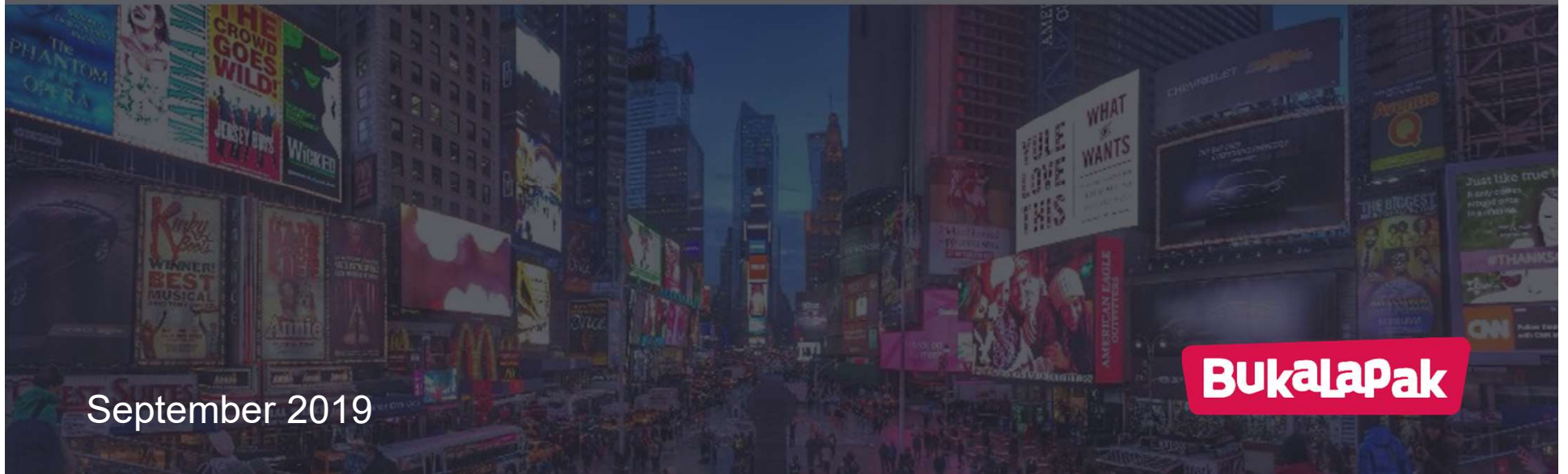


# IPR FROM OUR PERSPECTIVES

Perdana Arning Saputro

*VP of Legal & Compliance PT Bukalapak.com*



# THE BIGGEST E-MARKETPLACE IN INDONESIA

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Bukalapak is a provider of customer to customer (C2C) based marketplace — be it retail or wholesale transactions — through mobile application and website. As the nation's largest online marketplace, Bukalapak has an active role in the advancement of the national e-commerce industry through the empowering of Small to Medium Enterprises (SMEs)

Realizing the significance of SME for the national economy, Bukalapak facilitates the people to promote the Indonesian SMEs together. The system at Bukalapak is designed so that buyers can easily browse for excellent SME products at competitive prices. But now, We are...






**50MIO+**  
ACTIVE USER



**4MIO+**  
SELLERS



**2MIO+**  
MITRA BUKALAPAK



**70%**  
AGE 18-35

**OUR  
SIZE  
TODAY**

\*data as per June 2019

a feature where buyers can buy goods using the installment payment method without a credit card

**BukaCicilan**



A feature that trade in a variety of mutual fund options

**BukaReksa**



a feature where sellers get their items online at Bukalapak and then sell them to buyers offline

**MITRA  
BukaLapak**



a feature that can be used to purchase large quantities of Products

**BukaPengadaan**



A feature where the seller can advertise its goods by utilizing the Google Shopping Ads advertising platform

**BukaIklan**



a virtual wallet owned by every Bukalapak user

**BukaDompet**



A discussion forum for sellers and buyers to exchange ideas and share experiences for buying and selling in Bukalapak

**KOMUNITAS  
BukaLapak**



**BukaMall**

A feature that display goods with original guarantee because work directly with the official principal



**BukaEmas**

the feature for buying or selling gold from INDOGOLD electronically with a storage facility in the LM ANTAM safe.



