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1. **Indonesia Trademark Update: LOWA Sportschuhe GmbH Run an Extra Mile in Court**

Lorenz Wagner, the son of the shoemaker Johann Wagner, established the LOWA company in 1923 in placid Jetzendorf, a town north of Munich. LOWA Sportschuhe GmbH manufactures shoes for outdoor, mountain and everyday activities. The German company began with a production of handmade Haferl shoes and has developed into a globally renowned company that stands for quality and fit, making it one of the leading brands in the field of mountain and outdoor shoes.

The shoes production continues to expand to all parts of the world. Today, LOWA shoes are exported to 80 countries around the world. Since the 1950's, major international mountaineers have worn LOWA footwear. The company's international business operations began in the 1970s in Switzerland, Austria, the United States and Japan.

Every country has its own LOWA story – and its own LOWA collection. After going through a long journey, LOWA celebrates its 100th birthday this year.



At the beginning of July 2023, LOWA Sportschuhe GmbH filed a trademark infringement lawsuit against a Chinese businessman who has also registered the LOWA's trademarks at the DGIP.

Trademark rights are critically important in the fashion and apparel industry. Therefore, the company feels disadvantaged and needs to fight for its ownership. They declare as the owner of the internationally known LOWA's trademarks.

In a lawsuit filed under case number 73/Pdt.Sus-HKI/Merek/2023/PN Niaga Jkt.Pst at to the Jakarta Commercial Court, the plaintiff requested the panel of judges to declare that LOWA's trademark with Registration No. IDM000605938 which belongs to the defendant, besides having similarities in its essential part with the well-known mark of "LOWA" belonging to the Plaintiff, also contains the name of the Plaintiff company's legal entity.

They also requested to cancel or at least declare the cancellation of trademark registration No. IDM000605938 in class 25 in the name of Defendant with all legal consequences.

Currently, this case is still at the early court examination stages and awaiting the verdict of the court.

(source: <http://sipp.pn-jakartapusat.go.id/>
<https://lowa.com/>)

2. Indonesia Trademark Update: Speakers that Will Truly Last from the Lawsuit

Bosch Security Systems, LLC filed a cancellation lawsuit against a local businessman for registered "EV ELECTROVOICE" trademark under Registration No. IDM000328996 and EV ELECTRO-VOCAL + Logo trademark under Registration Number IDM000419658 in bad faith.

The USA-based Company stated that the trademark of "EV ELECTROVOICE" and "ELECTRO-VOICE" belongs to them as a well-known trademark.

Bosch Security Systems, LLC designs, manufactures, and markets electronic detection, control, and communication equipment. The Company offers security, fire protection, access control, and closed-circuit television components and systems. Bosch Security Systems serves customers globally.

Over the past century, Bosch has continuously innovating. For over 90 years, Electro-Voice has designed and provide sound quality without compromise. Bosch Security Systems Inc has been around for a long time. It was founded back in 1968.



The company filed a cancellation lawsuit at the District Court in Central Jakarta under the case number 84/Pdt.Sus-HKI/Merek/2023/PN Niaga Jkt.Pst on August 21st, 2023.

The plaintiff requested the panel of Judges to cross out the trademark registration belongs to the Defendant with Registration Number IDM000328996 and Registration Number IDM000419658, and announce it in the Trademark Official News.

They also requested a punishment for Defendant to pay the costs of the case.

(source: <http://sipp.pn-jakartapusat.go.id/>;
<https://www.boschsecurity.com/>;
<https://electrovoice.com>)

3. DGIP: Renewal of MoU Between Indonesia and Singapore to Increase IP Capacity

The Directorate General of Intellectual Property (DGIP) received a visit from the Intellectual Property Office of Singapore (IPOS) on Thursday, 24 August 2023. They discussed about developments related to intellectual property in Indonesia and Singapore as well as cooperation plans that will be carried out by the two countries.

IP commercialization must be carried out as a form of contribution to the economic development of each country, especially when the technology develops faster and faster.



"Currently in Singapore, we are creating an IP protection program through the IP Academy to help startup companies as well as Micro,

Small and Medium Enterprises (MSMEs) to be more valuable as a trigger for economic development itself", said Chief Executive of IPOS.

IPOS has also created an Intangibles Disclosure Framework which functions to increase transparency regarding IP from an institution's intangible assets in the form of a database that can function like an investment catalogue

Responding to this, Director of Patents, DTLST and Trade Secrets Yasmon said that Indonesia and Singapore have a common understanding of the IP philosophy where apart from being protected, the commercialization of IP must be encouraged.

(source: <http://www.dgip.go.id>)

4. DGIP: Discussion on The Role of Intellectual Property for SMEs

The Directorate General of Intellectual Property (DGIP) plans to explore collaboration with stakeholders and universities in conducting research related to IP and the creative economy in Indonesia, especially in advancing domestic SMEs.

