



## Juridical Analysis Of Patent Disclaimer Related To Improvement Of Inventions (Case Study on Supreme Court Decision Number 802 K/PDT. Sus/2011)

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### ABSTRACT

*Disclaimer of Patents Related to Improvement of Inventions takes into account the provisions regulated by Law Number 14 of 2001 and Government Regulations of 1999. Based on the regulations regulated by the Patent Law, the party applying for a patent is referred to as the Applicant and is requested to the Directorate General of Patents. In the refusal decision, if the applicant has objections to the decision by the Directorate General of Patents, it can make an appeal to the Patent Appeal Commission, if it is still rejected, it can take legal action, namely a lawsuit to the Commercial Court, and an appeal to the Supreme Court. This research was conducted using normative legal writing methods or library law research. The data used were primary, secondary, and tertiary legal materials, while the data collection was carried out by library research. The method used in analyzing the data is qualitative analysis. Based on the results of the author's research, namely the decision of the Supreme Court in the case of rejection of patents related to the improvement of this invention is due to the applicant's lack of observance of the legal remedies taken, where the decision of the supreme court did not discuss, or alluded to, the object for which the patent was requested, due to the fault of the applicant. who are late in filing their lawsuit to the court, in accordance with the provisions of the Patent Law, which is 3 months after receiving the rejection decision from the Directorate General.*

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### 1. Introduction

A patent is a special right granted by the State to an inventor for his findings in the field of technology for a certain period of time to carry out his invention himself to give his consent to others to do so (Law No. 6 of 1989). A patent holder is an inventor as the owner of the patent or the party who receives the right and is registered in the Patent Register. Patent rights are regulated in Law No. 14 of 2001 concerning Patents (hereinafter referred to as the Patent Law).

Currently, there are many cases of patent infringement, especially in the industrial sector. This is because there are so many products that are freely circulating and are already known by the public, so there are attempts to imitate other parties to obtain the same market position as the original product, and of course to obtain good sales results for their products.

In the process of obtaining a patent there are steps, as well as conditions in it, that must be met in order to be able to patent an invention. The requirements for inventions that can be patented are: new inventions, if the invention for which the patent is filed is not the same as the

technology previously disclosed and the invention contains innovative steps, if the invention is something that was not previously anticipated for someone who has certain expertise in the field of engineering, the invention can be applied in industry, meaning that patentable inventions are inventions that can be used in industry, and contain inventive (novelty) steps.

Assessment of the presence or absence of inventive steps is a very difficult thing to implement in practice, as Article 3 of the Patent Law applies, an invention contains an inventive step if the invention for someone who has certain expertise in the technical field is something that cannot be predicted beforehand.

Bajaj Group is one of the top 10 trading houses in India. His work spans a wide range of industries, automotive systems (two and three wheelers), household appliances, lighting, iron and steel, insurance, travel and finance. PT. Bajaj Auto Indonesia, a subsidiary of Bajaj Auto Limited, India, was established in July 2006, in Indonesia.

Every company engaged in the production sector definitely needs exclusive rights to its products, to obtain it, a patent must be applied for which is certainly very useful in market competition. According to Rachmadi Usman, SH, the notion of a company is not much different from what is formulated in Law number 3 of 1982 concerning mandatory company registration, namely every form of business that runs every type of business that is permanent and continuous, and which is established. Working and domiciled around the territory of the Republic of Indonesia with the aim of making a profit.

The patent application by the Bajaj company was rejected in Indonesia, because the object for which the patent was applied was deemed not to have an inventive step by the Directorate General of Intellectual Property Rights after a substantive examination, using Honda's patent document as a comparative document.

The patent application for the engine technology of India's pride, caused a long problem because Bajaj was dissatisfied and objected to the decision of the Directorate General of Intellectual Property Rights, and even went to legal channels starting from a lawsuit against the Patent Appeal Commission to the district court, to the stage of Cassation to the Supreme Court. , because of the importance of the patent.

## **2. Method**

The first is normative research based on primary and secondary legal materials, namely an inventory of regulations relating to the Civil Code, Law No. 8/1999 on Consumer Protection and Law No. 10 of 2009. The research aims to find a clear legal basis in placing this issue in the perspective of tourism law. Normative legal research, or library legal research, is carried out by researching library materials or only using ordinary secondary data.

Empirical legal research is carried out by primarily examining primary data obtained in the field as well as examining secondary data from the library.

