Biro Oktroi Roosseno

INTELLECTUAL PROPERTY NEWSLETTER –June2025 – 55th Editions

Anno 1951

Kantor Taman A9, Unit C1 & C2, Jl. Dr. Ide Anak Agung Gde Agung (Mega Kuningan), Jakarta 12950, INDONESIA WWW.IPRBOR.COM

This Edition of Newsletter Contains:

1. Meet Our Team at AIPPI World Congress 2025 in Yokohama

Our team would be delighted to attend the 2025 AIPPI World Congress, which will be held in Yokohama, Japan, from September 13 to 16, 2025. The last time the AIPPI Congress was held in Japan was 33 years ago. The four-day congress will be a valuable opportunity to broaden horizons and exchange experience with colleagues in different regions and industries around the world.

We'd love to meet with you and discuss our potential collaboration, share IP update, or simply get to know better. Please feel free to contact us at iprlaw@iprbor.com to connect and set up meetings with our team.

2. Indonesia Trademark Update: Cat Fight in Court, PUMA SE Challenges 'PUMA ROOF' Trademark

A legal battle is underway in Indonesia as PUMA SE, a global sportswear company based in Germany, has filed a trademark infringement lawsuit against PT Tatalogam Lestari, one of the players in the roofing industry in Indonesia.

The dispute cantered on PT Tatalogam Lestari's use of and registration of the trademark “PUMA ROOF & Jumping Cat logo” under Registration No. IDM000462558, which according to PUMA SE is substantially similar to the “PUMA & Cat Jumping” mark that has been recognized globally.

In its lawsuit, PUMA SE asserts that it is the legal and original owner of the “PUMA & Cat Jumping” mark, having registered it internationally in various jurisdictions prior to the registration by PT Tatalogam Lestari. PUMA SE requests the court to formally confirm its exclusive ownership of the trademark and declare the mark as internationally recognized and well-known in accordance with trademark law and global commercial practice.

Furthermore, PUMA SE argues that “the PUMA ROOF & Cat Jumping” trdemark registered by PT. Tatalogam Lestari is not only visually and conceptually similar to its own mark, but may also cause consumer confusion. The Plaintiff argues that this registration was made in bad faith, which may exploit the global reputation and recognition of the PUMA mark despite its use in different industries.

PUMA SE requests the court to cancel the registration of the Defendant's trademark, strike it from the General Register of Trademarks, and order the Ministry of Law and Human Rights of the Republic of Indonesia, specifically the Directorate General of Intellectual Property, to implement the cancellation. The Company also requests that the Defendants should be ordered to pay all legal costs associated with this case.

PUMA SE, based in Herzogenaurach, Germany, is one of the world’s leading sportswear brands, known for its athletic apparel, footwear, and accessories. Since 1948, the iconic PUMA jumping cat logo is a registered trademark in almost all major markets and is widely associated with performance, sports and fashion. A company's brand is central to its global identity and marketing strategy, making trademark protection a top legal priority.

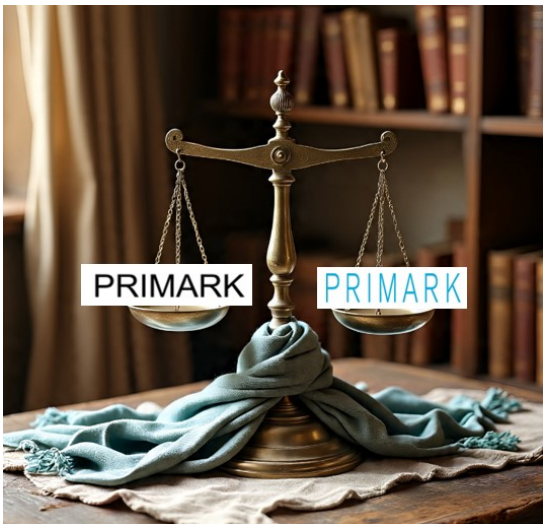
PT. Tatalogam Lestari, on the other hand, is a respected name in Indonesia’s building materials industry. The company specializes in lightweight steel roofing systems and has launched several roofing product lines with brand names such as “Sakura Roof”, “Taso”, and the most famous one is “PUMA ROOF”. Despite operating in a completely different industry to PUMA SE, the company's use of the jumping cat name and symbol has caught the attention of the international fashion giant.

