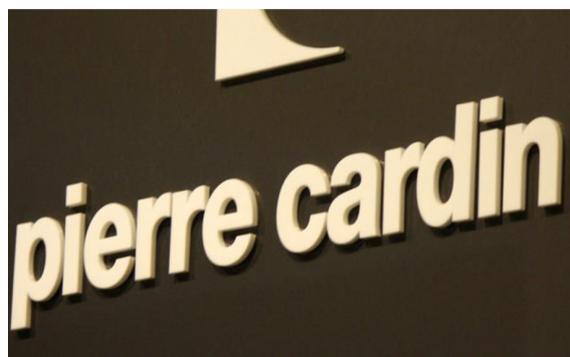


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1. Trademark Disputes between Pierre Cardin and the Local Entrepreneur



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, it was discovered that the trademark and logo of Pierre Cardin which is very famous and has a huge demand in the market, also attracts a local entrepreneur to make cosmetic product with the name of Pierre Cardin. The trademark and logo was registered under the name of Alexander Satryo Wibowo. Pierre Cardin filed a lawsuit because the defendant has used the brand and the logo of Pierre Cardin, whereas Pierre Cardin himself does not have any business relationship with the defendant.

Pierre Cardin filed a case to cancel the trademark in the Jakarta Commercial Court of Central Jakarta District Court. The case number 15/IPR/BRAND/2015/PN.Jkt-

.Pst was 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 the Indonesian Trademark Office as the second defendant.

Pierre Cardin appointed Ludiyanto as the legal representative of Cardin. He said that the lawsuit was filed to cancel the trademark because of the bad intention (bad faith) of the defendant for registering the brand and logo Pierre Cardin in the Directorate of the Ministry of Law and Human Rights, in the Class 3. Ludiyanto said in his petition that they asked 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 provide any explanation regarding the case. The trial is still under examination at the Commercial Court of Central Jakarta District Court. *(Source : BOR and Many)*

2. Trademark Dispute : Pia Legong defeated Pia Janger



A popular bean-filled pastry named Pia cake was originally introduced by Fujiane

Immigrants in urban centers of Indonesia around the turn of the twentieth century. It is a widely available inexpensive treat and a favored 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 is also well known 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 in the Director General of Intellectual Property Law and Human Rights Ministry in August 2008. The copyright was registered for the packaging box design for Pia Legong with maroon-red color composition with clear drop. 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 is sold only in shop at Ruko Kuta Megah, Jalan by Pass Ngurah Rai, Badung.

From the time Pia Legong was introduced, it attracted a lot of tourists. For most travelers who visited Bali, they were willing to queue for hours to get a taste of the Pia Legong. Every day dozens of tourists bought the Pia Legong, it became so famous that tourists purchased it as a souvenir.

However, lately it appeared that a similar brand called Pia Janger has been introduced. 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 will expired in1 (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 flavor with the date written on each box.

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

Lately, the owner of the brand of Pia Legong Hantje began to be disturbed 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 was taken to the court.

The similarity of this brand misleads the consumers with the result that the brand of Pia Legong has been experienced with great difficulties. The consumers who bought Pia Janger was disappointed because the taste was not good, and complaints were addressed to Pia Legong. After feeling aggrieved, Hantje also filed a lawsuit in the Commercial Court of Surabaya to sue the owner of Pia Janger, Antonius and Iriene. Hantje sued both of them to stop commercializing Pia Janger and provide compensation of Rp 15.3 billion.

Further, on 22 September 2014, the Supreme Court issued an “Interlocutory Decision” regarding this case, with verdict number: 47/Pid.Sus/2014/PT.DPS. The Supreme Court Judges decided to suspend this case until Design lawsuit with registration number 06/HKI.Desain/2013/PN.Niaga.Sby. in the commercial court of Surabaya District Court make their final decision.(*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 taxi cabs. 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 operate in Indonesia. One of the famous taxi operators 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 went to the court. The lawsuit was filed on 20th January 2015 by Ms. Mintarsih Abdul Latif, who is also the owner of PT Gamyax Taxi. She is one of the founders and the shareholders of PT. Blue Bird Taxi has a subsidiary Gamyax 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 AT the DGIPR, which is not under THE name of Blue Bird Taxi. Ms. Mintarsih got to know this fact when PT Blue Bird was selling its first shares (Initial Public Offering / IPO) on the stock exchange in 2012.

Ms. Mintarsih filed a lawsuit in the Commercial Court of Central Jakarta and she demanded material damages amounting Rp 5.6 trillion and Rp 1 trillion for immaterial damages.

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.

Furthermore, Mintarsih also INCORPORATED 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 succeeded 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 Commercial Court of Central Jakarta invalidated the law suit filed by Ms. Mintarsih Abdul Latif.

The Panel of Judges of the Commercial 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 Panel of Judges of the Commercial Court of Central Jakarta District Court. 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 have 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 consist of copyright-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 established to counter content piracy, the organization is now expanding its enterprise in cooperation with domestic and international government agencies, industry

organizations and content holders and Indonesia is one of the countries.

On January 20, 2015 CODA established cooperation with the Directorate General of Intellectual Property Rights (DJHKI), held a Copyright Seminar in Jakarta, Indonesia. The aim of this seminar was to socialize the new Indonesian Copyright Law No. 28 of 2014 and share the knowledge and experiences on how to handle infringement on copyright in Japan. As we know that Indonesia has a new law in the field of Copyright Law No. 28 of 2014 which replaced the previous Copyright Law No. 19 of 2002. 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 was attended by the Director General of Intellectual Property Rights Ahmad M. Ramli and their staff, Manager of Legal Affairs, Japan Video Software Association (JVA) Shun Takagi and Manager CODA Kiyotaka Watabe, institution of the law enforcer, intellectual property attorneys associations related to copyrights and companies.

Copyright and the Related Rights are exclusive rights granted by the state on both the original creation in the fields of art, literature and science as appreciation, recognition and incentives for creators. In the era of digitalization, the infringement could happen very easily either intentional or unintentional. In anticipation of 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 centers, 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 recent years, mobile device is a common thing that a must have for everyone.

Mobile technology that is 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.

At present, 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 market, which sometimes may end 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 (Fair,

Reasonable And Non-Discriminatory) 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 has expired recently. Further, he said that Ericsson has been trying to negotiate for a new deal, but eventually Ericsson concluded to require third party assistance.

The Swedish company itself wants the court to determine whether the offering of the company's 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. The seminar of “The New Makers” Cemara 6 Gallery (Museum)



Sculpture and Cemara 6 Gallery (Museum) ORGANIZED a creative event seminar, talk show, film screening, workshop and show & tell. They presented the participation and the work of maker spaces and local enthusiasts, national and international. Biro Oktroi Roosseno became a sponsor in this event. The purpose of this seminar was to provide 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 Materials of the Seminar:

- Day 1:
 - Session 1 "ThinkHering"
 - Session2 "Crowd funding: A game changer for Innovators"
 - Film Commentary
 - Talk Show / Panel Discussion / Keynote speaker
 - Workshop: Raspberry 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 twice 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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