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## Indonesia – Overview of IP landscape

Lisa Yong

Offices in the Rouse Group: Australia\* | China | Hong Kong | India+ | Indonesia | Myanmar | Philippines | Russia | Saudi Arabia+ | Thailand | UAE | United Kingdom | Vietnam | \* Liaison office | + Associated office



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## INDONESIA

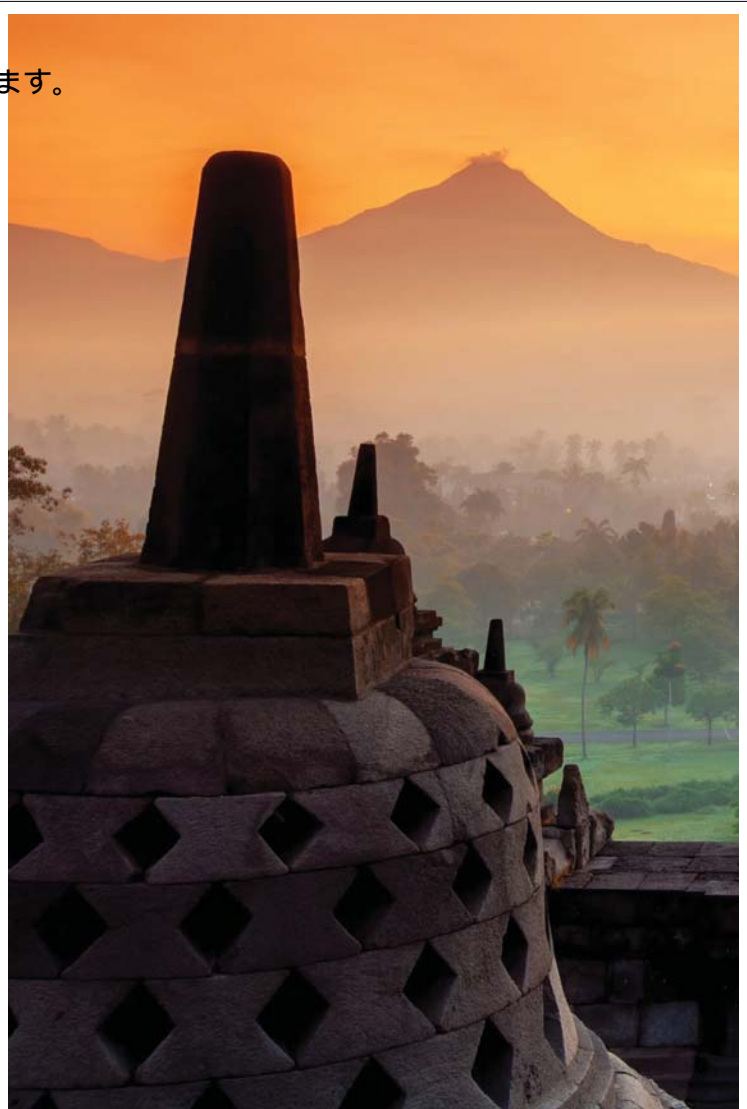
Regularly recognized as an IP leader in Indonesia

Over 20 years of experience in Indonesia

An IP specialist with services for every stage of the IP lifecycle

Unique combination of Indonesian lawyers, Registered Foreign lawyers, IP Consultants, patent specialists and investigators working together

Act for MNCs, including 50% of the leading global brands



## INDONESIA OVERVIEW



- Largest market in South East Asia
- 255 million people, GDP: US\$888 billion, GDP growth 5%, inflation 6.4%
- Key sectors – mining, manufacturing
- Japan – 2<sup>nd</sup> largest investor
- Impact on FDI - Depreciation of IDR, restrictions
- Recent high speed train bids- reflect frustrations of doing business in Indonesia

## INDONESIA OVERVIEW

- Risks – weak IP regime as many laws still not WTO compliant
- Challenges in enforcement
- Lack of transparency in criminal and court proceedings
- No useable customs border protection system
- Litigation is unpredictable, preliminary injunctions rare and evidence complex
- Asean Economic Intergration by December 2015