**BukaModal**

program that offers loan facilities to sellers for their online business development needs in Bukalapak



**BukaMobil**

a feature to buy a car on credit or cash, at discounted prices and other attractive bonuses



**BukaBantuan**

a customer service center from Bukalapak that is ready to help 7 days a week, 24 hours a day



**BukaTalks**

the bukalapak program to facilitate young Indonesians to increase their capacity through information sharing in the form of discussion forums held every month with inspirational speakers





# E-COMMERCE REGULATIONS IN INDONESIA



# IPR IS IMPORTANT FOR BUKALAPAK



Bukalapak

As a  
Technology  
Company



Bukalapak

As a  
Platform  
Provider





Bukalapak

As a  
Technology  
Company

- ❖ IPR are important assets
- ❖ Joint researches with institutions, ITB
- ❖ Company's innovations and branding



# Company's Branding

*As a technology company, we've registered our trademarks:*



**BukaLapak**



**BukaReksa**

**BukaCicilan**

**BukaEmas**

**BukaPengadaan**

**BukaModal**

**BukaMobil**



**BukaIklan**

**BukaBantuan**

**BukaTalks**

**BukaDompot**

**KOMUNITAS  
BukaLapak**



## Registering Bukalapak Trademark Internationally

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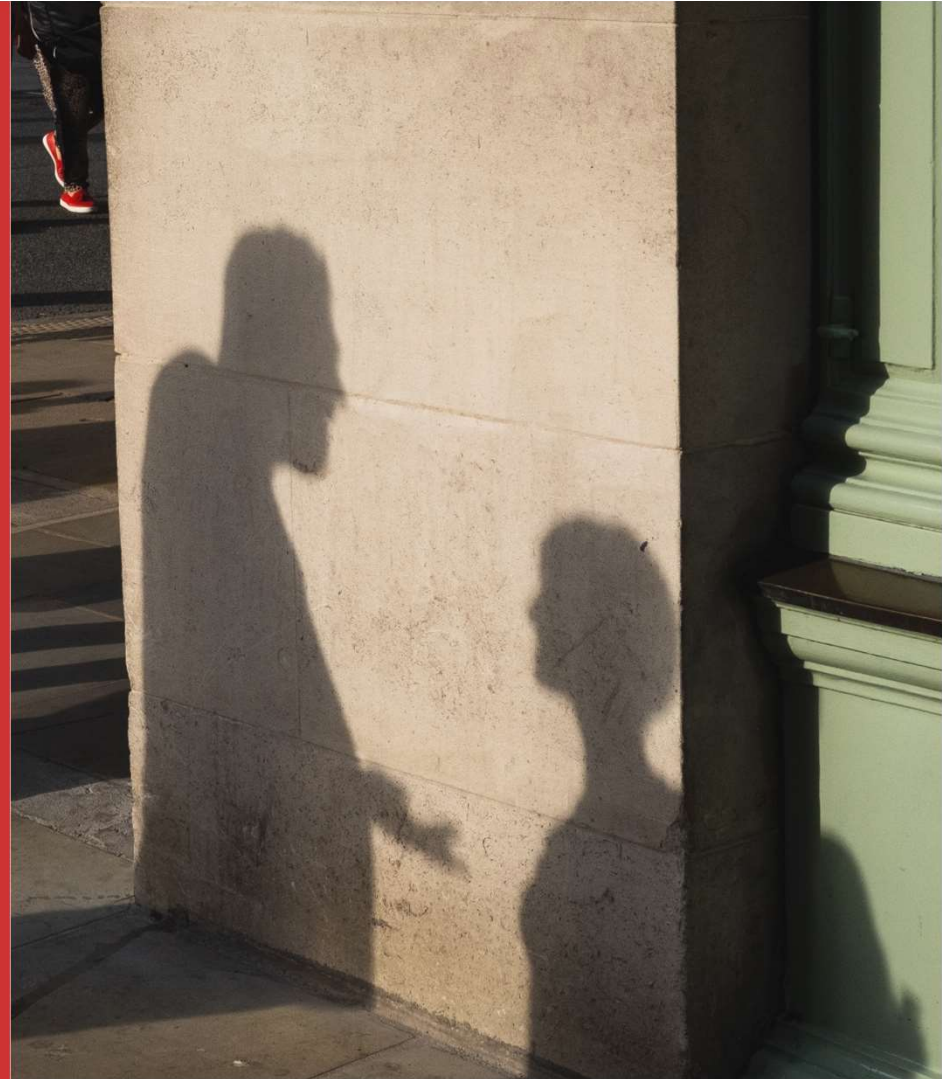
- ✓ Brunei Darussalam
- ✓ Cambodia
- ✓ Laos
- ✓ Singapore
- ✓ Thailand
- ✓ Vietnam



## IPR issues to our branding

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- Third party attempted registering our brand name in one of Asian countries - “Bukalapak” in December 2018.
- Third party attempted to use “Bukalapak” and register “bukalapak.[country code]” as their domain website name.







