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IMPLEMENTATION OF RIGHTS BY PATENT HOLDERS

On 11 July 2018, the Indonesian government has issued Minister of Law Regulation No. 15 of 2018 in regard to Implementation of Rights by Patent Holders ("**Regulation 15/2018**"). This regulation serves as the implementing regulation to the provision of Article 20 of Law No. 13 of 2016 on Patents ("**Patent Law**") that mandates a patent holder to produce a product or apply its processes in Indonesia. Article 132 of the Patent Law stipulates a patent may be revoked/deleted for non-compliance with Article 20 of Patent Law although the parties that may apply for revocation/deletion on this ground are the public prosecutor or parties representing national interests or compulsory-Licensee.

Regulation 15/2018 governs the patent holders that are for any reason unable to produce the product or apply its processes in Indonesia, may file an application to the Indonesian Patent Office ("**IPO**") for the postponement of the obligation to produce a product or apply its processes in Indonesia. This application must be submitted within 3 years from the date the patent was granted. This postponement can be granted for the period of 5 years. However, the IPO holds the wide discretion to decide whether to approve or reject such application.

For further details on the Regulation 15/2018, please contact office@kk-advocates.com.