

DAFTAR PUSTAKA

Buku:

- Abdul Thalib Muchlisin. 2018. *Hak Kekayaan Intelektual Indonesia*. Rajawali Pers: Depok.
- Abdulkadir Muhammad. 2004. *Hukum Dan Penelitian Hukum*. Citra Aditya Bakti: Bandung.
- Adrian Sutedi. 2009. *Hak Atas Kekayaan Intelektual*. Sinar Grafika: Jakarta.
- Alexander Sonny Keraf. 1998. *Etika Bisnis: Membangun Citra Bisnis sebagai Profesi Luhur*. Kanisius: Yogyakarta
- Baskoro Suryo Banindro. 2015. *Implementasi Hak Kekayaan Intelektual (Hak Cipta, Merek, Paten, Desain Industri) Bidang: Seni Rupa, Kriya, Desain Grafis, Desain Produk*. Badan Penerbit ISI Yogyakarta: Yogyakarta.
- Casavera. 2009. *8 Kasus Sengketa Merek Di Indonesia*. Graha Ilmu: Yogyakarta.
- Chandra Gita Dewi. 2019. *Penyelesaian Sengketa Merek*. Deepublish: Sleman.
- Fandy Tjiptono. 2008. *Strategi Pemasaran*. Andi Offset: Yogyakarta.
- Gatot Supramono. 2008. *Menyelesaikan Sengketa Merek Menurut Hukum Indonesia*. Rineka Cipta: Jakarta.
- Hery Firmansyah. 2013. *Perlindungan Hukum Terhadap Merek*. Medpress: Yogyakarta.
- Insan Budi Maulana. 1999. *Pelindungan Merek Terkenal Di Indonesia Dari Masa Ke Masa*. Citra Aditya Bakti: Bandung
- Ismail Rumadan. 2018. *Kriteria Itikad Tidak Baik Dalam Penyelesaian Sengketa Merek Terkenal Melalui Putusan Pengadilan*. Puslitbang Hukum dan Peradilan Mahkamah Agung RI: Jakarta.
- Jonaedi Effendi Johnny Ibrahim. 2016. *Metode Penelitian Hukum Normatif Dan Empiris*. Prenada Media Group: Depok.

- K Bertens. 2013. *Pengantar Etika Bisnis*. Kanisius: Yogyakarta.
- OK. Saidin. 2015. *Aspek Hukum Hak Kekayaan Intelektual (Intellectual Property Rights)*. Rajawali Press: Jakarta.
- Peter Mahmud Marzuki. 2017. *Penelitian Hukum*. Kencana: Jakarta.
- Philipus M. Hadjon. 1987. *Perlindungan Bagi Rakyat di Indonesia*. Bina Ilmu: Surabaya.
- Pujiyanto. 2013. *Iklan Layanan Masyarakat*. Andi: Yogyakarta.
- Rahmi Jened. 2015. *Hukum Merek (Trademark Law) Dalam Era Globalisasi Dan Integrasi Ekonomi*. Prenadamedia Group: Jakarta.
- Satjipto Rahardjo. 2014. *Ilmu Hukum*. Citra Aditya Bakti: Bandung.
- Sentosa Sembiring. 2015. *Hukum Dagang*. Citra Aditya Bakti: Bandung.
- Sri Soedewi Masjchoen Sofwan. 1981. *Hukum Benda*. Liberty: Yogyakarta.
- Sudargo Gautama. 1992. *Undang-Undang Merek Baru*. Alumni: Bandung.
- Sujana Donandi. 2019. *Hukum Hak Kekayaan Intelektual di Indonesia (Intellectual Property Rights Law in Indonesia)*. Deepublish: Sleman.
- Tommy Hendra Purwaka. 2017. *Pelindungan Merek*. Yayasan Pustaka Obor Indonesia: Jakarta.
- Yogo Arifardhani. 2020. *Hukum Hak Atas Kekayaan Intelektual*. Kencana: Jakarta.
- Zainuddin Ali. 2014. *Metode Penelitian Hukum*. Sinar Grafika: Jakarta.

Skripsi:

- Clara Fenty Zahara. 2016. "*Persamaan Merek Cardinal dengan Cadinar (Analisis Putusan MA No. 892 K/Pdt.Sus/2012 dalam Kasus PT. Multi Garmenjaya dengan PT. Gisha Cahaya Mandiri)*". Skripsi. Fakultas Hukum. Universitas Islam Negeri Syarif Hidayatullah. Jakarta.

Agil Suryotomo. 2010. "*Dissimilarity Response Respondent Refers to Indirect Comparative Advertising and Noncomparative Advertising in Facing Attitude Toward the Advertising, Attitude Toward the Brand and Intention to Buy (Studi Kasus Laboratorium Statistika II Kelas MG-A, MG-B, MG-C dan MG-D)*". Skripsi. Fakultas Ekonomi Universitas Kristen Maranatha. URL: http://repository.maranatha.edu/18360/2/0652263_Chapter1.pdf, diakses pada 15 Desember 2021 pukul 08.05 WITA.

Tesis:

Astari Dwi Paramita Rahardjo. 2012. "*Analisa Hukum Ratifikasi Nice Agreement bagi Kepentingan Pemilik Merek di Indonesia*". Tesis, Fakultas Hukum Universitas Indonesia. URL: <http://lib.ui.ac.id/file?file=digital/20304456-T30719%20-%20Analisa%20hukum.pdf>, diakses pada 6 Oktober 2021 pukul 09.14 WITA .

Berliana Oktavianti. 2018. "*Analisis Alkohol Pada Parfum Refill yang dijual di Kawasan Religi Sunan Ampel Surabaya*". Diploma Tesis. Universitas Muhammadiyah Surabaya. URL: http://repository.um-surabaya.ac.id/3405/3/BAB_2.pdf, diakses pada 10 Oktober 2021 pukul 05.12 WITA.

Gita Mareta Putri. 2020. "*Formulasi dan Pembuatan Eau de Parfum Cappucino*". Diploma Tesis. Poltekkes Tanjungkarang. URL: <http://repository.poltekkes-tjk.ac.id/2440/7/6.%20BAB%20II.pdf>, diakses pada 10 Oktober pukul 04.51 WITA.

Hiroko Onishi. 2009. "*Well-Known Trade Mark Protection: Confusion in EU and Japan*". Tesis. Faculty of Law, Arts & Social Sciences University of Southampton. URL: <https://eprints.soton.ac.uk/210843/>, diakses pada 12 Oktober 2021 pukul 11.52 WITA.

Valentine Millot. 2012. "*Trade Mark Strategies and Innovative Activities*". Tesis. Business Administration. Université de Strasbourg. URL: <https://tel.archives-ouvertes.fr/tel-00819222/document>, diakses pada 21 September 2021 pukul 06.24 WITA.

Jurnal:

Ahmad Yakub Sukro. "Perlindungan Hukum Terhadap Merek Dagang Terkenal atas Tindakan *Passing Off* pada Praktek Persaingan Usaha". Syiar Hukum Jurnal Ilmu Hukum. Vol. 16 No. 1. hlm. 111. URL:

https://www.researchgate.net/publication/337421549_PERLINDUNGAN_HUKUM_TERHADAP_MERЕК_DAGANG_TERKENA_L_ATAS_TINDAKAN_PASSING_OFF_PADA_PRAKTEK_PER_SAINGAN_USAHA, diakses pada 10 Desember 2021 pukul 10.48 WITA.

Alina Shchetinina. 2018. "The Dilution of a Trademark: A Comparative Study on EU and U.S. Law". Stanford – Vienna Transatlantic Technology Law Forum. No. 35. hlm. 51. URL: https://law.stanford.edu/wp-content/uploads/2018/05/shchetinina_wp35.pdf, diakses pada 7 Desember 2021 pukul 06.12 WITA.

