

---

ARTICLE

## Intellectual Property Marketplace: Increasing Information Technology-Based Public Sector Marketing in Indonesia

Nuralia<sup>1\*</sup>, Amir Imbaruddin<sup>2</sup>, Tri Widodo Wahyu Utomo<sup>3</sup>, and Yogi Suwarno<sup>3</sup>

<sup>1</sup>Politeknik STIA LAN Jakarta, Jakarta, Indonesia

<sup>2</sup>Politeknik STIA LAN Makassar, Makassar, Indonesia

<sup>3</sup>Lembaga Administrasi Negara-Republik Indonesia, Jakarta, Indonesia

How to cite: Nuralia., Imbaruddin, Amir., Utomo, Tri Widodo.W., & Suwarno, Yogi. (2024). Intellectual Property Marketplace: Increasing Information Technology-Based Public Sector Marketing in Indonesia. *Jurnal Borneo Administrator*, 20(3), 217-230. <https://doi.org/10.24258/jba.v20i3.1442>

---

### Article History

Received: 11 September 2023

Accepted: 9 November 2024

### Keywords:

Public Sector Marketing;  
Intellectual Property;  
Information Technology-based;  
IP Marketplace.

### ABSTRACT

The marketing of intellectual property outcomes holds paramount importance. This study examines the potential utility of the Intellectual Property Marketplace as a promotional instrument for the public sector, particularly in information technology. This study analysed pertinent literature and secondary data concerning the evolution of IP Marketplaces globally, focusing on Indonesia. Our findings reveal that the IP Marketplace established by the Ministry of Law and Human Rights has emerged as a novel platform for optimising the marketing of IP-generated products. This web-based IP Marketplace serves as a hub connecting intellectual property producers and potential clientele. A critical recommendation for further development entails formulating a regulatory framework to ensure that the convenience offered by the IP Marketplace does not compromise the security and authenticity of intellectual property products.

---

### A. INTRODUCTION

The management of Intellectual Property (IP) outcomes holds significant sway over a country's progress and development (Government of Singapore and Intellectual Property Office of Singapore, 2021; Sweet & Eterovic, 2019; Sweet & Eterovic Maggio, 2015; Williams, 2016). In the race for advancement, developing nations are vigorously competing to augment their IP product portfolios (Hammami, 2021). Enhanced utilisation of intellectual property is directly correlated with positive economic growth (Hammami, 2021). Furthermore, the state's pivotal role is a critical determinant in shaping the trajectory of IP development (Merges, 2011).

Indonesia, as a notable producer of Intellectual Property, is no exception. In terms of quantity, Indonesia generates a substantial number of intellectual properties annually, surpassing 150,000. Data from the Ministry of Law and Human Rights (Kemenkumham) reveals an impressive tally, exceeding 206,118 IP assets in 2021. These comprise 4,364 Industrial Designs, 2,316 Patents, 6,888 Patent Cooperation Treaty (PCT) applications, 3,264 Simple applications, 83,078 Copyrights, 96,350 Brands, and 9,858 Madrid Brands. Projections for the year 2022 also anticipate a substantial influx, with around 171,000 products expected.

The data reported by Jang & Manager (n.d.) on the number of patents in ASEAN countries highlights Indonesia as a substantial participant in this context. Regarding patent numbers,

\* Corresponding Author

Email : alia.thoriq@gmail.com

Indonesia is a noteworthy player, closely following Singapore and Malaysia. The considerable quantity and quality of these intellectual property assets emphasise the importance of fully utilising them. In a broader sense, patents, including intellectual property, can enhance a country's reputation and recognition globally.

The quantity and quality of IP assets produced does not solely determine the utilisation of Intellectual Property. In the case of Indonesia, despite its substantial production of high-quality IP, optimal utilisation remains elusive. This is evident through various indices reflecting the limited utility of IP, with one key concern being the low adoption rate.

Numerous indicators gauge the effectiveness of IP utilisation, including the Intellectual Property Index employed by the Global Innovation Policy Center, part of the US Chamber of Commerce. In all these indicators, Indonesia consistently lags behind Malaysia, Singapore, and South Korea despite being relatively close regarding IP creation quantity. Consequently, the adoption and application of IP in Indonesia have not reached their full potential. The gap exists between the products generated and the uptake of IP, resulting in a substantial underutilisation and low commercialisation of IP products.

From the observations above, it can be deduced that the realisation of commercialising IP assets and promoting IP adoption has been suboptimal. One of the primary reasons behind the low commercialisation of IP assets in Indonesia is the government's limited understanding of the significance of marketing within the public sector, particularly concerning public policy. In both the central government and local administrations, marketing is frequently misconstrued as mere 'advertising' or 'selling,' whereas, in reality, marketing encompasses a broader scope. In the public sector, marketing entails engaging with consumers (citizens) who voice grievances to public institutions. Public institutions must address these complaints, enhancing institutional performance (Widjayanti, 2011).

Public sector marketing practices that engage citizens in policy adoption have been established in various European countries since the 1990s (Buurma, 2001), signifying over three decades of application. This underscores the pivotal role of marketing concepts within public sector organisations. Germany, for instance, has implemented a multifaceted IP Marketplace, encompassing both proprietary and non-proprietary intellectual property markets. These two approaches complement each other, with the proprietary market involving IP protection measures that legally restrict usage, sharing, copying, and modification of intellectual property. On the other hand, non-owned IP entails a relaxation of certain or all existing restrictions. In Germany, particularly in the pharmaceutical sector, many companies engage in proprietary and non-proprietary markets, meaning they do not compete to manage and trade their intellectual property (Andersen et al., 2010).

In the United States, the IP Marketplace takes the form of a platform initiated by the United States Patent and Trademark Office (USPTO) in response to the COVID-19 pandemic. This platform introduces a new web-based intellectual property marketplace to facilitate patent storage for easier accessibility, searchability, and patent application processes. It also offers voluntary licensing opportunities and the commercialisation of innovations across various products and technologies.

Through its IP Marketplace, Indonesia seeks to enhance the marketing of its intellectual property products. This article endeavours to dissect the process of public sector marketing through the IP Marketplace, assessing its potential as an alternative marketing avenue for information technology-based intellectual property.

## B. LITERATURE REVIEW

Intellectual Property Rights (hereafter referred to as IPR) represent legal entitlements from human intellectual endeavours, yielding products or processes beneficial to society (Syafrinaldi & Almaksur, 2008). According to Candra & Absi (2021), IPR, or HaKI (*Hak Kekayaan*

*Intelektual*), encompasses exclusive legal rights granted to creators and inventors due to their unique and novel intellectual activities and creative outputs. Unlike tangible property rights, IPR pertains to intangible assets, making them more enduring and resilient to loss or confiscation. IPR acknowledges moral rights, preserving the creator's or inventor's name attached to the creation or invention, even when the rights are transferred to another party. Moreover, it acknowledges economic rights, enabling creators, inventors, and the public to benefit from creative works or inventions.

IPR constitutes a private right, allowing creators and inventors to decide whether to seek registration for their intellectual works (Munandar & Sitanggang, 2011). Providing exclusive rights to IPR stakeholders, including creators, inventors, and designers, rewards their creative contributions, encouraging others to pursue further innovation. The development of IPR hinges on a robust market mechanism to advance society. Consequently, IPR recognises certain limitations to protect societal interests. The Intellectual Property Rights system promotes the establishment of a robust documentation system to prevent duplicative creations or discoveries.

The IPR system applies four fundamental principles to balance individual interests and the broader societal welfare. First, the Principle of Justice dictates that creators receive tangible or intangible compensation for their intellectual contributions commensurate with their abilities. Second, the Economic Principles underscore that IPR takes various forms and offers economic value and benefits that enhance human life. Third, the Cultural Principle highlights the profound significance of advancements in science, art, and literature in elevating living standards, civilisation, and human dignity. Finally, the social principle underscores the role of the law in harmonising individual and societal interests, particularly in our globalised world, which perceives all human communities as part of a single society.

Legally, the IPR system comprises two primary components. The first encompasses Copyright, entailing exclusive rights vested solely in the creator or copyright holder to govern the use of specific works, ideas, or information. The second, known as Industrial Property Rights, encompasses various subcategories: Patents, which grant exclusive rights conferred by the state to inventors in the technology field, permitting them to exercise their inventions independently or grant permission to others for implementation for a specific duration. Marks or Trademarks encompass distinctive symbols encompassing images, names, words, letters, numbers, colour combinations, or amalgamations of these elements employed in trade goods or services. Industrial Design encompasses creations like shapes, configurations, or compositions of lines, colours, or amalgamation. It creates aesthetic impressions and is feasible in two-dimensional or three-dimensional forms for producing products, goods, industrial commodities, or handicrafts. Integrated Circuit Layout Design refers to semi-finished or finished products featuring multiple elements interconnected within a semiconductor material designed for electronic functions, including at least one active element. Trade secrets involve information that is undisclosed to the public in technology and business, boasting economic value due to its utility in business activities, and safeguarded in confidence by the owner. Lastly, Plant Varieties consist of groups of plants belonging to a particular type or species, characterised by their distinctive plant shape, growth patterns, leaves, flowers, fruit, seeds, and the expression of unique genotypes or genotype combinations that differentiate them from others of the same type or species, by at least one defining characteristic that remains consistent upon reproduction (Munandar & Sitanggang, 2011).

Protection of IPR is imperative not only to adhere to legal frameworks but also to uphold fundamental human rights, specifically the right to ownership. IPR is rooted in principles of Copyright, initiative, and human effort, which necessitate that third parties refrain from replication without consent from the original creator or discoverer. Society generally agrees to allow inventions to be imitated, often through royalty payments to IPR owners for their

pioneering contributions, facilitating the production of valuable and scalable innovations. This mass production usually generates profits, ensuring that initial creators benefit financially.

Over time, the marketplace for buying and selling intellectual property rights has evolved, transitioning from government-facilitated mechanisms to those orchestrated by private entities. This marketplace is the Intellectual Property Rights Marketplace, or HAKIM (*Hak Kekayaan Intelektual Marketplace*). Indonesia possesses substantial intellectual property (IP) potential, with IP contributions amounting to IDR 1,105 trillion in 2019, equivalent to approximately 7 per cent of the average Gross Domestic Product (GDP). The Indonesian patents have great potential but inadequate marketing. The concept of public marketing has not yet developed in Indonesia.

Marketing is a universal concept characterised by exchanges, although not universally acknowledged as axiomatic (Kotler, 1971). Previous literature has demonstrated the application of marketing principles within the public sector across various domains, including healthcare, education, recreation, and tourism (Aschemann-Witzel et al., 2012; Butler et al., 2010; Walsh & Walsh, 2009).

The implementation of public sector marketing initially adheres to general marketing principles, which are adapted to specific sectors and applied to particular marketing contexts (Butler et al., 2010). Adopting marketing principles from the private sector into the public sector necessitates a corresponding management framework, tools, and techniques for its effective application.

Butler et al. (2010) delineated structural and process characteristics of public sector marketing. The structural aspects encompass products, organisations, and markets. In terms of products, public sector services are considered public goods. Public sector organisations must be accountable and primarily service-oriented, without a profit-seeking motive. The public sector market is extensive, encompassing all citizens and various activities. These distinctive characteristics necessitate the adoption of context-specific marketing concepts in the public sector, with principles and methodologies tailored to individual businesses. The government plays a pivotal role in resource distribution, redistribution, and regulation, whereas the private sector primarily produces and distributes resources.

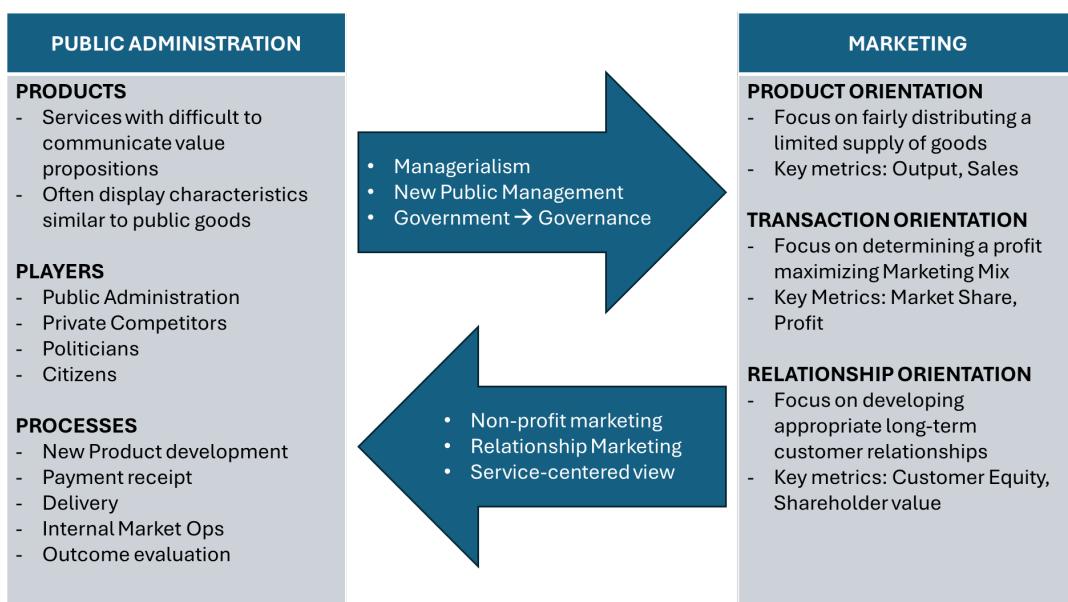


Figure 2. Convergence between Marketing and Public Administration

Source: Kaplan & Haenlein (2009)

The convergence between marketing and public administration, as depicted in Figure 2, highlights the differences in perspectives when applying marketing in the public sector, as outlined by [Walsh & Walsh \(2009\)](#). It is important to note that fundamental distinctions between the public and private market sectors encompass the services provided and the conditions under which they are delivered. The ethical framework governing the public sector fundamentally differs from that of the private sector.

Given these distinctions, public sector marketing operates under unique conditions and strategies compared to conventional marketing. While public sector marketing integrates conventional marketing principles into the management of public affairs, it is guided by different principles, such as equality, accountability, impartiality, and other elements intrinsic to the public sector.

Marketing has emerged as a crucial planning platform for the public sector, seeking to fulfil citizens' needs and provide genuine value in governance. In contrast to the private sector, where the prevailing mantra revolves around customer value and satisfaction, the public sector emphasises citizen's value and satisfaction.

[Kotler \(1971\)](#) defined marketing in the public sector, also known as social marketing, as "the design, implementation, and control of programs aimed at influencing the acceptability of social ideas, incorporating considerations of product planning, pricing, communication, distribution, and marketing research." Consequently, public sector marketing extends beyond conventional marketing functions and catalyses social change ([Laing, 2003](#)). Product marketing strategies are selectively identified in the public sector, focusing on raising public awareness and influencing community behaviour ([Norcia, 2005](#); [Suwarno & Sejati, 2017](#)). Adopting marketing principles in the public sector facilitates government efforts to alter people's behaviour, encouraging them to engage with and embrace government policies.

Debates surrounding marketing in the public sector persist among observers and analysts ([Serrat & Solutions, 2017](#); [Snavely, 1991](#); [Zaheer & Rashid, 2017](#)). The predominant focus of these debates has been extracting lessons from the private sector. This paradigm shift is also reflected in the transition from the terminology "public administration" to "public management" ([Butler et al., 2010](#)), signifying an evolution in the relationship pattern between the state and its citizens. This transformation has implications for adopting private sector principles into the public sector and the extent to which this adoption is realised. As [Walsh & Walsh \(2009\)](#) posited, "...the nature of marketing... will require reevaluation to address public service marketing specifically..."

The utilisation of IT IP Marketplaces has introduced several noteworthy mechanisms, notably the emergence of intermediaries, encompassing a spectrum of market and financing strategies devised to capture and leverage patent value—another platform, yet2.com, functions as a hub for licensing endeavours. Using IT in the public sector can increase efficiency and effectiveness ([Azmi & Aji, 2023](#); [Suryanto et al., 2022, 2023](#)). New financing mechanisms in IP-based mergers and acquisitions involving private debt and equity have emerged. Furthermore, the IP market envisions future mechanisms, including public IP auctions in various formats, trading platforms for IP rights, tradable IP-based index funds, and diverse tradable funds. For instance, patent auctions, such as the case of Dean, a retailer selling cordless phones, may result in licensing deals and substantial profits. Another mechanism involves the sale of serial IP, where a patent initially bought for \$1.5 million can be resold six months later for \$1.2 million, making it an economically attractive proposition.

Furthermore, IP can be sold online, although the current web portal model for IP licensing has faced some challenges. However, there is an opportunity to draw lessons from successful online platforms like eBay®. Innovations like The Dean's List™ Online IP Exchange have been introduced to address this. The concept of IPR exchange centres has also gained traction.

These centres facilitate the exchange of IPR, like short-range wireless technology patents. Rather than relying on traditional licensing, companies assess market size and opportunities with the help of bankers, leading to offerings like 70 million units at 3 cents per unit. Additionally, the IP market is witnessing the introduction of IP-based index funds. An example is the upcoming launch of the Tomo Ocean Index, enabling mass investors to participate in the IP market (Ryba, 2009).

The state's approach to the intellectual property market in Germany encompasses four categories: patents, open source, copyrights, and non-patented technologies. Patents and copyrights are managed through market platforms facilitating processes like exchange, buying, selling, and entry and exit permits for cross-licensing. Non-patented technologies rely on the creation or utilisation of compatible technology. When entities do not own these technologies, open-source models are commonly employed to encourage developing and utilising superior innovations driven by user feedback. In contrast, IPR Law aims to restrict anyone from using, modifying, or redistributing the rights attached to the General Public License (GPL) source code, ensuring that all work recipients possess identical rights (Andersen et al., 2010).

## C. METHOD

This research assesses the potential utility of the forthcoming IP Marketplace in Indonesia. The analysis was conducted through a literature review approach, leveraging secondary data sources. The initial step involved mapping and collecting secondary data from global IP Marketplace developments, subsequently tailored to ascertain its suitability for Indonesia. Consequently, a qualitative approach was employed to examine the enhancement of IP commercialisation facilitated by the IP Marketplace platform.

Primary data was sourced from documents related to IP Marketplace development provided by the Ministry of Law and Human Rights. Secondary data consists of information from published articles, academic papers, government regulations, and supporting literature with academic credibility. Data was analysed using the concept of commercialisation. Furthermore, it included data from mass media reports regarding the progress of IP Marketplaces, including information on operational IP Marketplaces in other countries.

## D. RESULT AND DISCUSSION

Several countries have developed information technology-based IP Marketplaces as practical marketing tools, and two notable examples include IAM and AFFA. AFFA, specifically AFFA Intellectual Property Rights – Indonesia & Timor Leste, was established in July 1999 under the leadership of experienced IP professionals, particularly the late Achmad Fatchy (Andersen et al., 2010). They focus on specialising in one practice area to ensure high-quality services are provided for clients. Emirsyah Dinar and Fariz Syah Alam, the current leaders, remain committed to this approach. This dedication has led to the team's technical proficiency and extensive experience serving clients domestically and internationally. AFFA boasts strong international connections across nearly every country globally, allowing them to assist local clients abroad and foreign clients in Indonesia with intellectual property protection. AFFA members are professionally associated with various organisations, including INTA, the European Community Trademark Association, the Intellectual Property Association of the Association of Southeast Asian Nations, and the Association of Licensing Executives. Beyond IP matters, AFFA offers services related to general commercial law issues, registration with the Indonesian Food and Drug Supervisory Agency, the establishment of limited liability companies (both locally owned and foreign), domain name registration, the creation and review of license and franchise agreements, and IP investigations (Gargate & Momaya, 2018).

With a team of over 60 experts based in Indonesia and Timor Leste, AFFA can provide comprehensive IP protection for businesses. The experts come from diverse backgrounds,

covering law, economics, information technology, biology, biotechnology, mechanical engineering, chemical engineering, and pharmacy. AFFA's team members are in Jakarta, Bandung, Bali, and Dili (Timor Leste).

AFFA's clientele includes local and foreign government agencies, globally recognised companies, startups, nonprofit organisations, educational institutions, foreign law firms/partners, entrepreneurs, and innovators. Clients' sizes vary from sole proprietorships to companies with branches spanning numerous countries globally. Most clients have maintained their partnerships with AFFA since its inception in 1999, reflecting the trust and collaboration built over the years. Approximately 98% of AFFA's clients are non-Indonesian individuals or entities, which has been consistent since 1999.

AFFA has played a pivotal role in assisting thousands of clients with their IP requirements in Indonesia, Timor Leste, and the Pacific Islands since 1999. The firm's reputation is founded on its expertise, extensive experience, and local knowledge, enabling it to navigate complex IP issues in its covered jurisdictions. AFFA is dedicated to delivering solutions and outcomes aligned with their clients' objectives. Over the past 21 years, AFFA has consistently supported clients from all angles and is willing to visit clients wherever they are to address complex challenges and provide viable solutions. Moreover, AFFA conducts training sessions and events at client offices to inform them about critical IP protection information in Indonesia, Timor Leste, and the Pacific Islands.

IAM Market (URL: <https://www.iam-market.com/>) is an online platform designed to connect individuals who recognise the commercial value of intellectual property and technology and seek to engage in business transactions. IAM has transitioned from its origins as a magazine to becoming a prominent online marketplace for intellectual property. This shift reflects the evolving perspective of intellectual property and technology, now regarded as business assets rather than solely legal rights. IAM uniquely acknowledges and embraces this strategic shift, making it the preferred source for IP and technology insights among numerous senior executives. IAM's credibility stems from its seasoned in-house editorial team based in London.

Initially launched as a bimonthly magazine in July 2003, IAM experienced increasing demand for content, introducing a top-rated weekly email newsletter with 26,000 subscribers and a widely-read blog. Presently, the IAM website offers a searchable archive encompassing every article ever published in the magazine. In 2008, IAM successfully hosted the inaugural IPBC Global event in Amsterdam, which marked the beginning of numerous blockbuster events held worldwide, including in Beijing, Chicago, Tokyo, Munich, San Francisco, Singapore, Lisbon, Boston, and Shanghai. IAM also produces independent-ranking publications, such as the IAM Patent 1000 and IAM Strategy 300, which feature profiles of the world's top private practice patent attorneys and IP strategists.

Today, IAM Market serves as an intellectual property marketplace, uniting professionals who recognise the commercial potential of intellectual property and technology and wish to engage in business transactions. IAM Market aims to streamline and enhance the IP transaction market, promoting transparency. The platform enables IP owners to present profiles of their licensees, sales operations, technology transfer initiatives, and specific transaction rights. This empowers IP buyers to search for IP assets based on industry, technology, and transaction type, facilitating requests for intellectual property and technology.

IAM operates under the management of Law Business Research (LBR), a technology-driven information services company that empowers the global legal industry through data intelligence, analytics, and performance tools. LBR is a rapidly growing, innovative company characterised by a dynamic and diverse culture. LBR takes pride in delivering cutting-edge services to its global clientele. By harnessing the latest technology in the fast-paced legal world,

LBR equips its users with the data-driven insights they need to gain a competitive advantage and make confident decisions. LBR provides trusted intelligence and insights through proprietary data and unique analytics, addressing complex and rapidly changing information landscapes to enhance critical decision-making. With a team of over 400 experienced professionals globally, LBR has a proven track record of informing, engaging, and connecting legal practitioners. Their specialised platform helps clients enhance decision-making, manage legal risks, and improve performance.

A knowledge-based economy places significant importance on innovation centred around intellectual capital and knowledge-based assets as the primary drivers of success. Rather than vying for control of physical resources, the focus shifts to securing dynamic strategic assets, often called "productive knowledge." This transition towards building a knowledge-based economy has become a prominent agenda for numerous governments, providing significant support for innovators. Historically, economic activity primarily revolved around the exchange and valuation of physical goods, backed by well-functioning markets that offered transparency in ownership, maintained integrity, fostered a stable environment, and enabled valuation based on open market principles. As the economy progressively shifts from tangible goods to intangible assets in the 21st century, there is a growing consensus that a parallel supporting market must be developed. This market is commonly referred to as a "marketplace."

The development of these new systems must adhere to the fundamental principles of certainty and trust, akin to established emerging markets, while accommodating the unique attributes and dynamics of knowledge-based assets and intellectual property markets. Patents have emerged as a crucial currency and primary means of ascribing value to creators and users of knowledge-based assets. Nevertheless, a fully operational IPR market infrastructure has yet to materialise, placing an undue burden on the patent system. This vacuum results in uncertainty, leading to many issues, including heightened litigation and speculative behaviour, ultimately hindering the innovation the patent system was designed to protect.

Indonesia has recently introduced an e-commerce platform resembling the conventional marketplace. This platform is specifically geared towards supporting schemes related to intellectual property-based financing, as mandated by Government Regulation 24 of 2022 regarding the Implementation Regulations of Law Number 24 of 2019 concerning the Creative Economy. Despite its e-commerce format, the products traded on this platform are intellectual property assets. Owners, potential investors, and the general public interested in its content can access the marketplace page at the [marketplace.dgip.go.id](http://marketplace.dgip.go.id). This platform was launched in August 2022 and is an actively discussed topic initiated by the Ministry of Law and Human Rights.

The World Intellectual Property Organization (WIPO) data shows 193 participating countries, including Indonesia. Within WIPO, there is a significant indicator known as the Global Innovation Index (GII), which assesses the innovative capacity of economies worldwide. The GII evaluates countries based on six key pillars: institutions, creative output, human capital and research, knowledge and technology output, business sophistication, and market sophistication. Indonesia's performance in the GII places it above the average for lower middle-income countries. Notably, Indonesia excels in market sophistication despite relative weaknesses in business sophistication. Furthermore, in 2020, Indonesia saw a 42% increase in receipts from intellectual property, equivalent to 83.6 million USD.

This data suggests promising prospects for the Indonesian IP marketplace, provided the government maintains consistency and continually evaluates the platform. It is essential for IP-related innovations initiated by the government to be sustainable, as many governmental innovations tend to be short-lived. The newly launched platform holds the potential to improve and develop further, allowing it to compete effectively with other countries.

Analysing countries that have yet to fully embrace technology reveals an opportunity for Indonesia to gain a competitive edge. The platform introduced by the Indonesian government can be effectively maintained and evaluated in response to possible challenges. Looking at the data from the GII and the performance of countries implementing IP marketplaces, Indonesia should be optimistic about its development prospects. Additionally, Indonesia's standing above the average for middle-income countries indicates it is slightly more developed than many of its peers. In conclusion, Indonesia's prospects for IP marketplaces appear quite promising when considering the analysis of countries with IP marketplaces and the data from the GII.

Indeed, Indonesia's prospects are promising, especially given its sizeable productive population, estimated at around 112.6 million people and many internet users. This demographic bonus represents a significant potential for the nation, particularly regarding technological advancements. Most individuals actively use the internet, which benefits the country's future development (Yuliani, 2018). Consequently, if the government's IP marketplace platform proves to be sustainable, it can contribute significantly to the growth of Indonesia's economy.

It is important to note, however, that innovation can be challenging. Survey results indicate that out of 3,000 product ideas, only one tends to succeed in the market. Failed innovations can result in the loss of investment value, decreased employee morale, increased scepticism, and diminished enthusiasm for future product releases (Hendrayanti, 2011). While Indonesia's prospects for IP marketplaces are favourable, it is crucial for the government to carefully oversee the implementation of the platform to ensure its sustainability and success.

With the nation's promising potential, Indonesia should aim to make the most of this opportunity. By harnessing the innovative capacity of its productive population and nurturing a supportive environment for IP development, Indonesia can strive for further growth and potentially become a developed country.

Launching the Intellectual Property Marketplace (IP Marketplace) by the Directorate General of Intellectual Property (DGIP) of the Ministry of Law and Human Rights on August 2, 2022, is a significant step in supporting the commercialisation of Indonesian-owned IP products. This platform responds to the community's need for a convenient way for IP owners to promote their intellectual works to potential domestic and international investors.

The IP Marketplace operates as an online platform resembling an e-commerce website but focuses on facilitating intellectual property sales and promotion. It provides comprehensive information about the IP products, including details about the owners and rights holders. Interested parties, including IP owners, potential investors, or the general public, can access the marketplace through [marketplace.dgip.go.id](http://marketplace.dgip.go.id).

This initiative underscores DGIP's commitment to its 2022 Flagship Program. It contributes to the Ministry of Law and Human Rights's broader goal of positioning intellectual property as a critical driver of national economic recovery in the digital economy era. Additionally, the IP Market is a significant step toward DGIP's ambition to become a world-class IP Office. The application menu structure of the DGIP IP Marketplace is categorised into two types: options available without logging in and options available after logging in. The former includes menu options like Home, Product, and Contact and buttons for Login and Registration. This platform holds great potential to support promoting and commercialising IP assets in Indonesia and contribute to the country's economic growth in the digital age. It provides a valuable resource for IP owners and potential investors to connect and collaborate in bringing innovative ideas to market.

The current utilisation of a platform system for Indonesia's IP marketplace is in line with technological advancements and aligns with the Fourth Industrial Revolution (Industry 4.0). This approach is similar to the United States, indicating up-to-date and progressive. It is worth

noting that not all countries have fully embraced digital platforms despite the pervasive role of technology in today's world.

This study does not propose a replacement for the IP marketplace platform in this context. Instead, we offer constructive criticism and suggestions. Given the technological landscape, the IP marketplace platform is a highly suitable innovation. Embracing such platforms is crucial to keep pace with other developed nations and avoid falling behind. However, continuously improving the platform, including the website and its features, is essential. Even though the platform has been launched, <sup>s</sup> and has been reported have been reported. Public testing before the official launch may be beneficial in identifying and addressing potential issues. This proactive approach can ensure that the platform operates smoothly and effectively, meeting the needs of IP owners, investors, and the public.

The IP marketplace platform launched by the Ministry of Law and Human Rights should be easily accessible when the website is clicked. However, it is unfortunate that an error occurs when attempting to access the website. This indicates that the platform is currently not functioning correctly. