

Settlement of Intellectual Property Disputes through Arbitration in Indonesia

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Abstract : *The continual advancement of technology and the expanding array of human needs have fuelled significant growth within the trade sector, particularly in intellectual property (IP) domains. This growth is evidenced by a marked increase in intellectual property registrations, which play a pivotal role in the trade sector. The surge in registrations, including trademark, copyright, patent, and industrial design, has correspondingly led to a rise in intellectual property disputes. While these disputes traditionally find resolution within Commercial Court, alternative mechanisms such as mediation and arbitration have gained prominence. The World Intellectual Property Organization (WIPO) oversees a specialized institution for mediation and arbitration, namely the WIPO Mediation and Arbitration Centre. Indonesia similarly hosts its own institution dedicated to resolving intellectual property disputes, the Arbitration and Mediation Board for Intellectual Property Rights (BAM HKI), established in 2011. Arbitration mechanism prioritizes privacy, efficiency, and expediency in resolving intellectual property disputes compared to Commercial Court. Consequently, the presence of arbitration institution offers a viable alternative dispute resolution mechanism favoured by involved parties.*

Keywords : *alternative dispute resolution, arbitration, intellectual property*

Abstrak : Kemajuan teknologi yang terus-menerus dan semakin banyaknya kebutuhan manusia telah memicu pertumbuhan signifikan dalam sektor perdagangan, khususnya dalam bidang kekayaan intelektual (KI). Pertumbuhan ini ditandai dengan peningkatan yang signifikan dalam pendaftaran kekayaan intelektual, yang memainkan peran penting dalam sektor perdagangan. Lonjakan pendaftaran, termasuk merek dagang, hak cipta, paten, dan desain industri, telah menyebabkan peningkatan sengketa kekayaan intelektual. Meskipun sengketa-sengketa ini secara tradisional diselesaikan di Pengadilan Niaga, mekanisme-mekanisme alternatif seperti mediasi dan arbitrase semakin mendapatkan perhatian. Organisasi Kekayaan Intelektual Dunia (WIPO) mengawasi sebuah lembaga khusus untuk mediasi dan arbitrase, yaitu Pusat Mediasi dan Arbitrase WIPO. Indonesia juga memiliki lembaga yang didedikasikan untuk menyelesaikan sengketa kekayaan intelektual, yaitu Badan Arbitrase dan Mediasi Hak Kekayaan Intelektual (BAM HKI), yang didirikan pada tahun 2011. Mekanisme arbitrase mengutamakan privasi, efisiensi, dan kecepatan dalam menyelesaikan sengketa kekayaan intelektual dibandingkan dengan Pengadilan Niaga. Akibatnya, keberadaan lembaga arbitrase menawarkan



mekanisme penyelesaian sengketa alternatif yang layak dan disukai oleh pihak-pihak yang terlibat.

Kata kunci : Alternatif Penyelesaian Sengketa, arbitrase, kekayaan intelektual

I. INTRODUCTION

In the contemporary global landscape, driven by rapid technological advancements and the evolving needs of society, the trade sector has experienced substantial expansion. Within this broad terrain, the intellectual property (IP) sector stands as a fundamental cornerstone intricately woven into the trade landscape.¹

This symbiotic relationship has led to a significant surge in intellectual property registrations, reflecting the growing importance and prevalence of IP assets in commercial endeavors. As businesses endeavor to innovate and safeguard their creations, the landscape of intellectual property rights has become increasingly intricate, consequently giving rise to a parallel increase in disputes and conflicts.²

Amidst these challenges, the significance of efficient and effective dispute resolution mechanisms cannot be overstated. A country's laws and regulations must be clear and consistent, applied objectively and fairly, and contracting parties must be able to rely on the legal system to protect their rights and resolve disputes fairly and effectively.³ Traditionally, Commercial Court has served as the primary avenue for resolving intellectual property disputes. However, the inherent complexities and lengthy processes associated with court proceedings often present significant drawbacks for parties involved in IP disputes. Recognizing the need for alternative avenues that offer expediency, privacy, and specialized expertise, mediation and arbitration mechanisms have gained prominence in recent years.

International IP protection is becoming increasingly stringent and its law enforcement can be carried out through a body within the World Trade Organization

¹ Gayo S. The use of mediation as an alternative dispute resolution in the resolution of intellectual property rights disputes. *Int Asia Law Money Launder*. 2022;1(2):101-106. doi:10.59712/iaml.v1i2.18.

