



Analysis of Industrial Design Rights Protection in Supreme Court of Indonesia Number 1865 K/PDT.SUS-HKI/2022 Based on The Principle of Novelty and The Principle of Good Faith in Law Number 31 of 2000

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Abstrak: This study examines the Analysis of Industrial Design Rights Protection in the Supreme Court Decision No. 1865 K/Pdt.Sus-HKI/2022 as mandated by Law No. 31 of 2000 concerning Industrial Designs. The main issue discussed is the application of the principles of novelty and good faith in the legal protection of industrial designs, as well as how the court applies these principles in its judgment. The purpose of this research is to analyze the urgency of applying the principles of novelty and good faith to maintain a balance between the exclusive rights of design owners and the public interest, and to assess the consistency of the Supreme Court in upholding justice and legal certainty within the field of intellectual property rights. The research employs a normative (doctrinal) legal method using statutory, conceptual, and case approaches based on the Supreme Court Decision No. 1865 K/Pdt.Sus-HKI/2022. The data consist of primary, secondary, and tertiary legal materials, including legislation, academic literature, and relevant jurisprudence. The results show that novelty is an essential requirement for obtaining legal protection over industrial designs, while good faith serves as both a moral and juridical filter to prevent the misuse of rights by unqualified parties. The Supreme Court emphasized that legal protection is granted only if the design is genuinely new, aesthetically valuable, and registered with honesty and legitimate intention. The study concludes that the principles of novelty and good faith hold fundamental importance in Indonesia's industrial design legal system. Both serve as the core foundation in determining the validity of registration and protection of industrial designs. The study recommends strengthening technical regulations and enhancing substantive examination by the Directorate General of Intellectual Property (DGIP) to ensure that industrial design protection becomes more effective, fair, and responsive to the growth of the creative industry.

Keywords : Novelty, Good Faith, Industrial Design.

INTRODUCTION

Nowadays, every achievement and wealth originates from an idea that is then realized in the form of a work. Intellectual Property Rights (IPR) are born as a result of human creativity as cultural beings, which can take the form of literary works, artistic works, or technology. All forms of human creation are in line with the theoretical basis of the IPR regime, namely that creativity will flourish if it is rewarded with economic benefits for its creator. In general, IPR is divided into two major groups, namely copyright and industrial property



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rights. The second category includes patents, industrial designs, trademarks, the prevention of unfair competition, integrated circuit layout designs, and trade secrets. This paper focuses on industrial designs, which have distinctive characteristics but often intersect with other IPR regimes. Legal concepts in patents and copyright are even adopted in industrial design regulations. From patents, industrial designs adopt the principle of a limited monopoly period obtained through registration, while also granting exclusive rights to the holder to prohibit other parties from producing similar designs.¹ Meanwhile, from copyright, industrial designs borrow the idea of transforming ideas into tangible physical forms as manifestations of works.

Legal protection of intellectual property rights, particularly in the field of industrial design, is regulated by Law No. 31 of 2000 concerning Industrial Design. This regulation plays a strategic role in encouraging innovation and creativity amid increasingly fierce global competition. According to Article 1 paragraph 1 of the law, industrial design is a creative result in the form of a shape, configuration, or composition lines or colors, both two-dimensional and three-dimensional, that present an aesthetic impression and can be applied to products, goods, or handicrafts for production purposes.² The presence of industrial design not only adds value to a product, but also becomes an identity that distinguishes a product in the international market. In the context of modern business, protection of industrial design is very important because it not only protects the rights of creators but also contributes to the growth of the creative industry, which is an important pillar of the national economy.³ Registered designs have high commercial value, so the legal protection provided has a direct impact on product competitiveness. Thus, industrial design plays a central role in strengthening innovation, creativity, and competitive advantage in various economic sectors.

The principle of novelty is one of the basic requirements in the industrial design protection system as stated in Article 2 paragraph (1) of the Industrial Design Law. This provision emphasizes that only designs that are truly new, i.e., those that have never been publicly announced or used prior to the date of application, can be registered. This rule is in line with the universal principle in the intellectual property rights regime that places originality as the foundation of legal protection.⁴ As a filtering instrument, the principle of novelty serves to ensure that legal protection is only given to designs that are innovative and have not become part of the public domain.⁵ Thus, the state does not grant exclusive rights to designs that are imitations or modifications of existing works. This mechanism serves to maintain the integrity of the industrial design registration system while ensuring that protection is only granted to original works resulting from a creative process, not from the unauthorized appropriation of ideas.

Furthermore, the principle of good faith also has an important position in the industrial design protection system.⁶ This principle is the moral and legal basis that requires parties to act honestly in the registration and

¹ Khairandy, R. (n.d.). *Clarification of Intellectual Property Rights*. https://doi.org/https://law.uji.ac.id/wp-content/uploads/2013/09/ISI%20KOmplet-2_hal%20%20424.pdf

² Law No. 31 of 2000. (n.d.-b). (n.d.). Regulation Database | JDIH BPK. Retrieved October 10, 2025, from <https://peraturan.bpk.go.id/Details/45076>

³ Wijayanto, B. T., & Sumanto, L. (2025). Protection of intellectual property rights in competition law: The perspective of the competition supervisory commission. *Journal of Multidisciplinary Research and Technological Innovation*, 3(01), 83–97. <https://doi.org/10.59653/jimat.v3i01.1349>

⁴ *Industrial Design Protection from an Intellectual Property Law Perspective*. (n.d.). Bing. Retrieved September 13, 2025, from from

⁵ Khairandy, R. (n.d.). *Clarification of Intellectual Property Rights*. https://doi.org/https://law.uji.ac.id/wp-content/uploads/2013/09/ISI%20KOmplet-2_hal%20%20424.pdf

⁶ Damaiyanti, A. (2025, January 1). *Protection of Industrial Design Rights in Supreme Court Decision Number 122 K/Pdt.Sus-Hki/2023 Based on the Principles of Novelty and Good Faith in Law Number 31 of 2000*. Undip Repository. <https://eprints2.undip.ac.id/id/eprint/36465/>



utilization of rights. Good faith means not copying existing works, not claiming another party's designs, and not registering a design with the intention of unlawfully hindering competition. Violations of this principle can result in the cancellation of design rights, as has occurred in various disputes related to industrial designs. Regulations regarding the principle of good faith have long been recognized in the Indonesian legal system. In the Civil Code, for example, Article 1338 paragraph (3) emphasizes that every agreement must be executed in good faith. Similarly, Articles 530 and 531 of the Civil Code regulate the obligation to act honestly in sales transactions.⁷ In the field of intellectual property, similar provisions can also be found in Article 21 paragraph (1) of Law Number 20 of 2016 concerning Trademarks and Geographical Indications, which explicitly mentions the importance of good faith in registering a trademark.⁸ This shows that the principle of good faith is a fundamental basis for preventing the abuse of rights by irresponsible parties.

