ASIAN PATENT ATTORNEYS ASSOCIATION 2026
PATENT COMMITTEE
INDONESIAN GROUP

COUNTRY REPORT

I. EXECUTIVE SUMMARY

A. **Copyright Bill** – On 12 March 2026 the plenary session of the House of Representatives (DPR) approved the Bill amending Law No. 28 of 2014 on Copyright as a DPR initiative bill. First-level deliberation with the Government commenced on 6 October 2026, and completion is targeted by the end of 2026. The Bill's treatment of artificial intelligence is a central feature and remains under formulation, such that it may be reformulated before enactment.

B. **Industrial Design Bill** – The revision of Law No. 31 of 2000 on Industrial Designs is under deliberation by a DPR special committee, with proposals including protection for unregistered designs, an international registration route, and a shortened registration timeline.

C. **Trademark Registration** – Minister of Law Regulation No. 5 of 2026 on Trademark Registration was enacted on 13 January 2026 and has applied since 23 February 2026. It establishes fully electronic trademark filing and shortens the examination and certificate timelines.

D. **Patents –** Minister of Law Regulation No. 6 of 2026 on Patent Applications introduces early substantive examination, a new substantive re-examination channel, and faster publication.

E. **Patent anti-evergreening –** On 28 August 2026, through Constitutional Court Decision No. 255/PUU-XXIII/2025, the Court restored the anti-evergreening exclusion under the Patent Law. DGIP has indicated that it will propose a Patent Law amendment for evaluation in the 2027 National Legislation Programme.

F. **Year of Patent and ISA** – DGIP has designated 2026 as the Year of Patent and is preparing its application for recognition as an International Searching Authority (ISA) and International Preliminary Examining Authority (IPEA) under the PCT, with the support of the Japan Patent Office.

G. **USTR Special 301 –** In its 2026 Special 301 Report, released on 30 April 2026, the Office of the United States Trade Representative again placed Indonesia on the Priority Watch List, together with Chile, China, India, Russia and Venezuela.

H. **IP mediation –** DGIP reported that it completed 104 intellectual property mediation requests between 1 January 2022 and 20 May 2026, predominantly copyright and trademark disputes.

I. **Digital enforcement –** DGIP closed 1,004 pirate websites between 1 January 2025 and 11 May 2026, with illegal film and television streaming and pirated digital books, webtoons and comics the principal targets.

J. **Customs –** The Customs recordation dashboard records 123 active IP recordation across 27 rightsholders and 67 border enforcement actions, the latter rising steeply in 2025 and 2026.

K. **Notable decision –** In the TIMKEN matter, the Commercial Court found trademark infringement in a dispute over allegedly counterfeit bearing products distributed without authorisation.

L. **Enforcement highlight –** Following a successful DGIP mediation, 567 items of counterfeit Lacoste merchandise, with an estimated retail-equivalent value of approximately IDR 940.4 million, were destroyed on 22 June 2026 in Jakarta.

II. REGULATORY AND PRACTICE UPDATES

A. UPDATE ON IP LAWS

Update on Copyright Bill

On 12 March 2026, the plenary session of the DPR approved the Bill amending Law No. 28 of 2014 on Copyright as a DPR initiative bill, with eight factions expressing their support. As an initiative bill, the draft now proceeds to joint deliberation between the DPR and the Government before it can be passed

into law. The Minister of Law and the DPR leadership have publicly targeted completion of the deliberation by the end of 2026, alongside the Domestic Workers Protection Bill.

Based on the materials published to date, the amendment is reported to address more transparent and accountable royalty governance, the responsibility of digital platforms, the relationship between artificial intelligence and copyright, and strengthened protection of journalistic works and press companies. First-level deliberation between the DPR and the Government commenced on 6 October 2026, preceded by a public consultation conducted by DGIP on 4 May 2026.