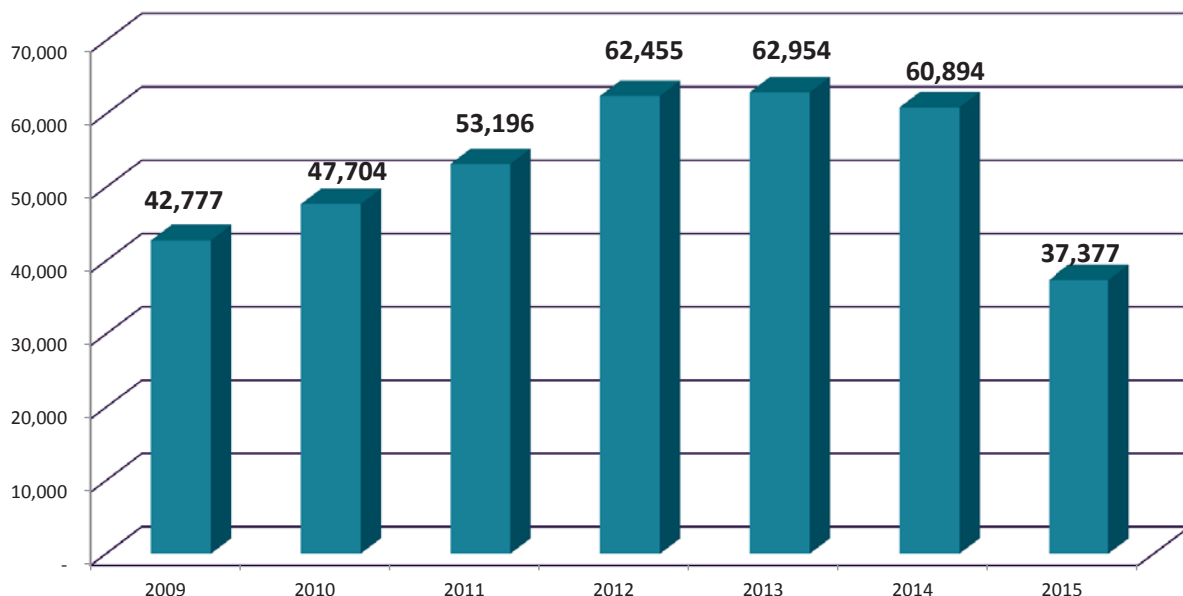


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## TRADEMARK

Trademark Applications filed 2009-2015



\* Data for 2015: up to August 2015

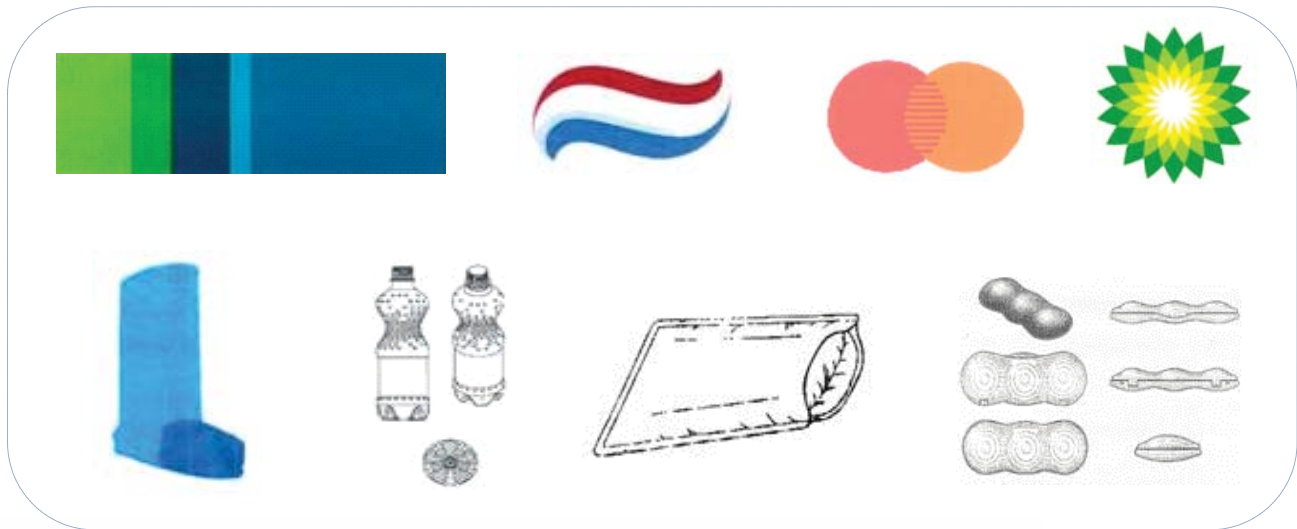
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## TRADEMARK

### Article 1.1 - Definition of trademark

*Any sign in the form of a picture (logo), name, word, letters, numbers, composition of colors, or a combination of these elements used in trade to distinguish the goods and services of one trader from those of another.*



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## TRADEMARK - DESCRIPTIVE MARKS



for 'coffee'

*Fresh'n  
Hygiene*

for 'soaps and  
medicated soaps'



Karakter-karakter Jepang berbunyi :  
BESUTO KOSUME TAISHO (Bahasa  
Inggrisnya : The Best Cosmetics Awards).-

Hurufiah : Penghargaan Kosmetika Terbaik .-



for 'sugar'

**DEEPCLEAN**

for 'skin care products and  
cleaning preparations'

博多ラーメン  
ぼりきや

HAKATA RAMEN BARIKIYA

Applicant:  
Ida Ayu Made Swastini

## TRADEMARK - RECENT PRACTICE

- Descriptive marks rejected

**ORIGAMI**

for 'paper coffee  
filters'

**vitaminwater**

for 'non alcoholic  
beverages'

- Cross class searches - retail/sales services class

Example: - Bakery shop (Class 35) against bakery products (Class 30)  
- Clothing store (Class 35) against clothing (Class 25)

- Tobacco regulations

Rejecting marks in Class 34 bearing 'LIGHTS', 'SUPER', 'SLIMS', 'MENTHOL', etc – words that convey a health benefit, quality etc.

## TRADEMARK – NEW LAW 2016

New Trademark Law is expected to be passed by end 2015

- Non-traditional mark (3D marks, Hologram, Sound Mark)
- International Filing based on Madrid Protocol
- Publication of 2 months, before substantive examination period of 5 months.
- Shortened registration process to 8 months (previously 14 months)
- Increased criminalities for infringement



## TRADE DRESS / UNFAIR COMPETITION



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## TRADE DRESS / UNFAIR COMPETITION

### **Article 1365 of the Civil Code**

*Any unlawful act that has caused damage to another person, shall require the person whose wrongful act has caused such damage, to cover the damage.*

### **Article 382 bis of the Penal Code**

*Any person who, in order to establish, to retain or to expand the sale of his trade or business or those of the trade or business of another, commits a fraudulent act of misleading the public or a certain person, shall, if therefore some loss for his competitors or competitors of the other person may arise, be guilty of unfair competition, and be punished by a maximum imprisonment of one year and four months or a maximum fine of thirteen thousand five hundred rupiahs.*

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## TRADEMARK/TRADE DRESS – KEY POINTS



- File early for regional brands as cheaper than cost of recovering trademark



- Search before launch, as trademark piracy common
- File for labels/packaging as weak laws
- Letter of consent - cannot use to overcome objections
- New Trademark Law/Madrid Protocol - 2015?



- Useful resources :

WIPO <http://www.wipo.int/branddb/en/>

DGIP [www.dgip.go.id](http://www.dgip.go.id)

TMO's LADI <http://e-statuski.dgip.go.id/>

B POM (FDA) [www.pom.go.id](http://www.pom.go.id)

## TRADE SECRET

### Trade Secret Requirement

In accordance to trade secret definition as stated in Law No. 30 year 2000 concerning Trade Secret, to be protected as a trade secret, the following requirements must be satisfied:

- The trade secret is neither common knowledge nor easily obtainable;
- When used in business activities, the trade secret will create for its holder advantages over those who do not hold or use it; and
- The owner of the trade secret maintains its secrecy by necessary measures so that the secret will not be disclosed nor be easily accessible.

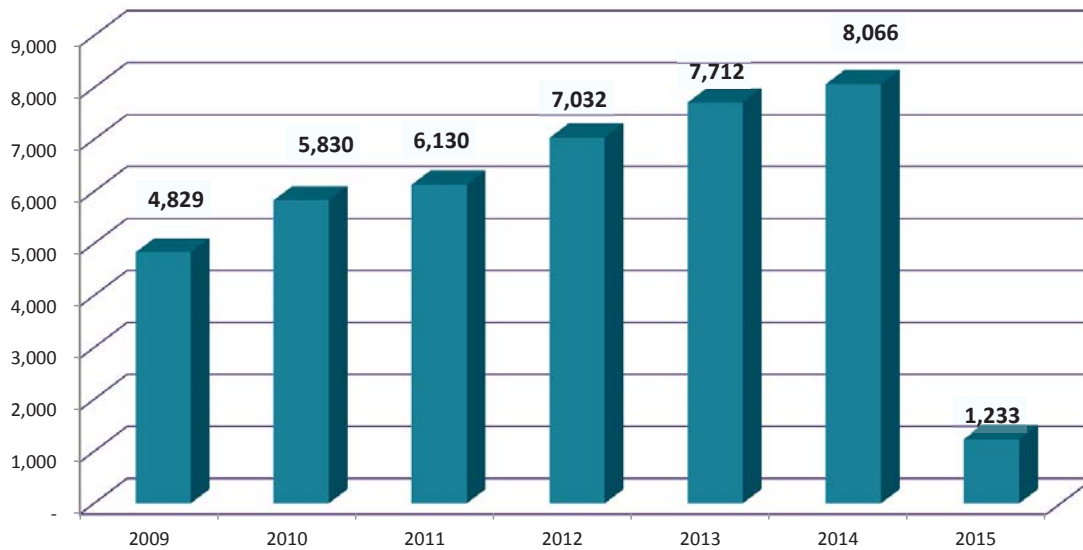
### Trade Secret Licensing

The Right Holder to Trade Secret shall be entitled to grant a license to a third party on the basis of a licensing agreement to enjoy the economic benefit of a trade secret. A licensing agreement shall be recorded at the Directorate General and shall be announced in the Official Gazette of Trade Secret.

As of today, no license has been recorded at the Directorate General of Intellectual Property.