Bukalapak

As a  
Platform  
Provider

- ❖ our T&C provides steps and mechanism to report
- ❖ monitor and takedown the counterfeit listings (reported & self process)
- ❖ work with official brands for selling original products
- ❖ provide a reporting system for the official brand owner



A person is shown from the side, wearing a yellow shirt and grey pants, working on a traditional wooden loom. The loom has many vertical threads, and the person is using a shuttle to weave. The background is slightly blurred, showing more of the loom and some colorful threads.

## IPR awareness

- Explore co-operation with third parties for IPR awareness.
- Bring awareness of the importance of IPR to our users, especially our SME sellers. Encourage our SME sellers to register their IPRs.
- Empower them to become innovators of their own products.
- It protect their products overseas whenever sold via our BukaGlobal feature.



# **HOW TO CONTACT BUKALAPAK FOR IPR MATTERS**

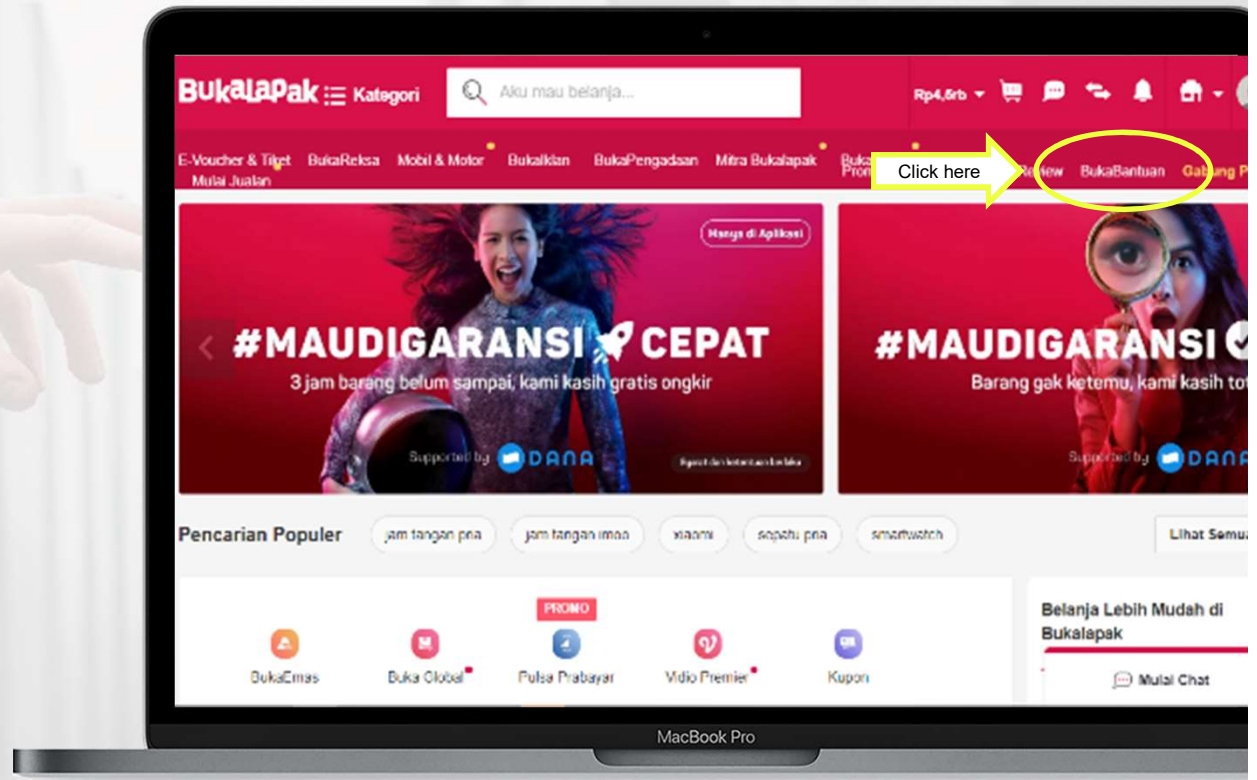


## The Flow

01

Open [www.bukalapak.com](http://www.bukalapak.com) site,  
then click on 'BukaBantuan'

