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DISPUTE RESOLUTION OF TRADEMARKS AS JOINT PROPERTY IN DIVORCE CASES: A CASE STUDY OF THE MARTABAK ZEKUT BRAND IN MALANG REGENCY

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Abstract

The development of the creative economy has made trademark rights an intangible asset with economic value and the potential to become a joint property in marriage. However, the legislation in Indonesia has not explicitly regulated the position or the mechanism for dividing trademark rights as joint property in divorce cases, resulting in legal uncertainty. This study seeks to evaluate the legal status of trademark rights obtained during marriage as joint property, investigate the mechanisms for adjudicating trademark disputes in divorce proceedings, and pinpoint both normative and practical impediments to their resolution. The research uses an empirical juridical method with a case study approach on case number 4217/Pdt.G/2025/PA.Kab.Mlg. Data were obtained through semi-structured interviews with advocates and intellectual property (IP) consultants. The research results indicate that trademark rights obtained and developed during the marriage period can be classified as joint property even though they are formally registered in one party's name, because they have economic value and were obtained during the marriage. Dispute resolution is carried out through the mechanism of dividing joint property in the Religious Court, taking into account the time of acquisition of the

trademark, the contributions of the parties, and the economic value of the trademark. The obstacles encountered include the absence of explicit regulations regarding intellectual property as joint property, limited funds for the appraisal of the economic value of the brand, and limited access to evidence. Therefore, regulatory updates are needed that explicitly govern trademark rights as joint property along with standards for assessing its economic value to achieve legal certainty and fair distribution.

Keywords

Trademark Rights, Joint Property, Divorce, Intellectual Property Rights, and Dispute Resolution

Introduction

Marriage is a legal bond between husband and wife that aims to form a harmonious family based on the One Godhead as guaranteed in Article 28B paragraph (1) of the Constitution of the Republic of Indonesia in 1945.¹ However, when the marital relationship ends due to divorce, various legal consequences arise, one of which is regarding the division of joint property. So far, common property is generally understood as tangible assets, such as land, buildings, or vehicles. As the creative economy and digital technology develop, intangible assets that have economic value, including intellectual property rights (IPR) are starting to become an important part of the wealth acquired during marriage.² One form of IPR is the right to a brand, which not only functions as a business identity, but also has economic value that can generate financial benefits.

This development raises legal problems when the rights to trademarks acquired or developed during the marriage become the object of dispute in a divorce. Although Law Number 1 of 1974 concerning Marriage and Compilation of Islamic Law has regulated common property, the two regulations have not explicitly regulated the position or mechanism for the division of trademark rights as part of common property. On the other hand, Law Number 20 of 2016 concerning Trademarks and Geographical Indications focuses more on the aspects of registration and protection of trademark rights, so it has not provided legal certainty for its settlement in the context of family law. Although there is already jurisprudence related to the distribution of intellectual property rights royalties, this condition still has the

¹ Pasal 28B ayat (1) Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.

² Alfi Dianti Maulidina et al., "Tinjauan Yuridis Hak Royalti sebagai Harta Bersama dalam Perkawinan," *Jurnal Wajah Hukum* 8, no. 2 (Oktober 2024): 678, 10.33087/wjh.v8i2.1554

potential to cause inconsistency in judges' decisions and overlapping authority between religious courts and commercial courts in handling disputes involving trademark rights, so there is a need for specific regulatory updates regarding intellectual property rights, especially trademark rights as common property.

This problem is reflected in case Number 4217/Pdt.G/2025/PA. Mlg Regency at the Malang Regency Religious Court involving a dispute over common property in the form of the rights to the "Zekut & Big Crepes" brand used in the Martabak Zekut (Marbuck) culinary business. Although the trademark is registered in the name of the wife, the business and reputation of the brand are built during the marriage period and provide economic benefits to both parties. This dispute shows that the formal ownership status of a trademark is not necessarily in line with the concept of joint property in marriage law, so an analysis of the legal position, settlement mechanism, and obstacles faced by legal practitioners in resolving the dispute is needed.

Based on this description, this study aims to examine the legal position of trademark rights acquired during marriage as common property, analyze the process and mechanism of resolving trademark rights disputes in divorce cases in Malang Regency, and identify normative and practical obstacles that arise in their resolution. Therefore, the formulation of the problem in this study is: (1) what is the legal position of the rights to trademarks acquired during marriage in the perspective of common property according to laws and regulations; (2) how the process and mechanism of resolving disputes over trademark rights as common property in divorce cases in Malang Regency; and (3) what are the normative and practical obstacles in the settlement of trademark disputes as common property.

