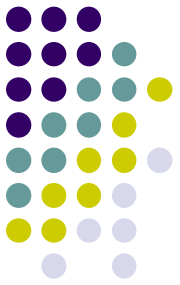


CURRENT STATUS AND FUTURE PERSPECTIVES OF REGIONAL STATES ON GLOBAL IP PROTECTION SYSTEM



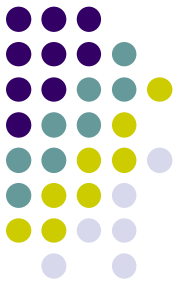
BY:

ERBITA DUMADA RIANI - IKA KURNIAWATI

TOKYO, JAPAN 11-12 NOVEMBER 2010



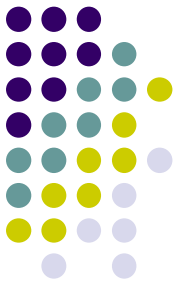
DIRECTORATE GENERAL OF INTELLECTUAL PROPERTY
MINISTRY OF LAW AND HUMAN RIGHT
REPUBLIC OF INDONESIA



CONTENTS

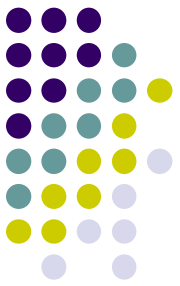
- DGIPR AT GLANCE
- DGIPR's STRATEGIC POLICIES
- PROBLEMS & CHALLENGES

ESTABLISHMENT OF IP OFFICE



- 1988 : Establishment of Directorate General of Copyrights, Patents and Trademarks (DGCPT) under the Department of Justice
- 1998 : DG CPT became the Directorate of Intellectual property Rights (DGIPR)
Under the Ministry of Law and Human Rights

DIRECTORATE GENERAL OF INTELLECTUAL PROPERTY RIGHTS MINISTRY of LAW AND HUMANS RIGHTS



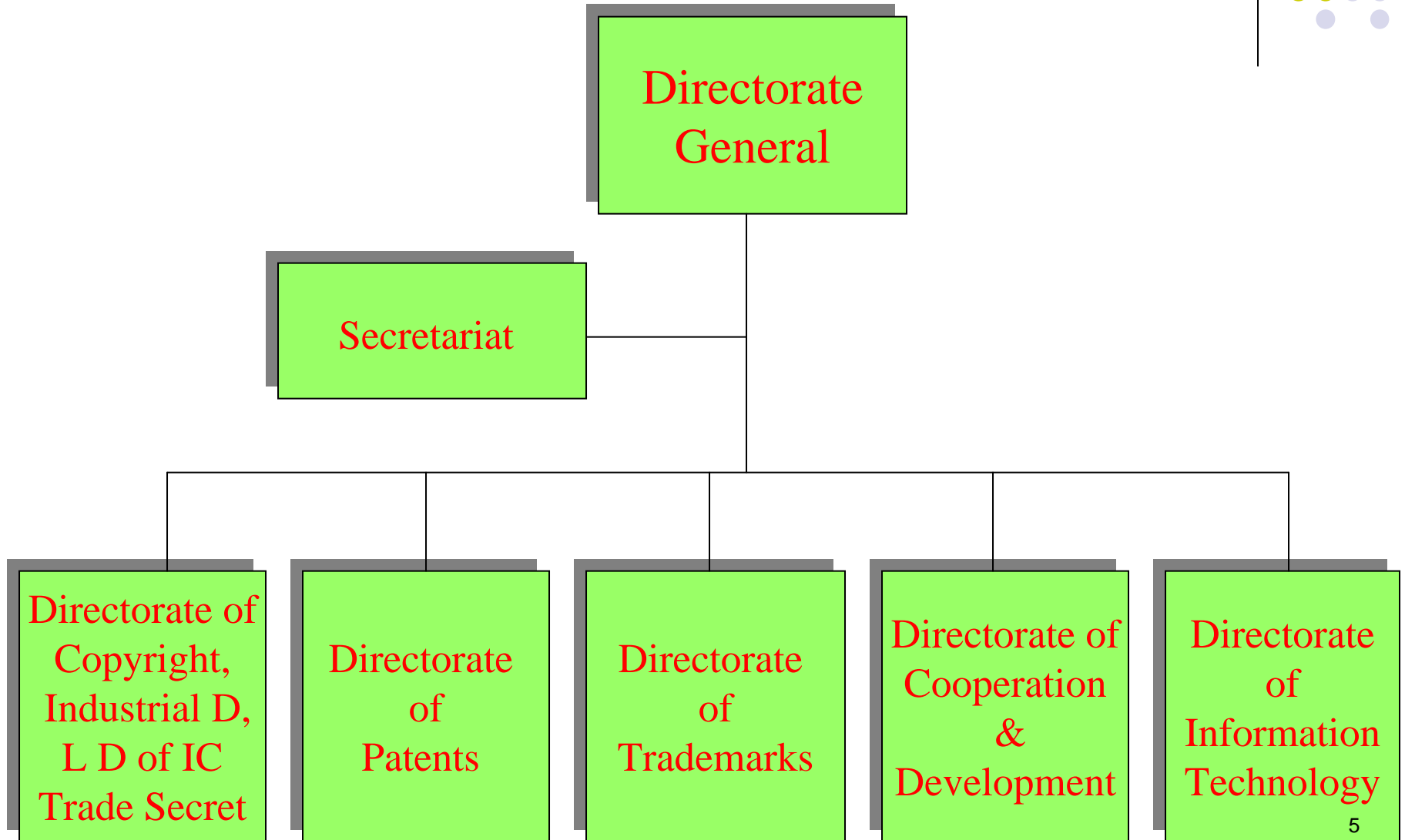
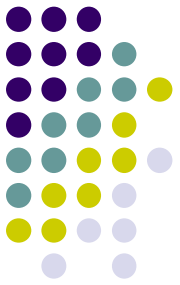
Vision:

