

## This edition newsletter contains:

1. Infringement of Trademark Louis Vuitton, the Toile Monogram logo, Toile Damier logo and the LV logo
2. Special Crime Forces of the Indonesia Police have conducted a raid a store which also a manufacturing facility of pirated DVDs on Jalan Pinangsia Raya
3. The Minister of Law and Human Right has awarded the IP Cultured Territories
4. Inauguration of the Appeal Commission
5. WIPO National Workshop on Patent Drafting and the Use of Patent System

### 1. Infringement of Trademark Louis Vuitton, the Toile Monogram logo, Toile Damier logo and the LV logo

The Director of Investigation of the Directorate General of Intellectual Property of the Republic of Indonesia along with some of the Investigators of the Civil Servant of the Directorate General of Intellectual Property and some officials from the Bali District Office of the Ministry of Law & Human Rights accompanied by the Police Officers from Bali Police Headquarter and Bali District Police Office have taken a serious measures against trademark infringement of Louis Vuitton, the Toile Monogram logo, Toile Damier logo and the LV logo which based on the Official Complaint No: HI.07.03.01.02.06 dated March 12, 2015 in 7 (seven) sites (crime scenes) along the street of Seminyak, Kuta, Ubud on Tuesday, May 19, 2015.

With the Letter of Investigation Order No. HI.07.03.03.02.06-314 dated April 16, 2015 and the Search Warrant No. HI.07.03.05.02.06-320 dated April 17, 2015, the Officers have conducted a follow-up action on the report of infringement to some of the sites suspected to sell the infringed products which they have found some evidences of infringement. Therefore the Officials and the Police have questioned some witnesses and/or suspects and also secure some evidences of the infringement to the Directorate General's Office. Below are some of the evidences collected from the sites : *(Source : DGIPR, May 2015)*



## 2. Special Crime Forces of the Indonesia Police have conducted a raid a store which also a manufacturing facility of pirated DVDs on Jalan Pinangsia Raya



Special Crime Forces of the Indonesian Police have conducted a raid a store which also a manufacturing facility of pirated DVDs and VCDs on Jalan Pinangsia Raya, Glodok, West Jakarta on Monday, May 18, 2015. And on the same day, the Police also conducted a raid on a warehouse located in Dadap, Tangerang. In this raid, the Police also found pirated DVDs and VCDs on this site which further been confiscated by the Police which estimated there are around 3,5 million pieces of DVDs that were confiscated. Besides the pirated DVDs and VCDs, the Police also confiscated duplicating machines to produce the DVDs and VCDs, computers, printing machines, PC Carbonate as the raw material, some documents and many original DVDs as the master.

Some of the workers of the warehouse were also questioned by the Police and some suspects were also arrested by the Police.

This raid was an example of the exercise of the new Copyright Law No. 28 year 2014 which was enacted by the Indonesian Government in 2014, whereas

there are some changes in the new Copyright Law such as the criminal cases. In this new law, criminal cases are conducted based on complaints or reports from the concerned party. And the President of Indonesia has encourage the authorities to actively fight against piracy using this new Copyright Law and supported by the professional Police forces. (Source : BOR and Many)

## 3. The Minister of Law and Human Right has awarded the IP Cultured Territories



The Minister of Law and Human Right has awarded the “Region with Intellectual Property Culture” to 10 (ten) Regions in the East Java Province for their contribution in Intellectual Property, as follows:

1. Government of East Java Province, who were awarded for supporting the enhancement and protection of Intellectual Property for the disabled. The Department of Industry and Commerce of East Java Province have assisted around 800-900 Intellectual Property applications in 2014 and further conducted socialization and assistance in Intellectual Property around 60 times

per year. The East Java Province at the moment already have 2 (two) Geographical Indication Certificate, namely Arabika Java Ireng Raung Coffee and Bandeng Asap Sidoarjo.