However, the implementation of the principle of good faith and the principle of novelty in practice does not always run smoothly. Differences in interpretation of the standard of good faith often lead to disputes between parties. One notable example is the dispute between Louis Vuitton, a French fashion company, and PT. Sinta Jayadi, a local company that registered a bag design that bears a significant resemblance to Louis Vuitton's products. In the lawsuit, Louis Vuitton alleged infringement of industrial design rights as well as registration in bad faith. The court ultimately ruled that PT. Sinta Jayadi violated the principle of good faith by attempting to obtain exclusive rights to a design that was substantially identical to Louis Vuitton's design, which was widely known in the international market. Additionally, the judge emphasized that the submitted design did not meet the novelty principle as stipulated in Article 2 paragraph (1) of Law Number 31 of 2000 concerning Industrial Designs.⁹ Thus, this case confirms that violations of the principle of novelty often go hand in hand with violations of the principle of good faith, and highlights the importance of both principles in maintaining the fairness and integrity of the industrial design protection system.

This concludes that the Supreme Court, as the highest judicial institution in Indonesia, plays a central role in interpreting and enforcing the law, including in the realm of industrial design rights protection. Supreme Court Decision Number 1865 K/PDT.SUS-HKI/2022 is one of the important jurisprudences that provides direction on the application of the principles of novelty and good faith in industrial design protection in accordance with the provisions of Law Number 31 of 2000. This study is based on Law No. 31 of 2000 concerning Industrial Designs, which regulates the protection mechanism for design works that have novelty value and are made in good faith. In this regard, Supreme Court Decision Number 1865 K/PDT.SUS-HKI/2022 is an important reference that illustrates how the aspects of novelty and good faith are considered in industrial design rights protection disputes.¹⁰

Therefore, it can be said that industrial design is a combination of aesthetic value and function in a product. In today's increasingly competitive market, industrial design plays an important role in determining the competitiveness of a product. Therefore, legal protection of industrial designs not only serves to protect the rights of creators, but also encourages innovation and creativity. Without adequate protection, designers may be reluctant to create new works for fear of the risk of plagiarism or theft of ideas. The principle of good faith, as a fundamental principle in law, requires all parties to act honestly and in good faith. In Law

⁷ JDIH Supreme Court of the Republic of Indonesia. (n.d.). (n.d.). Retrieved October 11, 2025, from <https://jdih.mahkamahagung.go.id/legal-product/kitab-undang-undang-hukum-perdata/detail>

⁸ Law No. 20 of 2016. (n.d.). (n.d.). Regulation Database | JDIH BPK. Retrieved October 11, 2025, from <https://peraturan.bpk.go.id/Details/37595/uu-no-20-tahun-2016>

⁹ Law No. 31 of 2000. (n.d.). Regulation Database | JDIH BPK. Retrieved October 10, 2025, from <https://peraturan.bpk.go.id/Details/45076>

¹⁰ JDIH Supreme Court of the Republic of Indonesia. (n.d.). (n.d.). Retrieved October 11, 2025, from <https://jdih.mahkamahagung.go.id/legal-product/kitab-undang-undang-hukum-perdata/detail>



Number 31 of 2000, this principle is applied to ensure that industrial design registration is carried out legally and does not harm other parties.¹¹ The application of the principle of novelty and good faith is very important, as reflected in Supreme Court Decision Number 1865 K/Pdt.Sus-HKI/2022, the case originated from a lawsuit filed by PT. Gunung Cemara Sentosa against PT. Aiwo Internasional Indonesia as the Defendant, with PT. Logam Sejati and the Directorate General of Intellectual Property as Co-Defendants I and II. The lawsuit filed by the Plaintiff focused on the request for cancellation of an industrial design titled "As Kran", registered under Number IDD000047479 on December 13, 2017, owned by the Defendant. According to the Plaintiff, the design does not meet the element of *novelty* because it was already in *the public domain* prior to registration. In addition, the Plaintiff argues that the design only has a technical function without providing any aesthetic value, and therefore does not deserve protection as an industrial design.

Reflecting back, in the exception filed, the Defendant and Co-Defendant I stated that the Plaintiff did not have *legal standing* because it was not the holder of the industrial design rights. This is reinforced by the acknowledgment that since 2010, the Plaintiff has only acted as a trader importing various models of water taps from China, without having an industrial design certificate registered in the official database of the Directorate of Copyright and Industrial Design. Therefore, the Plaintiff's legal position does not meet the provisions of Article 38 paragraph (1) of the Industrial Design Law, which requires that only the holder of the design rights or an interested party is authorized to file a cancellation lawsuit. Historically, the design of the "As Kran" product had actually been registered earlier by Xiamen Hengyi Trading Co. Ltd. at the Chinese Intellectual Property Office under the title "*Two-Part Plastic Ball Valve*" No. 97250004.9 on November 14, 1997, and was marketed by Shangyu Xier Plastic Valve Lead, Co., Ltd. Therefore, if any party has the right to file a cancellation lawsuit, it should be Xiamen Hengyi Trading Co. Ltd., not the Plaintiff. However, from the Plaintiff's perspective, the Defendant's industrial design no longer has any novelty because it is considered identical to designs that have been published previously, both in Indonesia and abroad. This is related to Article 2 paragraph (1) of the Industrial Design Law, which states that protection is only given to industrial designs that are truly new. Therefore, the issue of novelty becomes a central aspect in determining whether the industrial design is entitled to legal protection or should be considered public domain.

Furthermore, Supreme Court Decision Number 1865 K/Pdt.Sus-HKI/2022 provides an illustration of the extent to which the principles of novelty and good faith are the basis for assessing violations of industrial design rights. In this case, the court was required to assess whether the registration and claim of the disputed design truly fulfilled the element of novelty or was made in bad faith. This consideration is crucial because it will affect the validity of legal protection for industrial designs and at the same time determine the final decision on the dispute. Therefore, the application of these two principles serves as the main benchmark in distinguishing between the legal protection of design works and the abuse of rights by certain parties.

