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1. Trademark Disputes between Pierre Cardin and the Local Entrepreneur



Who doesn't know Pierre Cardin? Born as Pietro Cardin, Pierre Cardin is an Italian-born French fashion designer who was born on 2 July 1922 at San Biagio di Callalta near Treviso, Italia. Cardin, who was also designated UNESCO Goodwill Ambassador in 1991 is known for his avant-garde style and his Space Age designs.

Apparently, find out that the trademark and logo of Pierre Cardin is very famous and demand in the market, a local entrepreneur is interested to make the cosmetic product with the name of Pierre Cardin. The trademark and logo registered under name of Alexander Satryo Wibowo. Pierre Cardin have sued because of the defendant has used of the brand and the logo of Pierre Cardin, whereas Pierre Cardin himself does not have any business relationship with the defendant.

Pierre Cardin filed the trademark cancellation to the Jakarta Commercial Court (Central Jakarta District Court). The case with number 15 / IPR / BRAND / 2015 /PN.Jkt.Pst registered since March 4,

2015. The trial with the agenda of the defendant answers has taken place on last March 25, 2015, at the Central Jakarta Commercial Court. The defendants of the case are Alexander Satryo Wibowo as the first defendant and Indonesian Trademark Office as the second defendant.

Pierre Cardin himself appointed Ludyanto as the legal representative of Cardin. He said that the lawsuit filed the trademark cancellation because of the bad intention of the defendant for registering the brand and logo Pierre Cardin in the Directorate of the Ministry of Law and Human Rights Brands, in the Class 3. Ludyanto said in his petition that they asked to the judge to

cancel the trademark registration on behalf of the defendant from the Indonesian Trademark Office.

Further, he explained that the brand of Pierre Cardin has been registered in several countries around the world, including Indonesia. He affirmed that Pierre Cardin does not have any business relationship with the defendant.

The legal representative who's appointed to represent Alexander Satryo Wibowo, Heru, could not give further comments nor explanation regarding the case. The trial is still rolling and continued in the District Court, Central of Jakarta. *(Source : BOR and Many)*

2. Trademark Dispute : Pia Legong defeated Pia Janger



A popular bean-filled pastry named Pia cake is originally introduced by Fujianese immigrants in urban centres of Indonesia around the turn of the twentieth century.

It is a widely available inexpensive treat and a favoured gift for friends and relatives. In Indonesia, Pia cake is also widely known as bakpia. Famous bakpia brands could be found in Yogyakarta, Indonesia, such as Bakpia Pathok, Bakpia Kurnia, Bakpia 75, and many more.

This kind of Pia cake also wellknown in Bali Island, Indonesia. There is a famous Pia brand in Bali that is Pia Legong .

The owner of the brand of Pia Legong, Hantje, registered his copyright to the Director General of Intellectual Property Law and Human Rights Ministry in August

2008. The copyright registered for the packaging box design for Pia Legong with maroon-red color composition with klir dorp. In the front, there is a brand “Pia Legong” written in golden color with a photo of a woman Balinese dancer in traditional costume, a temple and 3 pictures of Pia cake. For the filling, Hantje mixed his own recipe of the pia cake. The Pia Legong only open shop at Ruko Kuta Megah, Jalan by Pass Ngurah Rai, Badung.

Since it launched, the Pia Legong directly tempts to the tourists. For most travelers who traveled to Bali, they were willing to queue for hours to get a feel pleasure of the Pia Legong. Every day dozens of tourists buy the Pia Legong, it become famous and become one package of souvenir that should be purchased by the tourists.

However, lately it appeared the similar brands, the Pia Janger. Taken from the Pia Janger’s official website, the Pia Janger has the same variant of flavors, the same color of the packaging even the same style of the brand “Pia Janger” written in golden color, compare with Pia Legong. Only the photo of woman Balinese dancer has a different pose.



From the expired date, Pia Janger’s product has expired date 1 (one) month from the date of production for chocolate and cheese flavor and 10 (ten) days from the date of production for mung bean and peanut flavour with the date written at each box.

As for Pia Legong, its official website informed that the expired date is 2 (two) weeks from the date of production for chocolate and cheese flavour and 7 (seven) days from the date of production for mung bean and peanut flavour.