A central and closely watched feature of the Bill is its treatment of artificial intelligence, which the Deputy Minister of Law has described as a new development in copyright protection. The approach reflected in the deliberations to date treats AI as a tool rather than as a legal subject. On that approach, works generated entirely by AI would not be eligible for recordal or protection, whereas AI-assisted works would be protected where they reflect a significant human intellectual contribution, assessed through a human involvement test. A more contentious proposal would require technology platforms to compensate news publishers where news content is used to train AI models, linked to a proposed revision of the Copyright Law provision that presently excludes current news reports from protection.

We emphasise that these AI-related provisions remain under formulation. The precise rules, including the question of ownership of AI-assisted works and the scope of any platform compensation obligation, continue to be debated, with musicians, legal scholars and creative-industry groups calling for more detailed provisions. The formulation may therefore change before the Bill is enacted, and we will report the final position once the text is settled.

By way of carry-over from our 2025 report, the amendment follows Constitutional Court Decision No. 84/PUU-XXI/2023, which broadened the interpretation of Article 10 of the Copyright Law so that enforcement extends beyond store owners and managers to providers of user-generated content platforms, and beyond physical sale and duplication to the sale, display and duplication of infringing goods on digital platforms.

Update on Trademark and Geographical Indication Bill

Our 2025 report recorded the Government's plan to separate the regimes governing trademarks and geographical indications, which are presently regulated together under Law No. 20 of 2016 on Trademarks and Geographical Indications, and noted that the plan remained at the preparation stage. As at the date of this report, we have identified no further development, and the position is understood to be unchanged.

Update on the Industrial Design Bill

The revision of Law No. 31 of 2000 on Industrial Designs is included in the 2026 priority National Legislation Programme and is under active deliberation. A DPR special committee has been formed for the Bill, and the Minister of Law, Supratman Andi Agtas, held a working meeting with the special committee on 19 May 2026. The revision is driven by the view that the existing law, now more than two decades old, no longer reflects current needs, and by the objective of improving access to design protection for MSMEs, small and medium industries, and local designers.

The principal changes reported to date include an updated definition of industrial design and a broadened scope of protection; protection of design rights without registration; more comprehensive exclusive rights for design holders; responsibilities for operators of trade venues; protection against the subsequent filing of an identical design by another party; government-held design rights; the registration of designs through an international registration route (the Hague Agreement system); and the recognition of design rights as collateral under fiduciary security. In parallel, DGIP has proposed shortening the registration timeline. As of the date of this report, the Bill remains under deliberation and has not yet been passed.

Update on the Patent Law (Constitutional Court Decision No. 255/PUU-XXIII/2025)

On 28 August 2026, the Constitutional Court, through Decision No. 255/PUU-XXIII/2025, restored the

anti-evergreening exclusion under the Patent Law. The exclusion limits the patentability of new forms, uses or compositions of a known substance that do not demonstrate a significant improvement in efficacy, and is directed against the practice of extending patent protection through incremental modifications of existing inventions, a matter of particular significance in the pharmaceutical sector.

B. UPDATE ON IMPLEMENTING REGULATIONS

Minister of Law Regulation No. 5 of 2026 on Trademark Registration

Minister of Law Regulation No. 5 of 2026 on Trademark Registration (Permenkum 5/2026) was enacted on 13 January 2026 and has applied since 23 February 2026. It revokes Minister of Law and Human Rights Regulation No. 67 of 2016, as amended by Regulation No. 12 of 2021, and modernises the administrative framework for trademark prosecution.

The regulation establishes fully electronic trademark filing. Applications are submitted through the DGIP portal, and the non-electronic channel is retained only as assistance for applicants inputting their data into the official system. The examination and certificate timelines are materially shortened. Substantive examination is to be completed within 30 days where no opposition is filed, and within up to 90 days where an opposition or a proposed refusal arises, compared with a period that could previously extend to 150 days. An official excerpt of the trademark certificate is to be issued within one day of the request, compared with up to 15 days previously, and certificates are now issued electronically.

For foreign associates, the principal practical consequences are a shorter and more predictable prosecution timeline, revised evidentiary requirements for sound marks, and a shortened path to registration. We also note a reported tightening of the administrative requirements for the recordal of trademark assignments, which the Minister of Law addressed publicly in June 2026 as a measure to verify the consent of the rightful owner.

