

インドネシア知財ニュース

IP News in Indonesia

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<Indonesia> 14 Ministry Regulations on Patent will be Issued

By the end of this month, Ministry of Law and Human Right will finish drafting 14 regulations to complement Law No.13/2016 related patent. Some of the said regulations are related to appeal, recordation of data amendment, compulsory license, prior user, etc.

(Bisnis Indonesia, 20 March 2017)

<Indonesia> Cancellation of Mark “BACKYARD COFFEE”

William Mulia Linuhung (plaintiff) as owner of mark “Backyard” (IDM000362007, Class 43) asks commercial court to cancel registration of mark “Backyard Coffee” (IDM000504685, class 43) owned by PT Mata Hari Bersama (defendant) because the said mark has similarity with the plaintiff’s marks and was filed with having bad faith.

(Bisnis Indonesia, 3 April 2017)

<Indonesia> PRADA Case Ends in Peace Settlement

PT Manggala Putra Perkasa (MPP) and Prada S.A agree to have a peace settlement on their cases. MPP will withdraw 3 cases from the court while Prada S.A will withdraw 1 case. Beforehand, MPP filed a criminal lawsuit against Prada S.A while Prada SA filed a cancellation lawsuit of trademarks Prada (No.IDM000207496, IDM000207495, IDM000027787, IDM000020559, IDM000025357 and IDM000248223) owned by MPP.

(Bisnis Indonesia, 6 April 2017)

<Indonesia> Panda Restaurant Inc. Sues Mark Appeal Commission

Panda Restaurant Inc. asks Commercial Court to cancel Mark Appeal Commission decision No.252/KBM/HKI/2016 since their mark application “Panda Express” No. D002013007940 was refused. Previously, in the said decision the Mark Appeal Commission refused the said application since it has similarity with mark “Panda” No. IDM000194792 in class 29.

(Bisnis Indonesia, 13 April 2017)

<Indonesia> Toyota Submits Mark “Lexus” Cancellation

In case No.25/Pdt.Sus-HKI/Desain/2016/PN.Niaga.Jkt.Pst, Toyota Jidosha Kabushiki Kaisha (plaintiff) ask Commercial Court of Central Jakarta to cancel registration of mark “Lexus” No.IDM000468830 in class 11 in the name of Marzuki Tan (defendant) because it has similarities with marks “Lexus” owned by plaintiff and it was filed with having bad faith. Meanwhile, defendant argues that their mark is designated for different kind of class/goods.

(Bisnis Indonesia, 12 May 2017)

<Indonesia> Apology Notice

Hari Yuniarto (owner of Nala Motor) domiciled in East java and Sindy Hidayat (owner of Pemuda Motor) domiciled in Central java, apologizes to GS Yuasa Corporation (Owner of marks “YUASA+Logo” No.IDM000016372 and IDM000044348) because of using the said mark without any right and selling imitated products using the said mark.
(Bisnis Indonesia, 5 June 2017)

<Indonesia> Notification and Warning of Mark “MAPOGALMEGI”

DIDIM INC, as owner of 7 marks “MAPOGALMEGI” in Indonesia, authorizes PT. NJA SUKSES GLOBAL as the Master Licensee of the said marks in Indonesia. DIDIM INC hereby warns any party to not to use the said marks in Indonesia without any consent to avoid legal actions.
(Bisnis Indonesia, 5 June 2017)

<Indonesia> New President Decree Will Target Foreign Patent owners

In order to implementing the new patent law No.12/2016, government will issue a president decree related to the obligation of patent owners for producing product or using the process in Indonesia. The president decree will describe detail of production process, technology transfer and investment. Responding to this, pharmaceuticals manufactures argue that they cannot build the plant since the market size is not sufficient.
(Bisnis Indonesia, 6 June 2017)

<Indonesia> Cancellation of Mark “Batik Iwan Tirta”

Commercial Court of Central Jakarta refused to cancel decision of Mark Appeal Commission which refused application of trademark No. D002012031327 (class 24) owned by PT Pusaka Iwan Tirta (plaintiff) because it has similarity with mark “Batik Iwan Tirta” owned by PT Iwan Tirta. Following the decision, the plaintiff will submit cassation to Supreme Court. The plaintiff argues that they have signed letter from Iwan Tirta to continue his business; hence they have right to use the mark.
(Bisnis Indonesia, 13 June 2017)

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(Bisnis Indonesia, 13 June 2017)

<Indonesia> Minister Regulation for GI MoU with Europe Union is being Prepared

Director General of IP is preparing a minister regulation on geographical indication (GI) products for a MoU with European Union. The purpose of the MoU is to develop GI system (stake holder capacity and GI management) and to file 40 Indonesian GI products in Europe.
(Bisnis Indonesia, 14 June 2017)

<Indonesia> “Crocodile” Mark Case Decision

In case No.05.Pdt.Sus-Merek/2017/PN.Jkt.Pst, Commercial Court of Central Jakarta rejected the cancellation lawsuit submitted by The Chillington (plaintiff) because the period (5 years since the registration date) for submitting the lawsuit had lapsed. Previously, the plaintiff asks judge to cancel the registration of marks “crocodile” (No.IDM000210793, IDM000244086, IDM000476990 and IDM000451018) owned by Hertiny Soedjianto (defendant) because of similarity and bad faith. (Bisnis Indonesia, 22 June 2017)

<Indonesia> Apology Notice

PT Sumber Sarana Agung (owner of Nala Motor) domiciled in Sawah Besar, apologizes to NIPPON STEEL & SUMITOMO METAL CORPORATION because of using the mark without any right and selling imitated products (pipes) using the said mark. (Kompas, 23 June 2017)