Method

This study uses an empirical juridical research method. Empirical research is conducted by observing what happens in the field, and how these regulations are applied in practice in society. The research is focused on case study Number 4217/Pdt.G/2025/PA. The researcher explored information directly to the informant based on his involvement and competence in the case, namely the advocate who handled the case, as well as the Intellectual Property Rights (IPR) consultant who had expertise in the field of branding. The research data consisted of primary data obtained through semi-structured interviews with informants and secondary data obtained through literature studies which included laws and regulations, court decisions, case documents, books, and relevant scientific journals to support the results of the

interviews. Data analysis is carried out in a qualitative descriptive manner through the stages of data reduction, data presentation, and conclusion drawing to answer the formulation of research problems.

Results and Discussion

A. Legal Status of Trademark Rights Acquired During Marriage in the Perspective of Common Property according to Laws and Regulations

1. Rights to Trademarks as Intangible Objects in the Perspective of Material Law

Article 499 of Book II of the Civil Code defines goods as objects and rights that can be owned. This definition emphasizes that objects are not only limited to tangible property, but also include intangible property, as long as the object can be an object of rights that can be owned, controlled, transferred, and has economic value.³ In terms of its form and material nature, trademark rights as part of Intellectual Property Rights are included in the category of intangible objects.

According to a brand consultant from Mavens Legal Department and IP Consulting, Mrs. Adelia Anggita Priskila shows an understanding that is in line with the concept of material law. The informant explained that:

"Trademarks and rights to trademarks generally have two different meanings. When we talk about brands, we are talking about things. So the brand is its main purpose as a marker. The main point is that it distinguishes one product or item from another product or good. For example, if we talk about trademark rights, it means about its materiality, its material nature. Trademark rights include intangible movable objects because they can be transferred, inherited, or become the object of agreement. However, the mechanism of its control does not follow the general provisions of the Civil Code, but is subject to special provisions in the Trademark Law based on the principle of *lex specialis*."

This view shows that trademark rights are intangible objects that receive legal protection because they have exclusive rights and economic rights. Exclusive rights are granted by the state to the owner of the registered and legal rights to the ownership of the trademark for

³ Qonita Nailah Basri et al., "Analisis Kedudukan Hukum Benda Menurut Kitab Undang-Undang Hukum Perdata," *Jurnal Kajian Hukum Dan Kebijakan Publik* 3, no. 1 (Juli – Desember 2025),: 406, <https://doi.org/10.62379/aekxx143>.

a certain period of time and may use or determine the trademark for his own use or by others with the consent of the trademark owner.⁴ Trademark rights cannot be seen or physically touched, but their existence is recognized as a legal object because it has real economic value. The economic value of trademark rights can be realized through the control and use of trademarks in business activities, licensing, transfer of rights, inheritance, grants, or other forms of transfer as stipulated in Law No. 20 of 2016 concerning Trademarks and Geographical Indications.⁵ Thus, trademark rights do not only function as a marker or differentiator of a product, but also as an asset that can generate economic benefits for its owner.

2. Position of Trademark Rights in the Concept of Common Property

Article 35 paragraph (1) of Law Number 1 of 1974 concerning Marriage explains that property obtained during the marriage period becomes joint property. Joint property according to Article 1 letter f of the Compilation of Islamic Law (KHI) is property acquired during the marriage period, whether acquired individually or jointly by husband and wife.⁶ The common property in question includes all assets acquired during the marriage period, including income from business, salary, allowances, all tangible assets, to intangible assets. The right to the trademark as an intangible object or property can be qualified as joint property as long as the right to the trademark is registered and developed during the marriage period, regardless of whether the right to the trademark is registered in the name of one of the parties, either husband or wife.

Regarding the inclusion of names on certificates, Indonesia adheres to a first-to-file system, the principle of first to file considers that the owner of trademark rights is a person, either an individual or a legal entity who first registers a trademark for a certain class and type of goods/services. Trademark registration is carried out through the Directorate General of Intellectual Property, trademarks that have been registered through the Directorate General of Intellectual Property will

⁴ Rachmadi Usman, *Hukum Hak Atas Kekayaan Intelektual* (Bandung, Alumni, 2003), hlm. 322.

