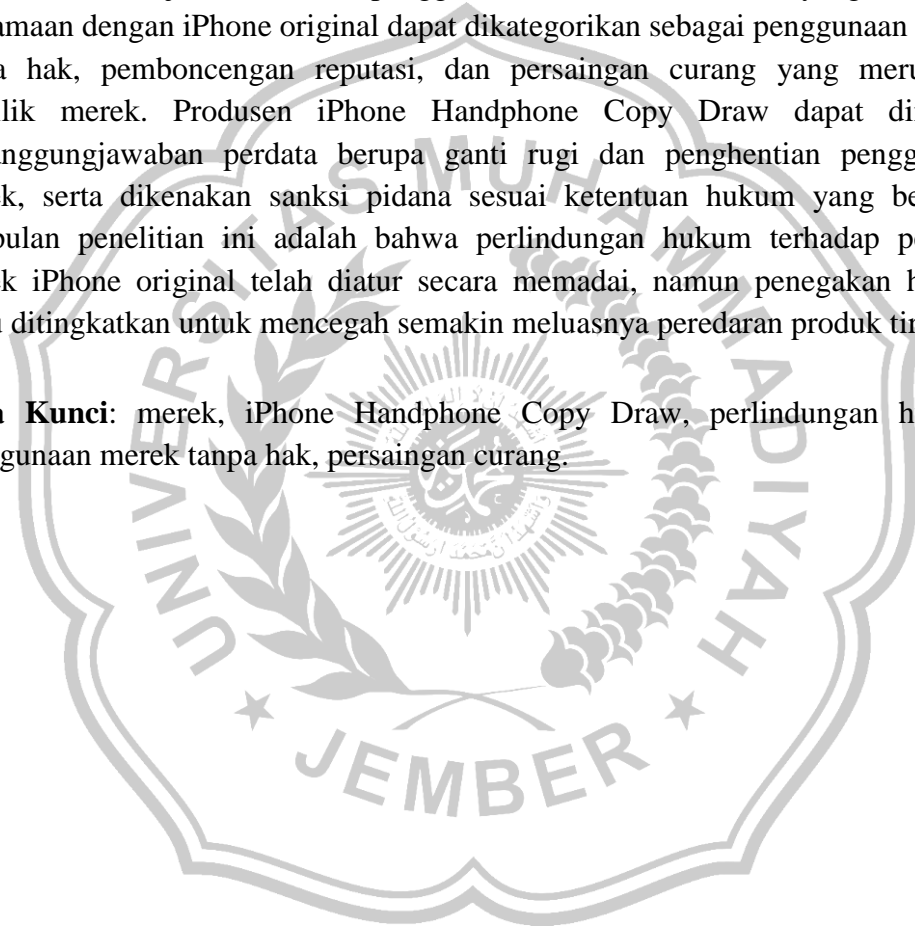


ABSTRAK

Peredaran iPhone Handphone Copy Draw yang meniru desain dan identitas iPhone original menimbulkan permasalahan hukum terkait pelanggaran merek serta persaingan usaha tidak sehat. Penelitian ini bertujuan untuk menganalisis tanggung gugat produsen iPhone Handphone Copy Draw terhadap pemilik merek iPhone original serta bentuk perlindungan hukum yang tersedia bagi pemilik merek. Penelitian menggunakan metode penelitian hukum normatif dengan pendekatan perundang-undangan dan pendekatan konseptual. Bahan hukum diperoleh melalui studi kepustakaan dan dianalisis secara kualitatif. Hasil penelitian menunjukkan bahwa penggunaan merek dan desain yang memiliki persamaan dengan iPhone original dapat dikategorikan sebagai penggunaan merek tanpa hak, pemboncengan reputasi, dan persaingan curang yang merugikan pemilik merek. Produsen iPhone Handphone Copy Draw dapat dimintai pertanggungjawaban perdata berupa ganti rugi dan penghentian penggunaan merek, serta dikenakan sanksi pidana sesuai ketentuan hukum yang berlaku. Simpulan penelitian ini adalah bahwa perlindungan hukum terhadap pemilik merek iPhone original telah diatur secara memadai, namun penegakan hukum perlu ditingkatkan untuk mencegah semakin meluasnya peredaran produk tiruan.

Kata Kunci: merek, iPhone Handphone Copy Draw, perlindungan hukum, penggunaan merek tanpa hak, persaingan curang.



ABSTRACT

The circulation of iPhone Handphone Copy Draw products that imitate the design and identity of original iPhones creates legal issues related to trademark infringement and unfair business competition. This study aims to analyze the liability of iPhone Handphone Copy Draw producers toward the owners of the original iPhone trademark and the available legal protection for trademark owners. The research employs a normative legal research method using statutory and conceptual approaches. Legal materials were collected through library research and analyzed qualitatively. The results indicate that the use of trademarks and designs similar to original iPhones can be categorized as unauthorized trademark use, reputation exploitation, and unfair competition that harms trademark owners. Producers of iPhone Handphone Copy Draw products may be held civilly liable through compensation and termination of trademark use and may also be subject to criminal sanctions under applicable laws. The study concludes that legal protection for original iPhone trademark owners has been adequately regulated, but law enforcement should be strengthened to prevent the wider distribution of counterfeit products.

Keywords: *trademark, iPhone Handphone Copy Draw, legal protection, unauthorized trademark use, unfair competition.*