to foster an effective and internationally competitive IPR system that support the national development and helps improve the prosperity of the country.

Mission:

- to administer the intellectual property rights system by granting protection, reward and recognition to creativities;
- to promote technology and knowledge based investment and economic growth; and
- to encourage an innovative and inventive culture.

Organizational Structure

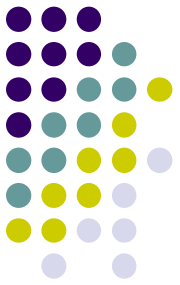




Human Resources (Employees and Examiner)

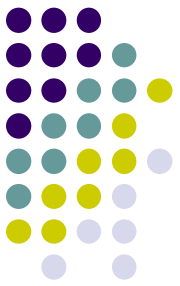
Business Unit	Number of Employees	Number of Examiner
Secretariat	98	-
Directorate of Copyright, Industrial Design, L D of IC, and Trade Secret	66	13 (Industrial Design)
Directorate of Trade Mark	146	67 (Trade Mark)
Directorate of Patent	130	74 (Patent), 5 (Formality Checking)
Directorate of Cooperation and Development	40	-
Directorate of Information Technology	37	-
Total Number of Employees	517	

LEGAL FRAMEWORK



IP LAWS IN INDONESIA

1. Law no 30 of 2000 regarding Trade Secret
2. Law no 31 of 2000 regarding Industrial Design
3. Law no 32 of 2000 regarding Lay-out Design of Integrated Circuit
4. Law no 14 of 2001 regarding Patents
5. Law no 15 of 2001 regarding Marks
6. Law no 19 of 2002 regarding Copyrights
7. Law no 29 of 2002 regarding the Protection of Plant Variety (administered by Ministry of Agriculture)

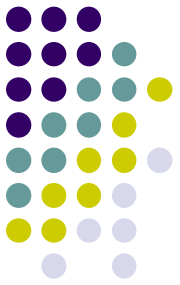


IP INTERNATIONAL CONVENTION

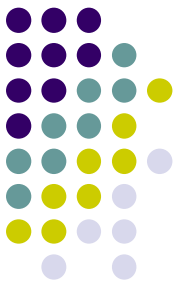
1. Paris Convention for the Protection of Industrial Property,
2. Patent Cooperation Treaty (PCT)
3. Trademark Law Treaty 1994 (TLT)
4. Berne Convention for the Protection of Literary and Artistic Works
5. WIPO Copyright Treaty 1996 (WCT)
6. WIPO Performances and Phonograms Treaty 1996 (WPPT)