The case is currently being reviewed by the Commercial Court at the Central Jakarta District Court, where PUMA SE is seeking full legal remedy, including cancellation of the disputed trademark registration.

(source: http://sipp.pn-jakartapusat.go.id; https://tatalogam.com; https://about.puma.com)

3. Indonesia Trademark Update: Global Fashion Giant PRIMARK LIMITED Fights for Trademark Rights in Court

A famous trademark dispute is currently underway at the Central Jakarta District Court between Primark Limited, a major international fashion retailer, and a local Indonesia businessman over the trademark use of the name ”PRIMARK” in the Indonesia market.



Primark Limited, headquartered in Dublin, Ireland, is a subsidiary of Associated British Foods plc. Since its establishment in 1969, Primark has expanded aggressively, becoming a global retail giant known for offering affordable fashion, homeware, and beauty products. With stores across Europe and North America, the company has built a reputation for delivering high-volume, on-trend items at budget prices. The company has filed a lawsuit in a Central Jakarta District Court under case number 50/Pdt.Sus-HKI/Merek/2025/PN Niaga Jkt.Pst to assert its rights over the use of the ”PRIMARK’ trademark.

The case revolves around the use of the ”PRIMARK” trademark in several product categories, including but not limited to:

- Class 24: Linen materials for bedding, curtains, towels, tea towels, dish towels, etc.
- Class 25: Dresses, suits, nightgowns, socks, clothing, footwear, headgear, etc.
- Class 27: Carpets, rugs, mattresses, floor coverings, etc.
- Class 35: Retail and online store services related to clothing and homeware, etc.
- Class 18: Bags, suitcases, and accessories.

The Plaintiff contends that the Defendant, a local businessman, has registered and used the ”PRIMARK’ name in these categories without authorization, imitating a globally recognized and well-established trademark in bad faith.

Primark Limited has filed a comprehensive petition demanding the court to:

1. Accept and grant PLAINTIFF's claim in its entirety;
2. Declare that PLAINTIFF is the true owner of the Trademark ‘PRIMARK’ and has the right to use the Trademark in the territory of the Republic of Indonesia;
3. Declare PLAINTIFF's Trademark ‘PRIMARK’ as a well-known trademark;
4. Declare the Trademarks (i) ‘PRIMARK’ under Registration Number IDM000756181 Class 24; (ii) ‘PRIMARK’ under Registration Number IDM000756156 Class 25; (iii) ‘PRIMARK’ under Registration Number IDM000757010 Class 27; (iv) ‘PRIMARK INDONESIA’ under Registration Number IDM000755065 Class 35; and (v) ‘PRIMARK’ under Registration Number IDM001041689 Class 18 on behalf of the Defendant is similar in whole and/or in essence to the well-known trademark ‘PRIMARK’ owned by the Plaintiff in the same kind of goods;
5. Declare the Trademarks (i) ‘PRIMARK’ under Registration Number

IDM000756181 Class 24; (ii) 'PRIMARK' under Registration Number IDM000756156 Class 25; (iii) 'PRIMARK' under Registration Number IDM000757010 Class 27; (iv) 'PRIMARK INDONESIA' under Registration Number IDM000755065 Class 35; and (v) 'PRIMARK' under Registration Number IDM001041689 Class 18, in the name of the Defendant has used the name of a legal entity belonging to the PLAINTIFF without the prior written consent of the PLAINTIFF;

6. Declare that the Trademark 'PRIMARK' in the name of the Defendant has been applied for registration in bad faith because it has imitated, plagiarized the well-known trademark owned by the PLAINTIFF;
7. To declare null and void the registration of 'PRIMARK' in the name of the Defendant in the General Register of Trademarks with all its legal consequences;
8. Order the Defendant to comply with and abide by the entire contents of this decision and record the cancellation and cross out 'PRIMARK' in the name of the Defendant from the General Register of Trademarks; and
9. Order the Defendant to pay the costs of the case according to law.

This case highlights the persistent challenges faced by international brands in protecting their Intellectual Property in foreign markets such as Indonesia. Primark Limited's legal action reflects its intention to expand its footprint in Indonesia or protect its market entry strategy, while reinforcing the principle that global brands have the right to control and protect their identity around the world.

