

Leaflet Trademarks in Indonesia

Territory

Trademark registrations cover the entire territory of Indonesia, including West Papua (the western part of New Guinea). Protection in Indonesia no longer extends to East Timor, which has become an independent State on 20 May 2002.

Duration

The initial duration of the trademark is 10 years from the date of acceptance. The trademark is indefinitely renewable for further periods of 10 years each.

Compulsory use

A registered trademark must be used for the goods or services for which it is registered within 3 years from the date of registration, and its use may not be discontinued for 3 consecutive years or longer. Without a legitimate reason for non-use the trademark will become liable to removal from the Register, either ex officio, or following a decision of the Commercial Court on request of any third party. The kind of use required is actual use, i.e. actual trade in the goods or services. Advertisement only would probably not constitute sufficient use. Use of a registered trademark in Indonesia by a licensee whose license is recorded in the Register will be deemed use by the owner of the mark.

Marking

There is no provision for marking in the Trade Mark Law of Indonesia, however it is possible to use the marking ®.

License

Licenses must be recorded at the Directorate General of Intellectual Property in order to be effective. The recording of a license is published in the Official Gazette of Marks. Please contact us if you intend to grant a license under your trademark in Indonesia.