Based on the background description above, the author was motivated to examine and research the writing entitled: "**ANALYSIS OF INDUSTRIAL DESIGN RIGHTS PROTECTION IN SUPREME COURT OF INDONESIA NUMBER 1865 K/PDT.SUS- HKI/2022 BASED ON THE PRINCIPLE OF NOVELTY AND THE PRINCIPLE OF GOOD FAITH IN LAW NUMBER 31 OF 2000**"

¹¹ *Law No. 31 of 2000.* (n.d.). Regulation Database | JDIH BPK. Retrieved October 10, 2025, from <https://peraturan.bpk.go.id/Details/45076>



METHOD

This study uses a normative (*doctrinal*) legal approach, which relies on the study of various legal sources, including primary, secondary, and tertiary legal materials.¹² This method was carried out through the examination of legislation, court decisions, official documents, and relevant literature. The focus of the study is directed at analyzing the protection of industrial design rights by highlighting the application of the principles of novelty and good faith as reflected in Supreme Court Decision Number 1865 K/Pdt.Sus-HKI/2022. This study also aims to identify the extent to which these two principles play a role in providing legal protection and form the basis for judges' considerations in deciding disputes.

RESULTS AND DISCUSSION

Relevance of the Novelty Principle in the Protection of Industrial Design Rights Based on Decision Number 1865 K/Pdt.Sus-HKI/2022.

Reflecting on Supreme Court Decision Number 1865 K/Pdt.Sus-HKI/2022, the main issue under debate centers on the application of the principle of novelty in industrial design registration. This principle of novelty is a fundamental aspect that determines whether or not an industrial design is eligible for legal protection.¹³ This is in line with the provisions of Article 2 paragraph (1) of Law Number 31 of 2000 concerning Industrial Designs, which states that Industrial Design Rights are granted to new Industrial Designs. Provision of Article 2 paragraph (2) of the Industrial Design Law further stipulates that industrial design rights can only be granted to designs that have elements of novelty. The principle of novelty is reaffirmed in Article 2 paragraph (2), which states that an industrial design is considered new if, on the date of receipt of the application, the design has not been disclosed previously. The explanation of this article provides that the term "disclosure" covers all forms of publication through print or electronic media, as well as participation in exhibitions. Thus, if a design has been announced or used in Indonesia or abroad before the date of receipt or the priority date (if using priority rights), then the design no longer meets the element of novelty as referred to in the law.

Furthermore, Article 3 of the same Law provides an exception to the previous disclosure requirement. An industrial design is not considered to have been disclosed if, within a period of no more than six months prior to the date of its acceptance, the design has been displayed in an official national or international exhibition, or has been used in Indonesia by the designer for experimental purposes for the purposes of education, research, or development. This provision shows that designers are protected so that they retain their rights to their designs even if there has been limited disclosure for academic or official promotional purposes, as long as it is within the time limit stipulated by law. Meanwhile, according to Ranti Fauza Mayana, determining the novelty of an industrial design is complex because the concept of "new" is relative and can differ between the perspectives of designers and industry players. In practice, industry players or entrepreneurs tend to assess novelty from the aspect of physical form or external configuration that is not identical to previous products. For companies that implement reactive market strategies, the principles used are often defensive and limiting with a second but better approach, which is to create products that resemble existing designs but are improved.

They argue that similarity in form is not imitation, but rather the result of adaptation to developing market trends. In this view, market tastes are considered a social phenomenon that emerges in line with changes in the spirit of the times (zeitgeist). For example, sports shoe designs that appear similar to one another can be

¹² Muhdar, M. (2020, April 23). *Doctrinal and Non-Doctrinal Applied Approaches in Legal Research*. Unknown. https://www.researchgate.net/publication/340861898_penelitian_doctrinal_dan_non-doctrinal_pendekatan_aplikatif_dalam_penelitian_hukum_oleh_muhamad_muhdar_penerbit

¹³ Supreme Court Decision No. 1865 K/Pdt.Sus-HKI/2022. (n.d.). Decision Directory. Retrieved October 11, 2025, from <https://putusan3.mahkamahagung.go.id/direktori/putusan/zaedab7593f039f0b1db313530383139.html>



understood as a reflection of the spirit of speed, while lightweight and minimalist mobile phone designs are born from the spirit of practicality that characterizes the modern era. Therefore, Article 2 paragraph 2 of the Industry Law explicitly states that protection can only be granted if the design is truly new, i.e., it has never been published, used, or known to the general public before being submitted to the Directorate General of Intellectual Property.¹⁴ In other words, novelty is the main safeguard against the misuse of exclusive rights to claim shapes or configurations that have already entered the public domain. The application of this principle not only prevents illegal monopolies but also ensures that only works with genuine originality and innovation are entitled to legal protection.

Reviewing the provisions in the Industrial Design Law, industrial design rights are understood as exclusive rights granted by the state to designers for their creations, which give the rights holder full authority to exploit, use, or grant permission to other parties to exercise these rights for a certain period of time. This interpretation is in line with Trevor Black's view, which emphasizes that industrial design rights are part of new and individually owned intellectual property rights, particularly in the field of design that has elements of authenticity and originality. The terms "authentic" and "original" reflect that a design must demonstrate novelty and not be common or ordinary in its field.¹⁵ Meanwhile, according to Thomas M. S. Hemnes, for a design to obtain legal protection as an Industrial Design Right, it must meet several criteria, namely having a function that can be applied in industrial activities, being an integral part of a product or commodity, and maintaining its novelty. The design must also have a unique character and cannot be easily created without specific intellectual effort.¹⁶ The relevance of this principle of *novelty* is even stronger when linked to Decision Number 1865 K/Pdt.Sus-HKI/2022, in which the court emphasized that legal protection for industrial designs can only be granted if the design meets the element of true novelty and is not a simple modification of a pre-existing work.¹⁷

In line with this, according to Muhammad Djumhana, there are several substantive criteria/requirements that must be met in order for an Industrial Design to be legally registered, namely as follows:

