

Overview Intellectual Property Rights in Indonesia



The value of industry in Indonesia, increased considerably in the last few years. The increase of industrial activity in a country should be accompanied by the society awareness in the protection of intellectual property rights which is related to their business.

However appreciation towards Intellectual Property Rights in Indonesia is still modest, therefore sometimes some people consider Intellectual Property Rights are not important. However, the Intellectual Property Rights are in fact useful to protect the businessman from the possibility of unauthorized use of the rights.

Since 1994, Indonesia already become a member of World Trade Organization. As a member of WTO, Indonesia have to adjust any legislation related to Intellectual Property Rights with the Trade Related Aspects of Intellectual Property Rights (TRIPs) standard. The types and regulation of Intellectual Property Rights in Indonesia are Copyright by Law No. 28 of 2014, Patent by Law No. 14 of 2001, Trademarks by Law No. 15 of 2001, Industrial Design by Law No. 31 of 2000, Integrated Circuit Layout Design by Law No. 32 of 2000, Trade Secrets by Law No. 30 of 2000 and Varieties of Plants by Law No. 29 of 2000.

The Future

Realization of BP Lawyer's clients objective is the foremost consideration. BP Lawyers's people are all experienced and dedicated to the full achievement of our clients' objectives by assisting clients to find their main goals, providing active advisory assistance, strategy advisement, and creative support with quick responses around the clock.





With recognition of entrepreneurial spirit, and high standards of service and ethics, we have been very successful in providing timely and cost-effective representation of our clients. We also believe that complicated legal issues may not always demand complicated solutions, but they certainly demand creativity and the cooperation of lawyers mastering different areas of the law.

Involvement in The Arbitration and Commercial Disputes

BP Lawyers has longstanding experience and expertise in all aspect of Intellectual Property Rights Arbitration and Commercial Disputes. We have been represented multinational and domestic companies to assist in various stages from legal advice and representative in legal action, such as:

- ✓ PT Dwimitra Semerbak Artamulia (Semerbak Coffee)
- ✓ PT VFS Services Indonesia;
- ✓ PT Jejak Imani

Recent Experience in Intellectual Property Rights Sector

- ✓ Representing domestic and foreign companies claim regarding mark infringement. and;
- ✓ Assisting clients in registration of trademark.

Fee Structures

A. Hourly Fee System

This is the most common method by which our office charges fees to clients. Under this system we charge clients for the actual time spent by our lawyers that are assigned to the case. Currently the hourly charges of our lawyers are:

Title	Rate
Partners	IDR 2,000,000/hour
Associates	Ranging from IDR 500,000 - IDR 1,500,000 per hour depending on Seniority



By this method, we will charge clients monthly in arrear (except that for new clients, we normally require a deposit, the amount of which would depend on the case).

B. Project Fee System

This system would be beneficial to the client for transactions that are normally standard and can be readily quantifiable. In this system we would quote a lump sum fee (IDR 5,000,000 – 10,000,000) for the whole project with details of the scope of works covered. Any work beyond the scope of work or time beyond a capped limit would be charged separately. In order to set on appropriate lump sum fee, we would firstly have to know the scope of work required by the client.

C. Retainer Fee System

In this system the client pays us a fixed retainer monthly/annually, which will allow the client to utilize our services up to a pre-set time limit during the retainer period. Any time beyond the set limit will be charged additionally based on the applicable hourly fees of the lawyers handling the case (however with a pre-agreed discount). This system will provide the client with substantial savings if we are utilized effectively.

More details for of the retainer arrangement will be set forth in the retainer agreement.

Please note that all the fee systems above require the client to pay out-of-pocket expenses (e.g. traveling, long distance calls, photocopies, faxes, etc.).

We believe our experience and expertise in this area of law will support each client's objectives of achieving the best possible outcome, whether it be precautionary of any business interruption or seeking first step of remedies for avoiding litigation case.

If you would like additional information or about the Firm, please contact us (+62 889 2630 556, email: info@bplawyers.co.id).



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