

# インドネシア知財ニュース

## IP News in Indonesia

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### <Indonesia> Update Case: Mark "Purekids"

In case No. 67/Pdt.Sus-HKI/Merek/2017/PN.Jkt.Pst, Commercial Court of Central Jakarta refused to cancel decision of Mark Appeal Commission which has refused the application of registration of mark "Purekids & Baby" owned by PT Antarmitra Sembada (plaintiff), because it has similarity in its essential part with mark "My Baby" No. IDM000146060. Following the judge decision, the plaintiff will submit appeal to Supreme Court.  
(Bisnis Indonesia, 5 March 2018)

### <Indonesia> Mark Case: "Hugo Boss"

In case No.7/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst, Hugo Boss Trademark Management Gmbh & Co. KG (plaintiff, German company) asks Commercial Court of Central Jakarta to cancel the registration of 7 marks containing "Hugo" No. IDM000263074, IDM000248527, IDM000156405 owned by Anthony Tan (Defendant I), IDM000156402, IDM000156403 owned by Eric Steven (Defendant II), and IDM000352665 and IDM000248632 owned by Patty Legana (Defendant III) because they have similarity in its essential part with well-known marks "Hugo Boss" No. IDM000202212, IDM000202213, IDM000202214, and IDM000202215 owned by plaintiff and they were filed with bad faith.  
(Bisnis Indonesia, 16 March 2018)

### <Indonesia> Law Enforcement: "Matsunaga" Stabilizer

Matsunaga Manufacturing Co. Ltd (Japanese company) filed a complaint to Police for infringement of mark "Matsunaga". They found the imitated stabilizers using mark "Matsunaga" sold in online store (Berkah Online shop) for cheaper price. They asked Police to conduct investigation on this case.  
(Bisnis Indonesia, 9 April 2018)

### <Indonesia> Mark Case: "PB"

In case No.60/Pdt.Sus-HKI/Merek/2017/PN.Jkt.Psy, Commercial Court of Central Jakarta cancelled the registration of mark "PB" No. IDM000047786 (Class 8: pest hand sprayer) owned by PT Garuda Tasco International (defendant) because it has similarity in its essential part with well-known mark "PB and Device" owned by Syarikat Junchong (plaintiff).  
(Bisnis Indonesia, 9 April 2018)

### **<Indonesia> Mark Case: “Baby Pure”**

In case No.67/Pdt.Sus-HKI/Merek/2017/PN.Jkt.Psy, Commercial Court of Central Jakarta cancelled the decision of Mark Appeal Commission which previously refused the application of registration of mark “Baby Pure” owned by PT Antarmitra Sembada (plaintiff) because it has similarity in its essential part with mark “My Baby” No. IDM000146060. The judge decided that both marks actually don’t have similarity in its essential parts.

(Bisnis Indonesia, 16 April 2018)

### **<Indonesia> Notification and Warning**

KAPMAN AB as the owner of Marks “SANDFLEX” and “BAHCO”, No. IDM000018714 and IDM000569099, hereby notifies and warns any party not to produce/distribute/sell products using the same marks in order to avoid any legal action.

(Bisnis Indonesia, 16 April 2018)

### **<Indonesia> Copyright Case: “Benyamin Biang Kerok” Movie**

PT Max Kreatif International/Max Pictures (plaintiff) sues Syamsul Fuad (defendant, writer of “Benyamin Biang Kerok” movie; 1972) at District Court of Central Jakarta for a tort. Previously, in different case (No. 6/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst), the defendant sued the plaintiff and PT Falcon Pictures for a copyright infringement of the said movie.

(Bisnis Indonesia, 19 April 2018)

### **<Indonesia> Notification**

CATERPILLAR INC. is the rightful owner of Mark “CAT” No. IDM000053498 and wants to ensure that the said mark obtain entire protection in the world, including Indonesia.

(Kompas, 15 May 2018)

### **<Indonesia> Case Mark: “SUPERMAN”**

In case No.17/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst, DC Comics (plaintiff, US company) asks Commercial Court of Central Jakarta to cancel the registration of mark “SUPERMAN” No.IDM000374438 and IDM000374439 owned by PT Marxing Fam Makmur, because it has similarity in its essential part with well-known mark “Superman”, “S Logo” owned by plaintiff and it was filed with bad faith.

(Bisnis Indonesia, 30 May 2018)

### **<Indonesia> Apology Notice**

Lie Hoeng Sen, domiciled in Bandung, apologizes to PT. Multi Garmenjaya (owner of marks CARDINAL because of producing and selling imitated products (shoes) using the said marks without any right.

(Kompas, 30 May 2018)

### **<Indonesia> Apology Notice**

Toko Semery Teknik domiciled in Surabaya, apologizes to Yanmar Co., Ltd (owner of marks “YANMAR”) and PT Pioneer (sole distributor of mark “YANMAR”) because of selling imitated products (spare parts) using the said marks without any right.

(Kompas, 4 June 2018)

### **<Indonesia> Apology Notice**

Toko Aneka Teknik domiciled in Makassar, apologizes to Yanmar Co., Ltd (owner of marks “YANMAR”) and PT Pioneer (sole distributor of mark “YANMAR”) because of selling imitated products (spare parts) using the said marks without any right. (Kompas, 5 June 2018)

### **<Indonesia> Case Mark: “Hugo Boss”**

In case No. 7/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst, Commercial Court of Central Jakarta cannot accept the lawsuit filed by Hugo Boss Trademark Management GmbH 7 Co. KG (plaintiff, German company) that asks to cancel the registration of 7 marks containing “Hugo” No. IDM000263074, IDM000248527, IDM000156405 owned by Anthony Tan (Defendant I), IDM000156402, IDM000156403 owned by Eric Steven (Defendant II), and IDM000352665 and IDM000248632 owned by Patty Legana (Defendant III). The judges consider that multiple defendants cannot be combined in a single lawsuit. (Bisnis Indonesia, 10 July 2018)

### **<Indonesia> Case of Mark: “SUPERMAN”**

In case No. 17/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst, Commercial Court of Central Jakarta cannot accept the lawsuit filed by DC Comics (plaintiff, US company), because the lawsuit filed by the plaintiff is obscure (combining the cancellation and issuance of new certificate). In addition, the judges also consider that the action of attorney of defendant is beyond the scope stipulated in the power of attorney, which only provide the authority to issue new certificate, not to file a cancellation lawsuit. Previously, the plaintiff asked Commercial Court of Central Jakarta to cancel the registration of mark “SUPERMAN” No. IDM000374438 and IDM000374439 owned by PT Marxing Fam Makmur (defendant) because it has similarity in its essential part with well-known mark “Superman”, “S Logo” owned by plaintiff and it was filed with bad faith. (Bisnis Indonesia, 15 August 2018)

### **<Indonesia> Copyright Case: “Benyamin Biang Kerok” Movie**

In case No.9/Pdt.Sus-HKI/Cipta/2018/PN.Jkt.Pst, Commercial Court of Central Jakarta cannot accept the lawsuit filed Syamsul Fuad (defendant, writer of “Benyamin Biang Kerok” movie; 1972) because the plaintiff did not include PT Layar Cipta Karyamas Film as Defendant II. Responding the decision, the plaintiff will submit a cassation to higher court. Previously, the defendant claimed that PT Falcon Pictures (defendant) have conducted a copyright infringement of the said movie. (Bisnis Indonesia, 30 August 2018)