2. Government of Surabaya whom has the commitment to develop Intellectual Property protection which can be proven by the numbers of trademark application in 2014 reaching 6103, in which 3059 (50,1%) among them are applications filed by the citizen of Surabaya. And further the Government of Surabaya City also have acquired 15 copyright registrations, among others: software application eDelivery (2007), software application eProject (2007), software application ePerformance (2007), software application eBudgeting (2007), Surabaya eProcurement System Implementation Standard (2007), Government Resources Management System. Besides that, the Industrial and Trade Service of the Government of Surabaya City also regularly conducts socialization and facilitates around 200 entrepreneurs each year to file the registration of their Intellectual Property.

3. The District Government of Sumenep as the representation of Madura Island with their tourism branding “Sumenep The Heart Purity” who owns a rich variety of culture which became the unique feature of the Madura Island.

4. The District Government of Pamekasan, which also a representative of Madura Island who is rich in traditional cultural expression such as: Mamaca, Mamapar Gigi, Gambu Dance,

Moang Sangkal Dance, Saronen Music, Dhaul Music, Gambu Music, Batik arts, etc.

5. The District Government of Ponorogo, which is famous as the City of Reog since Ponorogo is indeed the origin of Reog arts. The District Government of Ponorogo, regularly held the National Reog Festival, Kirab Pusaka as an effort to preserve and develop the communal Intellectual Property.

6. The District Government of Jember, who also owns a rich variety of cultures which perfectly preserved until today, example of the said culture are among others: Batik Jember which has a unique motif of tobacco, Jember Fashion Street Carnaval Parade, Can Macanan Kadhuk (Traditional Art).

7. The District Government of Banyuwangi who has the commitment to develop the traditional cultural expression. The famous cultural expression from Banyuwangi among others: Ethno Carnival, Janger, Rengganis, Gamelan Banyuwangi Musical, Gandung Dance.

8. University of Airlangga, who were awarded for their commitment on the development of Intellectual Property Protection. The University conducted socialization on the importance of protection of the creations, inventions, etc. They also help the community to draft patent description, educate the community on the concepts of licensing, Intellectual Property Consultation, assisting applicant to file an intellectual property protection.

9. University of Brawijaya, who were awarded for their efforts to become the facilitator of the researchers and university students who need assistance in Intellectual Property.

10. University of Muhammadiyah Malang, who were awarded for having their own Intellectual Property Center which has a remarkable statistics in Intellectual Property applications. In the period of 2003-2014, they have filed 55 patent applications, and 7 were granted. In period of 2006-2014 they have 85 copyright applications and 59 were registered, and also in the period of 2006-2014, they have 50 trademark applications and 8 were registered. The University also regularly conducted seminars and socialization regarding Intellectual Property, besides that, they also conducted coaching on patent drafting. (Source : DGIPR, June 2015)

#### **4. Inauguration of the Appeal Commission**



The Directorate General of Intellectual Property has appointed 21 (twenty one) person as the member of Patent Appeal Commission and Trademark Appeal Commission for the period of 2015-2018, the new members of Patent Appeal Commission and Trademark Appeal

Commission was inaugurated by the Director General of Intellectual Property of Indonesia, Mr. Achmad M. Ramli on Monday, April 6, 2015.

According to Law No.14 year 2001 concerning Patent and Law No. 15 year 2001 concerning Marks, which further implemented by Government Regulation No.40 year 2005 concerning The Organization Structure, Duties, and Functions of Patent Appeal Commission and Government Regulation No.40 year 2005 concerning The Organization Structure, Duties, and Functions of Trademark Appeal Commission stated that the Patent Appeal Commission and Trademark Appeal Commission is the instrument to give legal security and justice to the community especially to those who objects the Patent and/or Trademark rejections.

Director General of Intellectual Property of Indonesia, Mr. Achmad M. Ramli hopes that the new members of Patent Appeal Commission and Trademark Appeal Commission could prepare themselves better in carrying their duties and also in line with the prevailing laws and regulations since the upcoming patent and trademark law revision has the agenda to strengthen the duties and function of the Patent Appeal Commission and Trademark Appeal Commission which does not only conducts examination on rejected applications, but also there is a proposal to give them a new discretion which could invalidate registered mark and registered patent throughout a certain process according to the prevailing law.

