

# インドネシア知財ニュース

## IP News in Indonesia

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### <Indonesia> Apology Notice

HENDRI domiciled in Padang (West Sumatera), hereby apologizes to BOENARSO (owner of marks BATIK HALUS TOPIN No. IDM000077622) because of producing and selling imitated products (batik clothing) using the said marks without any right. (Kompas, 24 September 2018)

### <Indonesia> Supreme Court Decision on Mark “Skyworth”

In Case No 32 PK/Pdt/Sus-HKI/2018, Supreme Court decides to cancel the registration of mark “SKYWORTH” owned by Linawaty Hardjono (defendant) because it has similarity with well-known mark “Skyworth” owned by Skyworth Group Co. Ltd (the Plaintiff) and also because it was filed with having bad faith as well as it has similarities with name of legal body of the Plaintiff. The judges consider that well-known mark for different kind of goods shall be protected because Indonesia has ratified WTO/TRIPS agreements. (Bisnis Indonesia, 1 October 2018)

### <Indonesia> Case Mark: “BENSU”

In case No. 48/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst, Ruben Samuel Onsu (plaintiff) asks Commercial Court of Central Jakarta to cancel the registration of mark “Bensu” No. IDM000622427 in class 43 owned by Jessy Handalim because it has similarity with the name of famous person and it was filed with having bad faith. The plaintiff is a famous artist in Indonesia and has a famous nickname “bensu”. (Bisnis Indonesia, 4 October 2018)

### <Indonesia> Case Mark: “DOMINO”

In case No. 41/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst, Dominos IP Holder LLC (plaintiff) asks Commercial Court of Central Jakarta to cancel the registration of mark “Domino” No. IDM000359520 and IDM000182444 in class 30 owned by Endy Sitio because it has similarity with marks “Domino’s” and “Domino’s Pizza” owned by the Plaintiff. Meanwhile, Director of Mark states that the defendant is the first party who has the right of mark “DOMINO” in Indonesia. (Bisnis Indonesia, 4 October 2018)

### <Indonesia> Case Mark: “CHEETAH”

In case No. 34/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst, Cheetah Mobile Inc. (plaintiff) asks Commercial Court of Central Jakarta to cancel the registration of mark “Cheetah and Logo” No. IDM00095435 owned by Roger Tjakra Disurya (defendant) because it has similarity with well-known mark “Cheetah Mobile” No. DID2017059506 owned by the plaintiff. Currently, the plaintiff agrees to buy the defendant’s mark on a peace settlement. (Bisnis Indonesia, 5 November 2018)

### **<Indonesia> Supreme Court Refused Cassation of PT Pusaka Iwan Tirta**

Supreme Court refused the cassation submitted by PT Pusaka Iwan Tirta (defendant) and agreed the decision of Commercial Court of Central Jakarta which cancelled the registration of mark “Pusaka Iwan Tirta” No. IDM000209085 in class 35 owned by defendant because it has similarity with well-known mark “Iwan Tirta” owned by PT Iwan Tirta (plaintiff).  
(Bisnis Indonesia, 6 November 2018)

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

In case No. 35/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst, Commercial Court of Central Jakarta cancelled the registration of mark “PERIPERA” No. IDM000424152 in class 03 owned by Jimmy Chandra (defendant) because it has similarity with well-known mark “PERIPERA” No. DID2018032470 owned by Clio Cosmetic (plaintiff, Korean company).  
(Bisnis Indonesia, 6 November 2018)

### **<Indonesia> Mark Case: “LEVI STRAUSS: ARCUATE DEVICE”**

In case No. 56/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst, Levis Strauss & Co. (plaintiff) sues Tomi Yomriko (defendant) because of using “stiches devices” in the back pocket of pants, which is similar to well-known arcuate device mark No. IDM000005515 and IDM000005518 in class 25 owned by the plaintiff. In addition, the defendant is asked to pay compensation for the damage by Rp4.52 billion.  
(Bisnis Indonesia, 23 November 2018)

### **<Indonesia> Mark Case: “ACC”**

In case No. 52/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst, PT Astra Sedaya Finance (member of Astra Group, plaintiff) asks Commercial Court of Central Jakarta to cancel the registration of mark “KlikACC” No. IDM000611517 owned by PT Aman Cermat (defendant) because it has similarity with mark “ACC Memberi Kemudahan” owned by the plaintiff.  
(Bisnis Indonesia, 26 November 2018)

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

IRSAN TIAHAYA (owner of Toko Gunung Kawi) domiciled in Jakarta, hereby apologizes to Casio Computer Co., Ltd as the owner of marks ILLUMINATOR (IDM000080092), MUDMAN (IDM000102553), PTOTECTION (IDM000102564), and DUAL ILLUMINATOR (IDM000135555) because of using the marks and selling watches products(DIGITEC) without any right.  
(Kompas, 26 November 2018)

### **<Indonesia> Mark Case: Deletion of “Blendy Coffe”**

In case No. 15/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst, Ajinomoto Co. Inc. (plaintiff) asks Commercial Court of Central Jakarta to delete the registration of mark “Blendy Coffee” No. IDM000041246 in class 30 owned by Hardwood Pte Ltd. (defendant), because the said mark is not used for three years consecutively since 13 June 2015 (registration date).