Minister of Law Regulation No. 6 of 2026 on Patents

Minister of Law Regulation No. 6 of 2026 (Regulation No. 6 of 2026), which governs the examination of patent applications, revokes Minister of Law and Human Rights Regulation No. 38 of 2018, as amended by Regulation No. 13 of 2021.

The service standards reported by DGIP provide for administrative examination within 14 days and for substantive examination structured to run up to 30 months. A request for substantive examination must be filed within 36 months of the filing date, and a response to the result of substantive examination is due within 3 months of receipt. The regulation introduces several acceleration schemes, namely early substantive examination for an additional fee, acceleration of the announcement for an additional fee, and acceleration through bilateral or international cooperation.

A notable feature of the regulation is the introduction of a substantive re-examination mechanism. This gives an applicant a channel for administrative correction before a matter proceeds to a formal legal dispute. Once a decision has been issued on the application, the applicant may request re-examination within a set window of up to 9 months, and the mechanism sits as a step prior to appeal.

C. UPDATES ON DGIP POLICY

DGIP has designated 2026 as the Year of Patent, framed as a means of increasing the number of registered domestic patents and of strengthening the national innovation ecosystem. The designation follows the Year of Copyright and Industrial Design in 2025.

Consistent with that focus, DGIP is preparing its application for recognition as an International Searching Authority, and in due course as an International Preliminary Examining Authority, under the Patent Cooperation Treaty. Capacity building and the supporting systems required for ISA recognition were discussed at a follow-up meeting on 2 April 2026.

D. OTHER UPDATE ON THE REGULATION AND PRACTICE

On the enforcement-adjacent front, DGIP reported that it completed 104 intellectual property mediation requests between 1 January 2022 and 20 May 2026, predominantly copyright and trademark disputes. In 2026, up to 20 May, there were 11 requests, of which 10 remained in process and one had been completed. Mediation requests are filed through the online complaint system at pengaduan.dgip.go.id.

E. HIGHLIGHT – RECENT COURT DECISION ON TRADEMARK CASE

We note the following decision as the trademark matter from the reporting period most directly relevant to anti-counterfeiting enforcement.

TIMKEN (Commercial Court Decision No. 133/Pdt.Sus-HKI/Merek/2025/PN Niaga Jkt Pst). The dispute concerned the alleged unauthorised use of the registered TIMKEN trademark for similar bearing products. The Plaintiff contended that the Defendant's products were counterfeit because the Defendant was not an authorised distributor in Indonesia, while the Defendant argued that it was merely an end-user purchasing genuine products from a Hong Kong supplier that had guaranteed their authenticity.

The Court partially granted the claim, finding that the Defendant had infringed the TIMKEN trademark under the Trademark Law, but rejected the claims for immaterial damages and a public apology, finding insufficient evidentiary support for the former and considering the requested apology excessive.

III. ANTI-COUNTERFEITING ACTIVITIES

A. IP ENFORCEMENT STATISTICS

Indonesian National Police

As recorded in our 2025 report, the Indonesian National Police addressed 636 intellectual property crime cases between 2019 and 2024, comprising 417 trademark, 175 copyright, 26 industrial design, 10 patent, and 8 trade secret cases. No updated figure has been released for 2025 or 2026 as at the date of this report.

Directorate General of Intellectual Property (DGIP)

According to the data published by the DGIP, DGIP recorded 296 intellectual property infringement cases between 2019 and mid-2025, with most cases involving trademarks. More recently, DGIP reported that it resolved 119 criminal IP cases over the period from 2021 to 2025, again predominantly trademark matters. A consolidated figure for 2026 had not been compiled as at the date of this report.

In the digital enforcement space, DGIP closed 1,004 pirate websites between 1 January 2025 and 11 May 2026. Of these, 885 were closed in 2025, comprising 401 illegal film and television streaming sites, 258 sites offering pirated digital books, webtoons and comics, 198 broadcasting-rights violations, and 28 other copyright-infringing sites. A further 119 sites were closed in 2026 up to 11 May, comprising 61 film and television streaming sites, 24 digital book, webtoon and comic sites, and 34 other sites.