At present Indonesia is studying the possibility to join the Madrid Protocol on the International Registration of Trademark, Singapore TM Law Treaty and Geneva Act

II. DGIPR'S STRATEGIC POLICIES

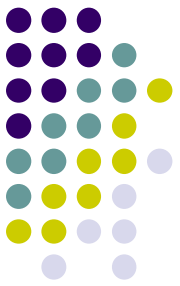


1. SERVICE OF EXCELLENCE & INFORMATION TECHNOLOGY
2. ADMINISTRATION
3. COOPERATION AND SOCIALIZATION
4. LEGISLATION
5. LAW ENFORCEMENT



1. SERVICE OF EXCELLENCE & INFORMATION TECHNOLOGY

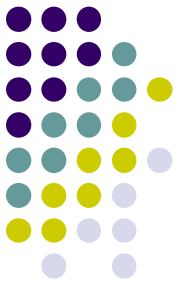
- Integrated administration system and information management of on-line system (e-filing and e-registration, IPR information, etc)
- IPDL (Intellectual Property Digital library)
- Developing on line IP applications
- Digitalisation of all IP administration documents



2. ADMINISTRATION

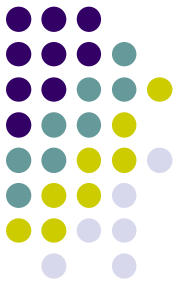
- Increasing effectiveness and efficiency of operational system and administrative process;
- Increasing non-tax revenue (PNBP) through fast, simple and accurate working process (reducing backlog);
- Modernization of IP Office
- Streamlining of IP procedure

3. COOPERATION AND SOCIALIZATION



- Develops public and private partnership
- Increase activities in capacity building and socialization through education, dissemination: brochures, electronic campaign etc.
- Increase cooperation among agencies in Indonesia or abroad

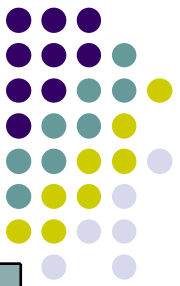
Socialization(cont’)



- Hold public awareness activities/campaign such as seminars, workshops, training courses;
- Dispatched officials to participate capacity building held overseas
- IP awareness campaign through inter-active talk-shows on IPR in various TV and interactive IP dialogues on radio;
- Dissemination of IP Information through the DGIP website (www.dgip.go.id);
- Publication of IP Information in the form of books, booklets, brochures, leaflets, posters, stickers, bi-monthly IP magazines “Media HKI”, and IP Law Compilation
- World IP Day 26 -30 April of every year- seminars, exhibitions, innovation competition, IP Quiz for Senior High School, etc

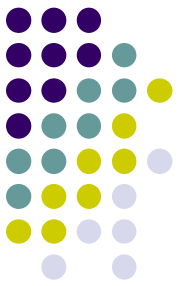
Cooperation Activities (cont')

Other IPR Offices



14

IPR Offices	Cooperation Area	Duration
The European Patent Office	MoU on Bilateral Cooperation	June 2009 - Dec 2010
The World Intellectual Property Organization	MoU in the Area of IP Information and Dissemination of National IP Documents	December 2009 -Now
Japan International Cooperation Agency (JICA)	Minutes of Meeting (MoM) on Japanese Technical Cooperation for Project for Strengthening Intellectual Property Rights Protection	December 2009 - Now
KIPO	MoU on the IP Office Automation Project at the DGIPR	December 2009 - April 2014



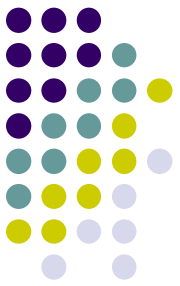
4. LEGISLATION

1. Indonesia is now under a process to amend 4 IP Laws (Copyrights, Patent, Trademark, and Industrial Design)

The backgrounds of amendment are:

