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***Welcome to the March 2012 newsletter.***

There are three points to share:

1. Local uniqueness in the protection of Intellectual Property Rights (IPR) in Indonesia
2. Working group on the new trademark bill
3. IPR services by Biro Oktroi Roosseno

## **1. Local Uniqueness in the protection of IPR in Indonesia**

The Government of Indonesia (Gol) consistently took action in the implementation of IPR protection. The Gol has stated that Gorontalo (the 32nd Province of Indonesia that located in North Sulawesi) becomes the Free Zone of IPR violations, as well as operations against counterfeit products in the said region.

As a country that consists of various geographic regions and local products, the Regulation on Geographical Indications strongly supports Indonesia's efforts to protect the uniqueness of each region in relation to the products. Implementation of the regulations set forth by the Government of Indonesia in Law No. 51 of 2007, can be seen from the following activities:

- **Adan Krayan'Rice as a uniqueness from East Kalimantan**

On September 26, 2011, the Association of Adan Community filed the application of the Adan Krayan'rice to Directorate General of IPR to obtain a protection of Geographical Indication. One of the important reasons in registering Adan Krayan'rice as Geographical Indication is to bring its clear position and identity of this rice in the market place and businessman who trade rice. This Adan Krayan rice is differ from Bario'rice in which a product of Sawarak, Malaysia, where located adjacent to East Kalimantan. The Directorate General of IPR handover the Geographical Indication certificate of Adan Krayan'rice to the East Kalimantan Governor on the 55th anniversary ceremony of East Kalimantan which is January 9, 2012.

- **Lombok Water Spinach, Sumbawa Horse Milk and Sumbawa Honey, the uniqueness of Sumbawa, West Nusa Tenggara**

On December 17, 2011, the Directorate General of IPR has delivered the Geographical Indication certificates to the Sumbawa Government for its products, namely Lombok Water Spinach, Sumbawa Horse Milk and Sumbawa Honey.

## **2. Working Group on the Proposed Trademark Bill**

On February 14 and 15, 2012 Directorate General of Intellectual Property Rights (DGIP) and International Criminal Investigate Training Assistance Program (ICITAP) from United States Department of Justice holding an IPR Working Group Meeting on Trademark Law. The discussion was among other the filing mechanism on international trademark based on Madrid Protocol that can be used to protect the national trademarks in the international world. Further, it is also discussed the protection of Non Traditional Trademarks namely Sound Mark, Three Dimensional Mark, Hologram Mark, Smell Mark and so on.

In addition, on February 28, 2012 DGIP hold a Technical Consultation on the completion of Trademark Law Bill that officially opened by Directorate General of IPR Prof. Dr. Ahmad M.

Ramli, SH., MH.,FCBArb. In his speech he said that hopefully this Trademark Bill can be forwarded to the President this year, so it can be discussed together with House of Representative in 2013. This meeting was completing the narration, sentence structure and wording in the said Bill.

### **3. Patent Filing Through Biro Oktroi Roosseno**

To file a patent application in Indonesia, the following documents must be submitted:

- a. Power of Attorney  
Original Power of Attorney must be submitted if the applicant appoint a proxy to file the patent application.
- b. Statement of the patent application  
The Original Statement must be submitted as a statement of the applicant to get a patent granted.
- c. Assignment of Rights  
The Assignment Document must be submitted if the inventor is not the applicant of the patent application.
- d. (1) Priority Documents  
Priority Document (s) is required for patent application filed under Paris Convention.  
(2) PCT Documents  
PCT documents are required for entering the national Phase;  
Chapter I: PCT Published Application, PCT/RO/101;  
Chapter II: PCT Publish Application, PCT/RO/101, PCT/IB/332 or PCT/IPEA/401, PCT/IPEA/409, 416).
- e. Description, Claim and Abstract in English and Bahasa Indonesia relating to the invention  
If the description, claims and abstract are written in a language other than English, a translation of said documents into English is required. We will translate the English specification into the Indonesian language.
- f. Formal drawing(s), if any.  
The drawing document is needed to clarify the invention

For further information, please contact us at [iprlaw@iprbor.com](mailto:iprlaw@iprbor.com)