In another case No. 14/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst the plaintiff also asks Commercial Court of Central Jakarta to delete the registration of marks “Blendy” No. IDM000253712 (class 29) and No. IDM000294158 (class 30) owned by Matsui Koshi Limited (defendant), because the said marks is not used for three years consecutively since the registration dates.  
(Bisnis Indonesia, 3 December 2018)

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

In case No. 50/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst, Scott USA Limited (plaintiff) asks Commercial Court of Central Jakarta to cancel the registration of mark “Scott” No. IDM000044156 class 12 owned by Andrian Arianto Tenggono (defendant) because it has similarity with well-known mark “Scott” owned by the plaintiff.  
(Bisnis Indonesia, 13 December 2018)

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

In case No. 26/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst, Godrej Mid East Holding Limited (plaintiff) asks Commercial Court of Central Jakarta to cancel the registration of mark “Stella” No. IDM000191567 class 3 owned by Budi Wardana (defendant) because it has similarity with mark “STELLA” No. IDM000450050 in class 3 owned by the plaintiff.  
(Bisnis Indonesia, 19 December 2018)

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

In case No. 63/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst, PT Aneka Boga Citra (plaintiff) asks Commercial Court of Central Jakarta to cancel the registration of mark “Jahe Merah Super Amanah” No. IDM000578443 owned by Suwandi Tanuwijaya (defendant) because it has similarity with marks “Amh Amanah” no.IDM000534636 and “Amh” No. IDM000451140 owned by the plaintiff. In addition, the plaintiff also ask UD Cipta Mandiri Abadi (defendant 1) and Sunarto (defendant 2) for pay compensation for damages because of using similar marks (Amanah).  
(Bisnis Indonesia, 10 January 2019)

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

ANDRI WIJAYA HADITIRTO (owner of Sumber Makmur) domiciled in Sragen, Central Java, hereby apologizes to Schaeffler Technologies AG&CO. KG as the owner of mark FAG (IDM000353159), because of selling products (bearing) using the said mark without any rights.  
(Kompas, 14 January 2019)

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

In case No. 1/Pdt.Sus-HKI/Merek/2019/PN.Jkt.Pst, Hugo Boss Trademark Management GmbH & Co. KG (plaintiff, German company) asks Commercial Court of Central Jakarta to cancel the registration of marks “Hugo Femine” No. IDM000411350, “Hugo Jeans” No. IDM000467976, and “Hugo Boy” No. IDM000451163 in class 25 owned by Teddy Tan (Defendant) 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 was filed with bad faith.  
(Bisnis Indonesia, 15 January 2019)

### **<Indonesia> Case of Mark “CLIO”**

In case No. 36/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst, Commercial Court of Central Jakarta cancelled the registration of marks “CLIO” No. IDM000036094 and IDM000089582 in class 03 owned by PT Lumintas Puspindo (defendant) because the said marks has similarity with well-known mark “Clio” No. DID2018032479 owned by Clio Cosmetic (plaintiff, Korean company).  
(Bisnis Indonesia, 18 January 2019)

### **<Indonesia> Mark Case: “Panational + Logo”**

In case No. 5/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst, Commercial Court of Central Jakarta refused to cancel the registration of mark “Panational+logo” No. in class 07 owned by Muliawati (defendant) because the Ningbo King Power Industry Co. Ltd. (plaintiff)

cannot prove that their mark (panational+logo) is a well known mark. Further, the Supreme Court also refused the appeal submitted by the plaintiff.  
(Bisnis Indonesia, 22 January 2019)

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

PT. Harapan Utama Indonesia hereby apologizes to PT. Sinar Mas Andhika as the owner of marks B&R (IDM000107803 & IDM000357307), because of selling imitated products (water meter) using the said mark without any rights.  
(Kompas, 29 January 2019)

### **<Indonesia> Judicial review of Copyright Law**

The current Copyright Law (Law No. 28/2014) requires that a National Collective Management Agency shall be established in order to collect and distribute royalty of music/art works performed in public area. Responding to the objection raised by the existing Collective Management Agency, the Minister of Law asks them to file a judicial review against the said law.  
(Bisnis Indonesia, 30 January 2019)