

インドネシア知財ニュース

IP News in Indonesia

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<Indonesia> LG Corp Sues Sharp

LG Corp (plaintiff) submits a lawsuit of cancellation of trademark “Plasmacluster” Nos.IDM000228607, IDM000320477 and IDM000320521, “Plasmacluster Ion Generator” Nos.IDM000264896 and IDM000347235, and “Plasmacluster HD” No.IDM000258884 in the name of Sharp Corp (defendant) at Commercial Court of Central Jakarta (case No.28/Pdt.Sus/Merek/2013/PN.Niaga.Jkt.Pst). Plaintiff states that those trademarks were filed with having bad faith because of using descriptive word “plasma” that commonly used in AC products. LG Corp is the owner of trademark “Plasmaster” that has been registered in many countries, however, its application in Indonesia is still pending..
(Bisnis Indonesia, 3 September 2013)

<Indonesia> Word “Plasma” Can be Used as Trademark

Responding cancellation lawsuit of trademarks consisting of word “plasma” submitted by LG Corp (plaintiff), Sharp Corp (defendant) argues that plaintiff is not consistent with the claim because the plaintiff also has registered trademarks using word “plasma” namely, “Active 3D Plasma” No.IDM000336898 and “Eye Love Plasma TV” No.IDM000203136. In addition, defendant also shows that Samsung Electronics Co. Ltd also has a trademark registration using word “plasma” namely “S-Plasma Ion” No.IDM000387939. Previously, the plaintiff submitted a lawsuit of cancellation of trademark “Plasmacluster” No.IDM000228607, No.IDM000320477 and No. IDM000320521, “Plasmacluster Ion Generator” No.IDM000264896 and No.IDM000347235, and “Plasmacluster HD” No.IDM000258884 in the name of defendant at Commercial Court of Central Jakarta (case No.28/Pdt.Sus/Merek/2013/PN.Niaga.Jkt.Pst).
(Bisnis Indonesia, 5 September 2013)

<Indonesia> Notification of Trademark “ORIORIO”

PT. Siantar Top Tbk (defendant) hereby informs that according to decision of Reconsideration of Supreme Court No.164 PK/PDT/SUS/2012, trademark “Oriorio” No. IDM000257324 in the name of defendant has no similarity with trademark “Oreo” owned by Kraft Foods Global Brands LLC (plaintiff). It means that defendant is still the right owner of trademark “Oriorio” No. IDM000257324. Previously, in the appeal stage Supreme Court agrees to cancel registration of trademarks “Oriorio” No. IDM000257324 in the name of defendant because it was filed with bad faith for free riding the fame of well-known mark “Oreo” owned by plaintiff.
(Bisnis Indonesia, 9 September 2013)

<Indonesia> Yamazaki Baking Sues Local Owner

Yamazaki Baking Co. Ltd. (plaintiff) submits a lawsuit of cancellation of trademark “Yamazaki” No.IDM000009757, in the name of Condro Widjojo (defendant) at Commercial Court of Central Jakarta (Case No.39/Pdt.Sus/Merek/2013/PN.Niaga.Jkt.Pst). Plaintiff states that the trademark was filed with having bad faith because it has similarity with well-known mark owned by plaintiff.
(Bisnis Indonesia, 16 September 2013)

<Indonesia> Notification of Reconsideration Decision (Kopitiam)

Abdul Alek Soelystio, as right holder of trademark KOPITIAM No. IDM000030899, No. IDM000302964, and IDM000305714, notifies all party that according to judge’s decision of Supreme Court in Reconsideration Case No. 179 PK/PDT.SUS/2012, trademark KOK TONG KOPITIAM No. IDM000226705 in the name of

Paimin Halim was cancelled because it has similarity in its essential part with trademark KOPITIAM No. IDM000030899. On 30 January 2012, Trademark Office have also deleted trademark KOK TONG KOPITIAM No. IDM000226705 from General Trademark Register. Based on this notification, we warn all parties to stop using any trademark which has similarity in its essential part with trademarks KOPITIAM No. IDM000030899, No. IDM000302964, and IDM000305714.
(Bisnis Indonesia, 17 September 2013)

<Indonesia> Lack of Coordination in IP Enforcement

Ahmad Ramli (Director General of DGIP), in an IP Group Discussion Forum in Bali, admits that there is lack of coordination among the government institutions and companies in IP enforcement related with IP infringement in Indonesia. In addition, the presence of disharmony in IP regulations also causes some difficulties in IP enforcement.
(Bisnis Indonesia, 18 September 2013)

<Indonesia> Copyright Protection Period will be Added

Yuslisar Ningsih (Director of Copyright of DGIP), states that Copyright Law is currently under revision. The revision includes: the extension of protection period that will be 70 years after the author death (previously 50 years), Collective Management Organization (CMO) which will manage, collect and distribute royalties to the authors, and penalties for consumer who bought pirated CD/VCD/DVD.
(Bisnis Indonesia, 19 September 2013)

<Indonesia> Owner of Trademark "CAMPUS/KAMPUS" Submits Appeal

Teguh Handoyo (defendant), as the owner of registered trademarks "Campus" and "Kampus" submits appeal to Supreme Court in order to respond decision of Commercial Court. Previously, Commercial Court of Central Jakarta agree to cancel registration of trademarks "Campus" and "Kampus" because the registration is not conform to Article 5 of Trademark Law. The cancellation lawsuit is filed by Kawan Kusuma Salim (plaintiff) who owns the registration of trademark "Royal Campus".
(Bisnis Indonesia, 20 September 2013)

<Indonesia> Notification of Trademark "ENVITEX/AVITEX"