1. The element of *novelty* is the main aspect that indicates that the design is truly new and original. This means that the industrial design is not a copy or development of an existing form. This principle of originality is similar to the requirements for granting a patent. Novelty can be interpreted absolutely, meaning that the shape or pattern is completely unknown, or relatively, meaning that a known design has been modified or utilized for a purpose different from its previous use. Thus, a design can still be considered new if there is innovation in its function or application, even if its shape resembles an existing one.
2. Industrial designs must have practical value and be applicable in industrial activities. This means that the design must not only have aesthetic value, but also be efficiently produced and utilized in industrial processes.
3. The design must not fall into the category of designs that are excluded from obtaining legal protection under industrial design rights. This prohibition applies if the design submitted is substantially or entirely similar to another design that has been registered earlier for the same type of goods. In

¹⁴ Raharjo, A. B. (2014, January 1). *Implementation Of Criteria For Novelty And Classification Of Public Domain Of An Industrial Design In Indonesia Based On The Perspective Of The Industrial Design Law*. Gadjah Mada University ETD. <https://etd.repository.ugm.ac.id/pelitian/detail/71878>

¹⁵ Black, T., & Black, Trevor. (1989). *Intellectual Property In Industry / Trevor Black*. (pp. 163–164). <https://tind.wipo.int/record/18740>

¹⁶ Bainbridge, D. (n.d.). *Intellectual Property Third Edition*, (London: Pitman Publishing, 1996) Page. 338. Retrieved October 11, 2025, from <https://annas-archive.org/md5/9122971ad956d96a751ebbe9c5519be9>

¹⁷ Supreme Court Decision No. 1865 K/Pdt.Sus-HKI/2022. . (n.d.). Decision Directory. Retrieved October 11, 2025, from <https://putusan3.mahkamahagung.go.id/direktori/putusan/zaedab7593f039f0b1db313530383139.html>



addition, the design must not conflict with laws and regulations, public order, religious norms, or morality, as stipulated in Article 4 of the Industrial Design Law. This provision emphasizes that legal protection is not granted to designs that violate the moral and legal principles applicable in Indonesia.

4. Ownership and rights to the design are also important requirements for registration. Only the designer or a party who has legally received the rights from the designer is authorized to apply for registration. This provision ensures that exclusive rights to a design are only granted to parties who have legal legitimacy over the work, thereby guaranteeing fairness and legal certainty in the protection of intellectual property in the field of industrial design.¹⁸

However, in practice, the application of the principle of novelty faces conceptual and interpretative obstacles. Andrieansjah Soeparman highlights the issue of multiple interpretations of the phrase "not the same" in Article 2 paragraph (2) of the Industrial Design Law, which is not accompanied by a normative explanation of the limits or criteria for such differences. This ambiguity creates legal uncertainty in determining whether a design truly fulfills the element of novelty. In practice, two approaches to interpretation have emerged: first, the interpretation that "not the same" means "not significantly the same," as reflected in Article 25 paragraph (1) of the TRIPs Agreement; and second, that "not the same" means "not identical" or completely different as a whole. This difference in interpretation requires the active role of judges in providing a contextual interpretation of the provisions of Article 2, so that the principle of novelty can be applied proportionally and in line with the principle of intellectual property rights protection.¹⁹

Reflecting on this case, the main issue stems from the legal position of the Plaintiff, namely PT. Gunung Cemara Sentosa, which only acts as a trader of design products industry without owning a certificate of ownership for the disputed design. This situation raises legal issues regarding the legitimacy or *legal standing* of the Plaintiff in filing a lawsuit to cancel the industrial design. This lawsuit is directed against the industrial design registration owned by PT. Aiwo Internasional Indonesia (Defendant) with the object "As Kran" registered in the General List of Industrial Designs Number IDD000047479 on December 13, 2017. The Plaintiff argues that the design no longer has *any novelty* because it has become public property, even admitting that the product being traded is only an imported water faucet from China. However, based on official data from the Directorate of Copyright and Industrial Designs, there is no evidence that the Plaintiff has a design rights certificate for the product in question. Referring to Article 37 paragraph (1) of Law Number 31 of 2000 concerning Industrial Designs, only the designer or rights holder is authorized to file a cancellation lawsuit. Therefore, the Plaintiff is not a legally interested party, so the argument regarding novelty cannot be used as a valid basis for revoking the Defendant's exclusive rights. This case also confirms that the principle of novelty remains a fundamental instrument in determining the validity of industrial design protection.

Furthermore, the Supreme Court also emphasized that the principle of novelty is the main instrument that functions as a filter to ensure a balance between the protection of the exclusive rights of industrial design owners and the broader public interest. This emphasis was evident when the Court considered the validity of the industrial design registration of "As Kran" owned by PT Aiwo Internasional Indonesia. The plaintiff argued that the "As Kran" design should not have been granted legal protection because, in his opinion, the

¹⁸ Djumhana, M. (n.d.). *Aspects of Industrial Design Law in Indonesia* (Pp. 213–214). Retrieved October 11, 2025, from https://books.google.co.id/books/about/Aspek_aspek_hukum_desain_industri_di_Ind.html?id=nsCktgAACAAJ&redir_esc=y

¹⁹ Law No. 31 of 2000. (n.d.). Regulation Database | JDIH BPK. Retrieved October 10, 2025, from <https://peraturan.bpk.go.id/Details/45076>



design failed to meet the element of novelty, which is a fundamental requirement in the industrial design legal regime. This argument was based on the fact that the design had been widely circulated before the registration application was submitted under Number IDD000047479, which was received on October 19, 2015, and then registered on December 13, 2017, by Co-Defendant I. According to the Plaintiff, the design should be considered part of *the public domain*. To strengthen its argument, the Plaintiff submitted evidence in the form of similar products imported from China, while also mentioning a summons it received on October 21, 2021 from Co-Defendant I, which alleged a violation of the industrial design of PT Aiwo Internasional Indonesia (Defendant).