Lately, the owner of the brand of Pia Legong Hantje began bothered by the consumer complaints about the taste of his Pia. Then Hantje investigated and found this brand of Pia Janger that is similar to the brand of Pia Legong with the price of Pia Janger is cheaper than the

price of the Pia Legong. The dispute is going to the court.

The similarity of this brand misleads the consumers with the result that the brand of Pia Legong that has been built with a great difficulty becomes contaminate in the view of the tourists. The consumers who bought the Pia Janger disappointed because it is not good taste, but complains were addressed to the Pia Legong. They feeling aggrieved, Hantje also filed suit to the Commercial Court of Surabaya to sue the owner of the Pia Janger, and they are Antonius and Iriene. Hantje sued for both of them to stop the commerce of the Pia Janger and provide compensation of Rp 15.3 billion.

Further, on 22 September 2014, the Supreme Court has issued an "Interlocutory Decisions" regarding this case, with verdict number: 47/Pid.Sus/2014/PT.DPS. The Supreme Court Judges decided to suspended this case until Design lawsuit with registration number 06/HKI.Desain/2013/PN.Niaga.Sby . in the commercial court of Surabaya make their final decisions. (Source : *BOR and Many*)

3. The Controversial of the Trademark "Blue Bird", the largest icon of Taxi operator in Indonesia



In this century, there are many models of transportation services such as buses, trains and taxicabs. A taxicab, also known as a taxi or a cab, is a type of vehicle for hire with a driver, used by a single passenger or small group of passengers, often for a non-shared ride. A taxicab conveys passengers between locations of their choice. This differs from other modes of public transport where the pick-up and drop-off locations are determined by the service provider, not by the passenger.

Many taxi services operation in Indonesia. One of the famous taxi operator is Blue Bird taxi. The Blue Bird Group is the largest taxi operator in Indonesia, commanding a market share of about 33 percent in Indonesia's taxi services market.

For most people in the bigger cities of Java, Sumatra and Bali the regular Blue Bird taxis (or Blue Bird Pusaka) are a familiar sight on the busy city streets. Blue

Bird taxi drivers are known as reliable and therefore many people (both Indonesian and foreign) will opt for this company when needing taxi transportation.

Currently, Blue Bird has a fleet of 32,000 taxis across Indonesia, over 15,000 of which are used in Jakarta. The company serves more than 8.5 million passengers per month across the country.

Unfortunately, there is a dispute between the owners of the Blue Bird, which continued to the court. The lawsuit filed on 20th January 2015 by Ms. Mintarsih Abdul Latif, who is also the owner of PT Gamy Taxi. She is one of the founder and the shareholders of PT. Blue Bird Taxi that has subsidiary Gamy Taxi.

The legal representative of Ms. Mintarsih, Mr. Steven Cahaya said that his client claimed that she is the creator of the blue bird logo or the trademark of Blue Bird since 1972 or when established PT Blue Bird. He further explained that PT Blue Bird Tbk has been using the brand and the logo created by his client until present. Without any permission from Ms. Mintarsih PT Blue Bird has registered the trademark and logo to the DGIPR, which is not under name of Blue Bird Taxi. Ms. Mintarsih has just known this fact when PT Blue Bird will sell its first shares (Initial

Public Offering / IPO) on the stock exchange in 2012.

Ms. Mintarsih filed a lawsuit against the law in the Commercial Court of Central Jakarta and she demands materially compensation Rp 5.6 trillion and Rp 1 trillion for immaterial.

There are some defendants in this case. They are Purnomo Prawiro (Director of PT Blue Bird Tbk) as the first defendant; Krishna Priawan Djokosoetono (Director of Pusaka Citra Djokosoetono) as the second defendant; Noni Sri Aryati Purnomo (Director of Blue Bird Group Holding) as the third defendant; PT Blue Bird Tbk as the 4th defendant; PT Pusaka Citra Djokosoetono as the 5th defendant; and the Blue Bird Group Holding as the 6th defendant.

In another side, Mintarsih also incorporate PT Blue Bird Taxi, PT Iron Bird, PT Iron Bird Transport, Financial Services Authority, PT Bursa Efek Indonesia, and DG IPR as a co-defendant I-VI.

