HARVESPAT
Intellectual Property Services

CIRCULLAR LETTER

NEW REGULATION OF LICENSE AGREEMENT RECORD

Dear esteemed Client and Colleagues,

We are pleased to inform you that the Minister of Law and Human Rights has issued a legal Ministry Regulation of Law and Human Rights No. 8 of 2016 regarding the Requirements and Procedures of Application for Registration of Intellectual Property License Agreement. The new regulation has been assigned on February 24, 2016 and published due to many parties request, especially the owner of Intellectual Property. Besides, one consideration the new regulation should be published is to improve the government service, and to provide a legal certainty for the rights owner and rights holder from intellectual property objects to the licensee.

As stated in the article no. 83, the License agreement should be recorded by the Minister into general list of copyrights license agreement with official fees applied. Besides, in Trademark's article no. 43 mentions that the license agreement is mandatory require of its record to Director of Intellectual Property (Ditjen KI) with fees/charge and the law consequence from its record applied to the third party.

Based on the above, should you have any license agreement related to your IP registrations, therefore, with this new Ministry Regulation, the license agreement record can now be executed by the Directorate General. We may now proceed the recordations of Deed of Assignment for entering the formality examination within 10 days. Please note if there's any document needed, it must be completed within 10 days max after the formality examination, otherwise, the application is considered to be cancelled. After the examination check completed, the Minister will further record the license agreement and announce said recordation in official website of Director of Intellectual Property. Please be informed that article 10 of the Ministry Regulation have managed that the license agreement recordation is apply for 5 (five) years period and may be extended with the payment of official fees with the amount stated in the applicable provision.

Should you need any further information regarding this new Ministry Regulation or assistance to proceed the recordation, please do not hesitate to contact us at info@harvespat.com.

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Sincerely Yours,

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