The series of facts revealed in this case provide a strong basis for assessing that the industrial design registration by PT Aiwo Internasional Indonesia is rife with indications of bad faith, thereby strengthening the Plaintiff's argument. In the framework of intellectual property law, the principle of good faith occupies a fundamental position because it functions as a moral mechanism that filters every registration application. This principle prevents abusive practices, such as attempts to register designs solely to prevent others from entering the market, or to obtain exclusive rights to a creation that is not actually the original creation of the applicant. Therefore, the principle of good faith is a legal instrument that ensures that industrial design registration truly supports the protection of innovation, rather than becoming a tool of monopoly that causes harm. In line with the case description, the Supreme Court, in its considerations, took a different path from the arguments put forward by the Plaintiff. After thoroughly examining the evidence and legal arguments submitted by the parties, the Panel of Judges ruled that the argument regarding the loss of novelty and the claim that the Defendant's design was in *the public domain* prior to registration could not be proven conclusively. Thus, the Plaintiff's objection was deemed legally unfounded, and the Defendant's legal position regarding the registered industrial design was deemed valid and protected by the provisions of Law No. 31 of 2000 concerning Industrial Designs. This is in accordance with the fact that the Defendant's "As Kran" Design is considered to have its own distinctive characteristics and is different from similar designs associated with Xiamen Hengyi Trading Co. Ltd. Therefore, the design is still considered new and fulfills the element of novelty as required in Article 2 paragraph (1) of Law Number 31 of 2000 concerning Industrial Designs. Furthermore, the issuance of industrial design certificate Number IDD000047479 on December 13, 2017, is considered valid because it has gone through the formal examination stages in accordance with the applicable legal mechanisms. When the application was examined by the Directorate General of Intellectual Property, there were no objections from any party, so the registration made by Co-Defendant II was declared valid and legally binding.

From a legal perspective, the Supreme Court emphasized that the burden of proof regarding the absence of novelty in an industrial design lies with the plaintiff. However, because the plaintiff was unable to present convincing evidence, the argument was deemed unfounded. Consequently, the plaintiff's appeal was rejected, and as part of the decision, the plaintiff was ordered to pay court costs at the appeal level amounting to IDR 5,000,000.00 (five million rupiah). Thus, it can be said that this Supreme Court decision has profound significance in the practice of industrial design protection. The decision not only confirms that the principle of novelty is an absolute requirement that must be met in design registration, but also emphasizes the importance of the principle of legal certainty for legitimate certificate holders. As long as there is no evidence of a violation of the element of novelty or indications of bad faith, industrial designs that have gone through the official procedure must be given legal protection. Therefore, this decision does not merely end the dispute between the parties, but also makes an important contribution as jurisprudence to maintain a balance between the protection of the exclusive rights of design holders and the broader public interest.



Analysis of the Judge's Legal Considerations Based on Decision Number 1865 K/Pdt.Sus-HKI/2022.

This dispute is between PT. Gunung Cemara Sentosa as the Plaintiff, PT. AIWO Internasional Indonesia as the Defendant, PT. Logam Sejati as Co-Defendant I, and the Directorate of Copyright and Industrial Design as Co-Defendant II. In this case, the plaintiff filed a lawsuit to cancel the industrial design "AS KRAN", Registration No. IDD000047479 with a Registration Date of December 13, 2017, owned by the Defendant, which does not meet the element of *novelty* and has become *public domain* because there has been a prior disclosure related to the Defendant's industrial design registration application. The Defendant's Industrial Design is a creation that is purely technical in function and has no aesthetic impression, so it is not an object of industrial design. In the exception filed by the Defendant and Co-Defendant I, one of the arguments is that the Plaintiff does not have the *interest/legal standing* as a Plaintiff to file a lawsuit (*disqualification exception*) as stated in lawsuit number 3 "That since 2010, the Plaintiff has been trading various models of water faucets in Indonesia..." and point 6 "That in fact the water faucet products traded by the Plaintiff are goods imported by the Plaintiff from the People's Republic of China (hereinafter referred to as China)..." This shows that the Plaintiff clearly acknowledges that only water faucets imported from China are traded. However, based on the database of the Directorate of Copyright and Industrial Design, the Plaintiff does not have an industrial design certificate.

Based on the provisions of Article 38 paragraph (1) of the Industrial Design Law, in other words, it can be said that the Plaintiff is not a designer or holder of industrial design rights and therefore is not an interested party. The author also agrees with the Panel of Judges' consideration that only parties who have an industrial design certificate can file a lawsuit to cancel the registration of an industrial design because the Plaintiff is only a trader who imports goods from China and cannot prove that the Plaintiff has an industrial design certificate. In this case, apart from not having an industrial design certificate for the AS Kran product, the Plaintiff is also not a licensee, so the Plaintiff is not an interested party as stated by Defendant I and Defendant II. Expert opinions are also in line with this, as stated by Moh. Djumhana and R. Djubaedillah, who said that the cancellation of an industrial design can only be requested by interested parties, namely the owners of industrial designs that have been registered in advance. In fact, the As Kran product was registered by Xiamen Hengyi Trading Co. Ltd. at the Intellectual Property Office of the People's Republic of China under the title "2 (two) Part Plastic Ball Valve, with No. 97250004.9 on the date of receipt of November 14, 1997, and marketed by Shangyu Xier Plastic Valve Lead, Co., Ltd. Therefore, the interested party to file a lawsuit for the cancellation of the industrial design to the Surabaya Commercial Court in the case *in question* should be Xiamen Hengyi Trading Co. Ltd, not the importer who does not have an official certificate or license. Therefore, the Plaintiff cannot file a lawsuit because it is not an interested party, which is consistent with the legal principles of industrial design protection and the principle of legal certainty.

Based on a review of Supreme Court Decision Number 1865 K/Pdt.Sus-HKI/2022, it can be understood that the core of the legal debate revolves around the assessment of the *novelty* of an industrial design. The Plaintiff argues that the Defendant's industrial design no longer has *novelty* because it has been published previously and is even circulating in international trade, including through Xiamen Hengyi Trading Co. Ltd., so it should fall within the *public domain*. This view is in line with Article 2 paragraph (1) of Law Number 31 of 2000 concerning Industrial Designs, which states that protection is only given to new industrial designs, namely designs that have not been disclosed to the public before. However, the Supreme Court, through its legal considerations, ruled that the Plaintiff's argument was not legally proven. The judge argued that the Defendant's design still possessed novelty and a unique configuration, and that the issuance of the industrial design certificate had undergone an official examination process in accordance with regulatory procedures. Furthermore, the Plaintiff was unable to prove concretely that the design was identical to the product claimed to have been traded publicly.



Therefore, the claim that the design had entered the public domain was rejected by the Panel of Judges. The Judge's legal considerations also emphasized that the Plaintiff's objections regarding novelty were not strong enough to invalidate the industrial design registration, because the evidence submitted did not show any substantive similarities between the Defendant's design and the design alleged to originate from another party. The Judge affirmed that novelty in industrial designs is visible to the eye, covering the shape, configuration, and composition of lines and colors, which in this case are still possessed by the Defendant's design. Furthermore, the disputed industrial design registration is considered valid and has a strong legal basis. It can be wisely concluded that the Panel of Judges' considerations show that the assessment of *novelty* in industrial designs is not only determined by the claims of the objecting party, but must be proven legally through convincing visual and factual comparisons. Without strong evidence, claims of lost *novelty* cannot be used as grounds for cancellation. This reaffirms the principle that legal protection of industrial designs must be strictly upheld to ensure legal certainty, while protecting the exclusive rights of holders who have gone through the official registration procedure.

