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INDONESIA STAYS ON THE USA'S PRIORITY WATCH LIST FOR INTELLECTUAL PROPERTY

Indonesia remains on the Priority Watch List for the United States of America, a list that is published every year and includes countries that the US believes need to make further improvements to Intellectual Property Rights. The aim of the list is to identify countries with perceived trade barriers to US companies because of the level of IP protection.


In a Press statement by the United States Representative (USTR) at the end of April 2016 Indonesia stayed on the list for a further year along with 13 other countries including India, China, Thailand, Pakistan, Russia, Kuwait, Venezuela, Argentina, Chile, Ecuador, Algeria, Pakistan and The Ukraine.

Indonesia was assessed as having made improvements and changes in the field of Intellectual Property Rights but the US government is of the view that the Indonesian government's policy does not go far enough and Indonesia stays on the list because of compliance issues.

This is disappointing especially since the Intellectual Property Alliance (IIPA), an organization of enterprises in the field of IP had recommended to the USTR that the Indonesian rank should have been changed from the Priority Watch List to the Watch List. The six organizations that constitute the IIPA are the Association of American Publishers Inc (AAP), the Business Software Alliance (BSA), the Entertainment Software Association (ESA), the Independent Film & Television Alliance, the Motion Picture Association of America Inc (MPA), and the Recording Industry Association of America Inc (RIAA).

The Indonesian government has, and continues to make improvements to the legal system to improve compliance and to enforce intellectual property rights. Indonesia has legalized a new law on Copyrights, Law No 28 of 2014 as a result of revision of Law No 19 of 2002. Similarly, in the field of enforcement the Indonesian government has already blocked 22 illegal music-sharing websites that allegedly violated copyrights

In the ASEAN region Indonesia and Thailand are the only two remaining countries on the Priority Watch List as Malaysia has been taken off the list.



This special annual report is part of a review of the global state of IPR protections and enforcement made unilaterally by the US government. It is not directly related either to WTO requirements or the TRIPS agreement.

The Priority Watch List reflects the fact that the countries have lots of intellectual property problems such as compliance, law enforcement and aspects of their legal systems, which create barriers for trade partners from other countries, specifically from the United States of America. The US government evaluates these countries each year as trading partners with regard to the IP compliance issues. The US government believes that innovation and creativity are the foundation to successful economic competition and as a consequence they aim to protect US based companies, and their Intellectual Rights. Such concern stems from the fact that according to the USTR press statement 10 million American people have jobs that relate to intellectual property.