² Sulistianingsih D, Adhi YP, Pujiono P. Digitalisasi Kekayaan Intelektual Komunal di Indonesia. Paper presented at: Seminar Nasional Hukum Universitas Negeri Semarang; 2021:7(2):645-656. doi:10.15294/snhunnes.v7i2.723

³ Hutaeruk, Rufinus Hotmaulana., et.al., COPYRIGHT LAW AND INVESTMENT IN INDONESIA: A LEGAL BRIDGE, *Mimbar Hukum Universitas Gajah Mada*, Vol. 3 5 Special Issue Tahun 2023

system called the Dispute Settlement Body (DSB).⁴ In light of the traditional avenues for dispute resolution, alternative mechanisms have emerged as viable options for settling intellectual property disputes. Among these alternatives, mediation and arbitration mechanisms have garnered attention for their effectiveness in providing swift, efficient, and confidential resolutions to IP conflicts.⁵ At the forefront of international efforts to facilitate IP dispute resolution, the World Intellectual Property Organization (WIPO), as the international organization overseeing intellectual property, manages specialized bodies dedicated to mediation and arbitration, exemplified by the WIPO Mediation and Arbitration Centre in Geneva, Switzerland. Similarly, Indonesia has also established a specialized institution, the Arbitration and Mediation Board for Intellectual Property Rights (BAM HKI), which has emerged as a significant institution offering tailored mediation and arbitration services specifically designed for intellectual property disputes since its establishment in 2011.

This paper examines the evolving landscape of intellectual property dispute resolution, with a specific focus on the emergence and efficacy of alternative mechanisms such as mediation and arbitration. Through a comparative analysis of traditional court proceedings and alternative dispute resolution methods, the paper aims to highlight the advantages and challenges associated with each approach. Additionally, it explores the role of specialized institutions such as the WIPO Mediation and Arbitration Centre and the Arbitration and Mediation Board for Intellectual Property Rights (BAM HKI) in facilitating efficient and equitable resolution of intellectual property disputes.

II. RESEARCH METHOD

This research will commence with an extensive review of existing literature concerning intellectual property (IP) disputes, dispute resolution mechanisms, and the role of arbitration in IP disputes. Data will be gathered from various literary sources, including books, journals, and research papers discussing intellectual property disputes, dispute resolution mechanisms, and the role of arbitration in IP disputes. A comparative

⁴ Nurahmasari, Revita, et.al., *Mediasi Sebagai Kewajiban Penyelesaian Sengketa Perdata Pelanggaran Paten Di Indonesia Demi Kepastian Dan Kemanfaatan Hukum*, Acta Diurnal Jurnal Ilmu Hukum Kenotariatan Fakultas Hukum Universitas Padjadjaran, Volume 5 Nomor 1, Desember 2021

⁵ De Werra J. *Alternative dispute resolution for trademark disputes*. Dalam: *The Cambridge Handbook of International and Comparative Trademark Law*. Cambridge: Cambridge University Press; 2020. Page 142–158. doi:10.1017/9781108399456.010.

analysis will be conducted between dispute resolution mechanisms in Commercial Court and at BAM HKI.

This analysis will involve examining a series of case studies to assess the efficiency, effectiveness, and outcomes of disputes resolved through BAM HKI compared to those resolved through Commercial Court. Utilizing a multi-faceted research methodology encompassing literature review, data collection, and case study analysis, this research aims to provide a comprehensive understanding of the role and effectiveness of the Arbitration and Mediation Board for Intellectual Property Rights (BAM HKI) as an alternative dispute resolution mechanism for intellectual property disputes in Indonesia.

III. ANALYSIS

The research findings explain the mechanism of alternative dispute resolution, particularly arbitration, in settling intellectual property (IP) disputes in the context of Indonesia. Based on Law Number 30 of 1999 concerning Arbitration and Alternative Dispute Resolution (“Arbitration and ADR Law”), Article 1 number 10 defines Alternative Dispute Resolution as a dispute resolution institution or disagreement through procedures agreed upon by the parties, namely settlement outside the court through consultation, negotiation, mediation, conciliation, or expert appraisal.⁶

Moreover, alternative dispute resolution in its development was already practiced before Indonesia's independence, more precisely during the Dutch colonial period, known as *Afdoening Buiten Process* (Settlement of cases outside the court).⁷ In the Indonesian Criminal Code, out-of-court settlement is regulated by Article 82 of the Indonesian Criminal Code, known as *Afkoop* which states that the power to prosecute offenders punishable only by fines is abolished if the offender voluntarily assumes the maximum penalty, and the costs that may be incurred if criminal prosecution is initiated.⁸

In Aceh, long before Indonesian positive law was known, the community had already developed an alternative model of peaceful dispute resolution, known as *peudame*,

⁶ Law No. 30 of 1999 concerning Alternative Dispute Resolution Arbitration. Jakarta: Government of Indonesia; 1999. Article 1, paragraph 10.

