

インドネシア知財ニュース

IP News in Indonesia

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<Indonesia> *Index Interferum Won in Trademark “Index” Case*

Judges at Commercial Court of Central Jakarta, in case No.77/Merek/2012/PN.Jkt.Pst, agree to cancel three trademarks “Index” No. IDM000008545 (Class 21), No. IDM000008546 (Class 11), and No. IDM000084332 (Class 35), in the name of Ijek Widjaya (defendant, Commissioner of PT Ace Hardware Indonesia) because they have similarity in its essential part with well-known mark “Index” No.IDM000213387 (Class 20) owned by Index Interferum Company Limited (plaintiff). (Bisnis Indonesia, 21 March 2013)

<Indonesia> *Warning of Trademark “FIORUCCI”*

Itochu Corporation and Edwin Company LTD, as the owner of registered trademarks “FIORUCCI” in Indonesia and other countries, warns any parties to stop produce, distribute, sell and trade imitated fashion products using trademark “FIORUCCI” or using other similar trademark without our permission. Any trademark infringement will be prosecuted to the court. (Kompas, 22 March 2013)

<Indonesia> *YKCI Asks PT Vista Pratama to Pay Royalties*

Yayasan Karya Cipta Indonesia/YKCI (a collective management organization which represent song authors, plaintiff), in a case No.70/H.C/2012/PN.Niaga.Jkt.Pst, submits a lawsuit of at Commercial Court of Central Jakarta for a copyright infringement conducted by PT Vista Pratama (defendant). YKCI, a collective management organization/CMO, states that PT Vista Pratama (which operates “Inul Vista”) have conducted

copyright infringement because the license they currently have is no more valid. (Bisnis Indonesia, 22 March 2013)

<Indonesia> *Toyota Won in Trademark “Lexus” Case*

Judges at Commercial Court of Central Jakarta agree to cancel trademark “Lexus” No. IDM000297188 (Class 09) in the name of Lie Sugiarto (defendant) because it has similarity in its essential part with well-known mark “Lexus & Logo L” No.496408 (Class 12) owned by Toyota Motor Corporation (plaintiff) and it is also filed with having bad faith. In the last two years, Toyota Motor Corporation had succeeded in cancelling 5 trademarks (ie. Lexus HPS102, Lexus, Toyoko) filed by other parties that are similar with their well-known trademarks. (Bisnis Indonesia, 28 March 2013)

<Indonesia> *Andreas Stihl is Disputing Trademark “STL”*

Andreas Stihl AG&Co.KG (plaintiff), submits a lawsuit of cancellation of trademark “STL” No. IDM000294755 (Class 07) in the name of He Sok Khui (defendant) at Commercial Court of Central Jakarta. Plaintiff states that trademark “STL” No. IDM000294755 owned by defendant has similarity in its essential part with well-known mark “STIHL” owned by plaintiff and it is also filed with having bad faith. (Bisnis Indonesia, 1 April 2013)

<Indonesia> Owner of Trademark “INX” Submits Appeal

Andi Johan (defendant), owner of trademark “INX” No. IDM000220449 (Class 9), submits appeal to Supreme Court in order to respond decision of judges at Commercial Court that cancelled the said trademark. Previously, judges cancelled the said trademark because it has similarity with the essential part with trademark “INK” owned by Eddy Tedjakusuma (plaintiff). (Bisnis Indonesia, 1 April 2013)

<Indonesia> Perusahaan Gas Negara Must Pay Rp180 Millions

Commercial Court of Central Jakarta decides that by Perusahaan Gas Negara (state gas company)/PGN (defendant) has infringed industrial design No.ID0009708 (sock adapter) in the name M Rimba Aritonang (plaintiff). In addition, judges decide that PGN must pay Rp.180 millions as compensation. Previously, M Rimba Aritonang plaintiff filed a lawsuit at Commercial Court of Central Jakarta for a industrial design infringement conducted by PGN. M Rimba Aritonang states that PGN has used and producing product using the said design without rights. Further, plaintiff ask defendant to pay compensation for damage by RP.132.39 Billions. (Bisnis Indonesia, 4 April 2013)

<Indonesia> Cheesecake Factory Lost in Trademarks Case

Judges at Commercial Court of Central Jakarta, in case No.45/Merek/2012/Pn.Niaga.jkt.Pst, agree to delete trademarks “The Cheesecake Factory” No. IDM000068652 (Class 30) and No. IDM000108999 (Class 43) in the name of The Cheesecake Factory Assets Co LLC (defendant) because the trademarks have not been used for three years consecutively. The lawsuit is filed by De Silva U Chandra Sri Lai which own trademark “Cheese Cake” No. IDM000050336 (Class 35) in Indonesia. (Bisnis Indonesia, 4 April 2013)

<Indonesia> Antarmitra Lost against Trademark Appeal Commission

PT Antarmitra Sembada (plaintiff), in the case No. 85/Merek/2012/PN.Niaga.Jkt.Pst, lost in lawsuit at Commercial Court of Central Jakarta because judges agree with decision of Trademark Appeal Commission

No. 173/KBM/HKI/2012 that refused 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, 5 April 2013)

