

インドネシア知財ニュース

IP News in Indonesia

本資料は、インドネシアで初めての日系知的財産コンサルタント会社であるハキンダ・インターナショナルが、インドネシア及びその近隣諸国の知財関連ニュースを英語で提供するものです。本文内容の無断での転載、再配信、掲示板への掲載等はお断りいたします。

情報の内容につきましては正確を期すように努めておりますが、正確性を保証するものではありません。本情報の利用の結果発生するいかなる不利益に対しましてもその責任を負いませんので予めご了承願います。

<Indonesia> Mark: Case “BENSU”

In case No. 48/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst, the judges decide that lawsuit filed by Ruben Samuel Onsu (plaintiff) regarding the cancellation of mark “Bensu” No. IDM000622427 (class 43) owned by Jessy Handalim (defendant) cannot be accepted. Further, Director of Mark confirming that the plaintiff lost the case but later it is known that the plaintiff purchased the said mark and the assignment has been processed.

Previously, in the said case, the plaintiff asked Commercial Court of Central Jakarta to cancel the registration of mark “Bensu” No. IDM000622427 in class 43 owned by defendant because it has similarity with the name of famous person (bensu) and it was filed with having bad faith. The plaintiff is a famous artist in Indonesia and has a nickname “bensu”.
(Bisnis Indonesia, 28 June 2019)

<Indonesia> LEVI STRAUSS WON THE MARK CASE

In case No. 56/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst, the judges decide that Tomi Yomriko (defendant) is infringing the well-known “arcuate device” marks No. IDM000005515 and IDM000005518 in class 25 owned by Levis Strauss & Co. (plaintiff). The judges ask the defendant to stop using the said mark including to stop all activities related to the said mark. However, the plaintiff’s claim that the defendant must pay compensation for damage by Rp4.52 billion is refused.
(Bisnis Indonesia, 4 July 2019)

<Indonesia> Mark Case: “DOMINO”

In case No. 41/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst, Judges refuse to cancel the registration of mark “Domino” No. IDM000359520 and IDM000182444 in class 30 owned by Endy Sitio (defendant). Previously, Dominos IP Holder LLC (plaintiff) asks Commercial Court of Central Jakarta to cancel the said marks owned by defendant because they have 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 mark right in Indonesia.
(Bisnis Indonesia, 9 July 2019)

<Indonesia> Mark Case: “Kinco and Logo”

In case No. 471/Pdt.Sus-HKI/2019, Supreme Court agrees to cancel the registration of mark “Kinco dan Logo” No. IDM000619419 owned by Holicindo Desa Anugerah (defendant) because it has similarity with mark “Kinco and Logo” owned by Kinco Group Company Limited (plaintiff). Previously, in case No.38/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst, Commercial Court of Central Jakarta cannot accept the said lawsuit filed by the plaintiff.
(Bisnis Indonesia, 10 July 2019)

<Indonesia> Case Mark: *Novell Lost*

In case No. 22/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst, judges refused to cancel the decision of Mark Appeal Commission (defendant) which previously refused the application of registration of mark “Pil Merek Hati” in Class 5 owned by PT Novell Pharmaceutical (plaintiff) because it has similarity in its essential part with mark “HATI” No. IDM000194847. (Bisnis Indonesia, 15 July 2019)

<Indonesia> Mark Case: *“SCOTT”*

In case No. 50/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst, Scott USA Limited (plaintiff) and by Andrian Arianto Tenggono (defendant) have reached a peaceful settlement upon the said case. Previously, the plaintiff asks Commercial Court of Central Jakarta to cancel the registration of mark “Scott” No. IDM000044156 class 12 owned by defendant because it has similarity with well-known mark “Scott” owned by the plaintiff. (Bisnis Indonesia, 17 July 2019)

<Indonesia> Mark Case: *“STELLA”*

In case No. 26/Pdt.Sus-HKI/Merek/2018/PN. Niaga Sby, the judges agree to cancel the registration 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 Godrej Mid East Holding Limited (plaintiff). (Bisnis Indonesia, 17 July 2019)

<Indonesia> Mark Case: *“Alstyle”*

In case No. 3/Pdt.Sus-HKI/Merek/2019/PN.Jkt.Pst, Judges agree to cancel the registration of mark “Alstyle Device” No. IDM000552947 in class 25 owned by Darmanto (defendant) because it has similarity with marks “ALSTYLE” No. D002017044486 and No. D002018041994 owned by Gildan Activewear SRL (Plaintiff). (Bisnis Indonesia, 23 July 2019)

<Indonesia> Update of Mark Case: *“AMANAH”*

Judges of Commercial Court of Central Jakarta decide that the herein below lawsuit No. 64/Pdt.Sus-HKI/Merek/2018/PN.Jkt.Pst filed by PT Aneka Boga Citra (plaintiff) cannot be accepted. Previously, plaintiff asked 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, 25 July 2019)

