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IIPA RECOMMENDS TO USTR THAT INDONESIA SHOULD BE ON THE PRIORITY WATCH LIST

JAKARTA In this year's Special 301 Report on Copyright Protection and Enforcement, the International Intellectual Property Alliance ("IIPA") recommends to the United States Trade Representative (USTR) to keep Indonesian on the priority watch list, considering that Indonesia does not have good copyright enforcement.

According to the IIPA press release in February 2015, such recommendation was based on appraisal and evaluation upon Indonesia's compliance in the field of general intellectual property and particularly copyright during the course of 2014.

IIPA members are associations from all aspects of industry which are associated with copyright. IIPA members amongst others are the Association of American Publishers (AAP), Entertainment Software Association (ESA), Motion Picture Association of America Inc., Recording Industry Association of American, Inc., and the Independent Film & Television Alliance.

According to the IIPA assessment, there are many infringements, which specifically relate to copyright and generally relate with intellectual property.

Despite the above, we notice that the current relevant government official, e.g. Directorate general of IPR has made numerous effort to enhance the protection of intellectual property, especially copyright, amongst other, by issuing the new copyright Law in October 2014.

IIPA highlights copyright enforcement failure such as an in a dequate decision by a judge which was less of a deterrent upon copyright infringers (such as upon the circulation of VCD, DVD, CD and pirated software in Indonesia) in particular and to intellectual property infringers in general. The IIPA welcomed the passage and final coming into force of the said new Copyright Law but it remains concerned about some provisions of the law and hopes that the remaining concerns will be addresses in implementing regulations which should be swiftly adopted.

As to the court decision, as a matter of fact, there were actually number of good count decision made in relation to cases in Jakarta and East Java. However, it seems that this information did not a dequately disseminated, so that relevant stakeholders did not aware about this decisions.

The USTR has put Indonesia in the priority watch list position for the past 6 years. Such position has not yet changed; IIPA recommends that USTR keep Indonesia in the priority watch list position.

IIPA also recommends that the USTR put Chile, China, India, Costa Rica, Russia, Thailand and Vietnam into the 2015 priority watch list.

USTR will publish USTR business partners in intellectual property in late April 2015. Therefore, there is still time for Indonesia to lobby USTR in order to be taken out of the priority watch list.

The Priority watch list level indicates that problems may exist with respect to IPR protection, enforcement or market access such that a US business partner might categorise it as bad, or yellow light. Being on the Prioritywatch list also creates the impression that Indonesia's image in global intellectual property is not very good, at a time when Indonesia is currently focussing in attracting foreign investors.

Bearing in mind that the US harbours many copyright-based industries, and that copyright has made a great contribution to the US economy the US government is highly concerned.

According to data released by theIIPA, the copyright industry is the main sector that supports the US economy, and such industrial sector has created many employment opportunities.

In 2003, the contribution from copyright to US economy was at 6,7% and employed about 5,5 employees. (su)