

インドネシア知財ニュース

IP News in Indonesia

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<Indonesia> Copyright Protection Period shall be Extended

Copyright protection period shall be extended from 50 years to 70 years in the upcoming revision of Copyright Law. The government and House of Representatives are currently discussing the revision of Copyright Law No. 19 year 2002 before the end of work period of legislative members in October 2014. The object of this extension is to stimulate the people to be more creative and to support economic activities.

(Bisnis Indonesia, 23 May 2014)

<Indonesia> The Court Stopped AAJI Lawsuit

AAJI effort to made cancellation of computer training program copyrights in the name of PT. Mitra Integrasi Kompetindo was stopped in the Court. The Commercial Court has no authority to examine and prosecute disputes between AAJI and PT. Mitra Integrasi Kompetindo. The judge stated that both sides had made a covenant in which there is arbitral clause, so if there are disputes that occurred between the parties and the settlement mechanism should be through arbitration. AAJI claimed as the certified owner of certification of computer training program copyrights material of living insurance of traditional product since 2005-2006.

(Bisnis Indonesia, 11 June 2014)

<Indonesia> Atma Jaya Ready to Cassation

CHRP trademark disputes between Yon Nofiar and Universitas Katolik Atma Jaya will continue to the Supreme Court. The Commercial Court of Central Jakarta refused counterclaims Yon Nofiar and Atma Jaya. The judge in judging CHRP is the word that can be used by anyone or common word that having no distinguishing specific, so they could not registered as a brand.

(Bisnis Indonesia, 16 June 2014)

<Indonesia> Producers Ask The Cancellation of The Patent Ceramic Concrete

PT. Abadi Genteng Jatiwangi (the plaintiff) producer of building materials filed a lawsuit the cancellation of the patent ID0018083 (registration date: 26 September 2006) belonging to Yudiro Soedardjo (defendant) in the commercial court of central Jakarta with the title “Kerangka Keramik Komposit Beton Untuk Lantai Bangunan Bertingkat dan Metode Pemasangannya”. A lawsuit filed by the plaintiff because this patent considered not having a novelty. In response to this, the defendant filed a reconvention and asked for compensation 27 billion to the plaintiff.

(Bisnis Indonesia, 17 June 2014)

<Indonesia> Trademark dispute “Suomy” continued to the Supreme Court

Arifin Daniel, a local entrepreneur, files a cassation to the Supreme Court against an Italian helmet manufacturer regarding the trademark “Suomy”. This case began when Suomy Spa, an Italian company, filed a lawsuit against Arifin because they claimed that Arifin’s trademark has a similarity in its essential part with their trademark. Suomy Spa also claimed that they’ve filed their trademark in many countries such as Australia, USA, Canada, Singapore, Italy, Mexico, Hongkong, Chile, etc.

(Bisnis Indonesia, 24 June 2014)

<Indonesia> Lawsuite of Ceramics Patents

The development of a patent case the framework of ceramic composite concrete between PT. Abadi Genteng Jatiwangi (plaintiff) against Yudiro Soedarjo (defendant) has entered the stage of listening to the expert testimony. The plaintiff demanding the cancellation of the patent with No. ID0018083 and application No.

P-00200400215.

(Bisnis Indonesia, 11 July 2014)

<Indonesia> Japanese Company Scrambling Yamaru Trademark

PT. Yamato Sewing Machine Mfg Co., Ltd. (plaintiff) again filed a lawsuit of trademark cancellation of Yamaru (IDM000294747) owned by Shintawati (defendant) which are considered to contain the equation are in principle, good word or sound, with a Yamato trademark. The plaintiff also includes Directorate General of Intellectual Property Rights as second defendant because granting trademark application of yamada on 31 May 2010. Yamato trademark owned by the plaintiff has been registered in DGIPR with certificate No. IDM00007281 on 4 May 2006. This trademark already registered in more than 50 countries in the world, so that it can be categorized as a well-known trademark.
(Bisnis Indonesia, 16 July 2014)

<Indonesia> Trademark of Yamano should be Cancelled

PT. Yamato Sewing Machine Mfg Co., Ltd. (plaintiff) again filed a lawsuit of trademark cancellation of Yamano (IDM000210668) owned by Shintawati (defendant) which are considered to contain the equation are in principle, good word or sound, with a Yamato trademark. The plaintiff also includes Directorate General of Intellectual Property Rights as second defendant because granting trademark application of Yamano on 16 July 2009. Yamato trademark owned by the plaintiff has been registered in DGIPR with certificate No. IDM00007281 on 4 May 2006. This trademark already registered in more than 50 countries in the world, so that it can be categorized as a well-known trademark.
(Bisnis Indonesia, 17 July 2014)

