

DECREE OF PRESIDENT OF REPUBLIC OF INDONESIA

NUMBER 4 YEAR 2006

REGARDING

THE ESTABLISHMENT OF NATIONAL TEAM ON THE TACKLING OF  
INFRINGEMENTS OF INTELLECTUAL PROPERTY RIGHTS

Considering : a. that intellectual property rights (IPRs) play significant role and important function in various aspects of national development;  
b. that IPRs have economic values so that infringements on such rights, in addition to damaging the owner or the right holder, also damage the interests of the country as well as disturb the international trade;  
c. that in the framework of creating a conducive climate for development and protection of IPRs to further encourage creativities, innovations, business activities and industries, more coordinative efforts are needed in tackling infringements on IPRs;  
d. that based on the consideration as referred to in letter a, letter b and letter c, a National Team on the Tackling of Infringements of Intellectual Property Rights shall be established with a Decree of President;

In view of : 1. Article 4 paragraph (1) of the Indonesian Constitution 1945;  
2. Law N<sup>o</sup> 7 of 1994 regarding the Ratification of Agreement Establishing the World Trade Organization (State Gazette of Republic of Indonesia of 1994 N<sup>o</sup> 57, Supplementary State Gazette N<sup>o</sup> 3564);  
3. Law N<sup>o</sup> 10 of 1995 regarding Customs (State Gazette of Republic of Indonesia of 1995 N<sup>o</sup> 75, Supplementary State Gazette N<sup>o</sup> 3612);  
4. Law N<sup>o</sup> 29 of 2000 regarding the Protection of Plant Varieties (State Gazette of Republic of Indonesia of 2000 N<sup>o</sup> 241, Supplementary State Gazette N<sup>o</sup> 4043);  
5. Law N<sup>o</sup> 30 of 2000 regarding the Trade Secret (State Gazette of Republic of Indonesia of 2000 N<sup>o</sup> 242, Supplementary State Gazette N<sup>o</sup> 4044);  
6. Law N<sup>o</sup> 30 of 2000 regarding the Industrial Designs (State Gazette of Republic of Indonesia of 2000 N<sup>o</sup> 243, Supplementary State Gazette N<sup>o</sup> 4045);  
7. Law N<sup>o</sup> 31 of 2000 regarding the Layout Design of Integrated Circuits (State Gazette of Republic of Indonesia of 2000 N<sup>o</sup> 244, Supplementary State Gazette N<sup>o</sup> 4046);  
8. Law N<sup>o</sup> 14 of 2001 regarding Patents (State Gazette of Republic of Indonesia of 2001 N<sup>o</sup> 109, Supplementary State Gazette N<sup>o</sup> 4130);  
9. Law N<sup>o</sup> 15 of 2001 regarding Marks (State Gazette of Republic of Indonesia of 2001 N<sup>o</sup> 110, Supplementary State Gazette N<sup>o</sup> 4131);  
10. Law N<sup>o</sup> 19 of 2002 regarding Copyrights (State Gazette of Republic of Indonesia of 2002 N<sup>o</sup> 85, Supplementary State Gazette N<sup>o</sup> 4220);

DECIDES

To enact : DECREE OF PRESIDENT REGARDING THE ESTABLISHMENT OF NATIONAL TEAM ON THE TACKLING OF INFRINGEMENTS OF INTELLECTUAL PROPERTY RIGHTS

Article 1

To establish a National Team on the Tackling of Infringements of Intellectual Property Rights, hereinafter in this Decree of President referred to as National Team on IPRs, to coordinate the tackling of infringements of intellectual property rights in Indonesia, and the solution of various problems which arise from their implementation.

Article 2

The National Team on IPRs shall have the duties:

- a. to formulate national policies on the tackling of infringements of IPRs;
- b. to stipulate national measures which are needed in the framework of tackling infringements of IPRs;
- c. to study and stipulate solution measures of strategic problems regarding the tackling of infringements of IPRs, including the prevention and law enforcement in accordance with the main duties and functions of each member;
- d. to coordinate in conducting the socialization and education in the field of IPRs for the purpose of tackling infringements of IPRs to related institutions and agencies, and the public through various activities;
- e. to foster and strengthen cooperation at the bilateral, regional and multilateral level in the framework of tackling of infringements of IPRs.