Bukalapak

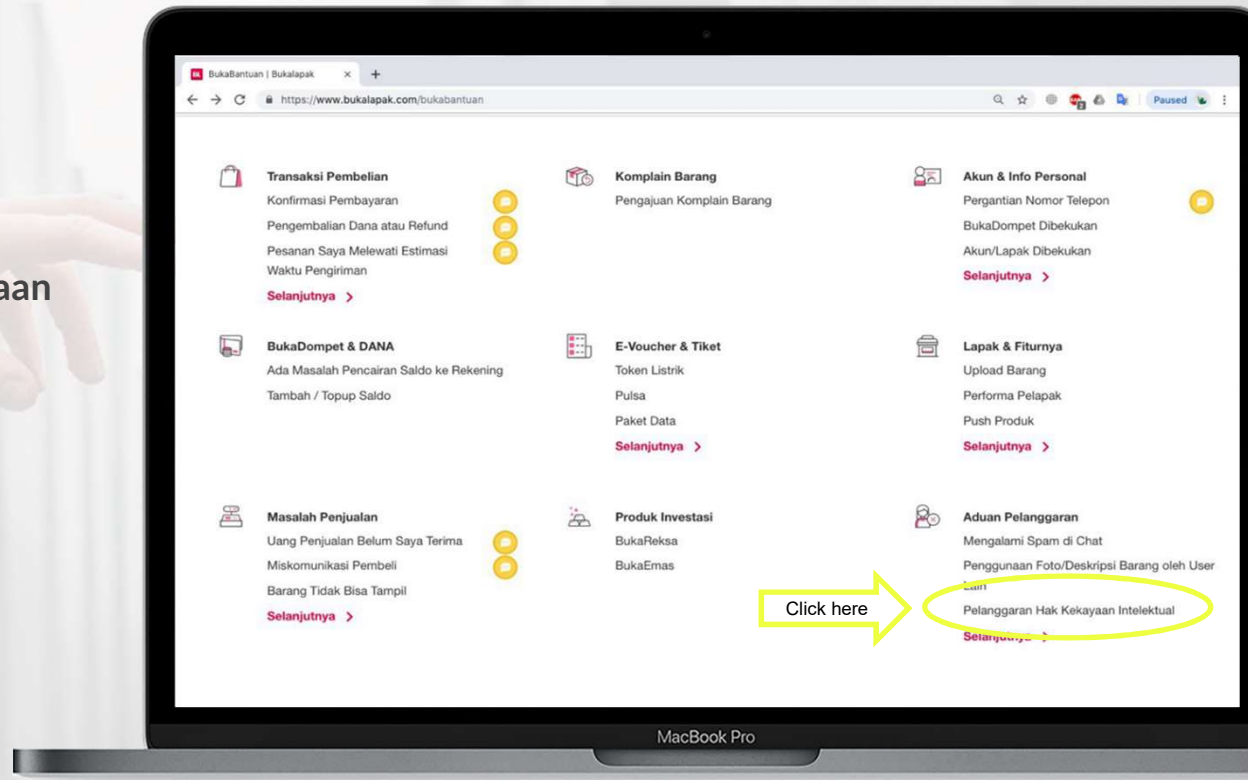


## The Flow

02

On the BukaBantuan page,  
click on 'Pelanggaran Hak Kekayaan  
Intelektual'

