS)*, 10(19), 41–57. <https://doi.org/10.47772/IRISS>
- ulyano, M., & Sulistyawan, A. Y. (2019). Pemahaman Terhadap Asas Kepastian Hukum Melalui Konstruksi Penalaran Positivisme Hukum. *CREPIDO*, 1(1). <https://doi.org/10.14710/crepido.1.1.13-22>
- Kermite, D., Mercury, D., & Christina, E. (2024). Hak Merek untuk Memperkuat Citra Bisnis. *Inside Intellectual Property Rights*, 2(1).
- Lindsey, T., Damian, E., Butt, S., & Utomo, T. S. (2006). Hak Kekayaan Intelektual Suatu Pengantar. *Bandung: PT. Alumi*.
- Mardianto, A., Sukirman, S., Suyadi, S., Hastuti, M. I. W. Y., Kartika, K., & Wulandari, M. M. (2023). Kaian Yuridis Terhadap Pembatalan Merek Berdasarkan Undang-Undang Nomor 20 Tahun 2016 Tentang Merek Dan Indikasi Geografis. *Soedirman Law Review*, 5(3). <https://doi.org/10.20884/1.slr.2023.5.3.14196>
- McKenna, M. (2008). Teaching Trademark Theory Through the Lens of Distinctiveness. *St. Louis University Law Journal*, 52, 843.
- Miftakhur Rokhman Habibi, R. L. S. (2020). Hak Kekayaan Intelektual Di Bidang Merek Sebagai amanan Tambahan Pada Perbankan. *urnal Purnama Berazam*, 2(1).
- Mudofi, L. N. H., & Roisah, K. (2024). Perlindungan Hukum Pemilik Merek Terdaftar Berdasarkan Prinsip First To File. *urnal Ilmu Hukum, Humaniora Dan Politik*, 5(2). <https://doi.org/10.38035/ihhp.v5i2.3362>
- Nabella, N., amaliyah, N., Islam, U., & Antasari, N. (2026). *Perspektif Hukum Hak Kekayaan Intelektual Di*. 318–329.
- Nurrasman, M. R., Hamdani, A., Saputra, M. R. K., Pasarib, A. S., Setiady, T., & Apriani, R. (2026). *Keadilan Dan Kepastian Hukum Terhadap Penerapan Prinsip First To File Dalam Pendaftaran Merek Asing Arc ' teryx Di Indonesia*. 5(2), 1466–1472.
- Oktaviarni, F., Suryahartati, D., Windarto, Idris, I., & Aulia, M. Z. (2025). Pendampingan Hukum bagi UMKM dalam Pendaftaran dan Pemanfaatan Merek Dagang. *urnal Pengembangan Budaya Hukum*, 2(April), 112–123.
- Pangalila, D., Nainggolan, B., & Panaitan, H. (2024). Perlindungan Hukum Hak Atas Penggunaan Merek yang Berakhir dengan Penetapan Merek di Indonesia. *Action Research Literate*, 8(7). <https://doi.org/10.46799/ar.v8i7.435>
- Purnama, A. P., Chumbradika, C., & Wahyono, W. (2023). ANALISIS PERTIMBANGAN MAELIS HAKIM AGUNG MENOLAK PERMOHONAN KASASI DALAM KASUS SENGKETA MEREK. *ournal Evidence Of Law*, 2(2). <https://doi.org/10.59066/el.v2i2.462>
- Puspita Sari, A. (2025). Sengketa Merek Dagang Ayam Geprek Benu Versus I Am Geprek Benu. *urnal Hukum Lex Generalis*, 6(4). <https://doi.org/10.56370/hlg.v6i4.2056>
- Ramadhan, M. C. (2025). Pencegahan Misappropriation Terhadap Kekayaan Intelektual Komunal Melalui Pemanfaatan Data Pembandingan Dalam Rezim First To File Hukum Merek. 2(Cii), 306–312.
- Sari, I. (2025). Urgensi Dan Fungsi Merek Dalam Dunia Bisnis Demi Terjaminnya Perlindungan Hak Atas Kekayaan Intelektual (Haki). *urnal Ilmiah M-Progress*, 15(1). <https://doi.org/10.35968/m->

- pu.v15i1.1390
- Sitohang, G. S., Syahbana, E., Alisya, ., & Purba, B. (2025). Analisis Sengketa Merek Dagang dan Perlindungan Hak Milik Menurut Pasal 28 H Ayat 4 UUD 1945. *RIGGS: ournal of Artificial Intelligence and Digital Business*, 4(2). <https://doi.org/10.31004/riggs.v4i2.823>
- Sulastri, S., Satino, S., & W, Y. Y. (2018). PERLINDUNGAN HUKUM TERHADAP MEREK (TINAUAN TERHADAP MEREK DAGANG TUPPERWARE VERSUS TULIPWARE). *urnal Yuridis*, 5(1). <https://doi.org/10.35586/.v5i1.321>
- Sulthan Faisal Esa M, C. S. T. K. (2022). Tinauan Hukum Persaingan Dan Penghapusan Merek Dagang Terdaftar. *urnal Hukum Adigama*, 5(1), 1423–1440.
- Sutedi, A. (2009). Hak atas kekayaan intelektual. *akarta: Sinar Grafika*.
- Tanung, D. R., Natriani, R., & Rahmanda, B. (2023). Penerapan Prinsip First to file Dalam Sengketa Merek Terkenal. *Law, Development and ustice Review*, 6(2). <https://doi.org/10.14710/ldr.6.2023.111-128>
- Yeh, B. T. (2006). Protecting Famous, Distinctive Marks: The Trademark Dilution Revision Act 2006. *The Library Of Congress*,.