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1. Seasons Greetings 2012



We would like to thank you for the good cooperation throughout the year of 2012.

Wishing you a Happy New Year 2013.

May the New Year brings joy & happiness, peace & prosperity and continued success in your life

2. Trademark Infringement of "New Ganda Bread"



DGIP Civil Servants (investigators) in coordination with members of the Central Indonesia Police and Labuhan Batu Police confiscated 247 packs of "New Ganda Bread", 776 boxes of packaging that bear "New Ganda Bread" trademark as well as a signboard / billboard of New Ganda Bread Shop based on criminal

offenses allegation in the field of Trademark as referred to Article 90, Article 91 and Article 94 of Law No. 15 Year 2001 concerning Mark that happened in New Ganda Bread Shop, Bread & Cake Shop Rantau Prapat, North Sumatra on Thursday, October 4, 2012.

The allegation regards unauthorized use of trademark **"GANDA"** from the original trademark proprietor for the kind of services provided in class 43 concerning providing food and beverage and also sales of goods in class 30 that covers breads, cakes, pastries, biscuits, wafers, donuts, confectionery which has similarities with Trademark **"GANDA"** number IDM000060997 and **"TOKO GANDA"** under Registration Number IDM000060996 and. This action was conducted based on a report that accompanied by evidences of the allegedly infringing goods. (source: DGIP)

3. The Necessity of Copyright Protection in the World



The development of science and technology has led human in the era of globalization. In this globalization era, technology plays a huge supporting role in the economic activity and global information. Advances in technology, especially in the field of information, allow the people of Indonesia to be able to communicate and receive and provide information rapidly, not only with domestic parties, but also with certain parties abroad.

The most common copyright infringement in the world occurs in the internet. Many people often download songs for free or download from websites such as Google and Youtube, causing economic losses for every country. Currently Indonesia Directorate General of Intellectual Property Rights (DGIP) is very concerned about the copyright infringement such as Broadcast without the consent of the right holder (legitimate broadcasters).

On September 24 – 25, 2012 US Embassy in Indonesia hosted "Copyright and Creating a Digital Economy" Seminar at Hotel Meridien, Jakarta attended by many IPR Professional. The seminar aimed to synchronize perceptions of how to reduce copyright infringement particularly in digital form as on the internet in order to reduce the loss in all Country. Furthermore, Mr. Ahmad M. Ramli as current Director General of Intellectual Property Rights also announced several new Regulations in Indonesia that could provide more protection such as Supreme Court Regulation (PERMA) concerning Injunction that permit Customs to directly confiscate all goods coming into Indonesia that violated Intellectual Property Rights Law such as VCD, DVD. Moreover, in the previous years Indonesia also has declared a Law concerning Information and Electronic Transaction which regulates the use of *illegal content* on the Internet.

The seminar is expected to raise a common perception in terms of legal protection of Intellectual Property Rights, especially regarding copyright. (source: DGIP)

4. Technical Guidance on the Implementation of E-Filing with 15 Regional Office from Ministry of Law and Human Rights.



In this era of Information, what is required by the Directorate General of Intellectual Property is the speed, accuracy and accountability in the information technology system, especially in an application for registration of intellectual Property Rights. In this case the Ministry of Law and Human Rights particularly at Directorate of Information Technology, Directorate General of Intellectual Property is required to provide a system to simplify the process of registration of intellectual property rights by using Electronic Filing (E-Filing) system available at Regional Office of the Ministry of Law and Human Rights.

On September 19 September 2012 Directorate of Information Technology, Directorate General of Intellectual Property Rights organized the Technical Guidance for E-Filing with 15 Regional Office of Ministry of Law and Human Rights, which was attended by 15 representatives from each of the Regional Office, Echelon III, IV, Directorate of Information Technology at Padjajaran Hotel, Bogor.

The Electronic Filing system is intended to help applicants to register through the Office of Intellectual Property by sending their request to the web-based

format that can be easily accessed online.

These 15 representatives were given materials and training on Electronic Filing service system in which all the representatives will be given 1 separate user and password so they can access the system provided by Directorate of Information Technology in the form of E-Filing.