- Streamlining procedures
- Harmonizing to international development and treaties of which Indonesia has ratified or intent to ratify: Madrid Protocol compulsory license
- Improvement of appeal commission
- Improvement of the function of the civil servant investigators
- Adopt some inputs from users, internal experiences to develop and improve local industries to be able to compete in the international trade era

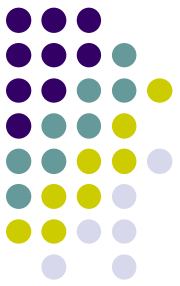
2. Preparing draft law on TK and TCE protection



Amendment of Patent Law

Some important points of amendment are:

- Compulsory License
- Public Health
- Formulation of Simple Patent
- Articles adjustment
- Injunction
- Parallel Import

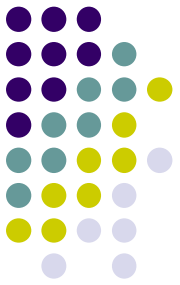


Amendment of Trademark Law

Some important points of amendment are:

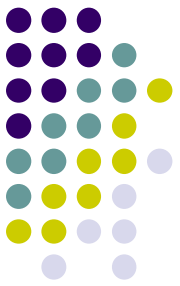
- Streamlining of Registration Process
- International Trademark Registration (Madrid Protocol)
- Articles Adjustment
- Injunction

Amendment of Copyright Law



Some important points of amendment are:

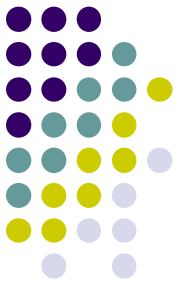
- Collecting Management Organization (CMO)
- Traditional Expression
- Articles Adjustment



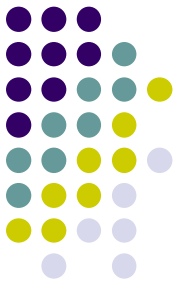
Amendment of Industrial Design Law

- Requirement in obtaining rights (novelty)
- Scope and definition of protection
- Adoption of resemblance and similarity
- Appeal Commission
- Annual Fee
- International Registration (Geneva Act)
- Substantive Examination
- Administrative procedures and remedies
- Articles Adjustment

5. LAW ENFORCEMENT

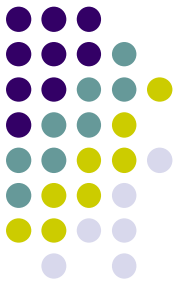


- Indonesian Government set up a National Task Force (NTF) on Tackling IPR Infringement in 2006 in order to strengthen and enhance the coordination and cooperation among the government institutions in national level
- NTF on IPR had focused on and prioritized improving the handling of IPR infringement cases by the relevant agencies
- Conducted activities on combating IP piracies and counterfeiting