Legal research used in this research is normative juridical, in this study, law is often conceptualized as what is written in legislation or laws that are conceptualized as rules or norms that become a benchmark for community behavior towards what is considered appropriate. Normative legal research is an activity to explain the law does not require data support, or social facts, because normative legal science does not recognize data or social facts which are known only as legal material, so to explain the law or to seek meaning and value the law and steps. -the steps taken are normative steps

### 3. Analysis And Results

#### 3.1 Process/Procedure of the sale and purchase agreement for the sale of a car on credit

The patent holder has a special right to carry out the company's patents either individually or by giving approval to other people, namely to make, sell, rent, deliver, use, provide for sale or lease or deliver the products that have been granted a patent, and use the process patented production for making goods and other acts.

##### a. Invention Development

The definition of development, based on the etymology of language is a progressive change and is also continuous or continuous, while the characteristics of development are:

- 1) There has been a change in aspects.
- 2) There is a change in the proportion
- 3) The disappearance of the old signs
- 4) Obtained new signs

In principle, development contains a basis, which is a never ending process and all its aspects are interrelated with each other.

##### b. New Inventor Rights

There is no regulation regarding new inventors and old inventors in the Patent Law, in the Patent Law the definition of inventor is a person who individually or several people jointly implement the ideas that are poured into activities that produce inventions.

It's just that there are inventors who patent their inventions, where the object of the invention is the development of a previously existing invention, for example, there is a patent on a pen, then by doing research to create a pen that can change color at the same time, the object being patented is the same pen .

#### 3.2 Case Position

Bajaj Auto Limited, a company incorporated under the laws of the State of India, and domiciled at Akurdi, Pune 41103 Maharashtra, India, in this case chooses its legal domicile at the Office of its attorney: PUJI RACHMAWATI, SH. , and friends, the Advocates based on Jl. Sultan Iskandar Muda (Pondok Indah Arteries) Gandaria 8, 3rd floor unit D, South Jakarta 12240, based on a special power of attorney dated February 14, 2011.

Bajaj company is a foreign company that invests in Indonesia. The company uses a cooperation system, namely the Joint Venture system which is a system of cooperation between foreign investors and domestic investors solely based on a mere contractual agreement.

As for the position of the case in terms of the rejection of a patent registration related to the improvement of an invention in the Supreme Court's Decision Number 802 K/PDT. SUS/2011 are:

- a. Bajaj Auto Limited is a company founded in 1926 in India which is engaged in industries such as: two wheelers, tricycles, home appliances, lighting, iron and steel, insurance, travel and finance. Bajaj Auto Limited is a well-known company and is ranked the fourth largest in the world as a company that produces, sells, imports, and markets two-wheeled vehicles, three-wheeled vehicles based on science and technology which to date has operated in more than 50 (five) companies. twenty) countries in Latin America, Africa, the Middle East, South and Southeast Asia, including Indonesia.
- b. Before Bajaj Auto Limited filed a patent application for its invention, the Bajaj Auto Limited company had carried out various research and development activities related to the invention and to obtain exclusive rights to the invention, a patent application was

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- submitted.
- c. The operating method of the machine used is "Internal Combustion Engine" as stated in the claims of Bajaj Auto Limited's invention.
  - d. On April 28, 2006 Bajaj Auto Limited sought to obtain protection for its invention by filing a patent application at the Patent Directorate Number: W- 002000601181 by using International priority rights with the date of receipt of the patent application on October 30, 2003, entitled internal combustion engine with four step principle.
  - e. Then by the Patent Directorate the application for Bajaj Auto Limited was rejected. through a notification letter of rejection of the application with HKI number 6382 dated December 30, 2009, on the grounds of being new and not containing inventive steps as stipulated in Articles 2 and 3 of the PATENT Law.
  - f. Against this refusal, on March 30, 2010 Bajaj Auto Limited filed an appeal to the Appeal Commission of the Directorate General of Intellectual Property Rights based on Article 60 of the PATENT Law, with Appeal Application Number B020100001.

It turns out Commission Appeal DG IPR in decision Number: 02/KBP/XII/2010 dated December 27, 2010, in its consideration stated that it did not meet the elements of novelty and inventive steps as referred to in the PATENT Law so that the patent appeal application submitted by Bajaj Auto Limited was rejected.

### **3.3 Legal Consequences of Rejection of Patents Related to Improvement of Inventions**

According to Insan Budi Maulana, one of the most important elements for the acceptance or rejection of a patent application is the element of novelty or novelty. If an invention does not have novelty, then the invention is not entitled to a patent.

