

インドネシア知財ニュース

IP News in Indonesia

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<Indonesia> *Supreme Court Decision on Mark “Varivas”*

Supreme Court in case No. 880 K/Pdt.Sus-HKI/2019 cancelled the registration of marks “Varivas” No. IDM000536979 (class 28) owned by Meliana (defendant) because it was filed with bad faith and it has similarity with well-known mark “Varivas” No. D002019000269 (classes 28) owned by Morris Co., Ltd. (plaintiff, Japanese company). (Bisnis Indonesia, 4 November 2019)

<Indonesia> *DGIP Launch Online Complaint of IP Infringement*

Directorate General of IP launch electronic based-complaint on IP infringement to replace conventional paper based-complaint system. The website can be accessed using the following address: e-pengaduan.dgip.go.id. (Bisnis Indonesia, 6 November 2019)

<Indonesia> *Supreme Court Decision on Mark “Cofeeberry”*

Supreme Court in case No. 769 K/Pdt.Sus-HKI/2019 cancelled the registration of marks “Coffeeberry” No. IDM000451164 (class 30), IDM000451165 (class 32), IDM000298634 (class 35) and IDM000298635 (class 34) owned by Haryadi Tjokro Djanto (defendant) because they have similarity with well-known mark “Coffeeberry” No. D002017035380, No. IDM000352239 (class 3) and No. IDM000461620 (class 5) owned by VDF Futureceuticals (plaintiff, US company). The judges considered the plaintiff’s marks as well-known mark because the marks have been registered and have been massively promoted in some countries. (Bisnis Indonesia, 7 November 2019)

<Indonesia> *Supreme Court Decision on Mark “Safety Joggers”*

Supreme Court in case No. 511K/Pdt.Sus-HKI/2019 cancelled the registration of mark “Joger” No. IDM000534675 in class 9 owned by Haryanto Widjojo (defendant) because it has similarity with well-known marks “Safety Joggers” No. DID2017052597 in class 35 and No. DID2018025534 in class 9 owned by Cortina NV (plaintiff, Belgium company). The judges considered the plaintiff’s marks as well-known marks because the marks have been registered in some countries (No.762476). (Bisnis Indonesia, 25 November 2019)

<Indonesia> *Notification and Warning of SANRIO*

Sanrio Company Ltd. (a Japanese company) as the holder of all IP related to mark and copyright of Sanrio characters (Hello Kitty, Little Twin Star, Etc.) in the world including Indonesia, hereby warns any party for not using any Sanrio characters and mark without any permission to avoid legal actions from Sanrio Company Ltd. (Kompas, 6 January 2020)

<Indonesia> Confiscation of Imitated Ballpoint “Standard AE7”

Following the confiscation of 858.240 imitated ballpoints (mark Standard AE7 Alfa Tip 0.5) by Directorate General of Custom that imported from China, PT Standardpen Industries (as the right holder of the said mark) will take further legal action in coordination with law enforcer. PT Standardpen Industries disclosed that they have suffered a loss by Rp1 trillion due to decrease of selling caused by the presence of this imitated products.

(Bisnis.com, 9 January 2020)

<Indonesia> Notification and Warning of FISCHER

Fischerwerke GmbH & Co., KG (fischerwerke) as the holder of marks FISCHER No. IDM000432758, IDM000382334, IDM000432760, IDM000382335 in Indonesia, hereby warns any party for not using any marks owned by fischerwerke without any permission from fischerwerke to avoid legal actions.

(Kompas, 25 February 2020)

<Indonesia> Indonesian Portable Ventilator is not Infringing Patent

Minister of Research and Technology said that the portable ventilator, which is produced domestically, is developed by BPPT from a modified open source. Accordingly, the use of this ventilator for COVID treatment will not infringe other party's patent.

