

Trademark Registration

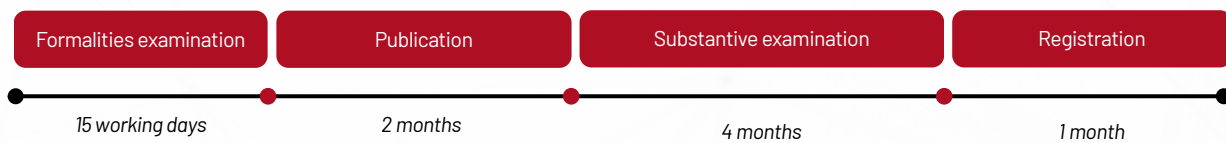
Indonesia | General Overview

Straightforward IP services

Indonesia has a first-to-file trademark system (first use is not recognized as a basis for claiming trademark rights) so getting applications filed as soon as possible should be a priority.

Timeline

With improvements to its electronic filing system, the Trademark Office ("TMO") is now registering trademarks in around 6 months (assuming no TMO or third party objections).



Trademark registrations are valid for 10 years and can be renewed for consecutive periods of 10 years.

Required documents for filing

- 1 Power of Attorney (PoA), signed by applicant's authorised representative (no notarization/legalization required).
- 2 Declaration of Ownership (DoO), this document will be automatically generated by the TMO online filing system.
- 3 Priority document (if applicable) - certified copy, translated into Indonesian by a sworn translator. No notarization/legalization required.
- 4 Applicant Identification Document - Power of Attorney and IP consultant ID may be used if the application is filed through IP consultant.
- 5 Proof of Legal Entity Establishment - deed of incorporation, articles of association, or other official authorization documents issued by authorities (together with Indonesian sworn translator - if not in Indonesian).

Electronic Signature is generally acceptable. Keep original signed PoA in case they are needed for future proceedings.

Proposed goods/services

While there is no limitation on the number of goods and/or services that can be claimed, only goods/services listed in the TMO database may be claimed.

New goods/services can be added to the TMO database if they are:

available in the Madrid Goods and Services Manager ("MGS") but not yet included in the system;

Indonesian traditional goods/services; or

goods/services included in a priority application.

Class applications

Applications can be filed claiming a single class, or multiple classes. While multi-class applications offer some cost savings, issues in one class can delay all applied classes. We generally recommend single-class filings unless clearance searches confirm a 55%+ chance of success in all classes.

Clearance searches

We recommend completing clearance searches before filing to identify trademarks that may block applications. Our reports assess:

negative connotation - whether the trademark has any negative meaning, association, or connotation in Indonesian;

distinctiveness - whether the trademark is distinctive enough to be accepted for registration;

availability to use - whether there is infringement risk associated with use of the trademark with the proposed goods/services; and

availability to register - whether the trademark is likely to be accepted for registration.

Report delivered within 5 working days.