Inventions for which patents can be applied for are inventions that are new, contain inventive steps, and can be applied to the industrial sector. The patent applied for by Bajaj is indeed a patent that is used in the industrial sector, but the invention for which the patent is being applied for has similarities with the invention that was previously patented, namely by Honda, so Bajaj automatically cannot patent the invention because it does not contain any defensive steps.

Patent rejection is basically due to not meeting the requirements in the substantive examination as regulated in:

Article 56 of the Patent Law which stipulates that

- a. A patent is granted for an invention that is new and contains an inventive step and is industrially applicable.
- b. An invention contains an inventive step if the invention for someone who has certain expertise in the field of engineering is an unexpected thing.
- c. Assessment that an invention is something that cannot be foreseen must be done. Patents are given inventions for inventions that are new and contain inventive steps and can be applied in the industry by taking into account the expertise that existed at the time the application was submitted or that existed at the time the first application was submitted in the event of an application. is filed with priority rights.
- d. An invention is considered new, an invention is considered new if the date of receipt is not the same as the previously disclosed technology.
- e. The technology disclosed as stated in the first point is the technology announced in Indonesia or outside Indonesia in a written, oral description or through demonstration, or in other ways that allow an expert to implement the invention before:
- f. The previously disclosed technology as referred to in the first point includes the application documents submitted in Indonesia which are published on or after the date of receipt of which the substance examination is being carried out, but the date of receipt is earlier than the date of receipt or the priority date of the application.

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- g An invention is industrially applicable if it is industrially applicable, as described in the application.
  - h Every invention in the form of a new product or tool and has practical use value due to its shape, configuration, construction, or components which may obtain legal protection in the form of a simple Patent.

It is the same with patent registration and invention development if the results of the substantive examination reported by the examiner show that the invention for which a patent is being applied for does not meet the provisions as stipulated in article 2, article 3, article 5, article 6, article 35, article 52 paragraph (1), Article 52 paragraph (2) of the Directorate General of Intellectual Property Rights rejects the application by notifying in writing to the applicant or his proxy, or also regulated in Article 56 of the Patent Law on Patents.

Apart from Article 56 of the Patent Law, there is also Government Regulation No. 34 of 1999 which regulates the examination of the patent being applied for which if not fulfill these articles, the application for patent registration is rejected, while PP number 34 of 1999 regulates it as follows:

- a. In carrying out a substantive examination of the patent office:
  - 1) examine the invention for which a patent is requested with other existing inventions based on, among other things, patent application documents, patent documents and other pre-existing documents.
  - 2) consider the views or objections raised by the public, if any, as well as the objections or explanations of these views or objections.
  - 3) considers the submitted documents as a fulfillment of the deficiency or completeness requested by the Patent Office and invites the person who filed the patent application to provide additional explanations as necessary.

### **3.4 Efforts made against Rejection of Patent Applications Related to Improvement of Inventions.**

After the patent application is submitted, announced, and substantively examined, the next step is the issuance of a decision by the Directorate General of Intellectual Property Rights. The decision can be in the form of approval of the invention for which the patent is filed, or the rejection of the invention for which the patent is being filed.

The decision is issued no later than 36 (thirty-six) months from the date of receipt of the application for substantive examination on ordinary patents, and 24 (twenty-four) months on simple patents.

If the patent submitted is rejected, the refusal is notified and the rejection letter is recorded by the Directorate General of Intellectual Property Rights. In the event of a refusal, it does not mean that the applicant cannot do anything. Applicants who are dissatisfied with the decision can take legal action.

Legal remedies that can be taken against the rejection of an application for an invention are to file an appeal against the decision of the Directorate General of Intellectual Property Rights to the Patent Appeal Commission as regulated in Article 60 of the Patent Law.

An appeal may be filed against a refusal on the grounds of substantive matters, which are submitted in writing by the applicant or his/her proxy to the Patent Appeals Commission, an appeal is filed by describing in full the objection and the reasons for the rejection of the application as a result of the substantive examination.

As for further regulation regarding the application for appeal regarding the period of filing a lawsuit, it is regulated in Article 61 of the Patent Law, namely:

- a. Submitted no later than 3 months.
- b. If the time period has passed, the applicant is deemed to have accepted the rejection decision.
- c. In the event that the rejection of the application has been deemed accepted as referred to in point.

