

# PERLINDUNGAN HUKUM HAK KEKAYAAN INTELEKTUAL (HKI) DALAM WARALABA RETAIL MINI MARKET DI YOGYAKARTA

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## **ABSTRACT**

*Franchise business is more happening in Indonesia. This fast development indicates an interesting investment which on the same time helps the business subjects in starting their own business with a low risk. The franchise business which commonly stable is retail business. One of retail business which serves the main needs and daily needs is mini market Alfamart and Indomaret. This research aims to identify the IPR which the franchise's object between franchisor and franchisee in the mini market retail and the law process which will be done by the franchisor to protect their IPR especially for those which linked with the franchise agreement between franchisor and franchisee in mini market retail. This research is done by bibliographical research and field research. Bibliographical research is done to get the secondary data which is collected by the document study. The field research is done to get the primary data which is collected by the interview guiding device. Data analysis is done by the qualitative method. The research result shows IPR which being franchise object in the Alfamart and Indomaret mini market retail is the signs, designs, trade mark, company logo, outlet design, lay out, display, management system, the operation or company distribution which reflect Alfamart and Indomaret and trades secret. The law efforts which are done by the franchisor and franchisee in the Alfamart and Indomaret mini market retail is: first, registration, second, clausal about IPR in franchise agreement, third, supervision or monitoring, fourth, the strict law controls the franchisor rights.*

Keywords:

## **I. PENDAHULUAN**

Globalisasi ekonomi adalah suatu fenomena yang tidak dapat dihindarkan. Indonesia sebagai negara berkembang yang sangat membutuhkan modal asing, harus dapat memberikan perlindungan Hak Kekayaan Intelektual (yang selanjutnya disebut HKI). Peraturan mengenai HKI bukan lagi hanya menjadi peraturan lokal suatu negara tetapi sudah merupakan kewajiban internasional untuk menciptakan iklim perlindungan yang berkeadilan, berkepastian hukum serta memberikan manfaat bagi seluruh masyarakat internasional terhadap perlindungan karya intelektual. Hal ini dimaksudkan untuk mendorong para