Furthermore, the Supreme Court's approach in this case also demonstrates caution in maintaining a balance between legal certainty and justice. The judge ruled that even though the design registrant had an official certificate, this certificate did not automatically preclude the possibility of an invalidation lawsuit if it was proven that the design did not meet the novelty requirement. Therefore, the judge exercised his role as *guardian of justice* in ensuring that exclusive rights were only granted to creators or rights holders who truly met the substantive requirements for protection. According to Adrian Sutedi (2009), legal protection of industrial designs is a form of state recognition of intellectual creations that contribute to industrial development, but such protection should not be granted indiscriminately without regard to the principles of novelty and the good faith of the registrant.²⁰ This is important so that the intellectual property legal system does not become a tool of monopoly that harms other parties who are more entitled to rights. In line with this, Lindsey (2002) emphasizes that *the novelty test* in industrial design serves as the first line of defense against the duplication of works that could potentially weaken a healthy business competition climate.²¹ By upholding the principle of novelty as an essential requirement, the Supreme Court in this case demonstrated that the protection of industrial design rights is not merely an administrative formality, but a legal instrument whose integrity must be maintained in order to remain in line with the principles of justice, legal certainty, and benefit to the wider community.

Looking deeper, the judges' analysis shows that legal protection for industrial designs is not intended to perpetuate a monopoly over forms or configurations that are already in the public domain. This is in line with the view of intellectual property law expert Rachmadi Usman, who asserts that novelty is the spirit of industrial design protection. If novelty is lost, legal protection cannot be maintained because there is no longer any legal justification for granting exclusive rights to the applicant.²² Similarly, Adrian Sutedi explains that novelty serves as a mechanism to prevent "pseudo-control" by parties with bad intentions who seek to obtain rights to something that is already commonly known.²³ Furthermore, according to Sudaryat (2018), novelty is the "spirit" of industrial design protection, because without the element of novelty, design registration will lose its legal legitimacy and has the potential to create unhealthy monopolies in commercial

²⁰ Adrian Sutedi. (n.d.). *Intellectual Property Rights*. Retrieved October 11, 2025, from https://openlibrary.org/books/OL24004443M/Hak_atas_kekayaan_intelektual

²¹ *Indonesia, Law and Society*. (n.d.). Retrieved October 11, 2025, from https://books.google.co.id/books/about/Indonesia_Law_and_Society.html?id=VaLzpe5pK9cC&redir_esc=y

²² Usman, R. (n.d.). *Intellectual property rights law: Protection and legal dimensions in Indonesia*. Universitas Indonesia Library. Retrieved October 11, 2025, from <https://lontar.ui.ac.id/detail?id=20333487>

²³ Amin, F., Jenar, S., Khasanah, D. D., & Pustaka, S. K. (2024, May 30). *Intellectual Property Law*. Sada Kurnia Pustaka. https://www.researchgate.net/publication/380978032_hukum_kekayaan_intelektual



practices.¹¹ It can be said that the judge's legal considerations in this case demonstrate the consistent application of the principle of novelty, namely through the cancellation of protection for the Defendant's design. This decision not only affirms legal certainty but also maintains a balance between the exclusive rights of industrial design holders and the public interest, so that innovation truly arises from original creations, not from the repetition of something that already exists.

Legal Consequences of Granting Industrial Design Rights Protection

The granting of legal protection for industrial design rights has significant implications, both in economic terms and in terms of legal certainty. Law No. 31 of 2000 concerning Industrial Designs emphasizes the importance of protecting novelty, originality, and aesthetic value of a design. However, looking back at Supreme Court Decision Number 1865 K/Pdt.Sus-HKI/2022, the process of implementing this protection often gives rise to complex disputes. In this case, the dispute between PT. Gunung Cemara Sentosa against PT. Aiwo Internasional Indonesia and related parties shows that claims over designs can be challenged if they are proven to lack novelty or were created in bad faith. One of the main legal implications is that it is not only limited to providing economic benefits to the creator, but also serves as an important instrument in maintaining legal certainty and fair competition. As seen in Supreme Court Decision Number 1865 K/Pdt.Sus-HKI/2022, the dispute over the "As Kran" industrial design shows that the exclusive rights granted by the state through design certificates can be challenged if they do not meet the requirements of novelty or are made in bad faith. Therefore, legal protection of industrial designs serves a dual purpose: on the one hand, it provides assurance to design owners that they can safely exploit their creations, but on the other hand, it ensures that such protection is not abused in a way that hinders innovation and fair competition in the market.²⁴

Looking deeper, legal protection of industrial design rights essentially requires a balance between the exclusive rights of design holders and the public interest. Law No. 31 of 2000 explicitly places restrictions on the monopoly of rights so that such protection does not stifle innovation or public needs.²⁵ This is reflected in the classification case between PT. Gunung Cemara Sentosa and PT. Aiwo Internasional Indonesia, in which the Supreme Court emphasized the importance of the principles of novelty, aesthetic value, and good faith in the registration of industrial designs. Therefore, the legal consequences of industrial design protection are not only to grant exclusive rights, but also to ensure that these rights are not abused and remain in line with the principles of justice, legal certainty, and the interests of the wider community. Supreme Court Decision Number 1865 K/Pdt.Sus-HKI/2022 emphasizes that legal protection for industrial designs is not absolute but must be subject to the principles of novelty and good faith. In this case, despite claims for the cancellation of the industrial design, the Supreme Court ruled that the design registration had gone through a valid procedure, fulfilled the element of novelty, and was not proven to have been submitted with fraudulent intent. The legal consequence is that industrial design protection will only be granted if the registration is carried out honestly, transparently, and in accordance with the provisions of the law. Thus, the principle of good faith serves as a filter to prevent abuse of exclusive rights, so that the balance between the interests of rights holders and the public interest can be maintained.