In the appeal examination, it is regulated with the stipulation that the appeal is examined by the patent appeals commission one month from the date of receipt of the appeal, the decision of the appeals commission is determined no later than 9 months from the end of the period. If rejected, the applicant may file a legal action in the form of a lawsuit against the Patent Appeal Commission to the Commercial Court. As regulated in Article 63 of the Patent Law, if the applicant's lawsuit is rejected, he can take the last legal remedy, namely an appeal to the Supreme Court.

The Patent Appeal Commission is a special agency that is independent and within the department in charge of Intellectual Property Rights, consisting of a chairman, a deputy chairman concurrently a member, and members who are experts in their respective fields.

The filing of a lawsuit against the Patent Appeals Commission to the Commercial Court is not the last legal remedy that can be taken in the case of rejection of an application for a patent. If the lawsuit is declared rejected by a judge from the competent Commercial Court, the applicant as well as Bajaj Auto Limited can still make an appeal to the Supreme Court.

As a concrete example, we can see the following brief explanation regarding the application of Bajaj Auto Limited which was rejected by the Directorate General of Intellectual Property Rights, until it reached an appeal.

In the application with the development of the invention, the previous document must be compared with the old document as a basis stating that the patent contains a novelty, or inventive step. If there is a refusal, you can take the same legal remedies as a patent application which is not a development of an invention, starting from:

- a. Appeal to the patent appeals commission
- b. If rejected, you can file a lawsuit to the commercial court on the decision of the patent appeal commission
- c. And if it is rejected, it can file an appeal to the supreme court or it is called the *idtilah* cassation, because there is no appeal to the high court.

The rejection of Bajaj Motor Engines in Indonesia is one example of the rejection of a patent application. Bajaj Motor is one of the motorcycle products that is known among the people of Indonesia, even the resulting design is attractive and looks elegant. However, it was not unexpected that the patent for the engine technology of the Indian motorcycle engine became a problem in Indonesia. Bajaj Auto Limited as Bajaj motorcycle manufacturer sued the Directorate General of Intellectual Property Rights, Ministry of Law and Human Rights (Kemenkum HAM). Because, the patent application for the internal combustion engine system with the four-stroke principle was rejected on the grounds that it had been patented first by Honda Giken Kogyo the court overturned the rejection of the application in the case.

The case began when the Directorate General of Intellectual Property Rights rejected Bajaj's patent application on December 30, 2009 on the grounds that it was not new and did not contain any inventive steps. For the refusal, Bajaj Auto filed an appeal to the Patent Appeals Commission. However, the Appeals Commission in its decision on December 27, 2010 agreed with the Patent Directorate so that it again rejected the patent appeal. This is because the Bajaj motor principle is a principle that is still developing. Testimony in the trial, one cylinder is clearly different from two cylinders. For the spark plug configuration, it is possible that there are new claims, especially in cylinders with other characters.

However, the novelty is the small size of the space. Where there must be the same number of spark plugs. The advantage of this Bajaj is that it is fuel efficient and has environmentally friendly emissions. The Directorate General of Intellectual Property Rights has a separate record so that it rejects this patent application, namely that this system has been patented in the United States on behalf of Honda Giken Kogyo Kabushiki Kaisha with the inventor Minoru Matsuda in 1985. Then by Honda it was registered in Indonesia on April 28, 2006. However, this argument was countered by Bajaj, because it has previously obtained a Patent from the producer in its home country, namely India.

Despite the fact that the Bajaj company refused and objected to the Decision of the Directorate General of Intellectual Property Rights. It is better if it is proven that they have the same machine system as soon as possible, a solution to repair the machine will be given so that there are no problems such as revocation of sales and others. In this case, although Honda's engine system was used as a comparison, Honda chose to remain silent and did not comment at all.

The refusal was made by the agency on December 30, 2009 on the grounds that it was not new and did not contain any inventive steps as stipulated in Articles 2 and 3 of Law No. 14 of 2001 concerning Patents. For the refusal, Bajaj Auto filed an appeal to the Patent Appeals Commission. However, the Appeals Commission in its decision Number 02/KBP/XII/2010 on December 27, 2010 agreed with the Patent Directorate and again rejected the patent application.