<Indonesia> Cintas Sentul Sued Heat Insulation of PT. Toilon

PT. Cintas Sentul Raya (plaintiff) filed a lawsuit in related to the patent certificate of PT. Toilon Indonesia (defendant) regarding to the heat insulation with registered No. ID P0029369B on 13 October 2011. The plaintiff said that the defendant patent having lack of novelty, lack of inventive step and lack of industrial applicable and it can not be patented because it already exist since 1970 and has been development by Japan Company, Furukawa.
(Bisnis Indonesia, 21 July 2014)

<Indonesia> South Korea Entrepreneur Sued regarding Industrial Design

CV Sin Sil Ratta, Soemadyo and Park Chae Young (plaintiffs) file a cancellation request of industrial design to the Commercial Court with No. 39/Pdt.Sus-DI/2014/PN.Niaga.Jkt.Pst regarding a kind of a tray owned by Kim Soo Chang (defendant) with registration No. ID 0031480D. The Industrial design of the defendant identical with the previous design and having a bad faith and contrary to the article 2 of Law No 31/2000. In response to this, the defendant sued back the plaintiffs over illegal actions with the value of the loss materil and inmateril worthRp.5, 32 billion to be paid together.
(Bisnis Indonesia, 5 August 2014)

<Indonesia> Supreme Court Refuse Cassation the Cheesecake Factory

The Cheesecake Factory Co. LLC (plaintiff, USA) failed to cancel the trademark of Cheese Cake in Indonesia owned by De Silva U Chandra Sri Lai (defendant). Verdict No. 365 K/ Pdt.Sus-HKI/2014 is the continuation of the dispute of the cancellation of Cheese Cake trademark in Indonesia after the Commercial Court could not accept a lawsuit from the plaintiff because the case still in the examination stage in the Supreme Court. This case starts when the plaintiff files a lawsuit to cancel the trademark of Cheese Cake (IDM000050336, class 35) in the name of the defendant. The plaintiff claimed that the Cheesecake Factory belongs to them and it's a well-known trademark (already registered in Uni Europe, Singapore, Hongkong, Macau, Filiphina, New Zealand, Russian, Canada, Thailand, Kuwait and also Lebanon). This trademark registered in class 30, 42 and 43.
(Bisnis Indonesia, 12 August 2014)

<Indonesia> Kompas Group is being Sued for publishing "Tribun Bali"

" Bali Tribune", a local (Bali) newspaper owned by Hendrawan (plaintiff) filed a trademark cancellation lawsuit against "Tribun Bali" (IDM000130203, 20 July 2007, class 16) owned by PT Indopersada Primamedia (defendant) which is a part of the big media company Kompas Gramedia group to the Commercial Court of Central Jakarta on 29 April 2014.
(Bisnis Indonesia, 14 August 2014)

<Indonesia> Ets Zilli Finally Made a Peace on a Trademark Dispute

Ets Zilli, a France company, has finally made a peace agreement with Hendrik, owner of the trademark “Zilli”. The case began when Ets Zilli filed a trademark cancelation request against trademark “Zilli” owned by local businessman Hendrik, because they considered that Hendrik’s trademark has a similarity in its essential part with the mark owned by Ets Zilli. Now, both parties had signed a peace agreement and Ets Zilli is willing to withdraw their charge.
(Bisnis Indonesia, 15 August 2014)

<Indonesia> Bio Farma Registered Pentabio to WHO

PT. Bio Farma has just registered Pentabio a combination vaccine for diphtheria, tetanus, pertussis, hepatitis B recombinant, haemophilus, and B-type influenza to WHO.

Bio Farma hopes that this vaccine will be a great contribution for everyone after it is registered at WHO.
(Bisnis Indonesia, 20 August 2014)

<Indonesia> PT. Abadi Genteng Jatiwangi lost their lawsuit against Yudiro Soedarjo

Judges at the South Jakarta Commercial Court rejected the lawsuit of patent cancelation requested by PT. Abadi Genteng Jatiwangi against Yudiro Soedarjo. The Judges considered that the lawsuit is not clear and unobvious, besides that the cancelation request should have been aimed to patent number (ID number) and not to publication number. Suharyono, legal representative of PT. AGJ, said that his client is not satisfied and will file a cassation request.
(Bisnis Indonesia, 20 August 2014)

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