Since the issuance of Supreme Court decision No. 815K/PDT.SUS/2012 that cancelled the registration of trademark "ENVITEX" No.IDM000120630 in the name of Iwan Adranacus, hereby Iwan Adranacus (PT Indaco Coating Industry) will not use and produce any paint products using trademark "ENVITEX" and will withdraw the said products from market. Iwan Adranacus also apologize to PT Avian Avian as the owner of trademark "AVITEX".
(Kompas, 21 September 2013)

<Indonesia> Bell & Ross Sues Local Owner

Bell & Ross B.V (plaintiff, a watch manufacturer) submits a lawsuit of cancellation of trademark "Bell& Ross" No.IDM000358141, in the name of Gopal Damodardas Jatiani (defendant) at Commercial Court of Central Jakarta (Case No.56/Pdt.Sus/Merek/2013/PN.Niaga.Jkt.Pst). Plaintiff states that trademark No.IDM000009757 was filed with having bad faith because it has similarity with well-known mark owned by plaintiff.
(Bisnis Indonesia, 23 September 2013)

<Indonesia> Philip Morris Sues Trademark Appeal Commission

Philip Morris Product S.A, (plaintiff) filed a lawsuit at Commercial Court of Central Jakarta to cancel a decision of Trademark Appeal. Previously, Trademark Appeal Commission decided to refuse application for registration of trademark "Marlboro Sense" (Class 34: tobacco, cigar, cigarette) in the name of plaintiff because it has similarity in its essential part with a registered trademark "Sense and device" No. 561026 (Class 34) in the name of Djoemaidi Oetomo.
(Bisnis Indonesia, 24 September 2013)

<Indonesia> Multi Access Sues Local Owner

Multi access Limited (plaintiff) submits a lawsuit of cancellation of trademark "Wang Lao Ji"; goods: herbal tea products in the name of Dhalim Soekodanu (defendant, a local businessman) at Commercial Court of Central Jakarta (Case No.51/Pdt.Sus/Merek/2013/PN.Niaga.Jkt.Pst). Plaintiff states that the trademark has similarity with well-known mark owned by plaintiff.
(Bisnis Indonesia, 25 September 2013)

<Indonesia> GS Yuasa Failed in Cancelling Trademark Gold Shine

Commercial Court of Central Jakarta cannot accept the cancellation lawsuit of trademark Gold Shine No. IDM000131477 submitted by GS Yuasa Corporation (plaintiff) because the same case has been previously submitted and obtained final decision. (Bisnis Indonesia, 25 September 2013)

<Indonesia> Local Owner Denies Multi Access Argument

In a court session, Dhalim Soekodanu (defendant, a local businessman) denies argument of Multi access Limited (plaintiff) and states that the designated goods of trademarks owned by plaintiff and defendant are different. In addition, defendant also states that trademark “Wong Lo Kat” owned by plaintiff is not a well-known trademark. Previously, plaintiff submits a lawsuit of cancellation of trademark “Wang Lao Ji” for herbal tea products in the name of defendant at Commercial Court of Central Jakarta (Case No.51/Pdt.Sus/Merek/2013/PN.Niaga.Jkt.Pst). Plaintiff states that the trademark has similarity with well-known mark owned by plaintiff. (Bisnis Indonesia, 27 September 2013)

<Indonesia> Apology Statement (Trademarks “NIKE/CONVERSE”)

Ali Albar (owner of Toko Six Seven Shoes, Bali), Rafiqi (owner of Toko Sari Dewate, Bali, and three other stores in Bali hereby apologize to NIKE International Ltd. and Converse Inc., as the owner of trademark “NIKE” and “CONVERSE because we have infringed the trademark by selling imitated product (garment, shoes) by using the saidtrademarks. (Kompas, 27 September 2013)

<Indonesia> Quick Production of “Tempe”

Faculty of Food Technology of IPB introduce a process which accelerate production of tempe from 3,5 days to 2 days using a chemical acidification Glucono Delta Lactone (GDL). The process has been patented in 2007 and it has been used by tempe producers in East Java. (Kompas, 27 September 2013)

<Indonesia> Apology Statement (Trademarks “CARDINAL”)

H. Gufron and three other trader in Tegalgubug market – Cirebon hereby apologize to PT Multi Garmenjaya as the owner of trademark “CARDINAL” because we have infringed the trademark by selling imitated products by using the said trademark. (Kompas, 28 September 2013)

<Indonesia> Notification of Trademark “White Horse”

Based on decision of Supreme Court No. 890K/PDT.SUS/2012 jo. No.33/merek/2012/PN.Niaga.Jkt.Pst, which decide that White Horse Ceramic Co., Ltd. (plaintiff) is the owner of trademarks “White Horse” and/or “White Horse Ceramic” No. 422866, No.535170 and No.IDM000118546, hereby White Horse Ceramic Co., Ltd. warns PT. White Horse Ceramics Indonesia/its distributor/its seller to stop produce/distribute/sell products in Class 19 using trademark that similar with trademarks “White Horse” and/or “White Horse Ceramic” owned by White Horse Ceramic Co., Ltd. (Kompas, 28 September 2013)

<Indonesia> Acava Submits Cancellation of Trademark “Citrus”

Acava Limited (plaintiff) submits a lawsuit of deletion of trademark “Citrus” No.IDM000097033 in the name of Tonny Aswan (defendant, a local businessman) because the trademark has not been used for three years consecutively. Plaintiff also states that BPOM never issue any permission for product using the said trademark. Meanwhile, defendant states that they use the trademark and limitedly distribute the product in Medan. Previously, the plaintiff filed application for trademark “Cifrut” but it is refused by Trademark Office since it has similarity with trademark “Citrus” No.IDM000097033 in the name of defendant. (Bisnis Indonesia, 30 September 2013)

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