

# インドネシア知財ニュース

## IP News in Indonesia

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### **<Indonesia> Commercial Court Cancels Decision of Appeal Commission**

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. 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)

### **<Indonesia> Kemenkumham Signs MoU**

Ministry of Law and Human Right (Kemenkumham) signs MoU with three ministries (Tourism, Communication & Informatics, and Health) in order to promote understanding and implementation of IP. Minister of Law states that he wants all IP owner obtain

their rights when the products is produced. In addition, since 2011 DGIP has provided incentives in the term of lower application fee for SMEs and universities.

(Bisnis Indonesia, 25 April 2013)

### **<Indonesia> Distributor of “Kaki Tiga” is Not Guilty**

Judges at High Court of Pontianak, in case No.29/Pid-Sus/2013/PT PTK, decide Haryanto Sanusi (defendant, distributor of “Kaki Tiga” products) as not guilty in trademark infringement case. Judges consider that there is no evidence that shows defendant produce and commercialize products using trademark owned by other party. Previously, District Court of Pontianak decides defendant as guilty in the same trademark infringement case.

(Bisnis Indonesia, 30 April 2013)

### **<Indonesia> BAM HKI, Solution for IP Disputes**

Currently, Indonesia has a mediation agency called BAM HKI (Arbitration and Mediation Agency of IP) as a fast, closed, and cheap solution for parties who have IP dispute. Examination of the case in BAM HKI is not open to public, fast (max. 180 days), and handled by IP experts. The experts that include four former directors general of IP will help parties in dispute to obtain a final solution.

(Bisnis Indonesia, 1 May 2013)

**<Indonesia> Again, RI is Listed in Priority Watch List**

USTR listed Indonesia with 9 other countries (Algers, Argentine, Chile, China, India, Pakistan, Russia, Thailand and Venezuela) in the Priority Watch List this year. USTR considers Indonesia has not conducted sufficient action in IPR protection and enforcement, especially copyright. It means that according to USTR, rate of copyright

infringement in Indonesia is high. Indonesia has been listed in the Priority Watch List for 4 years consecutively. (Bisnis Indonesia, 13 May 2013)

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