The case is currently under judicial consideration, with legal experts watching closely to assess how the Central Jakarta District Court will handle the issues of well-known foreign trademarks, registration in bad faith, and trademark protection.

(source: http://sipp.pn-jakartapusat.go.id; https://corporate.primark.com)

4. Singapore Trademark Update: From Instagram to the Courtroom, Singapore Cracks Down on Counterfeits

The rise of social media has revolutionized the way we shop, but it has also opened the floodgates for counterfeit goods. Platforms like Instagram, TikTok, and Facebook have become hotbeds for the promotion and sale of fake products — often marketed through influencer endorsements and hidden links, making enforcement increasingly challenging.

Unlike traditional counterfeiting, which was largely confined to physical markets or e-commerce platforms, social media enables counterfeiters to reach global audiences swiftly while remaining anonymous. They exploit platform features to mimic legitimate branding and tap into trends like the "dupe" culture, blurring the lines between imitation and infringement.

Against this backdrop, **Singapore has taken a firm and commendable stand**. In the recent case of ***Louis Vuitton Malletier v Ng Hoe Seng [2025] SGHC 122***, the Singapore High Court awarded **S$200,000 in statutory damages** against individual Instagram merchant selling counterfeit Louis Vuitton goods. This judgment sends a powerful message that trademark infringement in the digital space will **not** be treated lightly.

Key Takeaways from the High Court Judgment

- Digital Platform Accountability: The Court directly addressed counterfeiting via Instagram, affirming that Singapore's trademark law applies fully to online infringers.
- Statutory Damages as an Effective Tool: The High Court upheld statutory damages as a valid and strategic route when actual losses are difficult to quantify — particularly in digital counterfeiting cases.
- Deterrence as a Primary Objective: The Court emphasized the need to send a strong signal to other potential infringers, describing the conduct as ***"highly flagrant,"*** especially given the defendant's continued sales after receiving a cease-and-desist letter.
- Support for Brand Integrity: The judgment reaffirmed the courts' commitment to upholding the rights of IP holders and maintaining the commercial value and exclusivity of their registered marks.

Conclusion

The ***Louis Vuitton v Ng Hoe Seng*** decision underscores Singapore's evolving and assertive stance on Intellectual Property enforcement in the digital age. As counterfeiters shift to social media and online marketplaces, this judgment provides clarity and assurance to brand owners: Singapore's courts are prepared to respond decisively. By reinforcing the enforceability of IP rights in the online environment, the ruling enhances the legal infrastructure needed to support innovation, investment, and brand protection in today's marketplace.

(source: Biro Oktroi Roosseno Singapore)

5. DGIP: Preparing for the Great Leap Forward to a Global IPAS System

On 23 April 2025, The Directorate General of Intellectual Property (DGIP) received a visit from World Intellectual Property Organization (WIPO) represented by Dr. Juneho Jang from IP Office Business Solutions.

The main agenda of the meeting was to strengthen collaboration to develop an integrated and cutting-edge digital Intellectual Property (IP) administration system. Both parties discussed the implementation of the Industrial Property Administration System (IPAS), a global-scale digital IP administration system that is expected to accelerate IP application services, improve operational efficiency, and realize faster, safer, and more transparent public services.

The Director General of Intellectual Property who attended the meeting informed that in DGIP's efforts to become a World Class Intellectual Property Office, the existence of an information technology-based IP administration system that is integrated and modern and in accordance with international standards is very important.

It is expected that the national IP ecosystem will be more adaptive to global technology. In addition, digital transformation is not just an option, but a sustainable commitment.

Thus, transparency and innovation are prioritized to provide superior quality IP services.

This meeting was a follow up meeting on previous initiatives, such as the introduction of Mobile IP Clinic throughout Indonesia and the launch of the IP service digitization roadmap, including advanced features such as e-Seal, online education platform, and IP application registration and tracking system in just seven minutes.

The strategic cooperation between DGIP and WIPO marks an important milestone in the efforts to digitally reform the intellectual property sector in Indonesia. Through the transformation of digital IP services on a global scale, DJKI seeks to establish a faster, more efficient, and transparent system-strengthening Indonesia's position as a world-class center for IP innovation and protection.