Furthermore, the legal consequences of granting industrial design protection are not only applicable at the national level, but must also comply with international standards. As a member of the WTO and a party to the TRIPs Agreement, Indonesia is obliged to ensure that all regulations and practices regarding industrial

²⁴ Supreme Court Decision No. 1865 K/Pdt.Sus-HKI/2022. . (n.d.). Decision Directory. Retrieved October 11, 2025, from <https://putusan3.mahkamahagung.go.id/direktori/putusan/zaedab7593f039f0b1db313530383139.html>

²⁵ Law No. 31 of 2000. (n.d.). Regulation Database | JDIH BPK. Retrieved October 10, 2025, from <https://peraturan.bpk.go.id/Details/45076>



design rights protection are in line with global principles of novelty, originality, and exclusive rights protection. This emphasizes that every dispute or industrial designs registration, as seen in judicial practice, must be decided by considering international legal principles, so that legal certainty, justice, and protection for business actors can be guaranteed in a balanced manner.¹² In industrial design, the TRIPs Agreement requires member countries to guarantee legal protection for industrial designs that have novelty and originality for a minimum period of ten years. In addition, effective law enforcement instruments are also required to prevent rights violations. Compliance with these international standards not only strengthens the national legal system, but also increases the confidence of foreign investors and encourages the creation of a healthier and more equitable global trading climate.

Although international standards serve as a common reference, their implementation into national law often faces obstacles. One of the fundamental issues lies in the diversity of interpretations of international agreement provisions. Each WTO member country is given the space to adjust implementation to its respective legal framework and economic conditions. As a result, the level of protection and law enforcement of industrial designs is not always uniform between countries, but varies according to the national context. In Supreme Court Decision Number 1865 K/Pdt.Sus-HKI/2022, it can be understood that the international aspect is very apparent because this case involves an industrial design dispute related to imported products from abroad, thus giving rise to a cross-border dimension in the protection of intellectual property rights. This shows that every national court decision not only has an impact on legal certainty within the country, but also international community's trust in Indonesia's commitment to upholding the principles of novelty, good faith, and protection of industrial design rights in accordance with global legal standards.

Therefore, the implications of industrial design rights protection are not limited to grants exclusive rights to creators, but also plays a role in encouraging innovation, maintaining healthy business competition, and ensuring a balance between private and public interests. Supreme Court Decision Number 1865 K/Pdt.Sus-HKI/2022 is a clear reflection of how the judiciary plays a role in upholding these principles. In this case, the judges demonstrated professionalism and thoroughness by considering all relevant legal aspects, ranging from the element of novelty, good faith, to compliance with industrial design protection norms as stipulated in laws and regulations. These legal considerations not only demonstrate compliance with the positive legal framework, but also affirm the judiciary's commitment to realizing legal certainty, justice, and benefits for the parties and the wider community.

Study of the Principle of Good Faith in Supreme Court Decision Number 1865 K/Pdt.Sus-HKI/2022 Based on Law No. 31 of 2000 concerning Industrial Designs

The principle of good faith in industrial design law is not only placed as an ethical foundation in legal practice, but also functions as a legal mechanism to close opportunities for intellectual property rights abuse. In the Indonesian legal system, this principle is clearly stated in Article 2 paragraph (1) of Law Number 31 of 2000 concerning Industrial Designs, which emphasizes that protection is only granted if the design has an element of novelty.²⁶ In practice, this aspect of novelty is closely related to the applicant's good faith in the registration process. This is because when a design that is no longer new is still forced to be registered, it reflects an intention to deceive, exploit legal loopholes, or gain profits through unlawful means. Thus, good faith is fundamental to maintaining the integrity and credibility of the industrial design protection system.

²⁶ Law No. 31 of 2000. (n.d.). Regulation Database | JDIH BPK. Retrieved October 10, 2025, from <https://peraturan.bpk.go.id/Details/45076>



Reflecting back, the allegation of bad faith is evident from the fact that the novelty of the disputed design cannot be proven and does not show a strong basis for obtaining legal protection. The absence of convincing evidence reinforces that the claim to the design is not based on good faith. The Supreme Court ultimately rejected the appeal filed by PT. Gunung Cemara Sentosa, affirming that the Surabaya Commercial Court's decision was in accordance with the law. In its consideration, the Supreme Court ruled that the industrial design owned by PT. Aiwo Internasional Indonesia remained valid because it fulfilled the element of novelty and had gone through the correct procedures in accordance with the laws and regulations. Therefore, the appeal was deemed unfounded and the Petitioner was ordered to pay the appeal court costs of IDR 5,000,000.00. Furthermore, this decision shows that the principle of good faith is a fundamental benchmark in determining the validity of an industrial design registration. In the dispute over the *As Kran* design with Certificate Number IDD000047479, the Supreme Court ruled that the registration was carried out in accordance with legal procedures and still had novelty. Thus, the cancellation lawsuit cannot be granted and the Plaintiff's cassation is rejected, thereby confirming the importance of honesty, transparency, and originality as the foundation for industrial design protection in Indonesia.

In addition, the application of the principle of good faith in Supreme Court Decision Number 1865 K/Pdt.Sus-HKI/2022 has important implications for the development of intellectual property law in Indonesia. In this case, the Supreme Court emphasized that industrial design registration cannot be carried out on grounds that are contrary to the principles of honesty and legal propriety. Although the Appellant argued that the Respondent's design did not meet the elements of novelty, had no aesthetic value, and was only technical in nature, the Court found that the registration process had gone through a valid mechanism and there was no strong evidence of bad faith in the application. This decision also shows that the principle of good faith is the main defense for determining whether an industrial design should be protected or revoked. This means that this principle is not merely a moral norm, but a legal instrument that ensures that intellectual property protection is truly given to the rightful party, not to parties who seek to profit by violating legal propriety. Thus, the principle of good faith is an important foundation in maintaining the integrity of the IPR system in Indonesia, providing legal certainty, and preventing the abuse of rights by parties who do not have good faith.

Overall, the application of the principle of good faith in cassation case No. 1865 K/Pdt.Sus-HKI/2022 shows that this principle serves as an important instrument for assessing the validity of industrial design registrations. The Supreme Court, referring to Law No. 31 of 2000 concerning Industrial Designs, emphasized that legal protection can only be granted if a design is registered on the basis of honesty, openness, and without any indication of manipulation or unilateral claims that are detrimental to other parties. This ruling highlights that even if a party attempts to cancel a registration on the grounds of a violation of novelty and legal interest, the judge's assessment still places the principle of good faith as a fundamental parameter in determining whether the design registration is valid or based on dishonest intentions. Thus, the principle of good faith in this context is not only a moral foundation, but also a legal standard that determines the validity of a right to an industrial design, while ensuring that the intellectual property protection system remains fair, transparent, and not abused.