Further, in accordance with the Decree of the Director General of Intellectual Property number H-01.PR.07.06 year 2004 concerning the Guidelines for Accepting IPR Application through the Regional Office, in particular in Chapter 1, point 7 paragraph (a) stated that, *"the first sheet application and proof of payment that have been received by the Office can be submitted to DJHKI via facsimile or other electronic facilities"*. The Technical meeting is expected to increase the application for registration of intellectual property rights in Indonesia. (source: DGIP)

5. Swiss Government to Support the Indonesian Intellectual Property System

On 29 November 2012 the Director General of Intellectual Property Rights, Prof. Ahmad M. Ramli and the Swiss Ambassador to the Republic of Indonesia, Mr. Heinz Walker-Nederkoorn, signed a Memorandum of Understanding regarding the implementation of the Indonesian – Swiss Intellectual Property (ISIP) Project.

By Financing this project through the Swiss State Secretariat for Economic Affairs (SECO), the Swiss Government continues its support to strengthen the use of Intellectual Property Rights (IPRs) in Indonesia in order to contribute to

higher competitiveness, more value added to Indonesian products, and to a positive impact on Indonesia's economic development.

Through the twinning approach, the ISIP Project aims at Indonesia. The ISIP Project intervenes at three levels, combining i) capacity building in policy making, ii) enabling the DGIPR to better support IPR users, and iii) demonstrating good practices through pilot GI projects.

Promoting the use IPRs, which allow Indonesia to capitalize on its internal strength, such as Geographical Indications (GIs) and Traditional Knowledge (TK), is a particular relevance for the project. The Government of Indonesia considers GIs as a powerful tool to increase revenues of the disadvantaged rural populations, which is key to achieving its poverty reduction objectives. The protection of TK and benefit sharing provide alternative revenue sources for the country's indigenous populations, which in turn contributes to the protection of biodiversity another government priority.

6. Indonesia is Signing the Beijing Treaty on Audiovisual Performances at World Intellectual Property Rights Organization (WIPO) Headquarters, Geneva



Prof. Dr. Ahmad M. Rali, SH, MH, the General Director of Directorate General of Intellectual Property, Ministry of Law and Human Rights, witnessed by Geneva Ad Interim charge d'affaires, HE Ambassador Edi Yusup and the Legal Counsel of World Intellectual Property Rights Organization (WIPO), Edward Kwakwa, signed the Beijing Treaty on Audiovisual Performances (BTAP) at the World Intellectual Property Rights Organization (WIPO) Headquarters, Geneva, Switzerland on December 18, 2012.

The signature was performed during the Forty-Second (42nd Extraordinary) Session WIPO General Assembly discussing the prospect of holding a *Diplomatic Conference regarding International Instrument/Treaty on Limitations and Exceptions for Visually Impaired Persons/Persons with Print Disabilities* on 2013.

The *Beijing Treaty on Audiovisual Performances* is a treaty on the protection of performers' rights regarding audiovisual performance. The treaty was ratified on June 24, 2012 by Diplomatic Conference in Beijing, China which ends 12 years multilateral negotiation under WIPO.

Indonesia is the 53rd country signing the Treaty, which will be implied as soon as the 30 countries signing the Treaty ratified the international law instrument. Indonesia highly regards the signature of the instrument considering the Treaty will regulate the International Law norms which is important to signify copyright protection and to develop a system of intellectual property right in the world as a whole, especially in the protection of performers such as actors, singers, musicians and dancers in their audiovisual performance.

This regulation will also provide the chance for the performers to gain better economic benefits and the international application of their audiovisual performance production, as well as providing protection from unauthorized exploitation of their performance through various audiovisual media such as television, film and video.

The Beijing Treaty on Audiovisual Performances will complement the protection of the performers after the ratification of the *International Convention for the Protection of Performers, Producers of Phonograms, and Broadcasting Organizations (Rome Convention)* in 1961 and the *WIPO Performances and Phonograms Treaty (WPPT)* in Geneva, 1996. (source: DGIP)

7. IFRRO World Congress Annual General Meeting at the NH City & Tower Hotel on 22-25 October 2012, Buenos Aires Argentina.