STATISTIC

IP STATISTICS



Applications for Registration of Trademark

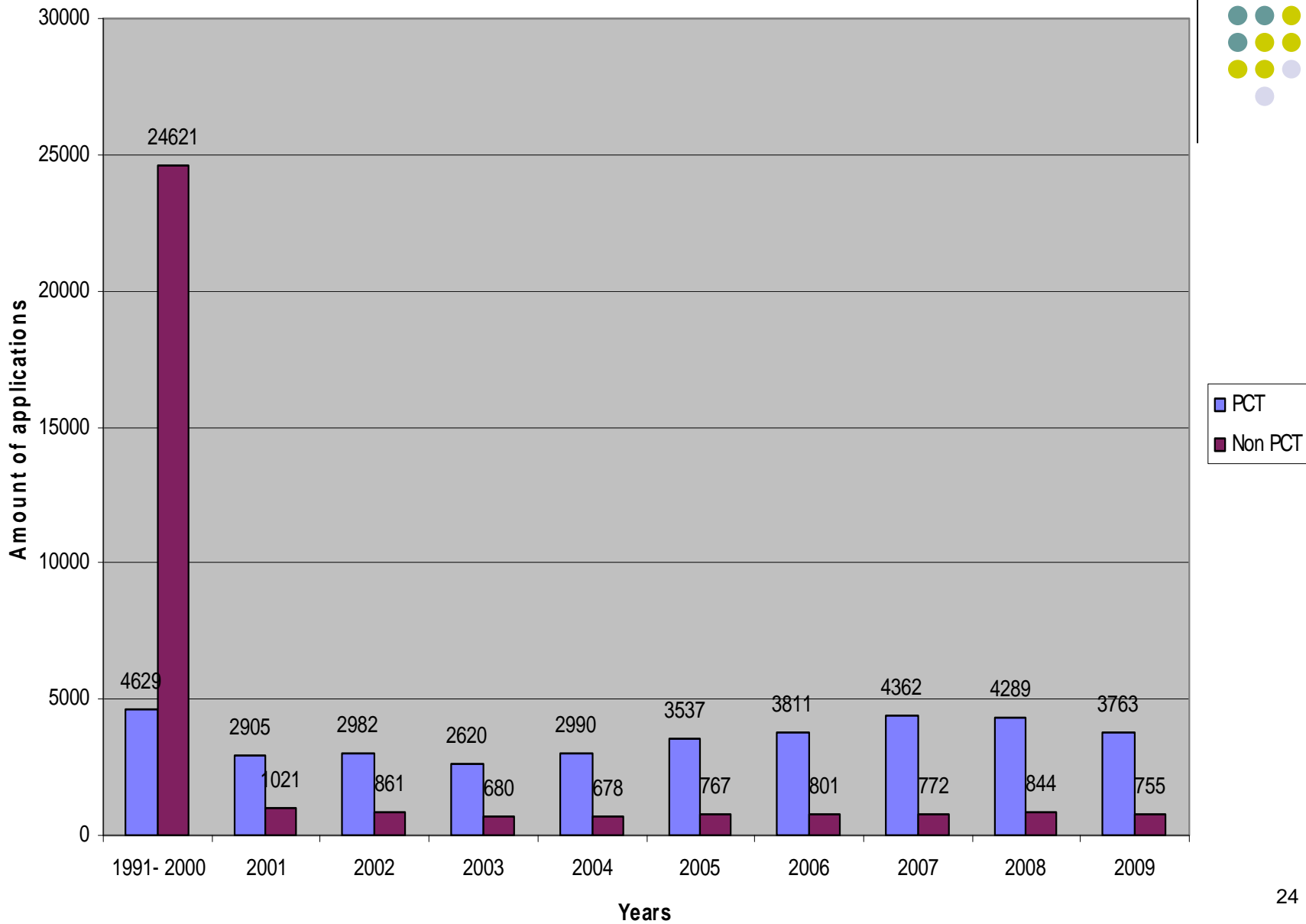
YEAR	RECEIVED	REGISTERED	REFUSED	WITHDRAWN
2001	41,152	35,878	3,969	146
2002	42,416	31,530	3,052	80
2003	46,947	35,353	3,527	83
2004	49,311	23,187	3,044	16
2005	54,031	29,729	3,564	94
2006	54,250	24,677	6,291	105
2007	50,672	21,274	8,321	126
2008	56,714	26,543	11,519	0
2009	56,219	26,556	9,102	127
TOTAL	451,715	254,727	52,389	777