Alírio E. Rodrigues. dkk. "*Perfume and Flavor Engineering: A Chemical Engineering Perspective*". Molecules. Vol. 26 No. 11. Mei 2021. URL: <https://www.mdpi.com/1420-3049/26/11/3095>, diakses pada 10 Oktober 2021 pukul 08.54 WITA.

Anne-Dominique Fortineau. "*Chemistry Perfumes Your Daily Life*". Journal of Chemical Education. Vol. 81 No. 1. Januari 2004. URL: <https://pubs.acs.org/doi/10.1021/ed081p45>, diakses pada 1 Agustus 2021 pukul 13.24 WITA.

Anis Mashdurohatun dan M. Ali Mansyur. "*Identifikasi Fair Use/Fair Dealing Hak Cipta atas Buku dalam Pengembangan Iptek pada Pendidikan Tinggi di Jawa Tengah*". Yustisia. Vol. 4 No. 3 September-Desember 2015. hlm. 522 URL: <https://jurnal.uns.ac.id/yustisia/article/download/8682/7772>, diakses pada 7 April 2022 pukul 07.46 WITA.

Avtar Singh Rahi. "*Perfume That You Think Makes You Smell Attractive is More Likely Damaging Environment and Your Health*". International Journal of Current Research in Chemistry and Pharmaceutical Sciences. Vol. 3 No. 1. Januari 2016. URL: <https://ijcrpps.com/pdfcopy/jan2016/ijcrpps3.pdf>, diakses pada 7 Oktober 2021 pukul 16.49 WITA.

Alfons dan Maria. "*Implementasi Hak Kekayaan Intelektual Dalam Perspektif Negara Hukum*". Jurnal Legislasi Indonesia. Vol. 14 No. 3. September 2017. URL: <https://ejurnal.peraturan.go.id/index.php/jli/article/view/111/pdf>, diakses pada 22 September 2021 pukul 13.57 WITA.

Brooke Erdos Singer dan Maxine Sharavsky. "Using Third Parties' Trademarks: Unpacking Commerciality, Competition, and Confusion". Newsletter Bright Ideas New York State Bar

Association. Vol. 26 No. 1 Spring 2017. hlm. 18. URL: <https://nysba.org/NYSBA/Publications/Section%20Publications/Intellectual/PastIssues/Spring%202017/BrightIdeas-Spr17.pdf>, diakses pada 3 Januari 2022 pukul 14.29 WITA.

Chad J. Doellinger. "Nominative Fair Use: Jardine and the Demise of a Doctrine". Northwestern Journal of Technology and Intellectual Property. Vol. 1 No. 1. URL: <https://scholarlycommons.law.northwestern.edu/njtip/vol1/iss1/5/>, diakses pada 5 Januari 2022 pukul 09.18 WITA.

Christos Chrissanthis, dkk. "The Trademarks Law Review". First Edition. The Law Review. hlm. 113-114. URL: <https://eclass.uoa.gr/modules/document/file.php/LAW263/The%20Trademark%20Law%20Review%20%282017%29%20-%20Report%20on%20Trademark%20Law%20in%20Greece.pdf>, diakses pada 7 Januari 2021 pukul 11.54 WITA.

Christos Chrissanthis, dkk. "The Trademarks Law Review". Third Edition. The Law Review. hlm. 94. URL: https://www.veirano.com.br/MidiaDocumentos/622003_TLR_3rd_Brazil.pdf, diakses pada 7 Januari 2021 pukul 13.36 WITA.

Ethan Horwitz dan Benjamin Levi. "Fifty Years of the Lanham Act: A Retrospective of Section 43(a)". Fordham Intellectual Property, Media and Entertainment Law Journal. Vol. 7 No. 1. 1996. hlm. 60. URL: <https://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=1122&context=iplj>, diakses pada 8 November 2021 pukul 07.18 WITA.

Eugene Briot. "From Industry to Luxury: French Perfume in the Nineteenth Century". Cambridge University Press. Vol. 85 No. 2. Juni 2011. hlm. 273. URL: <https://www.hbs.edu/businesshistory/Documents/from-industry-to-luxury.pdf>, diakses pada 1 Agustus 2021 pukul 14.12 WITA.

Fajar Nurcahya Dwi Putra. "Perlindungan Hukum bagi Pemegang Hak atas Merek Terhadap Perbuatan Pelanggaran Merek". Mimbar Hukum. Januari-Juni 2014. hlm. 101. URL: <https://media.neliti.com/media/publications/240068-perlindungan-hukum-bagi-pemegang-hak-ata-00803d72.pdf>, diakses pada 10 Desember 2021 pukul 10.07 WITA.

Filasavita Prasasti Iswara, dkk. "*Analisis Senyawa Berbahaya Dalam Parfum Dengan Kromatografi Gas-Spektrometri Massa Berdasarkan Material Safety Data Sheet (MSDS)*". Indonesian

Journal of Chemical Research. Vol. 2 No. 1. Agustus 2014. URL: <https://journal.uui.ac.id/chemical/article/view/4345/3838>, diakses pada 10 Oktober 2021 pukul 05.31 WITA.

Fu Shuju. 2021. "New Challenge on Intellectual Property: Smell Trademark". Proceedings of the 2021 International Conference on Enterprise Management and Economic Development (ICEMED 2021). Vol. 178. hlm. 466, URL: <https://www.atlantispress.com/proceedings/icemed-21/125957360>, diakses pada 21 Januari 2022 pukul 09.17 WITA.

J. David Mayberry. "The Trademark Reporter". The Law Journal of the International Trademark Association. Vol. 102 No. 3 Mei–Juni 2012. hlm. 820. URL: https://www.inta.org/wp-content/uploads/member-only/resources/the-trademark-reporter/vol102_no3_a2.pdf, diakses pada 5 Januari 2022 pukul 07.49 WITA.

Jordi Güell dan Curell Suñol. "The Trademark Reporter: Annual Review of EU Trademark Law". The Law Journal of the International Trademark Association. Vol. 105 No. 2 Maret–April 2015. hlm. 677-678. URL: https://www.inta.org/wp-content/uploads/public-files/resources/the-trademark-reporter-european-union-trademark-law/vol105_no2.pdf, diakses pada 23 Desember 2021 pukul 06.10 WITA.

Kenichi Morooka. "Well-Known Trademark Protection Reference to the Japanese Experience". Final Report. URL: https://www.wipo.int/export/sites/www/about-wipo/en/offices/japan/research/pdf/vietnam_2010.pdf, diakses pada 9 Oktober 2021 pukul 23.27 WITA.

KN Adli dan B Pramudono. "*Studi Campuran Surfactant Untuk Menentukan Fungsi Solubilizer dan Fixative Pada Industri Parfum*". Jurnal MIPA. Vol. 38 No. 1. April 2015. URL: <https://journal.unnes.ac.id/nju/index.php/JM/article/view/5487/4371>, diakses pada 10 Oktober 2021 pukul 05.47 WITA.

Kristin Zobel. "The Famous Marks Doctrine: Can and Should Well-Known Foreign Marks Receive Trademark Protection within the United States?". DePaul Journal of Art, Technology & Intellectual Property Law. Vol. 19 No. 1, 2008. URL: <https://via.library.depaul.edu/jatip/vol19/iss1/6/>, diakses pada 30 Oktober 2021 pukul 09.33 WITA.