Article 3

The composition of members of the National Team as referred to in Article 1 shall be as follows:

- a. Chairman : Coordinating Minister of Political, Legal and Security Affairs  
Vice Chairman : Coordinating Minister of Economic Affairs
- b. Executive Chairman : Minister of Law and Human Rights  
Deputy Executive Chairman, also serving as member : Minister of Trade

- c. Members :
1. Minister of Industry
  2. Minister of Finance
  3. Minister of Foreign Affairs
  4. Minister of Agriculture
  5. Minister of Health
  6. Minister of National Education
  7. Minister of Communication and Information
  8. Minister of Domestic Affairs
  9. State Minister of Research and Technology
  10. Secretary of Cabinet
  11. Attorney General
  12. Chief of Indonesian Police
  13. Head of Food and Drug Control Agency
- d. Executing Team :
1. Deputy of Coordinating Minister of Political, Legal and Security Affairs
  2. Advisor of Minister of Trade for International Cooperation Affairs
  3. Secretary General, Ministry of Industry
  4. Director General of Customs and Excise, Ministry, Ministry of Finance
  5. Director General of Law and International Treaties, Ministry of Foreign Affairs
  6. Secretary General, Ministry of Health
  7. Secretary General, Ministry of Agriculture
  8. Secretary General, Ministry of National Education
  9. Head of Agency for Public Information, Ministry of Communication and Information
  10. Secretary General, Ministry of Domestic Affairs
  11. Secretary of State Minister of Research and Technology
  12. Deputy of Secretary of Cabinet for Legal Affairs
  13. Deputy Attorney General for General Crimes, Office of the Attorney General of Republic of Indonesia
  14. Head of Agency for Criminal Investigation, National Police of Republic of Indonesia
  15. Secretary General of Agency for Drug and Food Control

- e. Secretary : Director General of Intellectual Property Rights

#### Article 4

- (1) The National Team on IPRs shall be under the supervision of and responsible to the President.
- (2) The National Team on IPRs through the Chairman shall submit a written report on the implementation of its works to the President every 6 (six) months or at any time when necessary.

#### Article 5

- (1) When deemed necessary, to fulfill its duties the National Team on IPRs may be assisted by Working Group which shall be established by the Chairman.
- (2) The composition of members, duties, work mechanism and reporting of the implementation of works of the Working Group and its secretariat as referred to in paragraph (1) shall be arranged by the Chairman.

#### Article 6

- (1) In implementing its duties, the National Team on IPRs shall be assisted by Advisor who shall be appointed and dismissed by the Chairman based on need.
- (2) Advisor as referred to in paragraph (1) shall have the duty to provide suggestions, advices, and opinions to the National Team on IPRs either requested or not.

#### Article 7

- (1) The National Team on IPRs shall convene its meeting at least 1 (one) time in 3 (three) months which is presided over by the Chairman.
- (2) The Executive Team shall convene its meeting at least 1 (one) time in 1 (one) month which is presided over by the Executive Chairman.

#### Article 8

In conducting their duties, the Chairman and Executive Chairman may involve Ministers/Heads of Non-Departmental Government Institutions, Heads of Local/Provincial Authorities as well as Heads of other related institutions, and other parties comprising experts, academics, practitioners, associations/ professional associations, business associations, related non governmental organizations, both domestic and foreign, when necessary.

Article 9

- (1) The mechanism of working procedure of the National Team on IPRs shall be stipulated by the Chairman.
- (2) The mechanism of working procedure of the Executing Team shall be stipulated by the Executive Chairman.

Article 10

- (1) In conducting his duties, the Chairman shall be assisted by Secretariat presided over by Secretary;
- (2) The composition of organization, working procedure and membership of Secretariat of National Team on IPRs shall be stipulated by the Executive Chairman

Article 11

All expenses which are needed for the implementation of duties of the National Team on IPRs shall be borne by the budget of Ministry of Law and Human Rights

Article 12

- (1) With the coming into force of this Decree of President, other regulations of which the provisions have been regulated under this Decree shall no longer be valid.
- (2) The works of the Coordination Team on the Tackling of Infringements of Intellectual Property Rights which was established based on the other regulation as referred to in paragraph (1) shall be submitted to and carried on by the National Team on IPRs based on the provisions of this Decree of President.

Article 13

This Decree of President shall be effective as of the date of its enactment.

Enacted in Jakarta  
On 27 March 2006

PRESIDENT OF REPUBLIC OF INDONESIA

(signed)

DR. H. SUSILO BAMBANG YUDHOYONO