Enforcement highlight: Lacoste v. PT Terra Store. The trademark dispute between Lacoste and PT Terra Store was resolved through mediation at DGIP. Following that settlement, which was handled by DGIP's civil servant investigators (PPNS), DGIP destroyed 567 pieces of counterfeit Lacoste merchandise on 22 June 2026 in Jakarta, with an estimated retail-equivalent value of approximately IDR 940.4 million. DGIP presented the destruction as a demonstration of the State's commitment to intellectual property enforcement.

Commercial Courts

Based on the commercial court case registers, there were 158 intellectual property cases from 1 January 2026 up to October 2026. These figures cover IP cases generally, including both infringement suits and cancellation or deletion actions, and are distributed by court as set out below.:

Commercial Court	Cases
Jakarta Commercial Court	124
Semarang Commercial Court	10
Surabaya Commercial Court	15
Medan Commercial Court	6
Makassar Commercial Court	3
Total	158

B. USTR SPECIAL 301 REPORT 2026

In its 2026 Special 301 Report, released on 30 April 2026, the Office of the United States Trade Representative again placed Indonesia on the Priority Watch List, together with Chile, China, India, Russia and Venezuela.

The concerns raised in respect of Indonesia remain broadly consistent with those recorded in our 2025 report, including the piracy of music and film through streaming services, cam-cording in cinemas, the widespread use of unlicensed software, and the limited coverage of the customs recordation system relative to the size of the market. Enforcement is characterised as reactive, with blocked piracy domains quickly migrating to new addresses. Indonesia has nonetheless intensified its response to online piracy during the reporting period, including the closure of more than 1,000 pirate websites noted above.

C. OVERVIEW OF COMMONLY IMITATED AND COUNTERFEIT IP ASSETS IN 2026

Based on enforcement reporting and market monitoring over the reporting period, the categories of goods most commonly imitated and counterfeited in Indonesia remain substantially consistent with those identified in 2025, namely:

1. Footwear and apparel. Designer labels and sportswear brands remain highly prone to counterfeiting, particularly in tourist and metropolitan hotspots and through e-commerce platforms.
2. Low-cost consumer goods. High-volume items such as shaving razors and stationery continue to feature prominently in customs seizures.
3. Electronics accessories. Mobile phone accessories and peripherals, including cases, headphones and chargers, frequently appear in seizures and marketplace complaints.
4. Packaged food and beverages, cosmetics and certain pharmaceuticals. These products are regularly flagged on health and safety grounds, with the Indonesian Food and Drug Authority (BPOM) continuing to identify illegal cosmetics in particular.
5. Software. Unlicensed and pirated software remains widespread, through file-sharing, stream-ripping and unauthorised app stores.
6. Creative content. The piracy of music and film remains a significant problem across digital platforms.

D. CUSTOMS RECORDATION AND BORDER MEASURES

Figures from the Directorate General of Customs and Excise recordation dashboard show 123 active intellectual property recordation held by 27 companies across 17 goods classes, representing increases of 35.2% in recordation and 42.1% in participating companies. Foreign-invested (PMA) rightsholders account for 52.8% of recordation and domestic (PMDN) rightsholders for the remaining 47.2%.

Border enforcement has risen sharply. The dashboard records 67 enforcement actions in total, with activity concentrated in 2025 and 2026 and the 2026 figure the highest in the series. The year-by-year trend in recordation and enforcement actions is set out below.

Year	New Recordation	Enforcement actions
2019	2	1
2020	3	2
2021	8	2
2022	3	4
2023	12	3
2024	21	5
2025	42	15
2026	32	35

We note that a foreign rightsholder is presently required to have a local subsidiary or legal entity in Indonesia in order to record its rights with Customs. In recent high-level discussions, the Coordinating Minister for Law, Human Rights, Immigration and Corrections has indicated that this mandatory local-entity requirement is being reconsidered and will be studied further. These discussions remain at an early stage and form part of an internal process within that Coordinating Ministry to align the position with the relevant ministries.

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