## PATENT

### Patent Applications filed 2009-2015



\* Data for 2015 only up to February 2015

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## PATENT – SEARCH

- FTO searches
- Online system: <http://e-statuski.dgip.go.id/>
- Some limitations – not always online, or up to date, keyword search only against title and abstract
- Indonesian key words –
  - 2-4 equivalent Indonesian terms
  - Broad choice of key words needed
- Ask for corresponding search to verify the result against patent documents carrying same key word





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## PATENT - PROSECUTION

- Inventors - assignments signed by inventors/notarized copies of the employment contract with inventors (grace period up to 3 three months)
- Translation filed within 30 days of filing
- Substantive examination mainly relates to conformance with international application
- ASPEC (ASEAN Patent Examination Cooperation)
  - 10 requests as of June 2015

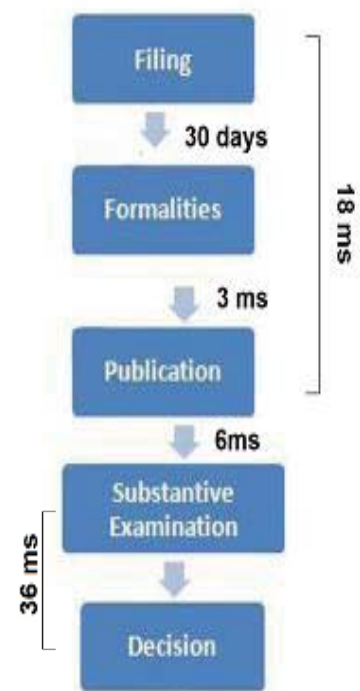
Patent Prosecution Highway (PPH-JPO) -  
- 360 requests, 9 granted as of Aug 2015

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## PATENT - PROCESS

- Decisions of grant should be issued within 36 months from the date of substantive examination request
- In practice : 3-5 years for grant to be issued, 2-4 years for simple patents (not always the case)
- Most grants are based on conformance of claims to corresponding grants overseas (EPO, US, Japan, Australia, Korea);
- Annuities – payable yearly within one year of grant;
- Cancel patent to avoid/reduce annuity payments – Government will issue demand letters for the debt owed.



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## PATENT – ANNUITIES

- Annuities payable 1 year from grant, counted from application date.
- If within 3 consecutive years, the patent holder fails to pay the annuities, the patent shall be deemed void from the last date of the third year.
- Elucidation: The period of three (3) years is meant to give the Patent Holder enough time to develop the sustainability of his or her Patent. A cancellation of a Patent due to failure to pay the annual fee shall be informed in writing by the Directorate General to the Patent Holder. The notice will indicate the date the Patent expires as provided by this Law. The annual fee to be paid in the *three(3)-year period shall remain payable by the Particular Patent Holder.*
- Over 10,000 letters of demands sent by Patent office
- 2000 cases transferred to KPNL (State Assets and Auction Services Office)

## PATENT -ANNUITIES (PROPOSED NEW DRAFT)

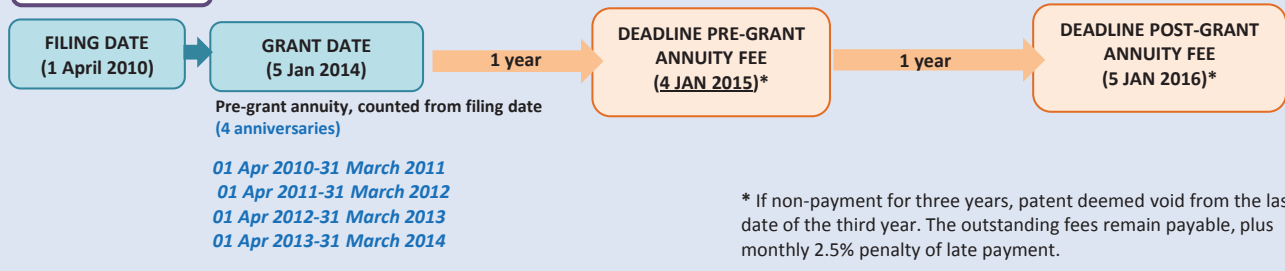
- **First annuity-** is payable 4 months from grant date, counted from application date plus annual fee of the next one year.
- Failing to pay annuity within 4 months from grant date – patent deemed cancelled.
- Grace period of six month – submit request during last week before expiry. Penalty 100%.

### Post grant annuity

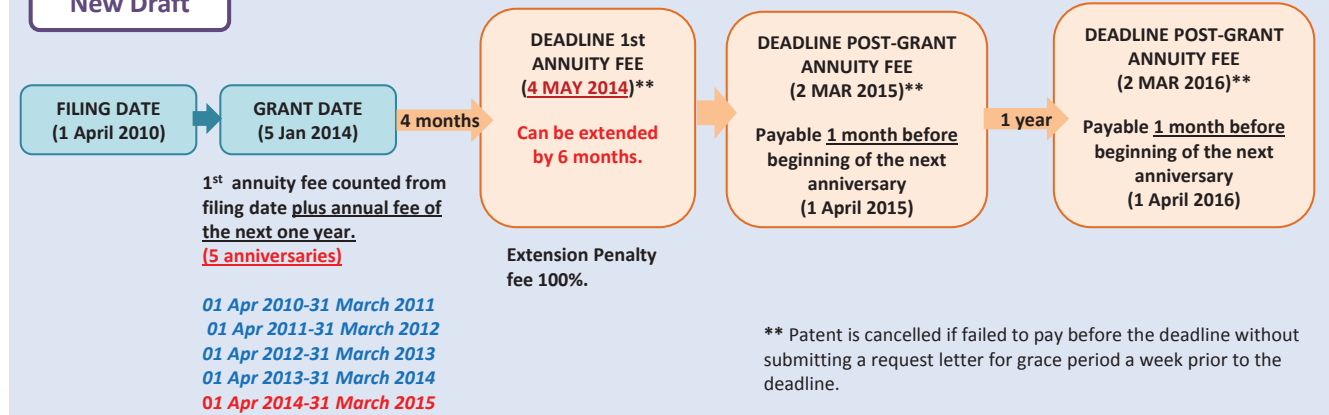
- Must be paid one month before beginning of the next anniversary. Failing which patent will be considered cancelled.
- Grace Period- same as above.

## PATENT – ANNUITIES COMPARISON

### Current Law



### New Draft

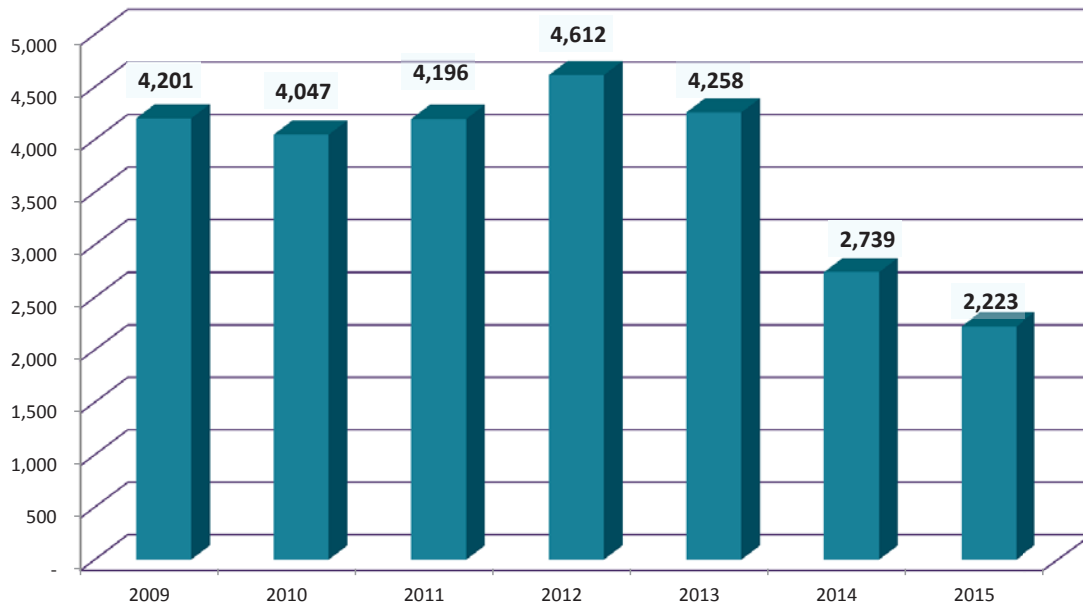


## PATENT - DRAFT NEW LAW 2016

- **Excluded subject matter** - Invention does not include rules and method that *only comprises* computer program
- **Substantive Examination** - further extension period of 6 months due to "emergency"  
- example "force majeure" - war, strike etc
- **Post Grant correction of certificate** - possible for "data errors"
- **Post Grant amendment** - possible within 3 months from notice of grant for limited situations - translation of the specification; to clarify ambiguity; to narrow the scope of claims; and to reduce the number of claims
- **Maintenance** - grace period for late payment is shortened. The patent is deemed cancelled if annuity is not paid by the due date (grace period of 6 months from due date)
- **Compulsory license** - additional ground for State to grant compulsory license to *export* the patented product to developing countries that suffer from epidemic.