⁷ Wulandari, Septiayu Restu, PENERAPAN ALTERNATIF PENYELESAIAN SENGKETA TERHADAP TINDAK PIDANA PENCURIAN BERNILAI RINGAN, *Jurnal Krtha Bhayangkara*, Volume 12 No. 1, Juni 2018

⁸ *Ibid.*,

evident in the provisions of Article 98, paragraph 3, Law of the Republic of Indonesia No. 11 of 2005 concerning Aceh Government.⁹

The background of the various alternative dispute resolution mechanisms is caused by the loss of trust in judicial institutions, judges whose knowledge is considered general, lengthy court proceedings, always having losing parties, and open trial processes.¹⁰ Within the alternative dispute resolution process, there are several mechanisms for resolving disputes, namely negotiation, mediation, conciliation, and arbitration.¹¹ The focus of this paper is on the arbitration mechanism. However, before discussing arbitration, it is necessary to first define arbitration itself, which is a term used to describe a peaceful procedure or provision on how to settle disputes that arise to achieve a specific legally binding outcome. In the arbitration mechanism, there are main requirements, namely the obligation of the parties to make a written agreement or arbitration agreement and then agree on the laws and procedures on how they will conclude the settlement.

A. Definition of Arbitration

The definition of arbitration, based on Article 1 number 1 of the Arbitration and ADR Law, is "A method of resolving civil disputes outside the general court system based on an arbitration agreement made in writing by the parties to the dispute." Arbitration also has several definitions proposed by various sources, as follows:

- a) An arbitration is the reference of a dispute or difference between not less than two persons for determination after hearing both sides in a judicial manner by another person or persons, other than a court of competent jurisdiction;
- b) Arbitration, the reference of a dispute to an impartial (third) person chosen by the parties to the dispute who agree in advance to abide by the arbitrator's award issued after hearing at which both parties have an opportunity to be heard. An arrangement for taking and abiding by the judgement of selected persons in some disputed matter, instead of carrying it to establish tribunals of justice, and is intended to avoid the formalities, the delay, the expense and

⁹ *Ibid.*,

¹⁰ Gede Aditya Pratama, *Buku ajar Alternatif Penyelesaian Sengketa*. Sumedang: Mega Press Nusantara; 2023.

¹¹ Sidik J, et al. Choice of arbitrators regarding dispute settlement (comparing Indonesia and Russia). *J Law Legal Reform*. 2024;5(1):109-136. doi:10.15294/jllr.vol5i1.2093.

vexation of ordinary litigation;

- c) Arbitration is the resolution of a dispute by one or more arbitrators appointed jointly by the parties to the dispute, without resorting to court;¹²
- d) Arbitration is an alternative dispute resolution system that is agreed to by all parties to a dispute. This system provides for private resolution of disputes in a speedy fashion; and¹³
- e) The parties agree to settle the dispute with a neutral party. In arbitration, the parties themselves choose the arbitrator and the law to be applied. In essence, arbitration is a private judge and thus has the competence to make decisions on the dispute. The decision is final and binding, and it constitutes a win-loss solution.¹⁴

The jurisdiction of the arbitral tribunal is to settle commercial disputes and matters that can be settled in accordance with law and statutory provisions.¹⁵ Therefore, criminal law disputes, election disputes and family law cases do not fall within the scope of the arbitral tribunal's jurisdiction.¹⁶ The district court does not have the jurisdiction to investigate and resolve disputes where the agreement contained an arbitration clause.¹⁷

Arbitration has been present since the Dutch colonial era, based on the provisions of Article 377 HIR/Article 705 RBg and Articles 615-651 of the Reglement op de Rechtsvordering (Rv). These regulations govern the resolution of disputes or disagreements between parties in a specific legal relationship that have entered into an arbitration agreement explicitly stating that all disputes or disagreements arising or potentially arising from that legal relationship will be settled through arbitration or alternative dispute resolution.