BOR representatives along with Mrs. Kartini Nurdin, one of the Board and Chairman of YRCI (Reproduction Copyright Indonesia Foundation), were the only party delegation from Indonesia in IFRRO organization attended the event. YRCI has been IFRRO member for 2 (two) years.

Biro Oktroi Rooseno is the only Indonesia IPR law firm that seeks to

cooperate with YRCI to increase the importance of Copyright protection in Indonesia, assisting Mrs. Kartini as the legal advisor of YRCI.

IFRRO (International Federation of Reproduction Rights Organisation) is an independent organization that was formed on the basis of fundamental principles of international copyright contained in the Berne Convention and the Universal Copyright.

IFRRO aim to facilitate international, collective management of reproduction and other rights relevant to copyrighted works in collaboration with National Reproduction Rights Organisations (RROs) for the creators and publishers, which vision and mission to protect and allow easy access to the material copyright law and prevent copyright infringement and avoid unauthorized use of text and image (plagiarism). IFRRO stimulates creativity, diversity and investment in cultural objects as a useful tool for rightholders, consumers, the economy and society as a whole.

Overall, the various seminars organized by IFRRO more in concern on the Copyright protection in the publisher and author. The events among others are : Publisher gatherings, IFRRO Lending Rights Forum, Asia / Pacific Legal issues Forum, IFRRO Business Models Forum / International seminars AGM is the election Session chairman / president IFRRO latest period in 2013.

YRCI is the only Indonesia's representative institution for the protection of Publishers and Writers copyrighted works that managed to get the latest bilateral agreement with the licensing of the JAACC japan (Japan Academic Association for Copyright Clearance) and the party of the VIETRRO

Vietnam (Vietnam Reproduction Rights Organization), complete agreement bilateral licensing owned by the Singapore-YRCI CLASS (The Copyright Licensing and Administration Society of Singapore Limited) and with Australia's CAL (Copyright Agency Limited).

8. Progress of Young Researcher Winner of the 2012, 61st BOR Anniversary AIPI and BOR Research Grant



On June 22, 2012 BOR and AIPI has awarded the winner in the humanity and social science research of 61st BOR Anniversary Research Grant. At the present the two of six winners is processing the result of their research on "Sarung Sutera Mandar (Mandar Silk Saroong)" and "Kain Songket Palembang (Palembang Songket Woven Fabric)" as Geographical Indication Protection with mentored and assisted by BOR to the Director General of Intellectual Property Rights (DGIPR).

The March 2013 Newsletter edition will report the researchers who will be awarded on 62nd BOR Anniversary Research Grant in the field of Indonesia spices research.

9. Second in a row in winning 2012 Asia IP Awards as the best Patent Firm



BIRO OKTROI ROOSSENO (BOR) has been recognized as the Indonesian Best Patent Firm of the Year in the 2012 at Asia IP Awards by Asia IP Magazine. Further, BOR was also shortlisted for the Indonesian Trademark Firm of the Year. The ceremony held on 26 October 2012 in Chiang Mai, Thailand.

This is the second consecutive year announced by Asia IP Magazine as Indonesian Best Patent Firm. This achievement confirms BOR has working principles in quality, responsiveness, integrity, teamwork, and sophisticated. These principles proved to make BOR as a boutique law firm in the field of IP is tough, resourceful, and customer oriented.

10. Roosseno Cup Golf Tournament



Roosseno Cup golf tournament is a tournament organized by the Alumni Association of the National Institute of Science and Technology. Roosseno Cup also serves as a networking venue for the alumni.

Prof. Dr. Ir. Roosseno Soerjohadikoesomo, was the founder of the National Institute of Science and Technology. This event is to commemorate Prof. Dr. Ir. Roosseno Soerjohadikoesomo contribution and spirit for the establishment of the National Institute of Science and Technology. Therefore, the committee decided to inaugurate this event as Roosseno Cup Golf Tournament.

Roosseno Cup Golf Tournament was held on 27 September 2012 at the Damai Indah Golf - Pantai Indah Kapuk. Approximately 20 participants attended the tournament; they are entrepreneurs, professionals, government officials, investors and expatriate.

(Reference: Goodlife magazine vol. 29/2012)



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