The Patent Appeal Commission in its consideration stated that the patent No. W-00200601181 by Bajaj Auto is still relevant to the comparative document, namely the Honda Brand Engine Patent (US 4534322) "which has similarities". This can be seen in the international search report PCT/IN2003/000348, Bajaj Auto admitted that it was very objected to the decision of the Appeals Commission, thus appointing the attorney's office of Amroos and Partners to file a lawsuit at the Central Jakarta Commercial Court. The trial in this case should have entered the response stage of the Appeal Commission of the Directorate General of Intellectual Property Rights. However, the panel of judges postponed the trial because the Appeal Commission of the Directorate General of Intellectual Property Rights admitted that they were not ready with the answer. In the lawsuit registered at Number 45/Paten/2011/P. Commerce / JKT. the PST.

Bajaj Auto Limited claims that the use of the combustion engine operating method is the result of an invention (invention) produced by its client because of its high intellectual ability and is also based on research and development so that its application is worthy of acceptance.

Just like the previous decision, the commission stated that it rejected the patent application, because the patent had already been patented by Honda, then the Bajaj Auto model still insisted on the invention and believed that they were the ones who first discovered it and not a copy of the patent. Honda, then they sued the Patent Appeal Commission of the Directorate General of Intellectual Property Rights to the Jakarta Commercial Court, and the Jakarta Commercial Court decided to reject the lawsuit because the lawsuit was out of date/expired because the Patent Law clearly states that a lawsuit on a patent can only be filed within a period of 3 months after the decision is issued. However, Bajaj filed a lawsuit that was one day apart from the deadline for the lawsuit, which was on April 19, whose decision was issued on June 18, 2009.

However, the Bajaj insisted that they only received the decision letter on the 19th instead of the 18th, so they also filed an appeal to the Supreme Court, after being examined by the Supreme Court, the Supreme Court's decision Number 802 K / Pdt was issued. Sus/2011 which states that it is true that the lawsuit has expired/out of its term of 3 months, therefore the decision strengthens the decision of the Jakarta Commercial Court.

Basically the decision issued by the Supreme Court is correct regarding the deadline for filing a lawsuit, because if the lawsuit is filed outside the specified time then the lawsuit is not legally binding, in accordance with the decision issued by the commercial court in Jakarta, which decided to refuse the lawsuit from the bajaj because the time limit has passed.

Regarding the decision issued by the Directorate General and the Patent Appeal Commission, of course, it is not arbitrary, but has strong legal reasons, where in fact a comparison of the Bajaj party's documents with the comparison document is the Honda document.

The parties from Bajaj Auto Design stated that this patent had been registered in India before, so they firmly believed that Bajaj was the first to discover this invention and that the patent had been registered in India, but the decision by the Directorate General of Intellectual Property Rights was different, and considered that the Bajaj had applied for patent registration. which does not contain inventive steps, the application for patent registration must be rejected.

#### **4. Conclusion**

The limitations of inventions that can be registered in Indonesia are those contained in the Patent Law Articles 2 to 7 which generally can be registered if the invention is new and contains inventive steps and can be applied in the industrial sector. An invention is considered new if on the date of receipt, the invention is not the same as the previously disclosed technology and the invention contains an inventive step if the invention for someone who has certain expertise in the field of engineering is something that cannot be foreseen.

The relationship between inventors in a finding in the Patent Law does not have clear provisions regulating it directly, the arrangements regarding between inventors are generally agreed in a certain way by the parties. Basically, every inventor has a relationship with a patented invention because the one who is entitled to a patent is the inventor or who further receives the rights of the relevant inventor as stated in Article 10 paragraph 1 of the Patent Law, unless proven otherwise, one or several persons are considered as inventors. who is declared an Inventor for the first time in an Application, as referred to in Article 11 of the Patent Law. Meanwhile, if an invention is produced by several people together, according to Article 10 paragraph 2 of the Patent Law.

The refusal of patent registration is related to the improvement of the invention in the Supreme Court Decision Number 802 K/PDT. SUS/2011 is not based on substance considerations, in its refusal. The filing of a patent lawsuit filed as one of the legal remedies, in addition to filing an objection to the patent appeal commission and fulfilling the formal requirements in filing a lawsuit, by a patent applicant, the decision to reject a patent application has a patent effect.

#### **References**

- Djumhana. Muhammad and, R. Djubaedillah, Intellectual Property Rights, History, Theory and Practice in Indonesia Jakarta, Citra Aditya Abadi, 1997.
- Djamal. Dr. SHMHum, Procedural Law of Intellectual Property Rights (HKI) in Indonesia, Bandung, Pustaka Reka Cipta, 2009.
- Gambir. Ita, Technology Transfer Agreement, Types and Characteristics, Workshop Paper, Ministry of Industry and Trade, Semarang, October, 1996.
- Halim. Abdul. Dr, Consumer Rights, Bandung, Nusa Media, 2010. Harsono. Adisumarto, Intellectual Property Rights Especially Patents and Trademarks, Industrial Property Rights, Jakarta, Akademika Pressindo, 1985.