A day later, on April 24, 2025, the DGIP held an internal meeting to discuss the migration to IPAS. The meeting was led by the Director General of Intellectual Property and attended by the Minister's Digital Advisor, as well as the Secretary of DGIP. The main focus of the meeting was to conduct a thorough audit to ensure that the data migration is safe, accountable, and in accordance with international information security standards.

It is aimed that data should be protected without loopholes, and audits are made from the start to maintain public trust. The Director General of Intellectual Property also emphasized that this process will not disrupt services but will simplify infrastructure, remove obsolete features, and allocate budget efficiently.

Going forward, DGIP will therefore focus on a phased migration to IPAS under close supervision, simplification of the legacy IT systems and applications for efficiency, and the roll-out of advanced AI-based features and expansion of the Mobile IP Clinic.

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

6. DGIP: Forging a Stronger Relationship with KIPO in Intellectual Property Development

On May 6, 2025 in Siem Reap, Cambodia, The Directorate General of Intellectual Property (DGIP) held a bilateral meeting with the Korean Intellectual Property Office (KIPO) convened a bilateral meeting on the 75th ASEAN Working Group on Intellectual Property Cooperation (AWGIPC). The session focused on enhancing collaboration between the two countries in the field of intellectual property (IP), with a particular emphasis on information exchange and human resource development.

The meeting built upon the outcomes of a previous engagement and reviewed the progress of planned activities. Both parties expressed their commitment to fostering a closer partnership, especially in strengthening human capacity in the IP sector. Indonesia already has the IP Academy with a fairly wide target of training participants, ranging from elementary school

students, business people, to law enforcement officers. KIPO also has an IP *academy* that has been running for a long time.

The modules at KIPO Academy are available in English and Korean, and hope that it can be translated into Indonesian. This multilingual approach aims to make IP education more accessible to diverse communities in South Korea.

Furthermore, this meeting also discussed the *Patent Prosecution Highway* (PPH) memorandum of understanding that was signed between the two nations. The PPH system is designed to accelerate the patent examination process by allowing applicants to leverage favorable examination results from one country to another. Strategic planning for these outreach efforts will form the core agenda of their next meeting.

Looking ahead, KIPO extended an invitation to DGIP to participate in the upcoming the ASEAN-Korea IP Head Meetings scheduled for September 1–3, 2025. This bilateral meeting marks a positive step towards deeper collaboration, with both countries looking to unlock the potential of intellectual property as a driving force for innovation, education and economic growth.

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

7. DGIP: Encouraging the Importance of Patent Publication

The Directorate of Intellectual Property (DGIP) continues to strengthen transparency in the patent granting process through the A publication mechanism. The publication must be made no later than six months from the date of receipt of the patent application, as stipulated in the applicable laws and regulations.

According to one of the patent examiners, publication A and B are not just administrative processes, but an important means to encourage public involvement in the national patent system. Publication A provides space for the public to actively participate. Information from the public can be an important consideration in the substantive examination process according to one of the patent examiners.

In practice, the government publishes the technical and legal information of each patent application through an official portal. The applicant also has the right to provide explanations or rebuttals to public responses, resulting in an open dialog in the national patent system.

In addition, the government also provides an accelerated publication mechanism A which can be filed as early as three months from the date of receipt of the application referring to the Law Number 65 of 2024 concerning Patents, Article 46 paragraph 3.

"Not all applicants want acceleration because they may still want to perfect their inventions or for other strategic reasons. Acceleration is only done at the request of the applicant," he explained.

However, not all patent applications are announced publicly. Inventions related to national defense and security are still exempted from publication after consultation with relevant agencies.

Through these various efforts, the government affirms its commitment in realizing a patent system that is accountable, participatory, and adaptive to the needs of applicants and national interests.

It also informs about the difference between Publication A and B. Publication A can be used by other parties as a basis for filing objections to patent applications and can also be used by patent examiners to check whether the document has been previously disclosed or not. Meanwhile, Publication B is the final document so that it can be a reference for inventors or the public before filing a patent application.

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

BIRO OKTROI ROOSSENO

Indonesia Office

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
Website : www.iprbor.com

Singapore Office

6 Eu Tong Sen Street The Central
SOHO 1 #07-14
Singapore, 059817

Phone No. : (65) 69621329
Fax. No. : (65) 69621332
E-mail : mail@borinternational.com
Website : https://www.borinternational.com/