

**NOTIFICATION OF LAWS AND REGULATIONS
UNDER ARTICLE 63.2 OF THE AGREEMENT**

INDONESIA

Revision

The following communication, dated 18 April 2000, has been received from the Permanent Mission on Indonesia.

With reference to my letter N° 19/WTO/IV/2000 dated 31 March 2000 regarding the Indonesian notification of laws and regulations under Article 63.2 of the TRIPS Agreement, I wish to inform you that under instruction of my capital, I would like to make the following corrections to the notification as submitted on the afore-mentioned date, as follows:

1. Correction to the document IP/N/1/IDN/2 dated 12 April 2000:
 - (a) The main dedicated laws and regulations listed in Annex I.
 - (b) Other laws and regulations listed in Annex II.
2. Correction to document IP/N/6/IDN/1 dated 5 April 2000 containing the checklist of issues on enforcement.

All of these corrections are attached to this letter. It would be appreciated if you could distribute these improvements to WTO Members as a revision to the Indonesian notification.

A revised text of document IP/N/1/IDN/2 as attached to this communication is reproduced below.

A revised text of document IP/N/6/IDN/1 is reproduced in document IP/N/6/IDN/1/Rev.1.

MAIN DEDICATED INTELLECTUAL PROPERTY LAWS AND REGULATIONS

TITLE	BRIEF DESCRIPTION
<p>Copyright¹</p> <p><u>Law N° 6 of 1982</u></p> <p>(Entry into force: 12 April 1982.)</p>	<p>This was the first national Copyright Law for the protection of scientific, literary and artistic works.</p>
<p><u>Law N° 7 of 1987</u></p> <p>Amendment to Law N° 6 of 1982, and Implementing Regulations.</p> <p>(Entry into force: 9 September 1987.)</p>	<p>The amendment contains the following elements:</p> <ul style="list-style-type: none"> (a) Increasing the penalty of criminal provisions and amending the infringement status from a report-based crime to a common crime. (b) Increasing the duration of copyright protection. (c) Recognizing provisions on computer program works and eliminating paleoanthropology as protected works.. (d) Correlation between State and any copyright holders in connection with compulsory licensing.
<p><u>Law N° 12 of 1997</u></p> <p>Amendment to Law N° 7 of 1987.</p> <p>(Entry into force: 9 May 1999.)</p>	<p>The amendment contains the following elements:</p> <ul style="list-style-type: none"> (a) Protection of works of unknown authors. (b) Exception of copyright infringement. (c) The right and authority to file a lawsuit. (d) Rental right. (e) Neighbouring right. (f) Licensing.

¹ See document IP/N/1/IDN/C/1.

² See document IP/N/1/IDN/P/1.
³ See document IP/N/1/IDN/I/1.

² See document IP/N/1/IDN/P/1.

³ See document IP/N/1/IDN/I/1.

TITLE	BRIEF DESCRIPTION
<u>N° 14 of 1997</u> on the amendment of Law N° 19 of 1992. (Entry into force: 7 May 1997.)	This law contains the following aspects: (a) Multi-classes application. (b) Geographical indication and indication of origin.

ANNEX II
OTHER LAWS AND REGULATIONS

<p style="text-align: center;">TITLE DATE OF ADOPTION AND ENTRY INTO FORCE</p>	<p style="text-align: center;">BRIEF DESCRIPTION</p>
<p>Copyright and related rights</p> <p><u>Government Regulation N° 14 of 1986</u> on the Copyright Council.</p> <p><u>Government Regulation N° 1 of 1989</u> on translation and/or reproduction of works in the field of education, sciences, research and development.</p> <p><u>Government Regulation N° 26 of 1999</u> on tariff of non-taxed State income.</p> <p><u>Government Regulation N° 70 of 1991</u> on the implementation of Law N° 4 of 1990 in respect of the deposit of printed and recorded works.</p> <p><u>Government Regulation N° 6 of 1994</u> on the operation of film business.</p> <p><u>Government Regulation N° 7 of 1994</u> on the Film Censorship Agency.</p>	<p>The main task of the Copyright Council is to provide advice to the Government of Indonesia concerning the development of copyright and to the author upon request.</p> <p>This regulation contains provisions with respect to the implementation of Article 15 of the Copyright Law known as Compulsory Licence.</p> <p>As implementation of Law N° 20 of 1997, it is deemed necessary to stipulate a government regulation on tariff of non-taxed State income in the Department of Justice.</p> <p>This regulation contains provisions with respect to the deposit of printed and recorded works .</p> <p>This regulation contains provisions with respect to the operations of film business, including film producing, technical services, exporting, film importing, censorship, broadcasting and the distribution of films.</p> <p>This regulation contains provisions with respect to the organization, working procedure, function, duties and the authorities of the Film Censorship Agency.</p>

<p style="text-align: center;">TITLE DATE OF ADOPTION AND ENTRY INTO FORCE</p>	<p style="text-align: center;">BRIEF DESCRIPTION</p>
<p><u>Government Regulation N° 8 of 1994</u> concerning the National Film Consultation Agency.</p> <p><u>Presidential Decree N° 18 of 1997</u> concerning the ratification of the Berne Convention for the protection of literary and artistic works.</p> <p><u>Presidential Decree N° 19 of 1997</u> concerning the ratification of the WIPO Copyright Treaty.</p> <p>Trademarks</p> <p><u>Government Regulation N° 23 of 1993</u> regarding the procedure of request for mark registration.</p> <p><u>Government Regulation N° 24 of 1993</u> regarding the classification of goods and services for mark registration.</p> <p><u>Government Regulation N° 32 of 1995</u> regarding the Mark Appeal Commission.</p> <p><u>Government Regulation N° 26 of 1999</u> on tariff of non-taxed State income.</p> <p><u>Presidential Decree N° 17 of 1997</u> regarding the ratification of the Trademark Law Treaty.</p>	<p>This regulation contains provisions with respect to the organization, working procedure, function, duties and the authorities of the National Film Consultation Agency.</p> <p>This regulation prescribes the request procedures for mark registration.</p> <p>This regulation prescribes the classification of goods and services.</p> <p>This regulation prescribes the organizational structure, duties and function of the Mark Appeal Commission.</p> <p>As implementation of Law N° 20 of 1997, it is deemed necessary to stipulate a government regulation of tariff on non-taxed State income in the Department of Justice.</p>