An arbitration agreement is not a conditional agreement or *voorwaardelijke verbintenis*. The arbitration agreement is not included in the provisions of Articles 1253-

¹² Abdurasyid P. Arbitrase dan Alternatif Penyelesaian Sengketa (APS) (Arbitration – Alternative Dispute Resolution – ADR) Suatu Pengantar. Jakarta: PT. Fikahati Aneska berkerjasama dengan Badan Arbitrase Nasional Indonesia; 2002.

¹³ Altschul SM. The Most Important Legal Terms You'll Ever Need to Know. 1994.

¹⁴ Umam K. Penyelesaian Sengketa di Luar Pengadilan. Yogyakarta: Pustaka Yustisia; 2010.

¹⁵ Sudiyan, Pemberdayaan Peran Lembaga Arbitrase Dalam Penyelesaian Sengketa Bisnis di Indonesia, PJIH Volume 4 Nomor 1 Tahun 2017 [ISSN 2460-1543] [e-ISSN 2442-9325]

¹⁶ *Ibid.*,

¹⁷ Fitri, Devianty, Almaududi, KEPASTIAN HUKUM PENYELESAIAN SENGKETA DENGAN KLAUSULA ARBITRASE DI MAHKAMAH AGUNG, Jurnal Hukum & Pembangunan Vol. 53 No. 1 (2023): 17 – 32, ISSN: 0125-9687 (Cetak),E-ISSN: 2503-1465 (Online)

1267 of the Civil Code. Therefore, the implementation of the arbitration agreement is not suspended by any specific future event. The arbitration agreement does not concern the implementation of the agreement but only the method and the authority of the institution to settle disputes between the contracting parties.¹⁸

Indonesia has an independent institution that provides legal dispute resolution services through arbitration, namely the Indonesian National Arbitration Board (BANI), which is an independent institution that provides various services related to arbitration, mediation, and other forms of out-of-court dispute resolution. BANI was established in 1977 by the Indonesian Chamber of Commerce and Industry (KADIN) through Decree No. SKEP/152/DPH/1977 dated November 30, 1977, and is managed by the Board of Management and supervised by the Supervisory Board and Advisory Board, which consists of community figures and business sector representatives.

In Indonesia, interest in resolving disputes through arbitration has been increasing since the enactment of the Arbitration and ADR Law. This development is in line with the direction of globalization, where out-of-court dispute resolution has become the preferred choice for business actors to settle their business disputes. Besides its characteristics of being fast, efficient, and conclusive, arbitration adheres to the principle of win-win solutions and is not protracted because there is no appellate and cassation institution.¹⁹ Arbitration costs are also more predictable because the process is faster. Another advantage of arbitration is that the decision is immediate (final) and binding, as well as confidential because the arbitration hearing process and decision are not publicized. Based on the principle of reciprocity, foreign arbitration decisions involving foreign companies can be enforced in Indonesia, and likewise, Indonesian arbitration decisions involving foreign companies will be enforced abroad.²⁰

¹⁸ Harahap Y. *Arbitrase ditinjau dari: Reglemen Acara Perdata (Rv), Peraturan Prosedur BANI, International Centre for the Settlement of Investment Disputes (ICSID), Uncitral Arbitration Rules, Convention on the recognition and enforcement of foreign arbitral award, PERMA No. 1 Tahun 1990*. Jakarta: Sinar Grafika; 2001.

¹⁹ Siregar PPM, Hartono D. *Studi Analisis Penyelesaian Sengketa Merek melalui Singapore International Arbitration Centre (SIAC), World Intellectual Property Organizations (WIPO) Arbitration Centre dan Badan Arbitrase Nasional Indonesia (BANI)*. Vol. 9, No. 1. 2013:2-3.

²⁰ Badan Arbitrase Nasional Indonesia. *About BANI*. [Internet]. Available from: <https://baniarbitration.org/about-bani/history>. Accessed March 22, 2024.