## INDUSTRIAL DESIGN

### Design Applications filed 2009-2014 (up to July 2015)



\* Data for Oct - Dec 2014 not included yet as it has not been updated well up to now

\*\* Data up to July 2015

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## INDUSTRIAL DESIGN

- Design must be new or novel
- Universal novelty: standard to be applied: not substantially similar to prior disclosure either in Indonesia or outside of Indonesia
- 6 months priority to decide whether to file in Indonesia
- Substantive examination after publication
- 2 years average time frame to registration
- 10 year protection
- Useful as a practical tool for enforcement

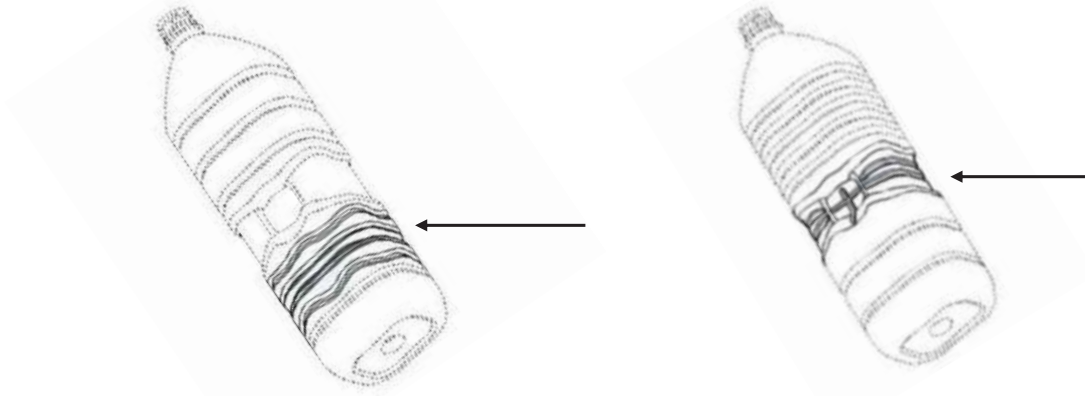




## INDUSTRIAL DESIGN - EXAMPLES

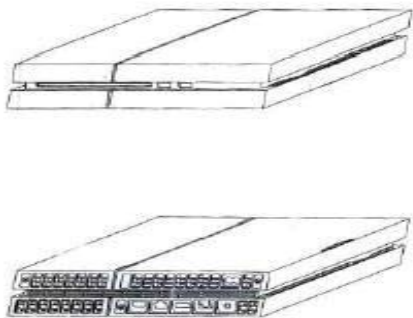
### PARTIAL DESIGN

Configuration of beverage container  
*Suntory Beverage & Food Limited*

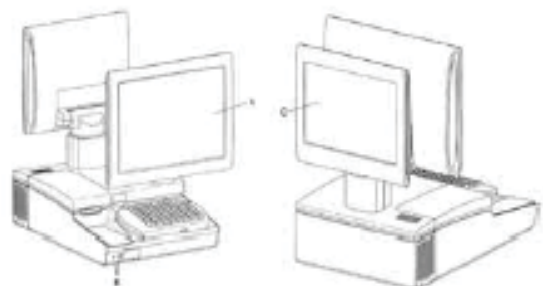


## INDUSTRIAL DESIGN - EXAMPLES

Shape and Configuration of Arithmetic and Control Unit  
*Sony Computer Entertainment Inc*



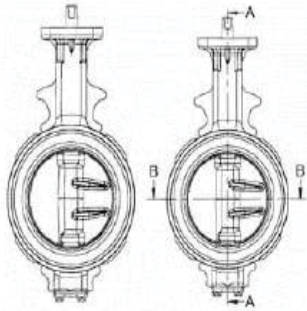
Shape, Configuration, composition of point-of-sale terminal  
*NEC Infrontia Corporation*



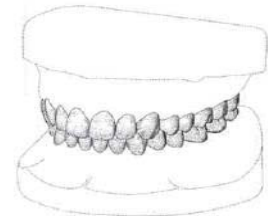
## INDUSTRIAL DESIGN - EXAMPLES

### MECHANIC COMPONENT DESIGN RELATED – Aesthetic impression?

Shape and Configuration of Butterfly Valve  
*Tomoe Technical Research Company Ltd*



Shape and Configuration of Orthodontic  
*Nissin Dental Products Inc*

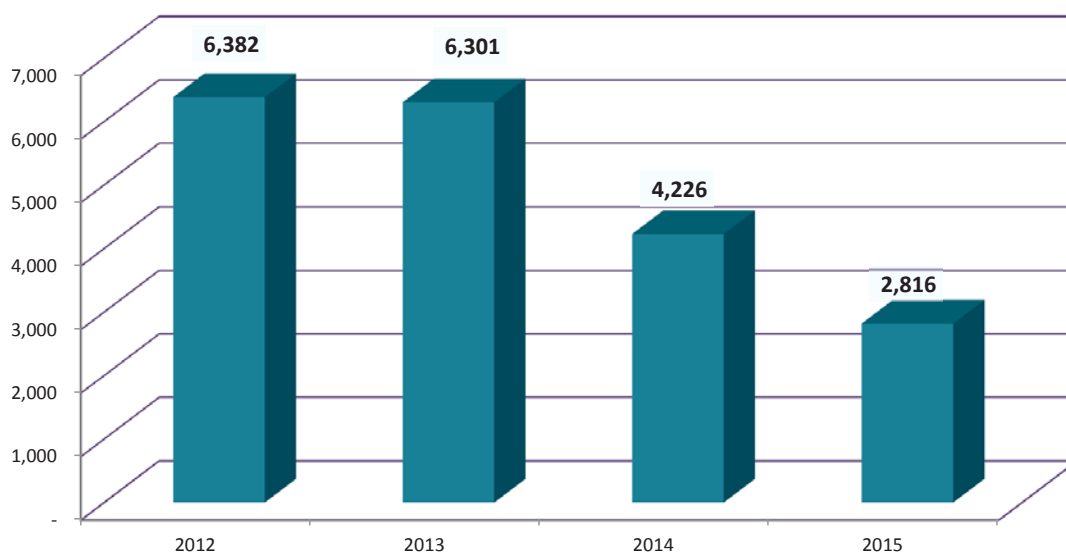


Shape and Configuration of sleeve  
*Fuji Bolt Manufacturing Co Ltd*



## COPYRIGHT

### Copyright Applications filed 2012-2015



- Data for Oct - Dec 2014 not included yet
- Data for 2015 up to July 2015

- **Clearer definitions** of Copyright-protected works
- **Extended Duration of Copyright Protection** from 50 years to 70 years after the death of the author. For a work that is owned by legal entity, the protection remains valid for 50 years from its first publication
- **Landlord Liability** for the management of trade venues (e.g. malls, retail centers)
- **Online Infringement** - the Ministry of Information now has power to block access to infringing material on websites
- **Copyright infringement is now classified as a complaint-based offence.** Under the criminal provisions of the new law, the *mens rea* element has been removed
- **Collective Management Organizations** are now required to register with the Ministry of Law
- **Copyright protection of Drawings for the purpose of Industrial Design** may now be possible
- **Copyright registration not compulsory**, but recommended for easy enforcement