<p>TITLE DATE OF ADOPTION AND ENTRY INTO FORCE</p>	<p>BRIEF DESCRIPTION</p>
<p>Geographical indications</p> <p>---</p> <p>Industrial Designs</p> <p>Patents (including plant variety protection)</p> <p><u>Government Regulation N° 33 of 1991</u> concerning special registration for patent consultant.</p> <p><u>Government Regulation N° 34 of 1991</u> concerning procedures for patent application.</p> <p><u>Government Regulation N° 11 of 1993</u> concerning the form and contents of the patent certificate.</p> <p><u>Government Regulation N° 31 of 1995</u> concerning the Patent Appeal Commission.</p> <p><u>Government Regulation N° 26 of 1999</u> concerning the tariff on non-taxed State income.</p> <p><u>Presidential Decree N° 16 of 1997</u> concerning the ratification of the Patent Cooperation Treaty (PCT) and Regulation of the PCT.</p>	<p>The draft of the design product industry law is currently under deliberation in the House of Representatives.</p> <p>This regulation governs the procedures for registration of Patent Consultant.</p> <p>This regulation governs the procedures for patent applications.</p> <p>This regulation contains the form and contents of the patent certificates.</p> <p>This regulation governs the organizational structure, duties and function of the Patent Appeal Commission.</p> <p>As implementation of Law N° 20 of 1997 concerning tariff on non-taxed State income, it is deemed necessary to stipulate a government regulation of tariff on non-taxed State Income by the Department of Justice.</p>

TITLE DATE OF ADOPTION AND ENTRY INTO FORCE	BRIEF DESCRIPTION
<p><u>Decree of the Minister of Justice N° M.01-HC.02.01 of 1991</u> on simple patents.</p> <p><u>Decree of the Minister of Justice N° M.02-HC-02.10 of 1991</u> on patent publication.</p> <p><u>Decree of the Minister of Justice N° M.06.HC.02.10 of 1991</u> on the procedure for patent application.</p> <p><u>Decree of the Minister of Justice N° M.07-HC.02.10 of 1991</u> concerning request for substantive examination.</p> <p><u>Decree of the Minister of Justice N° M.08.HC.02.10 of 1991</u> concerning the recording and request for copies of patent documents.</p> <p><u>Plant Varieties Protection Law</u></p> <p>Layout-designs (topographies) of integrated circuits</p> <p>Protection of undisclosed information</p>	<p>This decree regulates the specific provisions concerning simple patents.</p> <p>This decree regulates the procedure of patent publication.</p> <p>This decree regulates the implementation rule for patent applications.</p> <p>This decree regulates the procedure to request for substantive examination.</p> <p>This decree regulates the procedure to apply for recording and request for copies of patent documents.</p> <p>The draft of the plant varieties protection law is currently under deliberation in the House of Representatives.</p> <p>The draft of the layout-designs of integrated circuits law is currently under deliberation in the House of Representatives.</p> <p>The draft of the trade secret law is currently under deliberation in the House of Representatives.</p> <p>In the absence of a trade secret law, the existing regulation relating to the protection of registration for finished drug products is covered by the Decree of the Minister of Health N° HK.00.06.2.03186 on Detailed Criteria, Completeness of Application and Registration Procedures for Finished Drug Products.</p>

<p>TITLE DATE OF ADOPTION AND ENTRY INTO FORCE</p>	<p>BRIEF DESCRIPTION</p>
<p>Prevention of abuse of intellectual property rights</p> <p>---</p> <p>Civil judicial procedures and remedies</p> <p><u>Indonesian Civil Code</u> (Burgerlijk Wetboek)</p> <p><u>Civil Procedure Law</u> (Het Herziene Indonesisch Reglement)</p> <p>Provisional judicial measures</p> <p>---</p> <p>Special requirements related to border measures</p> <p><u>Customs Law N° 10 of 1995</u></p> <p>Criminal Procedures</p> <p><u>Indonesian Criminal Procedure Law</u> <u>in Law N° 8 of 1981</u></p> <p><u>Indonesian Penal Code</u> (Wetboek van Strafrecht)</p> <p>Any administrative procedures and remedies not covered above</p> <p>---</p>	<p>General enforcement provisions for infringement of intellectual property rights.</p> <p>General enforcement provisions for infringement of intellectual property rights.</p> <p>The Customs Office has the authority to seize and hold items suspected to be infringing the law with or without a complaint being filed. The relevant sections are Articles 54 to 62.</p> <p>The general enforcement provisions for infringement of intellectual property rights.</p> <p>The general enforcement provisions for infringement of intellectual property rights.</p>

TITLE DATE OF ADOPTION AND ENTRY INTO FORCE	BRIEF DESCRIPTION
Others <u>Presidential Decree N° 15 of 1997</u> concerning the ratification of the Paris Convention for the Protection of Industrial Property.	
