



EXPLORING IP OPPORTUNITIES IN INDONESIA FOR INDIAN ENTITIES

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Indonesia is a key market for Indian businesses in Southeast Asia due to its large population (275+ million) and growing economy.

As more Indian companies expand into Indonesia, securing Intellectual Property (IP) Rights is critical, since the protection policy is based on a First-to-File basis.

The session will explore IP opportunities, challenges, and strategies for Indian entities.





WHY INDONESIA?

- The largest economy in Southeast Asia ranked among the top emerging markets.
- Booming consumer market with demand for Indian brands in FMCG, IT, pharma, entertainment, automotive, and education.
- Government support for foreign investments in key sectors.
- IP legal reforms in recent years have strengthened protection and enforcement.





UNDERSTANDING INDONESIA'S IP FRAMEWORK

The Directorate General of Intellectual Property (DGIP) under the Ministry of Law and Human Rights oversees IP in Indonesia.

- TRADEMARKS : Law No. 20/2016 (first-to-file system).
- PATENTS : Law No. 65/2024 (covers inventions & simple patents).
- COPYRIGHTS : Law No. 28/2014 (automatic protection for creative works with an optional recordation/registration system).
- INDUSTRIAL DESIGNS : Law No. 31/2000 (first-to-file system and novelty).





STATISTICS

Trademark Application from India to Indonesia

Yea	202	2022	2023
To Indonesia	1279	404	493

Trademark Application from Indonesia to India

Yea	202	2022	2023
To India	1104	35	54





STATISTICS

Most Class Category Filed by Indian Entities/Individuals:

- 5 - Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides. (404)
- 12 - Vehicles; apparatus for locomotion by land, air, or water. (317)
- 9 - Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; fire-extinguishing apparatus. (229)
- 35 - Advertising; business management; business administration; office functions. (205)
- 3 - Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices. (202)



PATENT

Most Class Category Filed by Indian Entities/Individuals:

Year	2021	2022	2023
To Indonesia	210	255	202

India - Top 10

Distribution of Published Patent Applications by Technology Field to Indonesia 2020–2022:

1. Computer Technology
2. Medical Technology
3. Digital Communication
4. IT Methods for Management
5. Organic Fine Chemistry
6. Transport
7. Pharmaceuticals
8. Electrical Machinery, Apparatus, Energy
9. Control
10. Basic Material Chemistry





KEY IP OPPORTUNITIES FOR INDIAN ENTITIES - CASE STUDIES

TVS is one of the Indian companies who are very active in IP protection in Indonesia. TVS entered the Indonesian market in 2005 to compete against other known Japanese motorcycle brands at the time.

TVS has filed and registered hundreds of Trademarks and Patents in Indonesia since its entry in 2005.

TVS products are still very prominent in the streets of Jakarta.





WHAT DID THEY DO RIGHT?

TVS followed best-case practices when it came to IP registration and enforcement in Indonesia

- Early registration: Secured Trademarks, Patents, and Industrial Designs before entering the market.
- Engaging trustworthy and experienced IP attorney in Indonesia.
- Utilizing PCT for cost-effective global protection.
- Continuous monitoring of possible infringements and unauthorized filings by 3rd parties, and dealt with them before ending up at the Court (which is very costly in Indonesia).

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OTHER WELL-KNOWN INDIAN ENTITIES IN INDONESIA WITH KNOWN STRONG IP PROTECTION



VFS.GLOBAL





GENERAL CHALLENGES IN INDONESIA

Indonesia is a high-potential market with moderate to high risk when it comes to IP enforcement. The majority of cases are settled amicably, but when that fails it becomes quite time-consuming and costly. Therefore, **early filing and active monitoring are always recommended.**

While the application to registration process has become shorter in Indonesia, some challenges still remain (i.e. technical issues involving the e-filing system).

Trademark non-use invalidation action has become slightly more challenging due to the change of the non-use period from 3 to 5 years. The Court has also become stricter when reviewing the non-use investigation report which needs to be presented as key evidence.

Thank You!

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