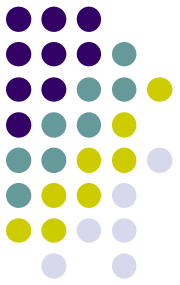


Patent Applications

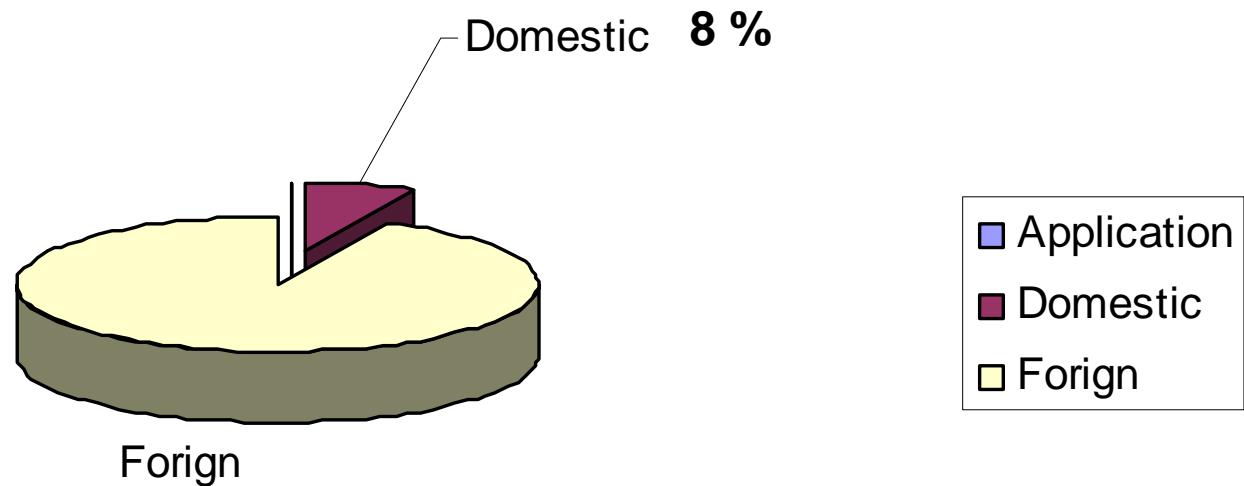
Year	Patent				Simple Patent		Total
	PCT		NON PCT		Domestic	Foreign	
	Domestic	Foreign	Domestic	Foreign			
1991- 2000	1	4628	749	23872	782	465	30497
2001	4	2901	208	813	197	24	4147
2002	6	2976	228	633	157	48	4048
2003	0	2620	201	479	163	29	3492
2004	1	2989	226	452	177	32	3877
2005	1	3536	234	533	163	32	4499
2006	6	3805	282	519	242	26	4880
2007	5	4357	279	493	209	34	5377
2008	11	4278	375	469	214	34	5381
2009	2	3761	413	342	247	38	4803
Total	37	35851	3195	28605	2551	762	71001

PCT-Non PCT applications

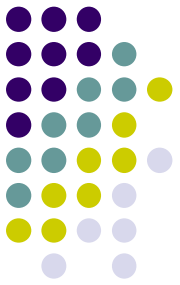




Patent Applications

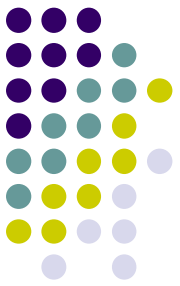


IP STATISTICS



Applications for Registration of Industrial Design

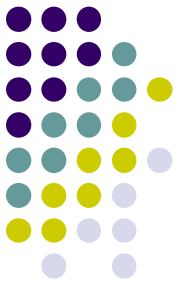
YEAR	APPLICATIONS RECEIVED		TOTAL
	DOMESTIC	FOREIGN	
2001	1,092	311	1,403
2002	2,496	372	2,868
2003	2,791	363	3,154
2004	3,789	607	4,396
2005	4,319	795	5,114
2006	4,174	752	4,926
2007	3,646	827	4473
2008	2,866	1,000	3,866
2009	3601	600	4,201
	Total		34,401



III. PROBLEMS AND CHALLENGES

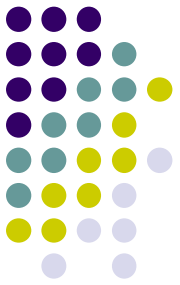
- Insufficient of knowledge and understanding of IPR by related institutions;
- Low of public awareness;
- Limited budget for infrastructure.
- Low of domestic patent application

Possible measures to overcome the problems:



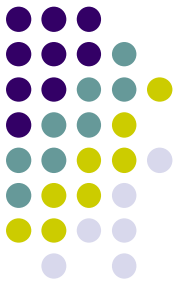
- Improving cooperation with other agencies in improving quality and quantities of IP socialization and dissemination program
- Improving knowledge and quality of DGIPR human resources by internal system or in frame of cooperation with other IP Offices/agencies

CONCLUSION



- To make the intellectual property works, it does not only depend on the capability and competence of the intellectual property office but also on the awareness, understanding and knowledge of the parties involved
- Human resources plays an important role in supporting the implementation of IP system and economic development
- The dissemination of information pertaining to intellectual property legislation also plays an important role in the effort to enhance the IPR system in Indonesia

Thank you for your attention



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