- Krystil McDowall. "A Critical Look At "Use" Under the Lanham Act". New York University Journal of Intellectual Property and Entertainment Law. Vol 4 No. 2 Spring 2015. hlm. 250, 252. URL: https://jipel.law.nyu.edu/wp-content/uploads/2015/05/NYU_JIPEL_Vol-4-No-2-2_McDowall_UseUnderLanhamAct.pdf, diakses pada 20 Januari 2022 pukul 08.49 WITA.
- Lee Ann Lockridge. "Honoring International Obligations in U.S. Trademark Law: How the Lanham Act Protects Well-Known Foreign Marks (and why the Second Circuit was Wrong)". Louisiana State University Law Journal. Januari 2010. hlm. 1365. URL: <https://core.ac.uk/download/pdf/235282025.pdf>, diakses pada 21 Oktober 2021 pukul 10.41 WITA.
- Lotte Anemaet. "Which Honesty Test for Trademark Law? Why Traders' Efforts to Avoid Trademark Harm Should Matter When Assessing Honest Business Practices". GRUR International. Vol. 70 No. 11. November 2021. URL: <https://academic.oup.com/grurint/article/70/11/1025/6308645>, diakses pada 7 Januari 2022 pukul 05.08 WITA.
- Mark Bartholomew. "Making a Mark in the Internet Economy: A Trademark Analysis of Search Engine Advertising". Oklahoma Law Review. Vol. 52 No. 2 2005. hlm. 218-220, URL: <https://digitalcommons.law.ou.edu/cgi/viewcontent.cgi?article=1250&context=olr>, diakses pada 20 Januari 2022 pukul 07.28 WITA.
- Mark Toncar dan Marc Fetscherin. 2012. "*A study of visual puffery in fragrance advertising: Is the message sent stronger than the actual scent?*". European Journal of Marketing. Vol. 46 No. 1. Februari 2012. URL: https://www.researchgate.net/publication/220017210_A_Study_of_Visual_Puffery_in_Fragrance_Advertising_Is_tyenjessage_message_sent_stronger_than_the_actual_scent, diakses pada 11 Oktober 2021 pukul 06.03 WITA.
- Martin Senftleben. "*Robustness Check: Evaluating and Strengthening Artistic Use Defences in EU Trademark Law*". The International Review of Intellectual Property and Competition Law. 7 April 2022. hlm. 4. URL: <https://link.springer.com/content/pdf/10.1007/s40319-022-01182-x.pdf>, diakses pada 25 April 2022 pukul 09.23 WITA.

- Michal Bohaczewski. "Conflicts Between Trade Mark Rights and Freedom of Expression Under EU Trade Mark Law: Reality or Illusion?". The International Review of Intellectual Property and Competition Law. Vol. 51 No. 7. September 2020. hlm. 870-871. URL: <https://link.springer.com/article/10.1007/s40319-020-00964-5>, diakses pada 25 April 2022 pukul 10.02 WITA.
- Minde Glenn Browning. "International Trademark Law: A Pathfinder and Selected Bibliography", Indiana International & Comparative Law Review, Vol. 4:339, hlm. 347-348, URL: <https://mckinneylaw.iu.edu/iiclr/pdf/vol4p339.pdf>, diakses pada 24 September 2021 pukul 20.17 WITA.
- Mohammad Amin Naser. 2008. "Reexamining the Functions of Trademark Law". Chicago-Kent Journal of Intellectual Property. Vol. 8 No. 1. Januari 2008. URL: <https://scholarship.kentlaw.iit.edu/cgi/viewcontent.cgi?article=1068&context=ckjip>, diakses pada 12 Oktober 2021 pukul 05.45 WITA.
- Rika Ratna Permata, dkk. "Regulasi Doktrin Fair Use terhadap Pemanfaatan Hak Cipta pada Platform Digital Semasa dan/atau Pasca Pandemi COVID-19". Dialogia Iuridica. Vol. 13 No. 1. November 2021. hlm. 133. URL: <https://journal.maranatha.edu/index.php/dialogia/article/download/3750/2007/>, diakses pada 7 April 2022 pukul 08.12 WITA.
- Rohaini. "The Madrid Protocol: Mewujudkan Perlindungan Hukum yang Efektif Bagi Merek Terkenal di ASEAN". Jurnal Media Hukum. Vol. 25 No. 1. Juni 2018. URL: <https://media.neliti.com/media/publications/267455-the-madrid-protocol-mewujudkan-perlindun-c8d7dd02.pdf>, diakses pada 09.14 WITA.
- Siti Marwiyah. "Pelindungan Hukum Terhadap Merek Terkenal". Jurnal De Jure Syariah dan Hukum. Vol. 2 No. 1. Juni 2011. URL: <http://ejournal.uin-malang.ac.id/index.php/syariah/article/view/50>, diakses pada 7 Oktober 2021 pukul 21.46 WITA.
- S. Kavitha dan J. Srinivasan. "Compatibility of Non-Alcoholic, Non-Allergic Water Based Micro Emulsion Perfumes for Skin and Silk Fabrics". International Research Journal of Pharmacy. Vol. 8 No. 9. September 2017. URL: http://www.irjponline.com/admin/php/uploads/2761_pdf.pdf, diakses pada 10 Oktober 2021 pukul 06.13 WITA.

- Stephanie M. Greene, *Sorting Out "Fair Use" and "Likelihood of Confusion" in Trademark Law*, American Business Law Journal, Vol. 43 No. 1, hlm. 45, URL: <https://dlib.bc.edu/islandora/object/bc-ir:101044/datastream/PDF/view>, diakses pada 2 Januari 2022 pukul 07.47 WITA.
- Stylianos Malliaris. "Protecting Famous Trademarks: Comparative Analysis of US and Analysis of US and EU Diverging Approaches --The Battle Between Legislatures and the Judiciary. Who is the Ultimate Judge?". Chicago-Kent Journal of Intellectual Property. Vol. 9 No. 1. Januari 2010. hlm. 54. URL: https://scholarship.kentlaw.iit.edu/ckjip/vol9/iss1/2?utm_source=scholarship.kentlaw.iit.edu%2Fckjip%2Fvol9%2Fiss1%2F2&utm_medium=PDF&utm_campaign=PDFCoverPages, diakses pada 13 Oktober 2021 pukul 10.46 WITA.
- Thierry Calame, dkk. "Question 234 Relevant public for determining the degree of recognition of famous marks, wellknown marks and marks with a reputation". Summary Report AIPPI. hlm. 3. URL: https://www.aippi.fr/upload/Helsinki%202013/sumrep_q234_e_fi_nal_230813.pdf, diakses pada 8 Oktober 2021 pukul 08.41 WITA.
- Vanessa Marsland. "Famous and Well-Known Trademarks in EU Law". Country Correspondents of World Trademark Review. 16 Januari 2008. hlm. 66. URL: <https://www.worldtrademarkreview.com/brand-management/well-known-and-famous-trademarks-4>, diakses pada 9 November 2021 pukul 07.16 WITA.
- Victoria Loughery. "Empresa Cubana del Tabaco v. Culbro Corp". New York Law School Law Review. Vol 51 No. 3. Januari 2006. hlm. 734-735, URL: https://digitalcommons.nyls.edu/cgi/viewcontent.cgi?article=1379&context=nyls_law_review, diakses pada 28 Oktober 2021 pukul 13.41 WITA.
- Xiuqin Zeng dan Shuo Wang. 2016. "A Study on the TV Commercials of Luxury Female Perfumes". Proceedings of the 2016 International Conference on Engineering Science and Management. Agustus 2016. URL: <https://www.atlantispress.com/proceedings/esm-16/25859524>, diakses pada 11 Oktober 2021 pukul 07.11 WITA.

Xuan-Thao Nguyen. "The Other Famous Marks Doctrine". Transnational Law & Contemporary Problems. Vol. 17 Oktober 2009. hlm. 765-766. URL: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1493486, diakses pada 30 Oktober 2021 pukul 08.51 WITA.

Y. Soudry. "Olfactory system and emotion: Common substrates". European Annals of Otorhinolaryngology, Head and Neck Diseases. Vol. 128 No. 1. January 2011. hlm. 18-19, 22. URL: <https://www.sciencedirect.com/science/article/pii/S1879729610001237>, diakses pada 9 Oktober 2021 pukul 10.37. WITA.

Internet:

Alexander von Mühlendahl, *Defenses Against Claims of Trade Mark Infringement*, URL: https://ipkey.eu/sites/default/files/ipkey-docs/2019/Alexander-von-M%C3%BChlendahl_Defenses-Against-Claims-of-Trade-Mark-Infringement.pdf, diakses pada 17 November 2021 pukul 10.16 WITA.

Amelia Fitriani. *Tren Inspired Perfume Picu Inovasi Brand Lokal*. URL: <https://www.farah.id/read/2021/06/05/6464/tren-inspired-perfume-picu-inovasi-brand-lokal>, diakses pada 23 September 2021 pukul 14.39 WITA.

American Intellectual Property Law Association. *Certiorari* No. 06-1722. URL: https://www.scotusblog.com/archives/06-1722_cert_amicus_AIPLA.pdf. hlm. 20, diakses pada 8 November 2021 pukul 10.23 WITA.

Asean Intellectual Property Rights. 2018. *Protokol Madrid: Jalur Menuju Pencitraan Merek Global*. hlm. 7. URL: <https://www.dgip.go.id/unduh/download/panduan-protokol-madrid-42-2020>, diakses pada 24 September 2021 pukul 16.35 WITA.

Barton Beebe. 2020. *Trademark Law: An Open-Source Casebook*. Versi ke-7. hlm. 562. URL: http://tmcasbook.org/wp-content/uploads/2020/08/BeebeTMLaw-v7-digital_edition.pdf, diakses pada 5 Januari 2022 pukul 10.42 WITA.

Brook K. Baker and Tenu Avafia. 2011. The Evolution of IPRs from Humble Beginnings to the Modern Day TRIPS-plus Era: Implications for Treatment Access. Working Paper prepared for the Third Meeting of the Technical Advisory Group of the Global Commission on HIV and the Law, 7-9 Juli 2011. hlm. 5. URL:

<http://bibliobase.sermais.pt:8008/BiblioNET/upload/PDF/0583.pdf>, diakses pada 06.12 WITA.

Carlota Viola. *Court rules on use of comparison lists for smell-alike perfumes.* URL: <https://www.lexology.com/commentary/intellectual-property/spain/grau-angulo/court-rules-on-use-of-comparison-lists-for-smell-alike-perfumes>, diakses pada 24 September 2021 pukul 14.01 WITA.

Carlota Viola. *Court finds unlawful trademark use in smell-alike perfume case.* URL: <https://www.lexology.com/commentary/intellectual-property/spain/grau-angulo/court-finds-unlawful-trademark-use-in-smell-alike-perfume-case>, diakses pada 24 Desember 2021 pukul 08.03 WITA.

Carlota Viola. *EU Trademark Court of Appeal rules on smell-alike perfumes.* URL: <https://www.lexology.com/commentary/intellectual-property/european-union/grau-angulo/eu-trademark-court-of-appeal-rules-on-smell-alike-perfumes>, diakses pada 27 Desember 2021 pukul 16.05 WITA.

China National Intellectual Property Administration and World Intellectual Property Organization. 2019. *Intellectual Property Basics: A Q&A for Students.* URL: https://www.wipo.int/edocs/pubdocs/en/wipo_pub_1056.pdf, diakses pada 21 September 2021 pukul 05.13 WITA.

Colleen Walsh. *What the nose knows.* URL: <https://news.harvard.edu/gazette/story/2020/02/how-scent-emotion-and-memory-are-intertwined-and-exploited/>, diakses pada 9 Oktober 2021 pukul 09.28. WITA.

Court of Justice of the European Union. *How the Court works – the basics.* URL: <https://youtu.be/wDTYYGQWYk>, diakses pada 19 Oktober 2021 pukul 20.21 WITA.

Court of Justice of the European Union. *The Preliminary Ruling Procedure: A Dialogue with National Courts.* URL: <https://youtu.be/Ffr368m58QI>, diakses pada 16 November 2021 pukul 11.47 WITA.

Court of Justice of the European Union. *Why does the Court of Justice of the EU Exist?.* URL: <https://www.youtube.com/watch?v=->

[xMzYkfVH4E](#), diakses pada 19 Oktober 2021 pukul 20.03 WITA.

Chris McLeod dan Ellie Forrest-Charde. *General Court Rejects Viaguara Appeal Against Refusal of Community Trademark*. Squire Patton Boggs Insight. April 2012, URL: <https://www.squirepattonboggs.com/en/insights/publications/2012/04/general-court-rejects-viaguara-appeal-against-re>, diakses pada 28 November 2021 pukul 12.33 WITA.

Christos Chrissanthis, Xenia Chardalia, Antonia Vasilogamvrou, *Greece - Case Report: Multi-member First Instance Court of Athens Judgment No. 5246/2014*, URL: <https://eclass.uoa.gr/modules/document/file.php/LAW263/GRE/ECE%20-%20Case%20Report%20-%20NIKAS.pdf>, diakses pada 7 Januari 2021 pukul 09.18 WITA

Clive Christian. *Types of Perfume & Perfume Strengths*. URL: <https://www.clivechristian.com/usa/2021/06/19/perfume-types-guide/>, diakses pada 10 Oktober 2021 pukul 07.29 WITA.

David Bond. *Using third party brands in online comparisons*. URL: <https://www.fieldfisher.com/en/insights/using-third-party-brands-in-online-comparisons>, diakses pada 14 September 2021 pukul 10.40 WITA.

Dennemeyer. *Luxembourg: The Evolution of Trademarks-From Ancient Egypt To Modern Times*. URL: <https://www.mondaq.com/trademark/873224/the-evolution-of-trademarks--from-ancient-egypt-to-modern-times>, diakses pada 21 September 2021 pukul 16.04 WITA.

Dewan Periklanan Indonesia. 2020. *Etika Pariwara Indonesia: Amandemen 2020*. hlm. 14. URL: <http://www.dewanperiklananindonesia.id/3d-flip-book/746/>, diakses 11 Oktober pada 05.06 WITA.

Direktorat Jenderal Kekayaan Intelektual. 2019. *Modul Kekayaan Intelektual Bidang Merek dan Indikasi Geografis*. hlm. 7. URL: <https://www.dgip.go.id/unduh/download/modul-ki-bidang-merek-dan-indikasi-geografis-edisi-2019-2-2019>, diakses pada 12 Oktober 2021 pukul 06.18 WITA.

Direktorat Jenderal Kekayaan Intelektual. *Sejarah Perkembangan Perlindungan Kekayaan Intelektual (KI)*. URL:

<https://www.dgip.go.id/tentang-djki/sejarah-djki>, diakses pada 22 September 2021 pukul 07.22 WITA.

Direktorat Jenderal Kekayaan Intelektual. *Prosedur Permohonan Merek Internasional (Madrid Protocol)*. URL: <https://www.dgip.go.id/menu-utama/merek/pendaftaran-merek-internasional>, diakses pada 13 Oktober 2021 pukul 08.17 WITA.

Elisabeth Daem dan Alexis Fierens. Webinar: "EUTM courts: the distinctive functioning of a characteristic court". EUIPO. 8 September 2020. URL: <https://euipo.europa.eu/knowledge/course/view.php?id=4033>, diakses pada 19 Oktober 2021 pukul 13.06 WITA.

Eric C. Turnbull. *Yes, You Can Trademark Smells, But It's Not Easy*. URL: <https://www.orlaw.com/intellectual-property/2018/04/13/yes-can-trademark-smells-not-easy/>, diakses pada 21 Januari 2022 pukul 09.31 WITA.