The first and second trials in the Commercial Court have not yet succeed due to the absence of the legal counsel from PT Blue Bird, although the Head of Public Relations of the Blue Bird Group, Teguh Vitello said that the Blue Bird Group would follow all the legal

proceedings in the Commercial Court of Central Jakarta.

At the end, on February 2015 the District Court of Central Jakarta invalidated the law suit filed by Ms. Mintarsih Abdul Latif.

The Judge Committee of the District Court of Central Jakarta issued invalidation to this law suit since Ms. Mintarsih decided to leave the company with the evidence of a decision letter dated April 30, 2015, issued by the Judge Committee of the District Court of Central Jakarta. This caused that any legal actions could be performed with or without her approval.

The legal representative of the defendants, Mr. Hotman Paris said that the case is indeed over and his clients is absolutely won. *(Source : BOR and Many)*

4. The Copyright Seminar 2015; Cooperation between the Directorate General of Intellectual Property Rights (DJHKI) with the Content Overseas Distribution Association (CODA)



Content Overseas Distribution Association (CODA) is an organization based in Tokyo, Japan. It was founded as an organization through which contents holders and copyright-related organizations cooperate to reduce piracy around the world, and to actively promote the international distribution of Japanese content, such as music, films, animation, TV programs and video games. On August 2002 CODA founded as a voluntary organization in response to a call by the Ministry of Economy, Trade and Industry (METI) and the Agency for Cultural Affairs (ACA). CODA registered as a general incorporated association on April 2009. (www.coda-cj.jp)

While CODA was formed to counter content piracy, the organization is now expanding its enterprise in cooperation with domestic and international government agencies, industry organizations and content holders. Indonesia is one of the countries who has

On January 20, 2015 Content Overseas Distribution Association (CODA) cooperated with the Directorate General of Intellectual Property Rights (DJHKI), held a Copyright Seminar in Jakarta, Indonesia. The aim of this seminar is to socialize the new Indonesian Copyright

Law No. 28 and sharing knowledge and experiences on how to handle any infringement on copyrights in Japan. As we knew that Indonesia has a new law in the field of Copyright Law No. 28 in 2014 on Copyright, who replaces Copyright Act No. 19 in 2002 about Copyright. The aim of this new Copyright law is to modernize Copyright protection system in Indonesia through adjustments to the development rights both at national and international scope.

The Copyright Seminar attended by the Director General of Intellectual Property Rights Ahmad M. Ramli and their staffs, Manager of Legal Affairs, Japan Video Software Association (JVA) Shun Takagi and Manager CODA Kiyotaka Watabe, institution of the law enforcer, intellectual property's attorney, association related to copyrights and companies.

The Copyright and the Related Rights are an exclusive right granted by the state on both the original creation in the fields of art, literature and science as appreciation, recognition and incentives for creators. While in the era of digitalization, the infringement happens very easily either intentional or unintentional. In the anticipation for infringement, in the New Law of Copyright arranged to close part or

all of the content that is infringing the rights. In addition, issues concerning the selling of the goods copyright infringement in the shopping center, not only the distributor but also the owner or manager should be penalized if knowingly allow any violation of the rights. (Source : *BOR and DGIPR*)

5. Ericsson sues Apple for Patent Infringement



In the past view years, mobile device is a common thing that a must-have for everyone.

Mobile technology that used for a cellular communication has evolved rapidly over this century. Many mobile devices offered in the market with wide variety of models, colors, sizes, function and brands.

Since now, a standard mobile device has much developed to being a mobile phone, GPS navigation device, an embedded web browser and instant messaging client, and even a handheld game console. With all

those variety offered, it caused brands competition in the mobile devices's market, which sometimes may ends up with a lawsuit against each other.

A sample case that ended up with a lawsuit came from a manufacturer of Communications equipment from Sweden, Ericsson. Reported by Reuters, Ericsson has filed a lawsuit against the manufacturer of communications United States, Apple Inc., on January 14, 2015.

Ericsson said that the Apple license to use technology developed by Ericsson for tablet computer products or smart phone has ended.