Below are the names of the Patent Appeal Commission Members which are stipulated in the Minister of Law and Human Rights Decree No: M.HH-01.HI.05.01 dated 25 February 2015 are as follows:

1. Drs. Azmi Dahlan, M.Si
2. Dr. Suprapedi, M.Eng
3. Ir. Razilu, M.Si
4. Parlagutan Lubis, SH, MH
5. Aris Ideanto, SH, MH
6. Ir. Syafrimai
7. Ir. Aslin Sihite
8. Ir. Alex Rahman
9. Drs. Amir Paulus Tarigan
10. Drs. Abdi Saputra Sembiring, M.Si

Below are the names of the Trademark Appeal Commission Members which are stipulated in the Minister of Law and Human Rights Decree No: M.HH-02.HI.05.02 dated 26 March 2015 are as follows:

1. Dadang Epi Sukarsa, SH, MH
2. Rakhmita Desmayanti, SH, MH
3. Sumardi Partoredjo, SH, MH
4. Drs. Muhammad Adri, SH
5. Tosin Junansyah, SH, MH
6. Subandini Nurtyas Utami, SH
7. Sri Mulyono, SH, M.Si
8. Lusi Dekrisna, SH
9. T. Muamar Kadafi, SH
10. Widi Nugroho, SH
11. R. Syaifullah Hadiyanto, S, SH, M.Kn.

(Source : DGIP)

#### 5. WIPO National Workshop on Patent Drafting and the Use of Patent System



The Directorate General of Intellectual Property of Indonesia (DGIP) in cooperation with World Intellectual Property Organization (WIPO) had successfully held WIPO National Workshop on Patent Drafting and the Use of Patent System which was held from 26 May to 29 May 2015 at the DGIP office. The workshop was attended by approximately 30 people who are practicing Intellectual Property, especially Patents.

The workshop was opened by the Director of Patent, Directorate General of Intellectual Property, Mr. Timbul Sinaga and also present the representative of WIPO, Simao Sartorius. The speakers of this workshop was conducted by experts, namely, Mr. Robert Sayre, Registered Patent Attorney from Modern Times Legal, Cambridge, Massachusetts, USA, and also Ms. Victoria Lovatt, Asia IP Manager, Abbot, Singapore.

Intellectual Property has an important role in daily life and becoming more important in the process of national and international development since

Intellectual Property closely related to technological transfer, economic and social development. The workshop focuses on Patent Drafting and the use of Patent System.

In this workshop, the attendees were presented by a wide range of patent related materials, starting from the overview of patent, subject of a patent, legal requirements for patentability, prior art searches. The speakers also presented materials on patent application preparation and filing through the prosecution of patent applications.

And the most important part of this workshop is the presentation on the Patent Claim Drafting whereas the

attendees were presented on the theory of the patent claim, the claim format, claim sets, etc, which is a very valuable lesson to us a an intellectual property practitioners.

The workshop also presented materials on patent claim design and patent strategy to the attendees which are considered to be interesting for the attendees since the speakers mentioned about patent infringement in their presentation. This has been an interesting subject since there aren't many patent infringement cases in Indonesia yet, therefore it is very interesting to have some knowledge on this matter. (Source : DGIPR and Many, May,2015)



{ Anno 1951 }

### **BIRO OKTROI ROOSSENO**

Intellectual Property Protection, Licensing,  
Franchising, Unfair Competition, Advocacy &  
Legal Consultation and Litigation

Kantor Taman A9, Unit C1 & C2  
Jl. Dr. Ide Anak Agung Gde Agung (Mega Kuningan),  
Jakarta 12950, Indonesia  
P.O. Box 4585, Jakarta 10001

Phone No. : (62-21) 576 2310 (Hunting System)  
Fax. No. : (62-21) 576 2301, (62-21) 576 2302,  
eFax. No. : (65) 6826 4084  
E-mail : [iprlaw@iprbor.com](mailto:iprlaw@iprbor.com)  
Website : [www.iprbor.com](http://www.iprbor.com)