⁵ Undang-Undang tentang Merek dan Indikasi Geografis, UU No.20 Tahun 2016, Pasal 41 Ayat (1).

⁶ Titie Rachmiati Poetri, "Penyelesaian Pembagian Hak Cipta dan Hak Atas Merek sebagai Harta Bersama dalam Perceraian Islam", *Jurnal Lex Renaissance*, 5, no.2 (April 2020): 349, <https://doi.org/10.20885/JLR.vol5.iss2.art6>.

be easier to identify their owners.⁷ Regarding the inclusion of names on certificates, Indonesia adheres to a first-to-file system, the principle of first to file considers that the owner of trademark rights is a person, either an individual or a legal entity who first registers a trademark for a certain class and type of goods/services. Trademark registration is carried out through the Directorate General of Intellectual Property, trademarks that have been registered through the Directorate General of Intellectual Property will be easier to identify their owners

3. Analysis of the Position of Trademark Rights in the Martabak Zekut Case

The dispute over the rights to the trademark "Zekut & Big Crepes" is not only centered on the validity of the trademark registration, but also on the status of the rights to the trademark "Zekut & Big Crepes" as the object of joint property in divorce proceedings. According to Mr. Abdul Rohman, as the advocate who handled the case Number 4217/Pdt.G/2025/PA.Kab.Mlg.:

"We can see from the year of his marriage in the marriage book. Her marriage was on October 17, 2014. Meanwhile, the Trademark was published and officially registered at the Ministry of Law and Human Rights on February 20, 2023 in the name of the applicant (his wife). Legally and factually, these trademarks are owned after marriage, and there has been no court ruling stating that they divorced before 2023. The divorce decision will only be in December 2025. So legally, the brand deserves to be a gono-gini property because it was obtained after marriage."

Advocate Abdul Rohman also explained regarding the contribution of both parties in running the "Zekut & Big Crepes" business, he said that:

"Pure capital from the husband, there is even an indication of capital from the husband's parents. The point is purely that the husband is the one who invests, and the one who participates in the trainings to make martabak is also her husband, including recipes, to daily business operations. The wife plays a role in helping business operational activities because the husband is serving a criminal sentence."

The findings show that there is a difference between formal ownership of trademark rights and the process of forming the economic value inherent in the trademark. When analyzed based on Law Number 20 of 2016 concerning Trademarks and Geographical Indications, the wife's position as a certificate holder is in accordance with the principle of first to file which places registration as the only basis for obtaining

⁷ *Ibid.* hlm.350

rights to a trademark.⁸ Meanwhile, the analysis based on the Marriage Law, namely in Article 35 paragraph (1) of Law Number 1 of 1974 concerning Marriage and the Compilation of Islamic Law, the right to the "Zekut & Big Crepes" trademark fulfills the characteristics of joint property because the right to the "Zekut & Big Crepes" trademark has the economic value of business activities during the marriage period by considering the time of acquisition and the formation of the economic value of the brand.

B. The Process and Mechanism for Resolving Disputes of the Martabak Zekut Trademark as Common Property in Divorce Cases

Trademark rights dispute in case Number 4217/Pdt.G/2025/PA. Kab.Mlg did not arise as a trademark dispute in the sense of intellectual property law, but as a result of a divorce that caused a dispute regarding the division of common property. The culinary business "Zekut & Big Crepes" was established and developed during the marriage period of the parties. In the process of development, the rights to the "Zekut & Big Crepes" brand were registered in 2023 in the name of the wife as the certificate holder. The dispute began when the wife sued for divorce at the Malang Regency Religious Court. In the convention lawsuit, the wife only asks for the marriage to be dissolved, while through the convention lawsuit, the husband demands the division of joint property which includes houses, shop houses, and intellectual property rights in the form of rights to the "Zekut & Big Crepes" trademark. The advocate emphasized that the object in dispute was not the cancellation of the trademark registration, but the economic rights inherent in the trademark because the business was built during the marriage period.