<Indonesia> Krakatau Steel is Disputing 7 Trademarks Owned by Perwira Aditama

Following the previous lawsuit, PT Krakatau Steel Tbk (plaintiff) also submits another lawsuit of cancellation of 6 trademarks (KSPS No.IDM000271049, KSJS No.IDM000267210, KSJIS No.IDM000267211, KSTL No.IDM000268667, KSL No.IDM000268668, KSMS No.IDM000271182 and LKS No.IDM000274108) in the name of PT Perwira Adhitama Sejati (defendant) at Commercial Court of Central Jakarta in case No.06/Pdt.Sus/Merek/2013/PN.Niaga.Jkt.Pst. Plaintiff states that those trademarks have similarity in its essential part with well-known mark “KS” owned by plaintiff. (Bisnis Indonesia, 9 April 2013)

<Indonesia> Again, Toyota Disputing Trademark “Lexus”

Toyota Motor Corporation (plaintiff), in a case No.12//Pdt.Sus/Merek/2013/PN.Niaga.Jkt.Pst, submits a lawsuit of cancellation of trademark “Lexus” No. IDM00351051 (Class 32: juice, healthy drinks) in the name of Budi (defendant) at Commercial Court of Central Jakarta. Plaintiff states that the said trademark has similarity in its essential part with well-known mark “Lexus” owned by plaintiff and it is also filed with having bad faith. (Bisnis Indonesia, 11 April 2013)

<Indonesia> Wavin B.V Disputing Trademark “Duravin”

Wavin B.V. (plaintiff) submits a lawsuit of cancellation of trademark “Duravin” No. IDM000354482 in the name of Jamin Halim (defendant) at Commercial Court of Central Jakarta. Plaintiff states that the said trademark has similarity in its essential part with well-known mark “Wavin” No.IDM000027319 owned by plaintiff. (Bisnis Indonesia, 17 April 2013)

<Indonesia> Yumi Katsura Failed in Cancelling trademark

Commercial Court of Central Jakarta, in case No.88/Merek/2012/PN.Niaga.Jkt.Pst, refuse to cancel trademark “Yumi Katsura” No.IDM00017785 (Class 25) and No.IDM000296246 (Class 44) in the name of PT Citra Mulia Jaya (defendant) because Kabushi Kaisha Yumi Katsura (plaintiff) cannot prove their claim of well-known trademark “Yumi Katsura”.
(Bisnis Indonesia, 17 April 2013)

<Indonesia> Alteco Chemical Won the Trademarks case

Supreme Court, in case No.761K/PDT/SUS/2012 accept appeal submitted by Alteco Chemical Pte Ltd (plaintiff) and agree to cancel registration of trademarks ALICO 77, ALLCO 770, AMELCO 770 and ALEXCO 770 in the name of Liong Wang Djong because those trademarks have similarity in its essential part with well-known trademark ALTECO No. IDM000009411 in the name of plaintiff.
(Bisnis Indonesia, 19 April 2013)

<Indonesia> Malaysian Company Won the Case of Trademark “Aladin”

Commercial Court of Central Jakarta, in case No. 87/Merek/2012/PN.Niaga.Jkt.Pst, agrees to cancel registration of “Aladin & logo” No. IDM000035246 (goods: matches) in the name of Mukhtar (defendant) because it was filed with having bad faith and it has similarity in its essential part with well-known trademark “Alladdin & Device” owned by DKSH Malaysia Sdn.Bhd (plaintiff).
(Bisnis Indonesia, 19 April 2013)

<Indonesia> GS Yuasa Lost in Supreme Court

Supreme Court, in case No.709K/PDT.SUS/2012, refuses appeal filed by GS Yuasa Corporation (plaintiff) and agrees with decision of Commercial Court (No. 13/Merek/2012/PN.Niaga.Jkt.Pst).

Previously, Commercial Court of Central Jakarta decided that lawsuit filed by GS Yuasa Corporation (plaintiff) regarding cancellation of trademark “GS Garuda Sakti” in the name of Yudhi Tanto (defendant) cannot be accepted because plaintiff listed wrong defendant’s address.

(Bisnis Indonesia, 23 April 2013)

<Indonesia> Decision of Trademark Appeal Commission is Cancelled

Commercial Court of Central Jakarta, in case No. 02/Merek/2013/PN.Niaga.Jkt.Pst, agrees to cancel decision of Trademark Appeal Commission (defendant) No.93/KBM/HKI/2012. Judges consider that there are no similarities between trademark “Cruzz” No. D002008007335 in the name of PT Kreasi Mas Indah (plaintiff) and registered trademark “Crush” No. IDM000075853. Previously, Trademark Appeal Commission refused application for registration of trademark “Cruzz “ App. No. D002008007335 because it has similarity in its essential part with the said trademark “Crush”.

(Bisnis Indonesia, 24 April 2013)

<Indonesia> Fuji Oil Won the Trademark Case in Supreme Court

Supreme Court, in case No.573K/PDT.SUS/2012, refuses appeal filed by Trademark Appeal Commission and agrees with decision of Commercial Court (No.12/Merek/2012/PN.Niaga.Jkt.Pst) that cancelled decision of Trademark Appeal Commission. Further, Supreme Court asks Trademark Office to register the said mark. Previously, Trademark Appeal Commission refused application for registration of trademark Fujipro (Cl. 29) No. D00.004.04708.040750 because it has similarity with registered trademark Fuji No. 372076 (Cl. 29).

(Bisnis Indonesia, 25 April 2013)