Eugene R. 1867. *The Book of Perfumes*. Chapman & Hall. London. hlm. 4-5. URL: <http://catalog.hathitrust.org/api/volumes/oclc/11220396.html>, diakses pada 7 Oktober 2021 pukul 16.19 WITA.

European Commission. 2020. *The European Union: What it is and what it does*. Luxemburg. Publications Office of the European Union. hlm. 7. URL: <https://op.europa.eu/en/publication-detail/-/publication/ac0a88a6-4369-11ea-b81b-01aa75ed71a1/language-en>, diakses pada 16 November 2021 pukul 08.23 WITA.

European Commision. *Trade mark protection in the EU*. URL: https://ec.europa.eu/growth/industry/policy/intellectual-property/trade-mark-protection_en, diakses pada 19 Oktober 2021 pukul 11.03 WITA.

European Union. *Court of Justice of the European Union*. URL: https://european-union.europa.eu/institutions-law-budget/institutions-and-bodies/institutions-and-bodies-profiles/court-justice-european-union-cjeu_en, diakses pada 16 November 2021 pukul 13.02 WITA.

European Union. *Country Profiles*. URL: <https://european-union.europa.eu/principles-countries-history/country->

[profiles_en](#), diakses pada 16 November 2021 pukul 08.55 WITA.

European Union Intellectual Property Office. 2021. *Guidelines for Examination in the Office: Part C Opposition*. hlm. 691. URL: <https://guidelines.euipo.europa.eu/binary/1922895/2000160000>, diakses pada 10 November 2021 pukul 08.13 WITA.

European Union Intellectual Property Office. 2021. *Guidelines for Examination in the Office. Part C Opposition: Section 5 Trade marks with reputation (Article 8(5) EUTMR)*. hlm. 1139. URL: <https://guidelines.euipo.europa.eu/binary/1922895/2000200000>, diakses pada 16 November 2021 pukul 14.01 WITA.

Fimela. *Kapan Parfum Mulai Dipakai?*. URL: <https://www.fimela.com/beauty/read/3829461/kapan-parfum-mulai-dipakai>, diakses pada 1 Agustus 2021 pukul 14.28 WITA.

General Court of the European Union. *The sign "VIAGUARA" cannot be registered as a Community trade mark for drinks*. PRESS RELEASE No 3/12. Judgment in Case T-332/10 Viaguara S.A. v OHIM. hlm. 1-2. URL: <https://curia.europa.eu/jcms/upload/docs/application/pdf/2012-01/cp120003en.pdf>, diakses pada 27 November 2021 pukul 14.07 WITA.

Georg Hendrik Christiaan Bodenhausen. 1968. *Guide to the Application of the Paris Convention for the Protection of Industrial Property*. hlm. 91. URL: https://www.wipo.int/edocs/pubdocs/en/intproperty/611/wipo_publication_611.pdf, diakses pada 24 Oktober pukul 08.34 WITA

Gowling WLG. *Use of Third Party Brands: Dos and Don'ts in Social Media and Advertising*. URL: <https://gowlingwlg.com/en/insights-resources/articles/2020/use-of-third-party-brands-in-advertising/>, diakses pada 13 Desember 2021 pukul 20.57 WITA.

Grau & Angulo. Newsletter. No. 46. Oktober 2015. URL: <https://ga-ip.com/en/newsletter-number-46-october-2015/>, diakses pada 24 September 2021 pukul 14.14 WITA.

Grau & Angulo. Newsletter. No. 52 April 2017. URL: <https://ga-ip.com/en/newsletter-number-51-january-2017-2/>, diakses pada 28 Desember 2021 pukul 02.28 WITA.

- Grau & Angulo. Newsletter. No. 53 Juli 2017. URL: <https://ga-ip.com/en/newsletter-number-53-july-2017/>, diakses pada 27 Desember 2021 pukul 20.04 WITA.
- Grau & Angulo. Newsletter. No. 60 April 2019. URL: <https://ga-ip.com/en/newsletter-number-60-april-2019/>, diakses pada 28 Desember 2021 pukul 06.21 WITA.
- Howard Wintner. *Fair Use Under The Trademark Laws*. URL: <https://www.pnlawyers.com/fair-use-under-the-trademark-laws-nylj-com/>, diakses pada 3 Januari 2022 pukul 11.48 WITA.
- Huw Morris. *The L'Oreal Saga – Trademarks and Comparative Advertising*. URL: <https://www.adlawbyrequest.com/2010/06/articles/intellectual-property/the-loreal-saga-trademarks-and-comparative-advertising>, diakses pada 22 Desember 2021 pukul 02.14 WITA.
- Irene Calboli dan Christine Haight Farley. 2016. *The Trademark Provisions in the TRIPS Agreement*. hlm 117. URL: https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1180&context=facsch_bk_contributions, diakses pada 6 Oktober 2021 pukul 17.12 WITA.
- International Trademark Association. *Fair Use of Trademarks (Intended for a Non-Legal Audience)*. URL: <https://www.inta.org/factsheets/fair-use-of-trademarks-intended-for-a-non-legal-audience/>, diakses pada 6 Oktober 2021 pukul 18.42 WITA.
- International Trademark Associations. *Famous/Well Known Marks*. URL: <https://www.inta.org/topics/famous-well-known-marks/>, diakses pada 9 Oktober 2021 pukul 24.08 WITA.
- Isabel Davies dan Tom Scourfield. *The ECJ delivers its judgment on L'Oréal v Bellure*. URL: <https://www.cms-lawnow.com/ealerts/2009/06/the-ecj-delivers-its-judgment-on-loreal-v-bellure>, diakses pada 19 Desember 2021 pukul 08.35 WITA.
- Japan Patent Office Asia-Pacific Industrial Property Center. *Introduction to TRIPs Agreement*. hlm. 1-2. URL: https://www.jpo.go.jp/e/news/kokusai/developing/training/textbook/document/index/TRIPs_Agreement.pdf, diakses pada 21 September 2021 pukul 08.27 WITA.

- Jennifer E. Laygo, *Protection of Well-Known Marks in The European Union*, hlm 13, URL: <https://ipkey.eu/sites/default/files/ipkey-docs/2019/Protection-of-Well-Known-Marks-in-the-European-Union.pdf>, diakses pada 10 November 2021 pukul 09.13 WITA.
- Jerre B. Swann, Jr. *Third Party Trademarks: Fair Use or Foul?*. URL: <https://www.fr.com/third-party-trademarks-fair-use-or-foul/>, diakses pada 12 Desember 2021 pukul 11.42 WITA.
- José F. Crespo. *Protecting Well-Known Marks in the European Union: Recent Developments on Bad Faith in the EU*. URL: https://ipkey.eu/sites/default/files/ipkey-docs/2019/IPKey-SEA_oct2019_2_2-Jose-Crespo_well-known-marks.pdf, diakses pada 16 November 2021 pukul 14.25 WITA.
- Julia Carretero. *EU Trademark Court confirms that use of well-known trademarks to sell smell-alikes is infringing*. URL: <https://www.lexology.com/commentary/intellectual-property/european-union/grau-angulo/eu-trademark-court-confirms-that-use-of-well-known-trademarks-to-sell-smell-alikes-is-infringing#Decision>, diakses pada 24 September 2021 pukul 14.25 WITA.
- Katharina Schmid, *About wine barrels and family traditions: revocation of marks that become misleading over time*, URL: <http://trademarkblog.kluweriplaw.com/2021/08/24/about-wine-barrels-and-family-traditions-revocation-of-marks-that-become-misleading-over-time/>, diakses pada 7 Januari 2022 pukul 07.41 WITA.
- Kirci Law Office. *The History of Trademarks*. URL: <https://kirci.av.tr/blog/the-history-of-trademarks>, diakses pada 21 September 2021 pukul 13.02 WITA.
- Kraig Baker dan Jeffrey Carter. *United States: Can someone use your marks in ads without permission?*. hlm. 110. URL: https://www.dwt.com/files/Uploads/Documents/Publications/Baker_Carter_WTR57.pdf, diakses pada 12 Desember 2021 pukul 12.38 WITA.
- Michael Adams. *What Is A Fragrance Dupe? What You Need To Know About Dupes BEFORE Buying*. URL: <https://www.michael84.co.uk/what-is-a-fragrance-dupe-what->

[you-need-to-know-about-dupes-before-buying/](#), diakses pada 23 September 2021 pukul 15.11 WITA.