The source of the dispute does not lie in the trademark registration process or the validity of the exclusive rights to the trademark, but in the difference in the parties' views on the legal status of the trademark rights after the marriage ends. From the perspective of the certificate holder, the right to a trademark is seen as an individual right because it is registered in the name of one of the parties. On the contrary, from the perspective of marriage law, the right is seen as an asset that is acquired and has economic value during the marriage period so that it deserves to be treated as joint property. The point of conflict

⁸ Selni ardian et al., "First to File Principle dan Sengketa Hak Merek Dalam Kajian Perundang-Undangan di Indonesia," *Jurnal Hukum Kenegaraan dan Politik Islam* 5, no. 1 (Juni 2025): 55, 10.14421/jnj4gr96.

in this case is not about formal ownership of the trademark, but about its economic position as an object of sharing common property so that it requires dispute resolution assistance at the Malang Regency Religious Court.

The dispute resolution process requires an advocate to have the ability to argue legally, legal argumentation is the result of logical and systematic thinking to justify a legal problem based on applicable provisions. In the practice of advocates, the ability to argue legal plays an important role in drafting legal documents, submitting pleidoi or defending the interests of clients before a panel of judges.⁹ The advocate who handles the trademark rights dispute "Zekut & Big Crepes" builds a legal argument by adjusting the facts between the time of acquisition of the trademark and the period of marriage. Advocate Abdul Rohman stated that:

"We can see from the year of his marriage in the marriage book. Her marriage was on October 17, 2014. The brand (Zekut & Big Crepes) was published and officially registered with the Ministry of Law and Human Rights on February 20, 2023 with registration number: IDM0012557868."

The statement affirms that the rights to the "Zekut & Big Crepes" trademark are classified as joint property, as they were acquired and registered during the marriage period and before the divorce decree between the two parties. To strengthen their legal arguments, advocates are required to use legal grounds. The legal basis used in handling joint property disputes involving the rights to the "Zekut & Big Crepes" trademark includes, among others,:

1. Article 35 paragraph (1) of Law Number 1 of 1974 concerning Marriage which strengthens legal arguments regarding the definition of joint property.
2. Article 119 of the Civil Code and Article 91 of the Compilation of Islamic Law, which emphasizes that common property can be in the form of movable or immovable objects, tangible or intangible, such as intellectual property rights including trademark rights.

⁹ Humas FH, "Prof. Taufiqurrahman Syahuri Kupas Pentingnya Argumentasi Hukum dalam Pembentukan Logika Profesional Advokat dalam PKPA Angkatan VIII Kolaborasi DPP IKADIN, DPC PERADI Jakarta Barat, & FH UPNVJ" dalam <https://hukum.upnvj.ac.id/prof-taufiqurrahman-syahuri-kupas-pentingnya-argumentasi-hukum-dalam-pembentukan-logika-profesional-advokat-dalam-pkpa-angkatan-viii-kolaborasi-dpp-ikadin-dpc-peradi-jakarta-barat-fh-upnvj/>: posting: 2025/11/12 diakses pada tanggal 27 Juli 2026.

3. Article 88 of the Compilation of Islamic Law and Article 97 of the Compilation of Islamic Law. Used to strengthen the argument regarding the division of common property.
4. Jurisprudence in the form of Decision Number: 6/Pdt.G/2024/PTA. JK. January 24, 2024 to strengthen the argument that assets in the form of royalties to trademark rights or the creation of works of art are joint property as long as the rights to the trademark are used and generated during the marriage period, and the resulting profits must be divided in half as considered by the High Court of Judges in Decision Number: 6/Pdt.G/2024/PTA.JK.

In addition to legal arguments, the evidentiary process is also important to determine fairness in court decisions. Evidence is not just a tool to provide responses, but is a process of in-depth analysis of every fact submitted before the Panel of Judges.¹⁰ Regarding the evidence in the dispute resolution "Zekut & Big Crepes" stated by Advocate Abdul Rohman:

"In this case, although the right to the trademark is registered in the name of the wife, the capital generated and the business run are purely the work and effort of the husband. If the cellphone used for business operations (Shopee Food, Grab Food, etc.) actually belongs to the husband. However, after the domestic violence incident, the cellphone was confiscated and taken by all his wives. As a result, we as the husband (the plaintiff) do not have strong proof of the letter because the cellphone is held by the wife. To assess the economic value of the brand, we finally relied on the testimony of the witness, namely the younger brother of the plaintiff who was once the cashier by calculating the estimated income based on the testimony of the witness."

Based on the statement, the evidence in the dispute over the rights to the trademark "Zekut & Big Crepes" not only proves the existence of joint rights and contributions, but also proves the benefits and economic value provided. The advocate proved that the husband contributed materially and operationally in establishing the rights to the "Zekut & Big Crepes" brand. Meanwhile, in proving economic value, he faced obstacles because the financial recapitulation contained in the business operational mobile phone was held by his wife.

