

# インドネシア知財ニュース

## IP News in Indonesia

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### ***<Indonesia> Owner of “Gunze Sport” Refuses Claim of Gunze Limited***

Maryoto (defendant), the owner of trademark “The Gunze Sport”, refuse claim of Gunze Limited which states that trademark “Gunze” is a well-known trademark. In addition, defendant also states that trademark “The Gunze Sport” No. IDM000273135 was filed with good faith. Previously, Gunze Limited asks judges of Commercial Court of Central Jakarta to cancel trademark “The Gunze Sport” No. IDM000273135 (Class 25) because it was filed with having bad faith and it has similarity in its essential part with trademark “Gunze” No. IDM000049044 (Class 23) owned by plaintiff. (Bisnis Indonesia, 18 December 2012)

### ***<Indonesia> Holcim Indonesia Won the Copyright Case***

Judges at Commercial Court of Central Jakarta, in case No.51/Hak Cipta/2012/PN.Niaga Jkt. Pst., agree to cancel copyright No.056228 “Database Formula PMB’s Penghitungan Kompensasi Pemanfaatan Lahan Industri Tambang Golongan C” in the name of PM Banjarnahor (defendant). Judges consider that defendant cannot prove his claim as the author of the said copyright. Judges also consider that the author of the copyright is parties who sign the agreement. The parties consist of representation of PT Holcim Indonesia (plaintiff) and government (ministries of law and finance). (Bisnis Indonesia, 18 December 2012)

### ***<Indonesia> Antarmitra Sue Trademark Appeal Commission***

PT Antarmitra Sembada (plaintiff), in the case No. 85/Merek/2012/PN.Niaga.Jkt.Pst, filed a lawsuit at Commercial Court of Central Jakarta to cancel a decision of Trademark Appeal Commission. Previously,

Trademark Appeal Commission decided to refuse application for registration of trademark Pure Baby (Class: 03) because it has similarity in its essential part with trademark My Baby No. IDM000338770 (Class: 03).

(Bisnis Indonesia, 28 December 2012)

### ***<Indonesia> Toyota Won the Case of Trademark “Lexus HPS 102”***

Judges at Commercial Court of Central Jakarta agree to cancel trademark “Lexus HPA 102” No. IDM000327157 in the name of Stanley Ang (defendant) because it has similarity with the essential part of trademark owned by Toyota that has been registered earlier. Previously, Toyota Motor Corporation (plaintiff), in a case No.52/Merek/2012/PN.Niaga.Jkt.Pst, submits a lawsuit of cancellation of trademark “Lexus HPA 102” No. IDM000327157 in the name of defendant because it has similarity in its essential part with well-known mark “Lexus & Logo L” No.496408 owned by plaintiff as well as it is also filed with having bad faith.

(Bisnis Indonesia, 4 January 2013)

### ***<Indonesia> Response Against Notification of Court Decision***

Suwandi Bratajaya, as the owner of trademark APPKTM, informs public that he has submitted appeal against decision of District Court of West Jakarta (case No.1224/Pid.Sus/2012/PN.JKT.BAR). Further, he asks all consumer, distributor, and agent not to worry about the decision of commercial court because it is not a final decision. In addition, he also informs that his trademark APPKTM has not similarity in its essential part with trademark KTM as stated in a letter issued by Director of Trademark.

(Kompas, 7 January 2013)

**<Indonesia> Court Session of Trademark  
“Obor” Case is Postponed**

Commercial Court of Semarang, in the case No.02/HAKI/M/2012/PN.Niaga.SMG, postpones the court session for decision of trademark “Obor” case since the judges in charge are not available because they have other court sessions. Previously, Soeharso (plaintiff) as the owner of trademark “Obor” found other trademark using logo that similar with his trademark.  
(Bisnis Indonesia, 8 January 2013)

**<Indonesia> Bavaria N.V. Ask Judge to  
Cancel Trademark “Bavaria”**

Bavaria N.V. (Holland company, plaintiff), submits a lawsuit of cancellation of trademark “Bavaria” No. IDM000187934 (goods: beer) in the name of Murni (defendant) at Commercial Court of Central Jakarta. Plaintiff states that trademark No. IDM000187934 was filed with having bad faith because it free rides the fame of the plaintiff’s trademarks that have been registered in many countries.  
(Bisnis Indonesia, 9 January 2013)

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