Taken from the Ericsson's official website; Apple's global license agreement for Ericsson's mobile technology expired last month, and Apple has declined to take a new license offered on FRAND terms. Ericsson made several attempts to find a fair solution, including an offer for both parties to be bound by a decision on fair licensing terms by a United States federal court. Apple has refused all attempts, so Ericsson has filed these infringement complaints to defend the industry's long-standing principle of technology sharing.

The Chief of the Intellectual Property Ericsson, Kasim Alfalahi, said that Apple's products benefit from the technology

invented and patented by Ericsson's engineers. This license had expired recently. Further, he said that Ericsson has been trying to negotiate for a new deal, but eventually Ericsson concluded to require the third party assistance.

The Swedish company its self wants the court to determine whether the offering of the company license could be accepted, in accordance with the requirements, and non-discriminatory.

Ericsson has one of the industry's strongest intellectual property portfolios, which includes more than 35,000 granted patents worldwide. To date, Ericsson has signed more than 100 patent-licensing agreements with most of the major players in the industry. (Source : *BOR and Many*)

6. Biro Oktroi Rooseno implement the IP Management Sotware to enhance the service's performance



This year, Biro Oktroi Roosseno, established in 1951, will be sixty-four years. The company realize that nowadays, quick response, accuracy, and completeness of information are some important attribute to satisfied customer other than expertise. The solution for the above requirement is to satisfy the customer with having the latest information technology as an enabler.

To achieve the objective, Biro Oktroi Roosseno signed agreement with Patrix to implementing one of the most powerful IP Management software.

Patrix is an international Intellectual Property Case Management Software provider. They have over 20 years of delivering results to a wide base of clients from large law firms and corporations to individual practices and small firms. No matter the size of the law firm practice, they have a solution made for.

Patrix's IP Management software is in uses worldwide by over 8,000 IP professionals in more than 50 countries. It is commonly regarded as the most powerful, flexible and intuitive of all IP software currently available.

Patricia is the name of the fully customizable IP Management Software

that will be implemented in Biro Oktroi Roosseno.

As taken from the official Patrix's website, Patricia is available both as a Client/Server and as a Web product – or as a combination thereof. Patricia was created by IP professionals for IP professionals. The software is flexible and can handle all case matters within an IP organization, including litigation.

Patricia might be an enterprise wide solution for Biro Oktroi Roosseno to enhance work performance and quality services to its clients since Patricia provides point-and-click access to case data and automatic tracking of relevant IP, i.e., laws/regulations, standard forms, time and cost registration, invoicing, document management including mail merge activities and batch processing. *(Source : BOR and Many)*

7. The seminar of “The New Makers” Cemara 6 Gallery (Museum)



Sculptura and Cemara 6 Gallery (Museum) present a creative event seminar, talk show, film screening, workshop and show & tell. They present the participation and the work of maker spaces and enthusiasts from local, national, and international. Biro Oktroi Roosseno became a sponsor in this event. The purpose of this seminar is providing an exposure and an education about the Maker Movement and other themes such as the role of the citizen scientist as an accelerator of innovation, empowering individuals and communities with the technology and the spirit maker.

The Material of Seminar:

- Day 1:
 - Session 1 "ThinkHering"
 - Session 2 "Crowd funding: A game changer for Innovators"
 - Film Commentary
 - Talk Show / Panel Discussion / Keynote speaker

- Workshop: Raspberri PI
- Day 2:
 - Session 3 "Closing the Innovation Gap Between Creativity and Creative Industry"
 - Seminar session 4 "3D Printing Making it Simple"
 - Maker Movie Screening
 - Talk Show / Panel Discussion / Keynote speaker
 - Session 5 "Building a 3D Printer"
 - Session 6 "3D printing & Scanning"

This event has been held in two times, and this is the second year. The speakers who have shared the knowledge to the participants is Ceong Beng Huat (Singapore), Wei In Tee (Singapore), Danny Kosasih, Imanzah Nur Hidayat, Chandra Johan, Devina Dona, the Makers Movie (Los Angeles), Eddy Sutriyono, Dina Kosasih, Yurry Razy, Badaruddin Rahman Motik, Francis Surjaseputra, Krisna Murti, and Andy Bachtiar Yusuf. (*Source : BOR and Many*)



{ Anno 1951 }

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