This plan was strengthened after Secretary of the DGIP discussed with the assistant director office of the chief economist IP Australia and Assistant Director of the Office of the Chief Economist (OCE) IP Australia regarding The Relationship between Intellectual Property and SME Performance.

Research from IP Australia shows that businesses in Australia that have registered Intellectual Property are more productive than those without IP protection.



"SMEs who owns IP will grow 16% higher than those who doesn't. The productivity of medium-sized businesses that have patents is 30% higher than those that don't. "Apart from that, patenting valuable inventions can increase 12% revenue per worker", explained the assistant director office of the chief economist IP Australia.

"Like the Australian economy which is dominated by SMEs, currently there are more than 65.4 million MSMEs in Indonesia. Apart from that, MSMEs also contribute more than 60% to Indonesia's GDP", said Secretary of the DGIP.

(source: <http://www.dgip.go.id>)

5. DGIP: Establish Cooperation with Japan and South Korea for a Better Intellectual Property Protection

Indonesia and Japan conduct bilateral cooperation in the field of Intellectual Property through the Patent Prosecution Highway (PPH) Program. This program allows patent applicants from both countries to obtain accelerated patent granting.

The collaboration could be an option for intellectual property offices in completing patent applications.

"The number of patent applications received is increasing, but the number of human

resources is not growing. Therefore, one solution is cooperation in the field of examination", said Director of Patents, DTLST and Trade Secrets.



Japan International Cooperation Agency (JICA) Expert explained, if there are 2 patent offices and the applicant submits an application to these 2 offices, then if the results of the examination at the first office of the claim are approved, then the applicant can request an accelerated examination at the second patent office.

The examination at the second office will be based on the results of the first examination.

"Through PPH, the possibility of being granted a patent in the collaborating country is higher. Because, related to the results of the examination at the first IP office, the information will be shared with the second IP office to speed up the process", he explained.

Another benefit of PPH is that applications are granted patents more quickly, reduces costs incurred due to information sharing, and for IP offices it can reduce the manpower required.

Further after collaborating with Japan through the PPH program, Indonesia also cooperated with South Korea through the signing of two Memorandums of Understanding (MoU) between DGIP and the Korean Intellectual Property Office (KIPO) on September 8th, 2023.

The first MoU concerned regarding comprehensive Cooperation in the IP Sector and the second MoU concerned regarding the Patent Prosecution Highway (PPH).



The Director General of DGIP said that the scope of cooperation between GDIP and KIPO would include increasing IP capacity, IP framework, IP protection, IP inspection, IP utilization, as well as other cooperative activities. She also explained that collaboration with KIPO is a strategic step because they have an advanced system and is in the TOP 6 best according to the WIPO.

"The steps that will be taken to support this cooperation include exchanging information and experience in forming and implementing national IP strategies, overcoming IP violations, and experience in commercial use of IP such as transactions, transfers, investments and financing of IP", she explained.

"2023 is a very important year for Indonesia and South Korea because it marks 50 years of diplomatic relations between the two countries. I hope that the cooperation we have made today will provide benefits for both parties and that our cooperation will last all the time," she added.

(source: <http://www.dgip.go.id>)

6. Discussion on the Importance of Intellectual Property Valuation

The AIPPI Indonesia Group supported by the Directorate General of Intellectual Property (DGIP), Japan International Cooperation Agency (JICA), Financial Services Authority (OJK), National Research and Innovation Agency (BRIN), Intellectual Property Consultants Association (AKHKI), and Asian Patent Attorney Association (APAA) Indonesia Group held an International Webinar on August 23rd, 2023.

The main topic was "Intellectual Property Valuation and Utilization as Practiced in Japan and Indonesia" which focuses on Intellectual Property Valuation as mentioned in Government Regulation No. 24 Year 2022, on the Implementation Regulation of Law No. 24 Year 2019 on Creative Economy.



The event was enthusiastically participated by the startup communities, decision makers at financial institutions including venture capital, Intellectual Property Owners, Inventors, and Intellectual Property consultants.

Intellectual Property is an intangible asset that has become an important issue and touches almost all aspects of the business world.

This is applied in negotiating to sell or license Intellectual Property, raising funds through bank loans or venture capital, or determining the amount of royalties and or fees that are reasonable for the Intellectual Property Owner or for the Royalty Recipient or Fee Recipient, for various commercialization purposes, recovery of losses in the event of conflicts or disputes and other interests.

Although in some countries IP has been recognized and proven as a relevant factor in determining a financing decision, in the context of the economy in Indonesia, an IP-based financing scheme that uses IP as an object of debt collateral is a new thing.

Currently, the Government of Indonesia through Government Regulation No. 24 Year 2022 on the Implementation Regulation of Law No. 24 Year 2019 on Creative Economy has laid the foundation for IP-based financing schemes through bank financial institutions and non-bank financial institutions for creative economy actors.

(source: Biro Oktroi Roosseno)



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