## IP Disputes & Enforcement Options



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## MARKET SURVEY



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## COUNTERFEIT STATIONERY - DESTRUCTION



### 2. Attending Media

The media representatives attending the destruction included:

TV	Print	Online
1. Trans 7	1. Sinar Harapan	1. Bisnis.com
2. TV One	2. Republika	2. Republika online
3. Indosiar	3. Seputar Indonesia	3. Vivaneews.com
	4. Antara	
	5. Radar Karawang	
	6. Kabar Karawang	
	7. Pasundan Ekspres	

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## IP ENFORCEMENT BODIES



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## RAID ACTIONS

### DGIP Civil Servant investigator's Raid Action 2011-2015

Statistics / data 2011-2015						
No	Intellectual Property Cases	Year				
		2011	2012	2013	2014	2015
1	Copyright	2	4	3	5	1
2	Patent	0	2	0	1	0
3	Trademark	26	25	14	10	6
4	Industrial Design	6	3	0	1	2
<b>Total</b>		<b>34</b>	<b>34</b>	<b>17</b>	<b>17</b>	<b>9</b>

### Post Raid Issues:

- Settlement negotiations preferred;
- Public apology is key;
- Damages;
- Criminal prosecution – not advised because of long delay and ineffective.



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## FILING IP COMPLAINT ONLINE

<http://efiling-hki.dgip.go.id/pengaduan/>

- Online forms to file complaint directly to DGIP (PPNS) for IP infringement
- Remains to be seen if PPNS will act quickly
- For infringing **copyright** content on websites, new Ministry of Law and Ministry of Communication and Informatics' Joint Regulation - on 02 July 2015.
- On 18<sup>th</sup> Aug 2015, DGIP blocked 22 websites containing illegal films based on complaints from the Film Producers Association of Indonesia (APROFI) using the new system.



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## RAID OUTCOME - PUBLIC APOLOGY

39 PERMOHONAN MAAF P444/RIS/2012, 24 JUN 2012

**PERMOHONAN MAAF**  
 Irwan Chandra Pemilik Toko Gembira,  
 Beralamat di Jl. Andi Makassar No. 25, Kel. Jaya, Kec. Wattang Sawitto,  
 Kab. Pinrang Sulawesi Selatan

Dengan ini mengakui bahwa Honda Motor Co., Ltd. ("Honda") adalah pemilik dari berbagai hak kekayaan intelektual di Indonesia, termasuk hak atas merek yang berhubungan dengan produk tenaga sebagai berikut:

Logo	Merek	No. Pendaftaran
	HONDA	IDM000045619
	POWERED BY HONDA	IDM000093955
	E-SPEC LOGO	IDM000093954
	ECO LOGO	IDM000025581
	WING LOGO	

Berdasarkan laporan polisi No. LPB/160/VI/2013/Ditreskrim/15 dilakukan proses penindakan pelanggaran merek terhadap toko saya oleh...

Saya memohon maaf tanpa syarat atas pelanggaran hak kekayaan intelektual yang menggunakan merek-merek Honda secara tidak sah tindakan ini merupakan pelanggaran Pasal 90, 91 dan 94 Undang-Undang Tahun 2001 Tentang Merek.

Saya mengakui bahwa pemakaian merek-merek Honda secara tidak sah menimbulkan kerugian bagi konsumen dan juga telah menimbulkan kerugian bagi Honda atas merek-mereknya. Saya memohon maaf atas tindakan saya.

Sebagai bentuk tanggung jawab saya kepada para pelanggan, saya akan menjual semua barang yang menggunakan merek-merek Honda menjadi produk dengan kartu garansi bagi setiap pelanggan yang dapat memberikan...

Saya berjanji dan mengikatkan diri kami untuk tidak memperdagangkan dan tidak menggunakan merek-merek milik Honda secara tanpa hak di masa datang.

Mengetahui,  
 Kuasa Hukum Honda Motor Co., Ltd.  
 Suryomurtio & Co.

PT. HONDA POWER PRODUCTS  
 Jl. Iskandar Muda No. 97, Koby  
 Jakarta 12240, Indonesia  
 Tel 021-729-4450, 4451 Fax 021-729-4452  
 www.hondapowerproducts.co.id

KOMPAS, SERI ASA, 14 AGUSTUS 2012 12

**PERMOHONAN MAAF**

Saya, Kwe Hok Siong (KTP No. 1050240912580002), selaku pemilik Tri Jaya beralamat di Jl. Cibadak 97 (Pajagalan No. 2A), Bandung, Jawa Barat, Indonesia, dengan ini mengakui bahwa Schwan-STABLO dengan nama Tri Jaya memohon maaf tanpa syarat dengan merek EXAM GRADE palsu dan BLO palsu lainnya pada masa mendatang.

14 Agustus 2012  
 Kwe Hok Siong  
 TRI JAYA  
 Mengetahui,  
 Kum Schwan-STABLO  
 Suryomurtio & Co.

PERMOHONAN MAAF

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PERMOHONAN MAAF

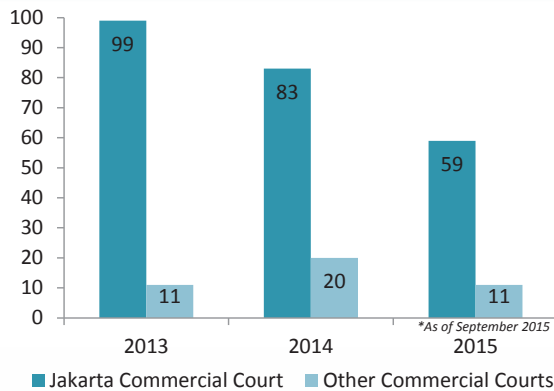
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## LITIGATION – COMMERCIAL COURTS

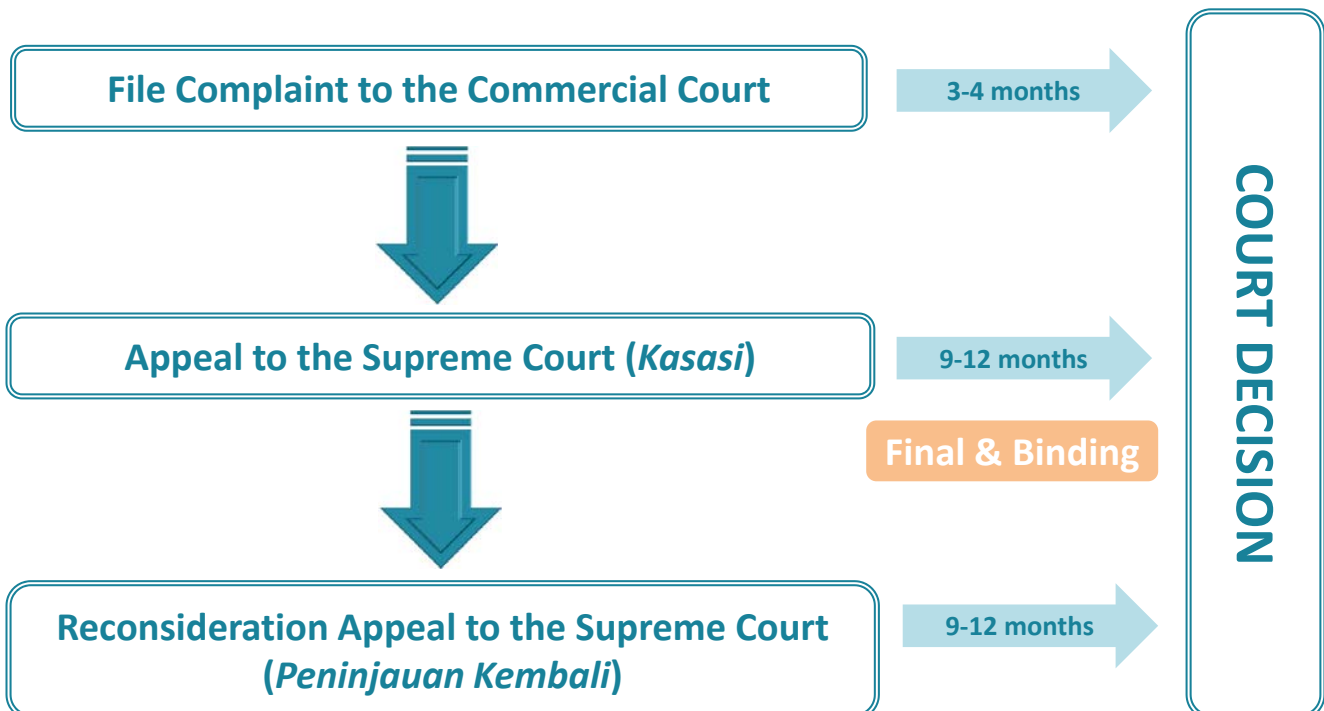


- 1) Jakarta Commercial Court
- 2) Surabaya Commercial Court
- 3) Medan Commercial Court
- 4) Semarang Commercial Court
- 5) Makassar Commercial Court

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## LITIGATION - PROCEDURE



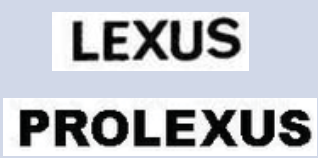


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## LITIGATION – RECENT TRADEMARK CASE STUDIES

Case Detail	Grounds of claim & Court decision	Marks Comparison
<p><b>GS YUASA Corporation v. PT Gramitama Battery Indonesia</b></p> <p>Plaintiff's mark: GS Defendant's mark: GiSi</p> <p>No. 130 PK/Pdt.Sus-HKI/2014</p>	<p>Ground: bad faith registration, similarities with a well-known mark</p> <p>Result: Plaintiff won on Reconsideration Appeal</p>	
<p><b>KAO Corporation, DK v. PT Sintong Abadi</b></p> <p>Plaintiff's mark: BIORE Defendant's mark: BIORF</p> <p>No. 127 PK/Pdt.Sus-HKI/2013</p>	<p>Ground: bad faith registration, similarities with a well-known mark</p> <p>Result: Defendant won on Reconsideration Appeal – Both marks are not similar in sound or phonetics. only similarities between the two marks are the word “BIO” which is considered public domain.</p>	
<p><b>Toyota Motor Corporation v. Welly Karlan</b></p> <p>Plaintiff's mark: LEXUS Defendant's mark: PROLEXUS</p> <p>450 K/Pdt.Sus-HKI/2014</p>	<p>Ground: bad faith registration, similarities with a well-known mark</p> <p>Result: Plaintiff lost on First instance and Appeal – The 5 years statutory period has passed</p>	

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## IP KOMODO DRAGON ([HTTP://IPKOMODODRAGON.BLOGSPOT.CO.ID/](http://ipkomododragon.blogspot.co.id/))

### IP Komodo

From the islands of Indonesia, the IP Komodo prowls South East Asia and beyond looking for succulent morsels of intellectual property news with the aim of to raising awareness of South East Asia's IP issues to help people understand this diverse region's IP complexities.

Powered by **Rouse**, the emerging markets IP firm. [www.rouse.com](http://www.rouse.com)

Wednesday, September 2, 2015

#### Tencent beats pirates in Indonesia



China's Tencent, operator of the QQ instant messaging service, has brought a cancellation action against a local trademark owner, Susanto. Tencent owned some class 9 and 38 registrations. Susanto had registered several marks that were similar and identical: QQ, QQ KIU KIU and QIU QIU. Tencent claimed they were made in bad faith and blocked their own new applications.

The Central Jakarta Commercial Court and later the Supreme Court found in favor of Tencent. A straightforward case perhaps? Given the brand is well known only really in Greater China maybe not so. But

great that Chinese companies are asserting rights and the Jakarta courts are making good clear sensible decisions.

Posted by Komodo Dragon at 5:14 PM No comments:

 Recommend this on Google

Labels: Indonesia trademark, Internet/Online

#### Articles on IP in South East Asia

Pharmaceutical Trademarks 2010 – Vietnam

Preventing Trade Name Infringement in Vietnam

Scotch Whisky Becomes Vietnam's Third Foreign GI

New Vietnam IP Enforcement Procedures

Patenting strategy in South East Asia

Well-known trade mark protection in Indonesia

Champagne's GI journey in Asia

Diageo win Indonesian trademark case

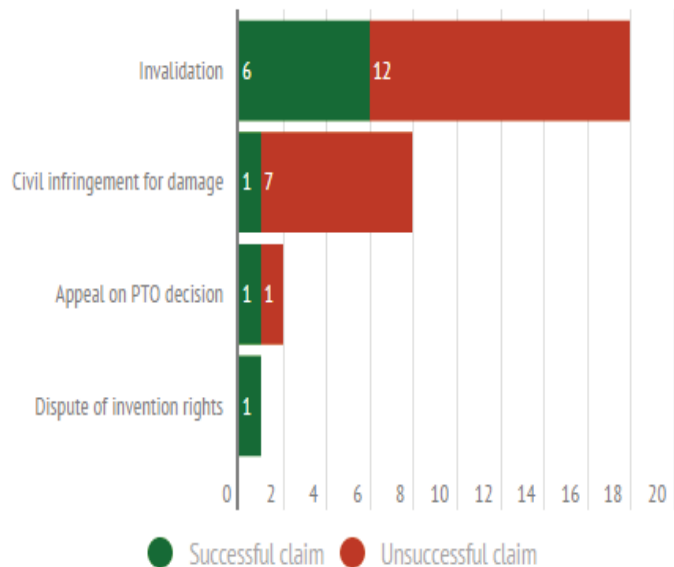
Indonesia's opportunities for pharmaceutical companies

Counterclaims in cancellation litigation in Indonesia



## LITIGATION - PATENTS

- Infringement actions rare
- Most litigation are revocations
- Successful damages claim even rarer
- Reason for low civil infringement actions:
  - Interlocutory injunction framework unworkable
  - Damages award uncertain
- Most revocations claims are in reaction to criminal enforcement action
- 70% local parties



## WARNING LETTER OUTCOME - PUBLIC APOLOGY

**PERMOHONAN MAAF**

Leonard Tanto Pemilik Toko Joy Anugerah Teknik, beralamat di Jl. A. Yani 247, Wuwuu, Kendari, Sulawesi Tenggara dan Toko Anugerah Jaya Motor beralamat di Jl. A. Yani 110, Wuwuu, Kendari, Sulawesi Tenggara

Dengan ini mengahui bahwa Honda Motor Co., Ltd. ("Honda") adalah pemilik dari semua hubungan dengan produk tenaga sebagai berikut:

Logo	Merek
	HONDA
	POWERED BY HONDA
	POWERED BY HONDA
	E-PCB
	ED USA
	WIN USA

Saya memohon maaf tanpa syarat atas pelanggaran hak kekayaan intelektual ini secara tanpa hak. Saya mengahui bahwa tindakan ini merupakan pelanggaran Pasal 30, 31, 32, dan 33 Undang-Undang No. 30/2004 tentang Hak Kekayaan Intelektual.

Saya mengakui bahwa penjualan merek Honda secara tanpa hak ini telah merugikan beberapa konsumen secara tidak sadar membeli produk tiruan dan juga telah merugikan saya memohon maaf atas tindakan saya.

Sebagai bentuk tanggung jawab saya kepada para pelanggan, saya akan memberikan produk Honda asli yang dilengkapi dengan kartu garansi bagi setiap pelanggan yang membeli produk Honda asli yang telah dibeli dari saya.

Saya berjanji dan mengahui diri kami untuk tidak memperdagangkan produk-produs tiruan dengan cara apapun di masa yang akan datang.

Mengahui,  
Kuasa Hukum Honda Motor Co., Ltd.  
Suryomurto & Co.

Untuk informasi mengenai kesiapan produk-produk Honda, silakan hubungi:

1. PELITA INDAH  
Jl. Kongsessa No. 84-86, Kendari  
Telephone: (0401) 3121462 Fax: (0401) 3121463
2. BUDI SAKTI MOTOR  
Jl. P. Diponegoro No. 69, Kendari  
Telephone: (0401) 3121688 / (0401) 3122223

**HONDA**  
MESIN BERKUALITAS

**STABILO**

**PENGUMUMAN**

Saya, Edy, selaku pemilik: Era Malindo Sejahtera yang outlet-outletnya beralamat di:

1. Jl. KH Ahmad Dahlan, Pekanbaru, Riau
2. Jl. Duriat, Pekanbaru, Riau
3. Jl. Belimbing, Pekanbaru, Riau

Dengan ini menyatakan Schwinn-STABILO Schwinnhausener GmbH & Co. KG, GmbH didirikan di bawah hukum Negara Jerman dan terkenal secara internasional sebagai merek EXAM GRADE sudah memasarkan produknya di Indonesia sejak 40 tahun yang lalu. Banyak merek dagang di Indonesia, antara lain:

STABILO	Exam Grade
IDM0007483E	IDM00019
EXAM GRADE	IDM001016

Kami memohon maaf kepada Schwinn-STABILO atas pelanggaran yang kami lakukan berkaitan dengan persil pada outlet Toserta Era 58 milik kami.

Kami berharap permohonan maaf ini akan menghapus kesan negatif apapun terhadap merek EXAM GRADE miliknya yang mungkin timbul karena pelanggaran sebagai merek dagang kami. Kami mengakui bahwa produk Schwinn-STABILO EXAM GRADE telah mendapatkan baik dalam aspek kinerja, penghematan mode, kualitas tinggi dan lain-lain.

Komitmen kami kepada Schwinn-STABILO dan kepada pelanggan kami bahwa kami yang melanggar merek EXAM GRADE atau merek lainnya yang dimiliki oleh E. Edy Era Malindo Sejahtera

Pekanbaru, 10 Mei 2015  
Edy Era Malindo Sejahtera

Mengahui  
Kuasa Hukum Schwinn-STABILO Schwinnhausener GmbH  
Suryomurto & Co.  
Riyo Hanggoro Prasetyo, S.H., M.KU  
Tel: +62 21 7897323 Email: jakarta@rouse.co

**PERMOHONAN MAAF**

Saya, Yudi Horison Susanto, selaku Pemilik Safety Depot yang outlet-outletnya beralamat di:

1. Safety Depot - Gunung Sari, Jl. Jend. A. Yani No. 15 Rt. 55, Balikpapan, Indonesia.
2. Safety Depot - Ruko Bandar, Kompleks Ruko Bandar, Jl. Jend. Sudirman, Balikpapan, Indonesia.
3. Safety Depot - Pasar Baru, Jl. Jend. Sudirman No. 58, Balikpapan, Indonesia.

Dengan ini kami menyatakan bahwa kami telah menjual produk yang setelah diverifikasi ternyata bukan produk asli. Kami memahami bahwa hal ini melanggar merek-merek NOMEMEX® dan TYVEK® yang dimiliki oleh E.I. Du Pont de Nemours And Company (DuPont).

Kami memohon maaf kepada E.I. DuPont de Nemours and Company atas pelanggaran yang kami lakukan terhadap merek DuPont berkaitan dengan penjualan cover/felapangan atas kinerja baik dari produk-produknya.

Kami mengakui bahwa produk DuPont TYVEK® dan NOMEMEX® fiber telah mendapatkan kepercayaan yang luas dan reputasi baik dalam industri perlindungan dan bidang industri lapangan atas kinerja baik dari produk-produknya.

Kami berharap permohonan maaf ini akan menghapus kesan negatif apapun terhadap DuPont, reputasinya, dan merek-merek TYVEK® and NOMEMEX® miliknya yang mungkin timbul karena pelanggaran sebagaimana yang telah disebutkan di atas.

Kami berjanji bahwa di kemudian hari, kami hanya akan menjual produk-produk dengan merek-merek NOMEMEX®, TYVEK® atau merek lainnya yang dimiliki oleh E.I. Du Pont de Nemours And Company yang asli.

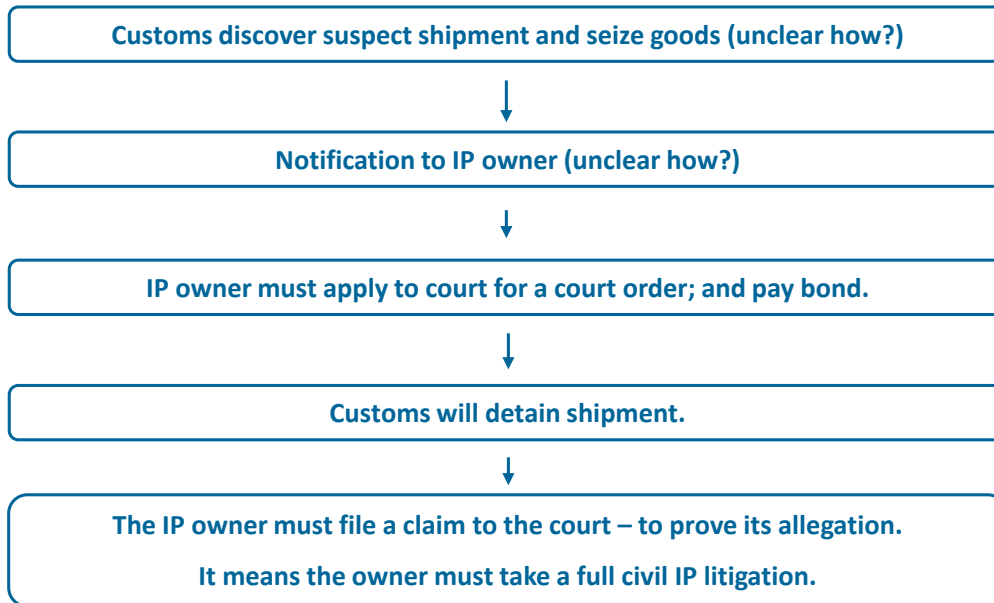
Balikpapan, 14 Juni 2015  
Yudi Horison Susanto / Toko Safety Depot

Mengahui  
Kuasa Hukum E.I. Du Pont de Nemours And Company  
Suryomurto & Co.  
Riyo Hanggoro Prasetyo, S.H., M.Kn.