Therefore, based on Supreme Court Decision Number 1865 K/Pdt.Sus-HKI/2022, it can be understood that the principle of good faith is a fundamental pillar in the protection of industrial design rights in Indonesia. This decision emphasizes that the process of registering intellectual property rights must not be carried out in a manipulative or misleading manner, or solely for the purpose of eliminating competitors in an unfair manner. The Supreme Court emphasizes that every party applying for industrial design registration must base their actions on honesty, openness, and legitimate objectives, so that the intellectual property legal system truly functions to protect original creations and innovations, rather than being used as an instrument



to harm other parties. Thus, this ruling serves as an important reference that reinforces the application of the principle of good faith as a fundamental requirement in maintaining justice, legal certainty, and the integrity of the industrial design protection system in Indonesia.

Analysis of Implications and Reflections on the Industrial Design Registration Mechanism

Supreme Court Decision Number 1865 K/Pdt.Sus-HKI/2022 sends a very important message for industrial design legal practice in Indonesia. Through its ruling, the Supreme Court reaffirms that legal protection for an industrial design can only be granted if it meets the element of *novelty* and is submitted in good faith. These two elements are not merely procedural formalities, but are essential requirements that form the core of the industrial design registration system. With this ruling, the court wishes to warn that registrations made without regard to the principle of novelty, for example, if the design has become public property or is merely technical in nature, will lose their legal protection legitimacy. Similarly, if the application is based on bad faith, protection should not be granted as it would be contrary to the principles of justice and the objectives of intellectual property rights themselves. This ruling also strengthens the legal function of industrial designs as an instrument to prevent unlawful monopolies, protect business actors acting in good faith, and ensure that the intellectual property rights system remains committed to legal certainty, justice, and benefit.

Looking at it from an institutional perspective, Decision Number 1865 K/Pdt.Sus-HKI/2022 is an important reflection for the Directorate General of Intellectual Property (DJKI) as the administrative authority for industrial design registration. The registration mechanism, which adheres to a *first-to-file* declarative system, does provide formal certainty, but in practice, it still leaves room for exploitation by parties acting in bad faith. This is clearly evident in the case in question, where the industrial design was registered without considering the principle of novelty and the presumption of dishonest intent. Thus, this decision sends a strong signal for the DJKI to strengthen the governance of the administrative system, tighten material verification, and balance the principle of legal certainty with substantive protection, so that the industrial design protection system in Indonesia is not only a formality, but also a fair, transparent instrument capable of preventing abuse of rights. From the perspective of business and industry players, the Supreme Court's decision No. 1865 K/Pdt.Sus-HKI/2022 sends a clear message that a comprehensive understanding of intellectual property law, particularly industrial design, is an absolute necessity in conducting business activities. This ruling emphasizes that the registration of a design is not merely administrative in nature, but must also meet the principles of novelty, aesthetic appeal, and be based on good faith. Thus, business actors are required to be careful and thorough before submitting a registration or using a particular design, because negligence in understanding legal aspects can lead to disputes that are detrimental to the business in terms of finances, reputation, and sustainability. Ultimately, this ruling serves as a wise reminder that modern business strategies cannot rely solely on creativity and product innovation, but must also be accompanied by full compliance with legal norms in order to ensure fair protection and business continuity.

Furthermore, this ruling is ultimately significant in the development of national law because it enriches the jurisprudence in the field of industrial design. With this ruling, judicial practice in Indonesia has a concrete reference on how industrial design disputes should be handled, particularly regarding the aspects of novelty, good faith in registration, and the legal position of the disputing parties. Moreover, this decision affirms the role of the Supreme Court as the guardian of legal certainty and the promoter of consistent assessment standards, so that in the future it can be a reference for judges, legal practitioners, and business actors in understanding and enforcing industrial design rights. Thus, even though this cassation case ended with the rejection of the plaintiff's petition, the legal value contained therein remains significant as a guideline in building a more orderly, fair, and harmonious judicial practice in line with the development of intellectual property law in Indonesia.



CONCLUSIONS

Based on an analysis of Supreme Court Decision Number 1865 K/Pdt.Sus-HKI/2022, it can be confirmed that the element of *novelty* is an absolute requirement for granting legal protection to industrial designs. A design that has been widely circulated or previously known to the public, both nationally and internationally, can no longer be considered a new work and automatically loses the opportunity to obtain legal protection. This decision demonstrates the Supreme Court's consistency in upholding the principle of novelty as the main foundation of the industrial design protection system in Indonesia. In addition, the application of the principle of good faith in design registration applications is also used as an important benchmark in assessing the eligibility of an application. The Supreme Court emphasized that registrations submitted with dishonest intentions or with the aim of controlling designs that are actually in the public domain can be canceled in order to maintain justice and prevent the misuse of the intellectual property protection system. Supreme Court Decision Number 1865 K/Pdt.Sus-HKI/2022 provides clear direction regarding the interpretation of the principle of novelty in industrial design protection. Novelty is considered a substantial foundation, so that without this aspect, a design has no legal legitimacy to be registered. The Supreme Court firmly rejects attempts to obtain protection for designs that are already in the public domain, as this has the potential to harm the public interest and hinder innovation. Furthermore, the court also places good faith as a fundamental principle in industrial design registration, emphasizing that every application must be based on honesty and legitimate purposes. Registration carried out with the intention of unfairly eliminating competitors or claiming works that are not the result of original creation is considered contrary to the principles of intellectual property law and is not eligible for protection. From a legal perspective, Supreme Court Decision Number 1865 K/Pdt.Sus- HKI/2022 confirms that novelty is an absolute requirement that cannot be compromised in the industrial design protection system. Designs that have been disclosed to the public beforehand, either through publication or distribution, lose their novelty and can no longer be registered. This is in line with the mandate of Law No. 31 of 2000 concerning Industrial Designs, which places novelty as the main parameter for legal protection. In addition, the principle of good faith plays an equally important role, because without honest intentions, the registration process has the potential to be abused for unilateral interests. The Supreme Court emphasized that registration practices carried out with unfair motives or merely to hinder other parties clearly contradict the spirit of industrial design protection. Thus, this decision serves as an important reference in balancing the protection of individual rights and public interests through the consistent application of the principle of novelty and the principle of good faith.

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