

[DOI: 10.20472/IAC.2015.018.100](https://doi.org/10.20472/IAC.2015.018.100)

RIKA RATNA PERMATA

Faculty of Law Universitas Padjadjaran, Indonesia

NON VISUAL MARK PROTECTION ESPECIALLY SOUND MARKS IN INDONESIA

Abstract:

Trade mark definition in Indonesia based on Article 1 Law Number 15 Year 2001 about trade mark , shall mean : a sign in the form of picture, name, word, letters, figures , composition of colors, or combination of said elements, having distinguishing features and used in the activities of trade in goods or services. Based on that definition Indonesia only protect visual mark.

In recent times, conventional mark (Visual mark) has been expanded to include non visual mark such as sounds. Now, Indonesia doesnt have a regulation to protect non visual mark.

Sounds have been increasingly used as a trade mark in the market place. However, it has traditionally been difficult to protect sounds as trademark through registration.

This issue broadened the legal definition of trademark which is encompassed not only merely a sign.

In other countries sounds have been more succesfully registered based on their distingtive sounds example: MGM and their Lion roar.

Based on that issues Indonesia should protect sounds as a Trademark and to determine what kind of model regulation for soundmark protection.

Keywords:

Trademark, sound, protection

JEL Classification: K30