Furthermore, In Indonesia, implementation of an arbitration decision can be done voluntarily or through an application to the Chief Justice of the District Court.²¹ Morally, dispute resolution through arbitration that is based on an agreement and legally binding on the contracting parties should be orderly and voluntary.²²

B. Intellectual Property Arbitration Centre

As mentioned above, Indonesia already has a specific body for resolving dispute through arbitration mechanisms, namely BANI. However, BANI primarily works to resolve disputes of a general nature, thus necessitating a specialized body that oversees dispute resolution in the field of Intellectual Property (IP), given the crucial role of IP in both national and international trade.

Indonesia, as the largest country in Southeast Asia with a population of over 275 million people, has become one of the primary destinations for foreign investors to invest and market their goods and services in the Southeast Asian market. The significant number of investors, both domestic and international, investing in Indonesia is evidenced by the large number of intellectual property registrations, which currently exceed 2.6 million spread across six main IP sectors. The highest number of applications, over 1.7 million, is in the trademark sector, which is crucial for trade in goods and services, followed by the copyright sector in second place and the patent sector in third.²³

The increase in intellectual property registrations also correlates with the increase in disputes among intellectual property rights holders, both in Indonesia and abroad. Typically, intellectual property disputes are resolved through Commercial Court. However, intellectual property disputes not only occur in Indonesia but also abroad. Therefore, the World Intellectual Property Organization (WIPO), as the global intellectual property organization, established a specialized body overseeing the

²¹ Djunyanto Thriyana, Categorical Imperative Immanuel Kanti Sebagai Landasan Filosofis Pelaksanaan Putusan Arbitrase, *PJIH* Volume 3 Nomor 1 Tahun 2016 [ISSN 2460-1543] [e-ISSN 2442-9325]

²² *Ibid.*,

²³ Pangkalan Data Kekayaan Intelektual. [Internet]. Available from: <https://pdki-indonesia.dgip.go.id/>. Accessed April 3, 2024

resolution of intellectual property disputes, which can be utilized by international business entities, namely the WIPO Arbitration and Mediation Centre.

C. WIPO ARBITRATION AND MEDIATION CENTRE

The WIPO Arbitration and Mediation Centre is headquartered in Geneva, Switzerland, with a branch office in Singapore. Established in 1994, it offers Alternative Dispute Resolution (ADR) options for the resolution of international commercial disputes between private parties. Developed by leading experts in cross-border dispute settlement, the arbitration, mediation, and expert determination procedures offered by the WIPO Arbitration and Mediation Centre are widely recognized as particularly appropriate for disputes involving intellectual property, technology, and entertainment. Since 2010, the WIPO Arbitration and Mediation Centre has had an office at Maxwell Chambers in Singapore.

The number of cases filed with the WIPO Arbitration and Mediation Centre under the WIPO Arbitration, Expedited Arbitration, Mediation, and Expert Determination Rules has been increasing. These cases cover contractual disputes (such as patent and software licenses, trademark coexistence agreements, distribution agreements for pharmaceutical products, and research and development agreements) and non-contractual disputes (such as patent infringement), including court referrals. WIPO disputes involve parties based in various jurisdictions including Austria, China, France, Germany, Hungary, India, Ireland, Israel, Italy, Japan, the Netherlands, Panama, Spain, Switzerland, the United Kingdom, and the United States of America. The WIPO Arbitration and Mediation Centre provides a general overview of its caseload as well as descriptive examples of mediation and arbitration cases.

Sector-specific WIPO ADR Services are produced by the WIPO Arbitration and Mediation Centre and are continually adapted in response to rapid economic, technological, and legal changes within those sectors. The WIPO Arbitration and Mediation Centre also collaborates with Intellectual Property and Copyright Offices, National Court, and other Intellectual Property and ADR stakeholders to promote the use of ADR to resolve intellectual property and technology disputes. The mediation and arbitration policy and outreach activities of the WIPO Arbitration and

Mediation Centre are supported by the WIPO Mediation and Arbitration Advisory Committee.²⁴

Parties wishing to resolve intellectual property disputes through the WIPO Arbitration and Mediation Centre can do so via WIPO eADR. WIPO eADR is an optional online case management tool developed and managed by the WIPO Centre. Its aim is to facilitate the conduct of cases under the WIPO Mediation, Arbitration, Expedited Arbitration, or Expert Determination Rules (WIPO Rules) by enabling parties and neutrals (mediators, arbitrators, and experts) in WIPO ADR proceedings to share and access case-related information through a single and secure portal. The main features of WIPO eADR include:

- a) Security: All information stored in WIPO eADR is firewall protected and encrypted. Users are authenticated through their username, password, and one-time passcodes via a mobile device app;
- b) Case Communications: WIPO eADR allows parties and neutrals in a WIPO case to securely submit communications electronically into an online docket. Users receive email alerts of any submission and may access the online docket at any time;
- c) Search facility: Communications submitted in WIPO eADR can be searched and sorted by categories, including free text search;
- d) Message Board: Users may post messages in the Message Board, with notifications sent via email to all users in the case;
- e) Case Overview: The Case Overview function provides basic information about the case, including case number, parties' names, case status, type of dispute resolution clause, governing law, and place of arbitration, as well as case notes;
- f) Confidentiality and protection of personal data: WIPO eADR maintains confidentiality and protects personal data according to the WIPO Rules; and

²⁴ World Intellectual Property Organization. WIPO Arbitration and Mediation Centre. [Internet]. Available from: <https://www.wipo.int/amc/en/center/background.html>. Accessed April 3, 2024.

- g) Free of charge: WIPO eADR is provided to parties in WIPO ADR proceedings at no cost.²⁵

D. ARBITRATION AND MEDIATION BOARD FOR INTELLECTUAL PROPERTY RIGHTS (BAM HKI)

In Indonesia, there is also a specialized board overseeing alternative dispute resolution in the field of intellectual property called the Arbitration and Mediation Centre for Intellectual Property Rights, or BAM HKI. This board serves as a form of dispute resolution outside of the courts, as intellectual property laws allow for dispute resolution through arbitration. Areas handled by BAM HKI include Trademarks, Patents, Geographical Indications, Copyrights, Industrial Designs, Integrated Circuit Layout Designs, Trade Secrets, Plant Varieties, as well as other fields related to Intellectual Property Rights.

Dispute resolution at BAM HKI is conducted confidentially and within a short and fair timeframe, not exceeding 180 days. The costs are relatively low, and the procedures are straightforward. Decisions are made by arbitrators with specialized expertise in the field of intellectual property, and their rulings are final and binding. The objectives of BAM HKI include:

- 1) Facilitating fair and expeditious adjudicative dispute resolution in the field of intellectual property rights;
- 2) Conducting awareness-raising, training, and educational activities in the field of intellectual property rights in line with the purpose and objectives of BAM HKI's establishment; and
- 3) Organizing other activities related to arbitration and mediation that are not contradictory to its main activities.

IV. CONCLUSION

Based on the research findings, the mechanism of alternative dispute resolution, particularly arbitration, in settling intellectual property (IP) disputes in Indonesia is

²⁵ World Intellectual Property Organization. WIPO Arbitration and Mediation Centre. [Internet]. Available from: <https://www.wipo.int/amc/en/eadr/wipoeadr/>. Accessed April 3, 2024.

elucidated. The Arbitration and ADR Law of 1999 defines Alternative Dispute Resolution as a means of resolving disputes or disagreements outside the court system through consultation, negotiation, mediation, conciliation, or expert appraisal. This is in response to the loss of trust in judicial institutions, lengthy court proceedings, and the desire for a more efficient and confidential dispute resolution process.

Arbitration, one of the mechanisms within alternative dispute resolution, is defined as a method of resolving civil disputes outside the general court system based on a written arbitration agreement by the parties involved. It offers several advantages such as speed, efficiency, finality, and confidentiality. Arbitration in Indonesia traces its roots back to the Dutch colonial era and has gained momentum since the enactment of the Arbitration and ADR Law.

Indonesia boasts the Indonesian National Arbitration Board (BANI) as an independent institution providing arbitration and mediation services since 1977. BANI caters to various disputes but necessitates a specialized body for intellectual property disputes, given their significance in national and international trade. The World Intellectual Property Organization (WIPO) established the WIPO Arbitration and Mediation Centre to address intellectual property disputes globally. WIPO eADR, an online case management tool, facilitates the resolution of disputes under WIPO Rules through a secure portal.

In Indonesia, the Arbitration and Mediation Board for Intellectual Property Rights (BAM HKI) handles IP disputes efficiently, confidentially, and within a short timeframe. It aims to provide fair and expeditious adjudicative dispute resolution while conducting awareness-raising activities in the field of intellectual property rights. Overall, alternative dispute resolution mechanisms, particularly arbitration, offer efficient, confidential, and conclusive solutions to intellectual property disputes, aligning with the needs of businesses amidst globalization.

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