

インドネシア知財ニュース

IP News in Indonesia

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<Indonesia> *Acava Lost in the Case of Trademark “Citrus”*

Judges at Commercial Court of Central Jakarta refuse to delete the registration of trademark “Citrus” No.IDM000097033 in the name of Tonny Aswan (defendant, a local businessman) because Acava Limited (plaintiff) cannot prove that the said trademark has not been used for three years consecutively and because the defendant can prove that the product using the said mark is still produced in Medan.
(Bisnis Indonesia, 15 November 2013)

<Indonesia> *RI-US Trade can be affected by Priority Watch List Status*

In a seminar (14/11), a senior staff of Ministry of Trade states that the priority watch list status will affect the trade partnership and the competitiveness of local product against US and other countries. Meanwhile the Indonesian Counterfeited Association states that lack of coordination between industries and government is a cause of the said status. Indonesian Corporate Counsel Association also states that the presence of illegal software and imitated medicine is the major points that highlighted by USTR.
(Bisnis Indonesia, 15 November 2013)

<Indonesia> *Warning of Industrial Design “Emergency Lamp”*

PT Subur Semesta, as the owner of registered industrial design “Emergency Lamp” No. ID 0 025219 -D, hereby warns any parties to stop produce and distribute all products of “emergency lamp” using similar design without our permission. Any design infringement will be prosecuted to the court.
(Kompas, 15 November 2013)

<Indonesia> *Toyota Sues Lexus Daya Utama*

Toyota Jidosha Kabushiki Kaisha (plaintiff) submits a lawsuit of cancellation of trademark “Lexus” in the name of PT Lexus Daya Utama (defendant). Plaintiff states that the trademark was filed with having bad faith because it has similarity with well-known trademark owned by plaintiff.
(Bisnis Indonesia, 15 November 2013)

<Indonesia> *Advance Beauty Sues a Local Company*

Advanced Beauty Systems Inc. (plaintiff, an American company) submits a lawsuit of cancellation of trademark “Bodycology” No. IDM000289450 (class 03) in the name of Sherly Nyolanda (defendant). Plaintiff states that the trademark was filed with having bad faith because it has similarity with well-known trademark owned by plaintiff.
(Bisnis Indonesia, 18 November 2013)

<Indonesia> *Trademark Kopitiam Case*

Owner of trademark “Lau’s Kopitiam” submits a cancellation lawsuit of trademarks “Kopitiam” (No. IDM000305714; Class 43) in the name of PT Bagus Intikarya in Commercial Court of Central Jakarta because the trademark “Kopitiam” use generic word that should not be registered because it is not conform to Articles 1 and 5 of Trademark Law.
(Bisnis Indonesia, 19 November 2013)

<Indonesia> Owner of Trademark Kopitiam Ask for Compensation

Abdul Alek Soelistyo (defendant, owner trademarks “Kopitiam”) submits counter lawsuit and ask for compensation of Rp. 8 billions to Mery Suhenny (defendant, owner of trademark QQ Kopitiam) for trademark infringement. Previously, the defendant submits a cancellation lawsuit of trademarks “Kopitiam” in the name of plaintiff because the trademarks use generic words that should not be registered. (Bisnis Indonesia, 20 November 2013)

<Indonesia> Noevir Sues Ambala Mas (Deletion of Trademark “SANA”)

Kabushiki Kaisha Noevir (plaintiff, Japanese company) submits a lawsuit of deletion of trademark “SANA” No. IDM000119496 (class 03) in the name of PT Ambala Mas (defendant) because said the trademark was not used for three years consecutively. Plaintiff states that they find no information regarding the use of the trademark or the distribution of product using the trademark. In addition, BPOM also informs that they never issue any permission or certificate for products using trademark SANA. (Bisnis Indonesia, 21 November 2013)

<Indonesia> Bell & Ross and Local Owner agree with Peace Settlement

Bell & Ross B.V (plaintiff, a watch manufacturer) and Gopal Damodardas Jatiani (defendant) choose the peace settlement to end the cancellation lawsuit of trademark “Bell& Ross” No.IDM000358141 in the name of defendant. Previously, plaintiff submits a lawsuit of cancellation of trademark “Bell& Ross” No.IDM000358141, in the name of defendant at Commercial Court of Central Jakarta (Case No.56/Pdt.Sus/Merek/2013/PN.Niaga.Jkt.Pst). because the trademark was filed with having bad faith because it has similarity with well-known mark owned by plaintiff. (Bisnis Indonesia, 25 November 2013)