In procedural law, the flow of trial and proof in disputes over trademark rights as intangible objects is the same as the flow of trial and proof of tangible property. However, technically proving tangible assets

¹⁰ Teguh S. Lubis, *Hukum Pembuktian Dalam Peradilan Di Indonesia*. (Medan, CV. Pustaka Prima, 2021).

is relatively easier because they have a real physical form and have formal ownership documents such as SHM (if the object is in the form of land/buildings) that can be verified directly by the Panel of Judges through local inspections. As for proving trademark rights as intangible property, it is more complicated, because it is only based on the certificate of ownership of trademark rights, to prove the economic value of trademark rights, a neutral public/third-party appraiser through appraisal is ideally needed. Appraisal is the process of valuing an asset (brand valuation) to provide data on the performance or economic value of a brand by considering the cost approach, the market data approach, and the income approach).¹¹ Brand valuation assessments are carried out by professionals called appraisers.

C. Normative and Practical Obstacles in Dispute Resolution of Trademarks as Common Property

1. Normative Barriers and Practical Barriers

The dispute resolution process is not free from normative obstacles and practical obstacles, in resolving disputes over the rights to trademarks as common property in case Number: 4217/Pdt.G/2025/PA. There are several obstacles, including:

The First, There is no explicit regulation regarding the position of Intellectual Property Rights (IPR) as common property, this is in line with the statement from Advocate Abdul Rohman, that:

"As far as I remember, try to pay attention to the issue of provisions related to common property. As I understand it, the provisions only state that the property obtained during the marriage becomes joint property, that's all. The Provisions do not explicitly distinguish or indicate arrangements for movable, intangible or tangible goods, including Intellectual Property Rights"

The statement shows that the obstacles faced do not lie in the absence of the concept of common property, but in the absence of explicit rules that support the development of modern property objects such as Intellectual Property Rights. Article 35 paragraph (1) of Law Number 1 of 1974 concerning Marriage and the Compilation of Islamic Law has stated that property obtained during marriage becomes joint property, but the formulation is still general and there is no specific explanation regarding Intellectual Property Rights as joint property. These findings show that the development of forms of intellectual

¹¹ Brad Einstein, "What Is Brand Valuation? Expert Tips & Techniques" dalam <https://online.hbs.edu/blog/post/what-is-brand-valuation> posting: 2024/11/ 26 diakses pada tanggal 28 Juli 2026.

property in society has surpassed the development of existing regulations.

Second, Cost barriers in proving economic value. In theory, the economic value of intangible objects such as the right to a trademark can be assessed using the appraisal mechanism. However, in the dispute over the rights to the "Zekut & Big Crepes" trademark the appraisal mechanism was not carried out due to cost limitations, so the third party was not presented to provide an objective assessment of the economic value of the "Zekut & Big Crepes" brand, in accordance with the statement of Advocate Abdul Rohman that:

"Due to cost constraints, we did not appoint a neutral third party to appraisal the economic value of the brand."

Third, Limited access to relevant evidence. Advocate Abdul Rohman explained that the mobile phones used for business operations, including the ShopeeFood and GrabFood applications, were controlled by the wife after a domestic conflict. As a result, the husband as the plaintiff in the reconvention did not have access to transaction data or electronic documents that could show the business turnover and economic value of the brand. Thus, the proof of economic value is based only on the testimony of witnesses, namely the younger brother of the convention plaintiff who works as a cashier by calculating the net and gross profit generated every month.

2. Efforts to Overcome Obstacles

The first, Efforts to overcome normative barriers in the settlement of disputes over the rights to trademarks as common property are not enough to be done through legal interpretation by judges, but require regulatory reforms that are able to accommodate the development of modern forms of wealth. This is in line with the opinion of Advocate Abdul Rohman who stated that the development of society has given birth to various forms of intangible wealth, such as copyright, brand, and graphic design, while the provisions in the Marriage Law are still drafted based on the conventional property paradigm. According to him:

"The times are getting more modern and now there are many disputes over common property involving intangible objects. Jurisprudence such as the Virgoun case has begun to exist, but specific written regulations regulating IPR as gono-gini assets will be very helpful in the future. The marriage law needs to be updated or revised, it could be that in these provisions it is stated that movable and immovable goods, tangible or intangible, can become joint property with a proper and fair distribution. If indeed the specific clause or provision does not exist, then it is indeed feasible and mandatory to be

revised or updated. Times have changed right; Now there are copyrights, trademarks, graphic design, and many other forms of wealth. Therefore, it is very feasible and there must be an update or revision."