Nikos Prentoulis. *Who owns my name? OHIM's BoA on the Greek NIKAS vs. NIKAS case.* URL: <https://www.marques.org/blogs/class46/Default.asp?XID=BHA4315>, diakses pada 7 Januari 2022 pukul 16.31 WITA.

Openstax. *Fair Use of Trademarks.* URL: <https://openstax.org/books/introduction-intellectual-property/pages/4-11-fair-use-of-trademarks>, diakses pada 3 Januari 2022 pukul 12.06 WITA.

Patrick Süskind. 2001. *Perfume: The Story of a Murderer.* Vintage International. New York. hlm. 77. URL: <https://pdfcoffee.com/the-perfume-handbookpdf-pdf-free.html>, diakses pada 9 Oktober 2021 pukul 09.41 WITA.

Pattishall. *Punchgini.* URL: <https://www.pattishall.com/pdf/Punchgini.pdf>, diakses pada 8 November 2021 pukul 10.31 WITA.

Perfume.com. *A Guide to Perfume Types.* URL: <https://www.perfume.com/article-a-guide-to-perfume-types>, diakses pada 10 Oktober 2021 pukul 07.15 WITA.

Persatuan Perusahaan Periklanan Indonesia. 2004. *Cakap Kecap (1972-2003).* Galang Press. Yogyakarta. hlm. 171. URL: <https://books.google.co.id/books?id=feHMx4va98MC&lpg=PP1&pg=PA55#v=onepage&q&f=false>, diakses pada 15 Desember 2021 pukul 09.49 WITA.

Phan Ngoc Tam. "Well-known trademark protection in Vietnam". *WIPO-WTO Colloquium*, Vol. 7 Chapter 11. 2016. URL: https://www.wto.org/english/tratop_e/trips_e/colloquium_papers_e/2016/chapter_11_2016_e.pdf, diakses pada 9 Oktober 2021 pukul 23.39 WITA.

Rahma Sulistya. *Kenali Tiga Standar Keamanan Dupe Perfume.* URL: <https://republika.co.id/berita/qtiwj6349/kenali-tiga-standar-keamanan-dupe-perfume>, diakses pada 23 September 2021 pukul 14.58 WITA.

Rafał Mańko. *Preliminary reference procedure.* Briefing. European Parliamentary Research Service. Juli 2017. URL: <https://www.europarl.europa.eu/RegData/etudes/BRIE/2017/60>

[8628/EPRS BRI\(2017\)608628 EN.pdf](#), diakses pada 16 November 2021 pukul 13.24 WITA.

Richard Burton. *GC Refuses VIAGUARA Mark for Dissimilar Goods*. URL: <https://www.dyoung.com/en/knowledgebank/articles/ate-viagura>, diakses pada 26 November 2021 pukul 23.39 WITA.

Siti Aminah. 2014. *Menjadi Sahabat Keadilan: Panduan Menyusun Amicus Brief*. Jakarta. The Indonesian Legal Resource Center. hlm. 7-11. URL: <http://www.mitrahukum.org/wp-content/uploads/2015/02/Amicus-Brief.pdf>, diakses pada 8 November 2021 pukul 09.56 WITA.

Sonal Sohdani. *India: All You Need To Know About "Well-Known Trademarks"*. URL: <https://www.mondaq.com/india/trademark/808148/all-you-need-to-know-about-well-known-trademarks>, diakses pada 21 Oktober 2021 pukul 11.18 WITA.

Stephen R dan Baird Draeke Weseman. *Navigating Trademark Nominative Fair-Use Issues*. URL: <https://www.duetsblog.com/files/2020/10/IPBOOKChapter07-20.pdf>, diakses pada 5 Januari 2022 pukul 13.11 WITA.

Tabberone. *The History of Trademark Law*. URL: <http://www.tabberone.com/Trademarks/TrademarkLaw/History/History.shtml>, diakses pada 21 September 2021 pukul 16.41 WITA.

Tailor Made Fragrance. *Fashion, fragrances and advertising: how the most famous brands communicate their essence in a perfume*. URL: https://www.tailormadefragrance.com/en_int/blog/fashion-fragrances-advertising/, diakses pada 11 Oktober 2021 pukul 18.48 WITA.

The Law Offices of Konrad Sherinian. *A Brief History of Trademarks*. URL: <https://sherinianlaw.net/intellectual-property-law/trademarks/a-brief-history-of-trademarks/>, diakses pada 21 September 2021 pukul 16.26 WITA.

United States Courts. *Comparing Federal & State Courts*. URL: <https://www.uscourts.gov/about-federal-courts/court-role-and-structure/comparing-federal-state-courts>, diakses pada 25 Oktober 2021 pukul 09.37 WITA.

- United States Courts. *Court Role and Structure*. URL: <https://www.uscourts.gov/about-federal-courts/court-role-and-structure>, diakses pada 25 Oktober 2021 pukul 09.12 WITA.
- United States Courts. *Supreme Court Procedures*. URL: <https://www.uscourts.gov/about-federal-courts/educational-resources/about-educational-outreach/activity-resources/supreme-1>, diakses pada 8 November 2021 pukul 09.35 WITA.
- United States Department of Justice. *Introduction to The Federal Court System*. URL: <https://www.justice.gov/usao/justice-101/federal-courts>, diakses pada 25 Oktober 2021 pukul 11.07 WITA.
- United States Patent and Trademark Office. *About Trademark Infringement*. URL: <https://www.uspto.gov/ip-policy/trademark-policy/well-known-marks>, diakses 6 November 2022 pukul 10.14 WITA.
- United States Patents and Trademark Office, *Well-known marks*, URL: <https://www.uspto.gov/ip-policy/trademark-policy/well-known-marks#:~:text=The%20Act%20protects%20a%20mark,the%20senior%20mark%20is%20registered.>, diakses pada 12 Oktober 2021 pukul 11.10 WITA.
- Verena von Bomhard dan Alexander von Mühlendahl. *Concise European Trademark Law*, Article 14 EUTMR. URL: [https://books.google.co.id/books?id=Do6WDwAAQBAJ&pg=PT177&lpg=PT177&dq=article+14\(1\)+a+EUTMR&source=bl&ots=qPrVVvKYKU&sig=ACfU3U3RmUc0-HUnH96yS1ifSwS3cB59cQ&hl=en&sa=X&ved=2ahUKEwj8nYi_6aP0AhUhyzgGHZTJAr4Q6AF6BAgsEAM#v=onepage&q=article%2014\(1\)%20a%20EUTMR&f=false](https://books.google.co.id/books?id=Do6WDwAAQBAJ&pg=PT177&lpg=PT177&dq=article+14(1)+a+EUTMR&source=bl&ots=qPrVVvKYKU&sig=ACfU3U3RmUc0-HUnH96yS1ifSwS3cB59cQ&hl=en&sa=X&ved=2ahUKEwj8nYi_6aP0AhUhyzgGHZTJAr4Q6AF6BAgsEAM#v=onepage&q=article%2014(1)%20a%20EUTMR&f=false), diakses pada 7 Januari 2022 pukul 13.57 WITA.
- Vic Lin. *What is trademark fair use?*. URL: <https://www.patenttrademarkblog.com/trademark-fair-use/>, diakses pada 3 Januari 2022 pukul 10.15 WITA.
- Wikipedia. *Amicus Curiae*. URL: https://en.wikipedia.org/wiki/Amicus_curiae, diakses pada 8 November 2021 pukul 10.07 WITA.