<Indonesia> Apology Notice: *“LOIS”*

RANDI REDIFAN and RANKI REDIFAN domiciled in West Jakarta, apologizes to PT. INTIGARMINDO PERSADA (owner of mark right “LOIS”) because of using mark “LOIS”, producing, and distributing products using the said mark without any right. They will also withdraw all the said products from the market. (Bisnis Indonesia, 29 July 2019)

<Indonesia> Trademark Case: *“Type-R”*

In case No. 42/Pdt.Sus-H.C/2019/PN.Niaga.Jkt.Pst, Honda Motor Co. Ltd. (plaintiff) asks Commercial Court to cancel the registration of mark “Type-R” No. IDM000031227 and IDM000344428 owned by Handy Wijaya (defendant) because it has

similarity with well-known mark “Civic Type-R” No. D002018008164 and “Honda Type-R” No. D002018008166 owned by the plaintiff.
(Bisnis Indonesia, 8 August 2019)

<Indonesia> Trademark Case: “Chint”

In case No. 40/Pdt.Sus-HKI/Merek/2019/PN.Niaga.Jkt.Pst, Zhejiang Chint Electrics Co. Ltd. (plaintiff) asks Commercial Court to cancel the registration of mark “Chint” No. IDM000559907 in class 9 (electrical apparatuses/instrument) owned by Huang Yang Wu (defendant) because it has similarity with mark “Chint” No. D002019010896 owned by the plaintiff.
(Bisnis Indonesia, 19 August 2019)

<Indonesia> IP Online Filing System

This week, DGIP will implement the online system for IP filing to increase the receipt of PNBPN (non-tax income) which targeted to achieve Rp500 billions this year. In addition, the online system is aimed to help regional applicants that it will be easier for them to file an application. However, this system is vulnerable in case there is a power blackout or IT problems. Hopefully, DGIP still provide manual filing system to anticipate this kind of problem.
(Bisnis Indonesia, 20 August 2019)

<Indonesia> Notification and Warning

PT Kapal Api Global as the owner of the fame mark “KAPAL API”, 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, 21 August 2019)

<Indonesia> Supreme Court Decision on Design Case

Supreme Court in case No. 407K/Pdt.Sus-HKI/2019 refused to the appeal of PT Solihin Jaya Industri (plaintiff) and decide that Chung She (defendant) is the owner of industrial designs of wheel barrow No.0025632-D, No.ID0020550-D and ID0020554-D. The plaintiff also must pay compensation by Rp1.25 billion to the defendant.
(Bisnis Indonesia, 27 August 2019)

<Indonesia> Supreme Court Decision on Mark “INDEX”

Supreme Court in case No. 72 PK/Pdt.Sus-HKI/2018 decided that Index Company Limited is the owner of well-known mark “Index”. Supreme Court also asked DGIP to cancel the registration of mark “Index” in the name of Ijek Widya Krisnadi/Kasno in classes 11, 21, 35, 42, and 45 because it was filed with having bad faith and has similarity with mark “Index” owned by Index Company Limited.
(Bisnis Indonesia, 29 August 2019)

<Indonesia> Trademark Case: “Dieselindustri”

In case No. 37/Pdt.Sus-HKI/Merek/2019/PN.Niaga.Jkt.Pst, Diesel S.p.A (plaintiff) asks Commercial Court to cancel the registration of mark “Dieselindustri” No. IDM000487465 in class 25 owned by William Pramono (defendant) because it has similarity with well-known mark “Diesel” owned by the plaintiff.
(Bisnis Indonesia, 30 August 2019)

<Indonesia> Supreme Court Decision on Mark “Pierre Cardin”

Supreme Court in case No. 47 PK/Pdt.Sus-HKI/2018 refused the PK submitted by Pirre Cardin (plaintiff) and refused to cancel the registration of mark “Pierre Cardin” owned by Alexander satryo Wibowo (defendant) because the plaintiff had previously filed the same case in 1981. In Indonesian law, the court cannot make a trial for the same cases twice.
(Bisnis Indonesia, 2 September 2019)

<Indonesia> Trademark Case: “Chelsea”

In case No. 27/Pdt.Sus-HKI/Merek/2019/PN.Niaga.Jkt.Pst, Hardiman (plaintiff) asks Commercial Court to cancel the registration of logo mark “Chelsea” No. IDM000516139 and “Chelsea FC” No. IDM000524568 in class 25 owned by Chelsea Football Club (defendant) because they have similarity with device mark “Chelsea ” No. IDM000249835 owned by the plaintiff.
(Bisnis Indonesia, 26 September 2019)