(Bisnis.com, 15 April 2020)

<Indonesia> Supreme Court Decision on Case of Mark “Geprek Bensu”

Supreme Court refuse the appeal submitted by Ruben Samuel Onsu (plaintiff) and decide that PT Ayam Geprek Benny Sudjono (defendant) is the owner of mark “I AM GEPREK BENSU SEDEP BENEERRR + LUKISAN” No. IDM000643531 in class 43. The Supreme Court also asks DGIP to cancel the registration of 6 marks owned by the plaintiff.

(Kabar 24-Bisnis.com, 12 June 2020)

<Indonesia> Copyright Case: “Portrait of Nyonya Meneer”

In case No.2/Pdt.Sus-HKI/Cipta/2020/PN.Niaga.Smg dated 8 May 2020, Charles Saerang (plaintiff) as the holder of copyright No.000176701 (portrait/drawing of Nyonya Meneer) claims that PT Bhumi Empon Mustiko (defendant) is infringing his copyright because of using portrait/drawing of Nyonya Meneer as a trademark (Nyonya Meneer) without any permission. The plaintiff asks for compensation by Rp. 43.2 billion plus Rp. 500 billion. Meanwhile the defendant argues that the defendant is the rightful holder of Mark “Nyonya Meneer”.

(Kabar 24-Bisnis.com, 18 June 2020)

<Indonesia> Notification and Warning of Marks

CV Beauty Kasatama as the holder of marks DIAPRO (IDM000726759), SKRINEER (IDM000726566), NEOHEALTH (IDM000754083) and VIO (IDM000726439/International Registration Number 1537571) for products of medical masks, hereby warns any party for not using the said marks without any permission to avoid any legal actions.

(Kompas, 22 June 2020)

<Indonesia> Indonesian Coal Based-Fertilizer Technology is Granted in US

A technology of coal based-fertilizer invented by R Umar Hassan Saputra has been granted by USPTO on 16 June 2020. This organic fertilizer is eco-friendly and greatly improve the soil condition and, in addition, it also can be produced faster in large quantities. In the US, this fertilizer will use “Glogens Organic Micro-Carbon Fertilizer” as their trademark.

(Kabar 24-Bisnis.com, 27 June 2020)

<Indonesia> Copyright Case: “Sketch of Selamat Datang Statue”

In case No. 35/Pdt.Sus-HKI/Cipta/2020/PN.Jkt.Pst dated 30 June 2020, the heirs of Henk Ngantoeng (former governor of Jakarta, plaintiff) as the holder of copyright of sketch of “Selamat Datang Statue” claims that PT Grand Indonesia (defendant) is infringing his copyright because of using a logo that inspired by the said “Selamat Datang Statue”. Meanwhile the defendant argues that their logo has been registered since 2004.
(Kabar 24-Bisnis.com, 9 July 2020)

<Indonesia> Apology Notice: Mark “CASIO and G-SHOCK”

Febriadi (owner of store “Jam Tangan Termurah”, Riau) and Hengky Wijaya (owner of store “Watchbrands”, Jakarta) hereby apologize to Casio Computer Co., Ltd. (owner of mark right “CASIO” IDM000107695, “G-SHOCK” IDM000080094, “BABY-G” IDM000051206) because of selling imitated watch products using the said marks.
(Kompas, 21 September 2020)

<Indonesia> Warning: Mark “SWAGELOK”

SWAGELOK COMPANY (US) as the manufacturer of fluid system products and services and the owner of logo and mark “Swagelok” hereby warns any party to not selling product using mark “Swagelok” without any permission. The authorized sole agent of Swagelok Company in Indonesia is PT Putranata Adi Mandiri.
(Kompas, 19 October 2020)

<Indonesia> Warning: Mark “GEN TAMEO”

GEN TRADING & COMPANY (Japan) as the founder of mark GEN TAMEO & GEN of Automotive electric parts hereby announce that only their agents are allowed to use the said marks. Any other party are not allowed to use the said marks (including self portrait of GEN TAMEO No. EC00201979943) without permission.
(Kompas, 2 November 2020)