- Wikipedia. *Certiorari*. URL: <https://en.wikipedia.org/wiki/Certiorari>, diakses pada 8 November 2021 pukul 09.38 WITA.
- Wikipedia. *Limitations and exceptions to copyright*. URL: https://en.m.wikipedia.org/wiki/Limitations_and_exceptions_to_copyright, diakses pada 7 April 2022 pukul 08.29 WITA.
- Wikipedia. *List of Courts of the United States*. URL: https://en.wikipedia.org/wiki/List_of_courts_of_the_United_States, diakses pada 25 Oktober 2021 pukul 11.29 WITA.
- Wikipedia. *Nominative Use*. URL: https://en.wikipedia.org/wiki/Nominative_use. diakses pada 6 Oktober 2021 pukul 19.09 WITA.
- Wikipedia. *United States courts of appeals*. URL: https://en.wikipedia.org/wiki/United_States_courts_of_appeals, diakses pada 25 Oktober pukul 11.49 WITA.
- Wikipedia. *Perfume*. URL: <https://en.wikipedia.org/wiki/Perfume>. diakses pada 7 Oktober 2021 pukul 13.20 WITA.
- Wikipedia. *Preliminary Ruling*. URL: https://en.wikipedia.org/wiki/Preliminary_ruling, diakses pada 16 November 2021 pukul 13.09 WITA.
- World Intellectual Property Organization. 1993. *Introduction to Trademark Law & Practice: The Basic Concepts*. URL: https://www.wipo.int/edocs/pubdocs/en/wipo_pub_653, diakses pada 21 September 2021 pukul 05.39 WITA.
- World Intellectual Property Organization. 2000. *Joint Recommendation Concerning Provisions on the Protection of Well-Known Marks*. URL: <https://www.wipo.int/edocs/pubdocs/en/marks/833/pub833.pdf>, diakses pada 10 Oktober 2021 pukul 02.21 WITA.
- World Intellectual Property Organization. 2021. *Guide to The International Registration of Marks Under the Madrid Agreement and The Madrid Protocol*. hlm. 61. URL: https://www.wipo.int/edocs/pubdocs/en/wipo_pub_455_2021.pdf, diakses pada 13 Oktober 2021 pukul 09.05 WITA.
- World Intellectual Property Organization. *About the Nice Classification*. URL:

https://www.wipo.int/treaties/en/classification/nice/summary_nice.html, diakses pada 6 Oktober 2021 pukul 06.45 WITA.

World Intellectual Property Organization. *Nice Classification*. URL: <https://www.wipo.int/classifications/nice/en/>, diakses pada 1 September 2021 pukul 13.17 WITA.

World Intellectual Property Organization. *Representation of Non-Traditional Marks Areas of Convergence*. Meeting Document, URL: https://www.wipo.int/edocs/mdocs/sct/en/sct_20/sct_20_2.pdf, diakses pada 12 Oktober 2021 pukul 04.02 WITA.

World Intellectual Property Organization. *SCT to Focus Work on Non-Traditional Types of Marks Trademark Opposition Procedures and Industrial Designs*. URL: https://www.wipo.int/pressroom/en/articles/2007/article_0084.html, diakses pada 12 Oktober 2021 pukul 05.30 WITA.

World Intellectual Property Organization. *Summary of the Madrid Agreement Concerning the International Registration of Marks (1891) and the Protocol Relating to that Agreement (1989)*. URL: https://www.wipo.int/treaties/en/registration/madrid/summary_madrid_marks.html, diakses pada 24 September 2021 pukul 19.23 WITA.

World Intellectual Property Organization. *Summary of the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (1957)*. URL: https://www.wipo.int/treaties/en/classification/nice/summary_nice.html, diakses pada 6 Oktober 2021 pukul 06.45 WITA.

World Intellectual Property Organization. *Summary of the Paris Convention for the Protection of Industrial Property (1883)*. URL: https://www.wipo.int/treaties/en/ip/paris/summary_paris.html, diakses pada 22 September 2021 pukul 16.07 WITA.

World Intellectual Property Organization. *Summary of the Singapore Treaty on the Law of Trademarks (2006)*. URL: https://www.wipo.int/treaties/en/ip/singapore/summary_singapore.html, diakses pada 5 Oktober 2021 pukul 05.12 WITA.

World Intellectual Property Organization. *Summary of the Trademark Law Treaty (TLT) (1994)*. URL: https://www.wipo.int/treaties/en/ip/tlt/summary_tlt.html, diakses pada 22 September 2021 pukul 17.17 WITA.

World Intellectual Property Organization. *Trademarks*. URL: <https://www.wipo.int/trademarks/en/>, diakses pada 25 September 2021 pukul 16.21 WITA.

World Intellectual Property Organization. *Trademarks Past and Present*. WIPO Magazine. Issue 2/2005. March 2005. URL: https://www.wipo.int/wipo_magazine/en/2005/02/article_0003.html, diakses pada 21 September 2021 pukul 06.58 WITA.

World Intellectual Property Organization. *What is Intellectual Property?*. URL: <https://www.wipo.int/about-ip/en/>, diakses pada 21 September 2021 pukul 22.50 WITA.

World Trade Organization. *What are intellectual property rights?*. URL: https://www.wto.org/english/tratop_e/trips_e/intel1_e.htm, diakses pada 22 September 2021 pukul 06.17 WITA.

World Trade Organization. *Module III: Trademarks*. hlm. 52. URL: https://www.wto.org/english/tratop_e/trips_e/ta_docs_e/module_s3_e.pdf, diakses pada 13 Oktober 2021 pukul 06.35 WITA.

Zarley Law, *Can I Trademark A Scent?*, <https://www.zarleylaw.com/can-i-trademark-a-scent/>, diakses pada 21 Januari 2022 pukul 09.45 WITA.

Webinar:

Irene Calboli. Webinar. "Latest Developments in the Protection of Non-traditional Trade Marks" EUIPO. 23 Juni 2020. URL: <https://youtu.be/F0C5RVvfnfo>, diakses pada 5 Oktober 2021 pukul 04.21 WITA.

Peraturan Perundang-Undangan:

Undang-Undang Nomor 21 Tahun 1961 tentang Merek Perusahaan dan Merek Perniagaan.

Undang-Undang Nomor 19 Tahun 1992 tentang Merek.

Undang-Undang Nomor 7 Tahun 1994 tentang Pengesahan Agreement Establishing the World Trade Organization (Persetujuan Pembentukan Organisasi Perdagangan Dunia).

Undang-Undang Nomor 15 Tahun 2001 tentang Merek.

Undang-Undang Nomor 20 Tahun 2016 tentang Merek dan Indikasi Geografis.

Undang-Undang Nomor 11 Tahun 2020 tentang Cipta Kerja.

Peraturan Pemerintah Nomor 23 Tahun 1993 Tentang Tata Cara Permohonan Merek.

Peraturan Pemerintah Nomor 24 Tahun 1993 tentang Kelas Barang atau Jasa bagi Pendaftaran Merek.

Peraturan Pemerintah Nomor 22 Tahun 2018 tentang Pendaftaran Merek Internasional Berdasarkan Protokol Terkait dengan Persetujuan Madrid Mengenai Pendaftaran Merek Secara Internasional.

