

INDONESIA

INDUSTRIAL DESIGN HANDBOOK

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Legislation

Law No. 31 of 2000

Definition

Industrial Design shall mean a creation on the shape, configuration, or the composition of lines or colours, or lines and colours, or the combination thereof in a three or two dimensional form which gives aesthetic impression and can be realized in a three or two dimensional pattern and used to produce a product, goods or an industrial commodity and a handy craft.

Criteria

Industrial Design Protection will be given to a design which has a aesthetic feature and the design must be a new design.

Rule of Priority

An Industrial Design Application must be filed within 6 months from its priority date.

Duration and Renewal

An Industrial design registration is protected for 10 years from its filing date, and it cannot be renewed.



"Today's Asset, Tomorrow's Value"

Procedures

▼ Application

Every design application has to be filed with the Indonesian Patent Office. Incomplete applicants will be given 3 months for rectification, else the application will be deemed withdrawn. An application number and filing date will be issued on submission of the application.

▼ Publication

Applications will be published for 3 months from the filing date. On request it can be extended to a maximum period of twelve months.

▼ Opposition

Oppositions are invited during the publication period from concerned parties. A counter statement for the same has to be submitted within 3 months after the date of receipt of notification from the Director General.

▼ Substantive Examination

A substantive examination will be conducted only during oppositions. Opposition and counter statements are taken into consideration during the examination. The decision of registration or vice versa is not to 6 months after the expiration of the publication period.

▼ Registration

A certificate of registration will then be issued within 30 days of the end of the examination.

Filing Requirements

The following information and/or documents are required to file an application for an industrial design application in Indonesia:-

- Application form:-
 - (a) the name and address of the applicant;
 - (b) Description of the design;
 - (c) the country and filing particulars of basic application whose priority is claimed; and
 - (d) Full name and address of the author.
- Power of Attorney.
- Representations of the design.
- Priority documents and certified English translation (if necessary) of the priority document.

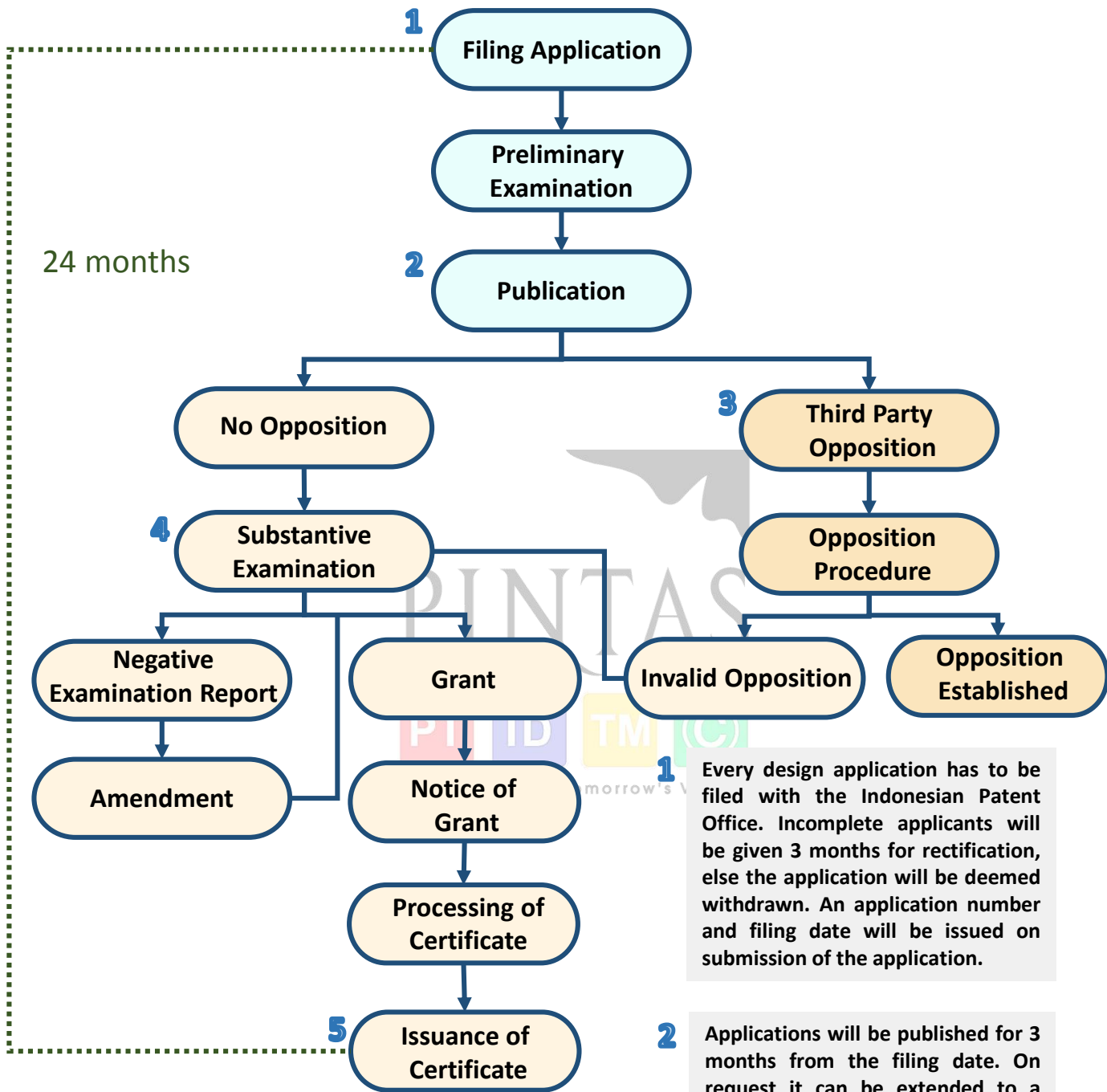
Documents To Be Furnished For Filing An Industrial Design Application in Indone-

| Basic Requirements | | |
|--|--|----------------|
| Documents | Remarks | Time of Filing |
| Power of Attorney | Simply signed | On filing date |
| Statement of Design Owner | Simply signed | On filing date |
| Description of Design | To be translated to English language | On filing date |
| Physical sample (if available/ possible) | If the item is considerably large, drawings or photographs, taken from every angle of the item, can be made in lieu of a sample. | On filing date |
| Drawings | Floppy diskettes or CD-ROM is acceptable on A4 paper | On filing date |

| Additional Documents for Claiming Convention Priority | | |
|---|--------------------------------------|----------------------|
| Documents | Remarks | Time of Filing |
| Priority documents | To be translated to English language | 2 months from filing |

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Industrial Design Application Process In Indonesia (Substantive Examination Regime)



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