- 
- Hartono. Sri Redjeki. Prof. Dr. SH, *Capita Selecta Economic Law*, Bandung, Mandar Maju, 2000.
- Kansil. Christine ST, *Dictionary of Various Legal Terms*, Jakarta, Sinar Harapan Library, 2001.
- Lindsey. Team. Prof, et all, edt, *Intellectual Property Rights, Intellectual Property Rights An Introduction*, Bandung, PT Alumni, 2006.
- Margono. Suyud, *Legal Aspects of Commercial Intellectual Assets*, Bandung, Nuansa Aulia, 2010.
- Margono. Suyud and, Amir Angkasa, *Commercialization of Intellectual Assets Aspects of Business Law*, Jakarta, Grasindo, 2003.
- Maulana. Budi Man. *Pelangi Haki and Anti Monopoly*, Yogyakarta, Center for Law Studies, Faculty of UII, 2000.
- Muljadi. Kartini and, Widjaja Gunawan, *Position of Power*, Jakarta, Prenada Media, 2004.
- Pakpahan. Normin S, et all, *ELIPS Economic Law Dictionary*, Jakarta, Ellips, 2000.
- Ramli. Ahmad M. Dr, *Protection of Trade Secrets in Law no. 30/2000 and its Comparison with Several Countries*, Bandung, Mandar Maju, 2001.
- Saidin, *Intellectual Property Rights*, Jakarta, Rajawali Pres, 1995.
- Sihombing. Jonker. Dr, *Foreign Investment Through Government Securities in the Capital Market*, Bandung, PT. Alumni, 2007.
- Soelistyo. Henry. Dr, *Copyright Without Moral Rights*, Jakarta, Rajawali Press, 2011.
- Soekardono, *Speech of the President of the Republic of Indonesia*.
- Sudargo. Prof. Mr, *Intellectual Property Rights and International Agreements: TRIPS, GATT, PUTARAN URUGUAY*, Bandung, PT. Citra Aditya Bakti, 1994.
- Sumantoro, *Economic Law*, Jakarta, UI Press, 1986.
- Usman. Rachmadi, *Economic Law in Dynamics*, Jakarta, Djambatan, 2000.
- Widjaja. Gunawan, *Expired Business Law Series*, Jakarta, Rajawali Pers, 2005. Widjaja. Gunawan, *Business Law Series: License*, Jakarta, Rajawali Press, 2001.
- Winardi. Dr, *Introduction to Economics*, Bandung, Tarsito, 1988.
- Woerjati, *Patent Rights*, Jakarta, Rineka Cipta, 1999.
- , *Association, Convention, Ratification, Intellectual Property Rights (HAKI)*, Jakarta: Judicial Technical Development Project of the Supreme Court of the Republic of Indonesia, 1998.
- Law Number 14 of 2001 concerning Patents Government Regulation Number 34 of 1999 concerning Patents of the Civil Code Law Supreme Court Decision Number 802K/Pdt.SUS/2011.
- Law Number 18 of 2002 concerning the National System of Research, Development, and Application of Science and Technology Announcement of the Minister of Justice dated August 12, 1953 Number JS 5/41/4 (State Gazette Number 53-69) concerning Temporary Application for Patent Registration
- Cahya Suryana, data and types of research data, <http://csuryana.wordpress.com/2010/03/25/data-dan-type-data-research/>.
- DetikFinance. com Concerned that local industry still lacks patent lists, <http://www.detikfinance.com/read/2008/06/25/120013/962126/4/> (accessed June 21, 2013)
-

Directory of Decisions of the Supreme Court of the Republic of Indonesia, Decision of the Supreme Court Number 802K/PDT.Sus/2011, <http://verdict.mahkamahagung.go.id/deciding/5ef0bfaa55dd98824f71098f4>

Intellectual Property Rights in the Field of Patents, <http://mitaanisaa.blogspot.com>. Com Law Is My way.

Research or study of Normative Law, <http://lawismyway.blogspot.com/2011/01/penelitian-or-pengkajian-ilmu-law.html?m=1>.