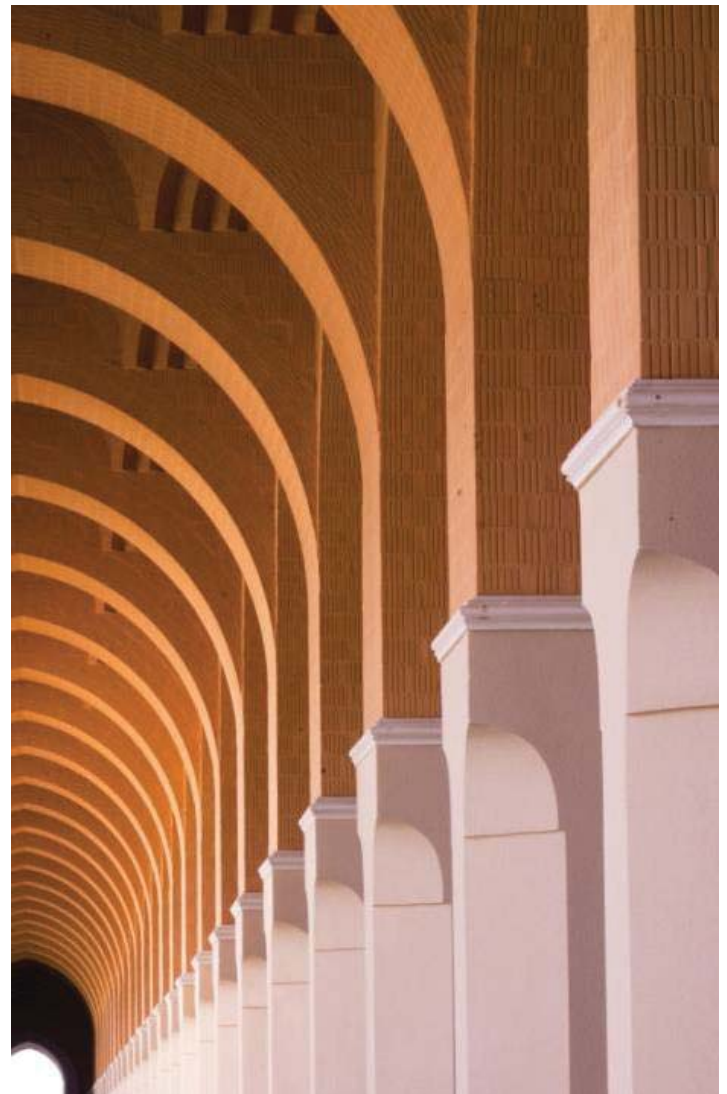
## CUSTOMS - SUPREME COURT REGULATION NO. 4 OF 2012

### Supreme Court Regulation No. 4 of 2012 finally issued on 30 July 2012



## CUSTOMS - THE PROBLEMS

- Civil IP litigation is very expensive;
- No one needs a full trial for a customs seizure;
- IP holders cannot report information to Customs to initiate seizures as IP holders don't have information on others' shipments;
- No *ex officio* reporting to IP holders by Customs;
- Customs are given no help or guidance;
- Court procedures cumbersome – e.g. legalized POA needed (legalization takes +/- 1 month);
- In practice the most complicated and most expensive system in Asia!;
- No-one will use it (say our clients);
- A new regulation on *ex officio* procedures has been drafted but not enacted.



## PRACTICAL TIPS

- Get your IP rights filed early and properly
- Anticipate the counterfeiting and take steps - do not wait till too late!
- Keep records and preserve evidence
- Be creative – look at copyright/designs/consumer complaints
- Alternatives - negotiations and settlements
- Public education and awareness through notices
- Manage expectations

Offices in the Rouse Group: Australia\* | China | Hong Kong | India+ | Indonesia | Myanmar | Philippines | Russia | Saudi Arabia+ | Thailand | UAE | United Kingdom | Vietnam | \* Liaison office | + Associated office

**ROUSE**

## IT IS POSSIBLE...

**PERMOHONAN MAAF**

1. Saya, DARWIN CHANDRA alias AMIN, pemilik Toko TRI STAR MOTOR, beralamat di Jl. Batu Ceper VII No. 15 C, Kebon Kelapa, Gambir, Jakarta Pusat, dengan ini mengakui bahwa BAYERISCHE MOTOREN WERKE AKTIENGESELLSCHAFT (BMW) adalah pemilik dari berbagai macam merek BMW yang terdaftar di Indonesia.
2. Saya memohon maaf tanpa syarat atas kesalahan saya melanggar hak atas merek milik BMW dengan menjual kampas rem dan saringan udara BMW palsu.
3. Saya berjanji untuk tidak akan menjual lagi kampas rem dan saringan udara BMW palsu dan produk-produk BMW palsu lainnya di kemudian hari.

Jakarta, 10 Agustus 2009  
TRI STAR MOTOR  
AMIN

Mengetahui,  
Kuasa Hukum BMW  
SURYOMURCITO & CO.  
Gunawan Suryomurcito, SH. - Purnomo Adityo, SH.

Suku cadang asli BMW tersedia di seluruh dealer resmi BMW di Indonesia beserta partner bisnisnya. Informasi lebih lanjut, silahkan menghubungi atau SMS (selama jam kerja) ke 0812-986-2345 atau email ke customersupport@bmw.co.id

ambing batu teresiti—menunjukkan gejala keparahan—palsu di bawah 100 ekor dalam satu populasi. "Umumnya 17 ekor di satu populasi, seperti di Wae Wuul, bisa ditinggal tinggal menunggu waktu punah," kata Siti. Tanpa mangsa mencukupi

"Tidak ada dana riset pemerintah untuk terus menyelusuri perkembangan komodo. Dana sangat minim, itu gun dari riset orang asing," ujar Endang.

**Intervensi segera**  
Mempertimbangkan populasi

lan rencana pemindahan lima pasang komodo dari Wae Wuul. Sebaliknya, pemerintah memberi perlindungan khusus untuk populasi yang terancam dengan bantuan dari Asosiasi Kebun Binatang Asia Tenggara (EAZA), yang memiliki buku siletah sejumlah

di" ujar Endang Sularna. Menurut Jeri, belum terbat menanggapi ancaman kepunahan komodo. Selama masa terancam, seperti 17 ekor di Wae Wuul, peluang memperbaikinya dari ancaman kepunahan masih tetap ada. (NAW)


BMW Group Paris

Star  
Suryomurcito

**Are you willing to take the risk with non-original parts?**

Rawat BMW Anda dengan suku cadang orisinal di bengkel resmi kami. Dapatkan penawaran menarik untuk BMW Anda, seperti!\*

\* Diakses di [www.bmw.co.id](http://www.bmw.co.id) atau [www.bmw.co.id](http://www.bmw.co.id) 623.000



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**ROUSE**

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The logo for Rouse, featuring the word "ROUSE" in a bold, sans-serif font. Each letter is filled with a different color: 'R' is purple, 'O' is teal, 'U' is green, 'S' is blue, and 'E' is purple. The letters are slightly overlapping and have a subtle drop shadow.

**Thank You!**

**Lisa Yong**

[www.rouse.com](http://www.rouse.com)

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