<Indonesia> Arsenal FC Sues a Local Company

Arsenal FC Public Limited Company (plaintiff) submits a lawsuit of cancellation of trademark “Arsenal+logo” (Class 18 and 25) in the name of Surjit Kaur, Amarjit Singh Johal, and Manjit Singh Johal (defendants). Plaintiff states that the trademark was filed with having bad faith because it has similarity with well-known trademark owned by plaintiff. (Bisnis Indonesia, 3 December 2013)

<Indonesia> Thousands of Patents Will Be Invalid

According to Director General of DGIP, there are about 7000 patents that have not paid the annuity payment for three years consecutively. Those patent soon will invalid and can be exploited by any parties. Among the patents, 90% are from foreign applicants. Currently, DGIP is sending confirmation letters to the patent owners to inquire about the payment. (Bisnis Indonesia, 5 December 2013)

<Indonesia> Buyer of Pirated CD's will be Penalized

Director General of DGIP states that Copyright Law is currently under revision. The revision includes a clause the will give a higher penalties for consumer who bought pirated CD/VCD/DVD. In a clause of the said revision, buyer of pirated CD/VCD/DVD will be penalized by 10 times of price of the original CD/VCD/DVD. (Bisnis Indonesia, 6 December 2013)

<Indonesia> Geographical Indication has not been Economically Exploited

Ahmad Ramli (Director General of DGIP) states that Indonesia has the largest geographical indication commodities for plant, however, the registration and certification of the said geographical indications has not been maximally exploited, especially for economic purpose. Currently, the registration and certification is limited for conservation purpose only. (Kompas, 7 December 2013)

<Indonesia> “Soekarno” Movie might be Withdrawn

According to judge decision, director and producer (defendants) of the “Soekarno” movie are asked to submit the master and the script of the said movie because there is a copyright infringement in the said movie. The lawsuit is filed by Rachmawati Soekarnoputri (plaintiff, daughter of Soekarno/first president of RI). (Bisnis Indonesia, 13 December 2013)

<Indonesia> a Malaysian Company Win Trademark Case

Commercial Court of Central Jakarta agrees to cancel the registration of trademark “Aik Cheong” No. IDM000064966 (class 30), in the name of Tan Tjui Khua (defendant) because the trademark has similarity with trademark owned by Aik Cheong Coffee Roaster Sdn Bhd (plaintiff, a Malaysian company) and because it was filed with having bad faith.
(Bisnis Indonesia, 19 December 2013)

<Indonesia> Arsenal Succeed in Cancelling Trademark “Arsenal”

Commercial Court of Central Jakarta agrees to cancel the registration of trademark “Arsenal+logo” (Class 18 and 25) in the name of Surjit Kaur, Amarjit Singh Johal, and Manjit Singh Johal (defendants) because the trademark has similarity with trademark owned by Arsenal FC Public Limited Company (plaintiff) and because it was filed with having bad faith.
(Bisnis Indonesia, 20 December 2013)

<Indonesia> Warning of Industrial Design “Emergency Lamp”

Hendra Kusnadi, as the owner of registered industrial design “Antenna” No. ID 0 014072--D, hereby warns any parties to stop produce and distribute all products of “antenna” using similar design without our permission. Any design infringement will be prosecuted to the court.
(Kompas, 23 December 2013)

<Indonesia> BBPT Prioritizes Partnership and Benefit

Head of BBPT (Badan Pengkajian dan Penerapan Teknologi, a government research agency) states that the agency will prioritize the partnership and technological benefit in all BBPT research activities for efficiency. BPPT will open the partnership for all parties and will promote their 156 patents (72 patents are granted).
(Kompas, 26 December 2013)

<Indonesia> Thousands of Youth Science Works are not Exploited

Currently, there are thousands of youth science works resulted from Indonesian youth science competition are not exploited even though that many of them have potential to be patented. To overcome this problem, since 2012 DGIP and Ministry of Education provide assistance for the inventor of such science work to obtain IP protection. As the result, Gunawan Nara Pradhana (Junior High School student, inventor of “Helmet with Gel as Its Cooler”) has obtained patent for the said invention and obtain royalty by Rp.1 billion from a company.
(Kompas, 27 December 2013)

<Indonesia> Monteroza Lost in the Appeal Stage

Supreme Court refuse to cancel registration of “Wara Wara” No. 551068, and “Shirokiya+Logo” 551069 in the name of Arifin Siman (defendant) because the trademarks owned by Kabushiki Kaisha Monteroza (plaintiff) are not well-known trademarks at the time when the defendant filed the application for registration for the said trademarks. Responding the said decision, the plaintiff will submit reconsideration to Supreme Court.
(Bisnis Indonesia, 30 December 2013)

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