The statement shows that the solution to normative barriers does not sufficiently depend on the development of jurisprudence alone. Although there is already jurisprudence that provides directions regarding the recognition of the economic benefits of Intellectual Property Rights as common property, this jurisprudence has not been able to provide general legal certainty regarding the status and distribution of Intellectual Property Rights as common property. Therefore, to keep pace with the development of the object of property, the renewal of the Marriage Law or the drafting of provisions that explicitly recognize IPR as an object of common property are necessary steps so that there is uniformity in the application of the law and reduce dependence on the interpretation of judges in each case.

Second, To prove the economic value of trademark rights, a neutral public/third-party appraiser through appraisal is ideally needed. Appraisal is the process of valuing an asset (brand valuation) using a certain method. The determination of brand valuation should be based on standards so that there is no price game or monopoly of a brand's royalties. Thus, it is necessary to regulate the standard for determining the value of assets (appraisal). Brand consultant from Mavens Legal Department and IP Consulting, Mrs. Adelia Anggita Priskila explained that until now the regulatory gap is not only related to the legal status of IPR, but also to the standard of economic value assessment. According to the Informant:

"Legal certainty may be a trademark issue in the context of the division of wealth, which is vacant in the regulation on valuation valuation. When we talk about voluntary submissions such as grants, there is no need to assess the valuation. But when we talk about wills, buying and selling, or auctions, there must automatically be value because transactions are important for taxation and the inclusion of value in the agreement. If there is no uniform valuation standard, there is a fear of price games. In the case of marriage, the fear is that when the decision requires royalty payments or auctions, the brand owner can monopolize the valuation so that the royalty payment becomes smaller. So the regulation of price appraisal standards is the most important."

The main problem in the division of rights to a trademark is not only to determine who is entitled to the trademark, but also how to determine the economic value on which the division is based. The absence of appraisal standards causes the economic valuation of a brand to be highly dependent on the interests of each party, thus potentially

causing value manipulation and resulting in a disproportionate distribution.

Third, The limitations of evidence can be minimized through strengthening the evidentiary strategy from the initial stage of case handling by advocates. In general, before handling a case, the evidence must be held and confirmed to be strong. If the evidence has not been held but there is still the potential to obtain it, then the evidence must continue to be sought and sought. Advocates can identify, secure, and present evidence, both physical and electronic evidence as much as possible, and ensure the legality of obtaining evidence in accordance with the applicable legal provisions to strive for the realization of a verdict that provides justice and benefits for the parties.¹²

Conclusion

The results of the study show that trademark rights acquired and developed during the marriage period can qualify as joint property because they are intangible objects that have economic value, even if they are formally registered in the name of one of the parties. In the Martabak Zekut Trademark case, dispute resolution is carried out through a mechanism for the division of common property in the Religious Court by focusing on the time of acquisition of the trademark, the contribution of the parties, and the economic value attached to the trademark. Thus, the purpose of research and formulation of problems regarding the legal status of trademark rights as common property and its resolution mechanism have been answered.

This study also found that there are normative obstacles in the form of the absence of regulations that explicitly regulate Intellectual Property Rights, especially trademark rights, as common property, as well as practical obstacles in the form of limited appraisal costs and access to evidence related to the economic value of brands. These findings imply that regulatory reforms are needed that are able to accommodate the rights to trademarks as objects of common property, accompanied by regulations on standards for assessing the economic value of brands in order to create legal certainty and fair distribution.

This research is limited to the analysis of one case study, namely case Number 4217/Pdt.G/2025/PA.Kab.Mlg, so that the results have not been able to describe the overall practice of resolving trademark rights disputes as common property in Indonesia. Therefore, further research

¹² Fitria Ira Kartika et al., "Analisis Hukum Terhadap Penggunaan Bukti Elektronik Oleh Advokat Dalam Perkara Perdata", *Jurnal Edu Research* 7, no. 2 (Juni 202): 516, <https://doi.org/10.47827/jer.v7i2.2619>.

is expected to examine more court decisions and develop studies on the economic valuation mechanism of trademark rights and a more comprehensive form of legal regulation on Intellectual Property Rights as common property.

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