Peraturan Pemerintah Nomor 90 Tahun 2019 tentang Tata Cara Permohonan, Pemeriksaan, dan Penyelesaian Banding pada Komisi Banding Merek.

Keputusan Presiden Nomor 24 Tahun 1979 tentang Pengesahan “Paris Convention for The Protection of Industrial Property.

Keputusan Presiden Nomor 15 Tahun 1997 tentang Perubahan Keputusan Presiden Nomor 24 Tahun 1979 Tentang Pengesahan Paris Convention for the Protection of Industrial Property dan Convention Establishing the World Intellectual Property Organization.

Keputusan Menteri Kehakiman Republik Indonesia Nomor: M. 03-Hc.02.01 Tahun 1991 tentang Penolakan Permohonan Pendaftaran Merek Terkenal atau Merek yang Mirip Merek Terkenal Milik Orang Lain atau Milik Badan Lain.

Peraturan Menteri Hukum dan Hak Asasi Manusia Nomor 42 Tahun 2016 tentang Pelayanan Permohonan Kekayaan Intelektual secara Elektronik.

Peraturan Menteri Hukum dan Hak Asasi Manusia Nomor 67 Tahun 2016 tentang Pendaftaran Merek.

Peraturan Menteri Hukum dan Hak Asasi Manusia Nomor 12 Tahun 2021 tentang Perubahan atas Peraturan Menteri Hukum dan Hak

Asasi Manusia Nomor 67 Tahun 2016 Tentang Pendaftaran Merek.

Instrumen Hukum Internasional:

Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement).

Council Regulation (EC) No 40/94 of 20 December 1993 on the Community trade mark.

Council Directive 84/450/EEC of 10 September 1984 relating to the approximation of the laws, regulations and administrative provisions of the Member States concerning misleading advertising.

Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark.

Directive 2008/95/EC of the European Parliament and of the Council of 22 October 2008 to approximate the laws of the Member States relating to trade marks.

Directive (EU) 2015/2436 of the European Parliament and of the Council of 16 December 2015 to approximate the laws of the Member States relating to trade marks

Federal Trademark Dilution Act.

First Council Directive 89/104/EEC of 21 December 1988 to approximate the laws of the Member States relating to trade marks.

Lanham Act.

Paris Convention for the Protection of Industrial Property (Paris Convention).

Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union trade mark.

Singapore Treaty on The Law of Trademarks.

Trademark Law Treaty.

Treaty on the Functioning of the European Union.

United Kingdom Trade Marks Act 1994.

Yurisprudensi:

Adidas-Salomon AG (sebelumnya Adidas AG) dan Adidas Benelux BV v Fitnessworld Trading Ltd, C-408/01.

Alfredo Nieto Nuño v Leonci Monlleó Franquet, C-328/06.

Almacenes Exito S.A. v. El Gallo Meat Market, Inc., 381 F. Supp. 2d 324 (S.D.N.Y. 2005).

Aktiengesellschaft v. Bldg. #19, Inc., C.A. No. 11-627-ML, (D.R.I. Mar. 12, 2013).

Bayerische Motorenwerke AG (BMW) and BMW Nederland BV v Ronald Karel Deenik, C-63/97.

Bayerische Motoren Werke Aktiengesellschaft v Technoport London Ltd & Anor [2017] EWCA Civ 779.

Century 21 Real Estate Corp. v LendingTree Inc., 425 F.3d 211 (3d Cir. 2005).

Citigroup, Inc., dan Citibank, NA v Office for Harmonisation in the Internal Market (OHIM), T-181/05.

Community Trade Mark Court of Alicante No. 3/15 Carolina Herrera Limited, Puig France SAS, Gaulme SAS dan Antonio Puig SA v Caravan Fragancias SL, Grupo Del Arbol Distribucion Y Supermercados SA, Industria Aragonesa Del Perfume SL, dan Laboratorios Saphir SA.

Community Trade Mark Court of Alicante Decision No. 275/2017.

Coty Inc. v. Excell Brands, LLC, 277 F. Supp. 3d 425, (S.D.N.Y. 2017).

Empresa Cubana Del Tabaco v. Culbro Corp., 213 F. Supp. 2d 247 (S.D.N.Y. 2002).

Empresa Cubana Del Tabaco v. Culbro Corp., 399 F.3d 462 (2d Cir. 2005).

General Motors Corporation v Yplon SA, C-375/97.

Grupo Gigante S.A. de C.V. v. Dallo & Co., Inc., 119 F. Supp. 2d 1083 (C.D. Cal. 2000).

Grupo Gigante SA De CV v. Dallo & Co., 391 F.3d 1088 (9th Cir. 2004).

Intel Corporation Inc. v CPM United Kingdom Ltd, C-252/07.

Interflora Inc. and Interflora British Unit v Marks & Spencer plc and Flowers Direct Online Ltd, C-323/09.

International Information Systems Security Certification Consortium, Inc. v. Security University, LLC, 823 F.3d 153 (2d Cir. 2016).

ITC Ltd. v. Punchgini, Inc., 482 F.3d 135 (2d Cir. 2007).

Jackson International Trading Co. Kurt D. Brühl GmbH & Co. KG v Office for Harmonisation in the Internal Market (OHIM), T-60/10.

Liquid Glass Enter. v. Dr. Ing. h.c.F., 8 F. Supp. 2d 398, 399 (D.N.J. 1998).

L'Oreal SA v Bellure NV [2006] EWHC 2355 (Ch).

L'Oreal SA v Bellure NV [2007] EWCA Civ 968.

L'Oreal SA v Bellure NV [2010] EWCA Civ 535.

L'Oréal v Bellure, C-487/07.

Maison Prunier v. Prunier's Restaurant Cafe, 159 Misc. 551, 288 N.Y.S. 529 (N.Y. Sup. Ct. 1936).

New Kids on the Block v. New America Pub, 971 F.2d 302, 303 (9th Cir. 1992)

Opinion of Advocate General Jacobs C-251/95 Sabel BV v Puma AG, Rudolf Dassler Sport.

Opinion of Advocate General Jacobs C-63/97 Bayerische Motorenwerke AG (BMW) dan BMW Nederland BV v Ronald Karel Deenik

Opinion of Advocate General Jacobs C-375/97 General Motors v Yplon.

Paccar Inc. v. Telescan Technologies, L.L.C, 319 F.3d 243, 246 (6th Cir. 2003).

Pebble Beach Co. v. Tour 18 I Limited, 155 F.3d 526, 533 (5th Cir. 1998).

P Environmental Manufacturing LLP, C-383/12.

Person's Co., Ltd. v. Christman, 900 F.2d 1565 (Fed. Cir. 1990).

Putusan Pengadilan Niaga Jakarta Pusat Nomor 63/Pdt.Sus-HKI/Merek/2019/PN Niaga Jakarta Pusat.

Putusan Pengadilan Niaga Jakarta Pusat Nomor 72/Pdt.Sus-Merek/2019/PN.Niaga. Jakarta Pusat.

Radiance Found., Inc. v. Naacp, 25 F. Supp. 3d 865, 897 (E.D. Va. 2014).

Radiance Found., Inc. v. Nat'l Ass'n for Advancement of Colored People, 786 F.3d 316, (4th Cir. 2015).

Sigla SA v Office for Harmonisation in the Internal Market (OHIM), T-215/03.

Sorensen v. WD-40 Co., Sorensen v. WD-40 Co., 12 C 50417 (N.D. Ill. Sep. 9, 2014).

VersaTop Support Sys., LLC v. Ga. Expo, Inc. 921 F.3d 1364 (Fed. Cir. 2019).

Wal-Mart Stores, Inc. v. Samara Brothers, Inc., 529 U.S. 205, 120 S. Ct. 1339 (2000).

You-Q BV v OHIM, C-294/12 P.