Bukalapak

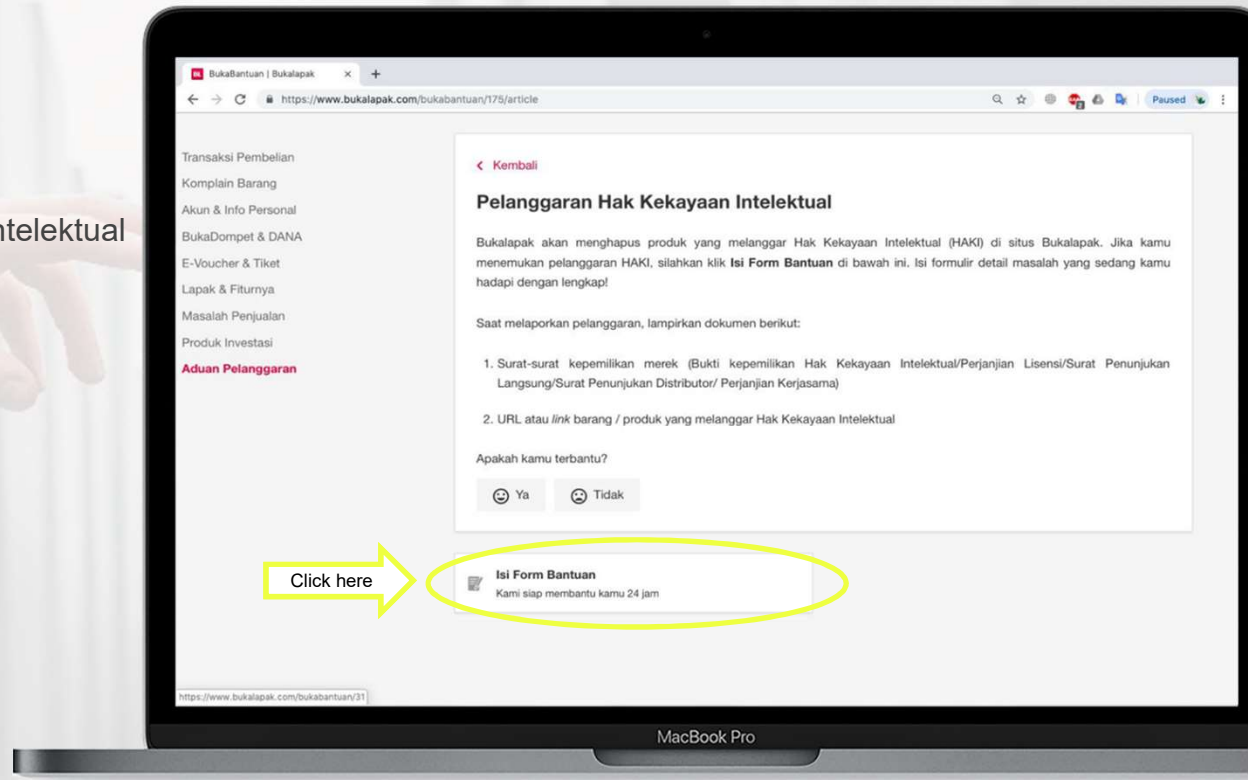


## The Flow

03

On the Pelanggaran Hak Kekayaan Intelektual page,  
click on 'Isi Form Bantuan'

Bukalapak





## The Flow

### 04

Fulfill the **Form Bantuan** then click 'Submit'.

Supporting Documents

- The alleged counterfeit product's link;
- The description and background of the reporting party and the counterfeit product that are being reported, and
- supporting documents such as screenshots, statements of ownership, certificates of brand, and power of attorney.

BukaBantuan | Bukalapak

https://www.bukalapak.com/bukabantuan/175/form

Halo, Joshua

### Form Bantuan

Kami akan sangat senang jika bisa membantumu

Jika kamu adalah pemegang merek dan tidak ingin produkmu dijual di Bukalapak, kamu bisa mengajukan permintaan penurunan produk. Namun, ada beberapa hal yang perlu kamu lampirkan, yaitu: 1. Surat-surat kepemilikan merek (Bukti kepemilikan Hak Kekayaan Intelektual/Perjanjian Lisensi/Surat Penunjukan Langsung/Surat Penunjukan Distributor/ Perjanjian Kerjasama), 2. URL atau Link Barang /Produk terkait Pelanggaran Hak Kekayaan Intelektual.

Permasalahan terkait Pelanggaran Hak Kekayaan Intelektual

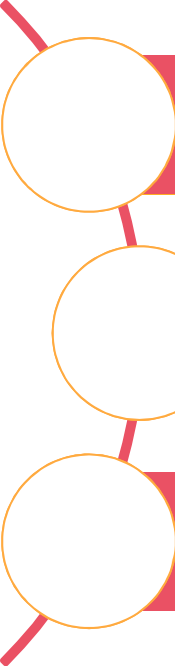
#### Detail Masalah

Nama  
Joshua Antoni

Email  
joshua.antoni@bukalapak.com

MacBook Pro

## Law No. 20 of 2016 on Trademarks and Geographical Indications ("Trademarks Law")



Territorial Principles - The brand have to be registered in Indonesia to be protected

Certificate of Brand - Proof of Brand ownership

International Trademark Filing - Madrid Protocol

## Trademark Cases in Indonesia



**WIN** Pierre Cardin  
(Indonesia - 1977)  
vs  
Pierre Cardin  
(France - 2009)



**WIN** IKEA  
(Sweden - 2010)  
vs  
IKEA  
(Indonesia - 2013)



**WIN** Lexus  
(Japan - 2013)  
vs  
ProLexus  
(Indonesia - 2000)



**WIN** Superman  
(USA - 2017)  
vs  
Superman  
(Indonesia - 1993)



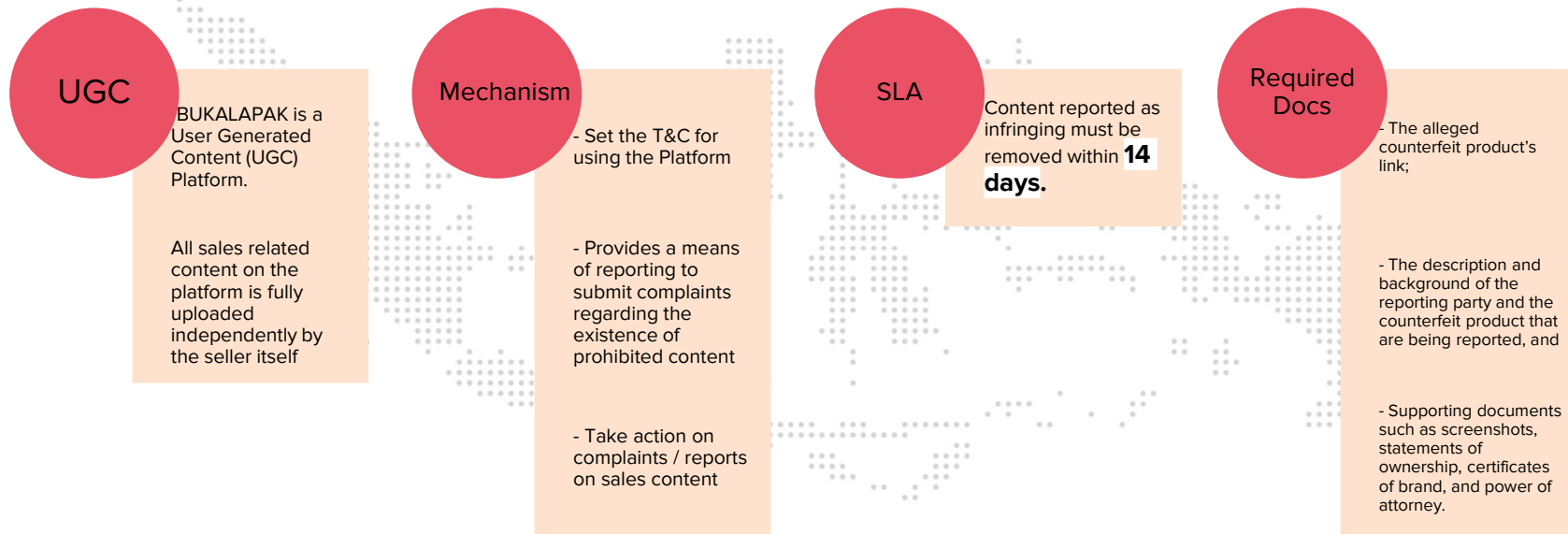
**WIN** Edifice Casio  
(Japan - 2011)  
vs  
Edifice  
(Indonesia - 2008)



**WIN** D&G  
(Italy - 1997)  
vs  
D&G  
(Indonesia - 2005)



## Circular of the Minister of Communication and Information Technology No. 5 of 2016 (“Safe Harbour Policy”)



## T&C Bukalapak - (<https://www.bukalapak.com/terms>)

### PROHIBITED GOODS :

Goods which are the result of copyright infringement, including but not limited to media in the form of books, CD / DVD / VCD, information and / or electronic documents, pirated software and other media that are in conflict with the Copyright Act.

### PROHIBITED GOODS :

Goods that infringes other parties' IPR

### ACTION :

Take Down  
(based on request, with **7 days SLA**)

### ACTION :

Bukalapak also actively improving a filtering system for detecting the counterfeit

## Cooperation & Coordination with Government/National Agencies

The National Agency of  
Drug & Food Control of  
Republic Indonesia

Ministry of Communication &  
Information Technology of  
Republic Indonesia

Indonesian National Police

Ministry of Health Republic  
of Indonesia

Ministry of Trade Republic of  
Indonesia

Ministry of Law & Human  
Right Republic Indonesia







# Thank you!

**Bukalapak**



Bukalapak



@Bukalapak



Bukalapak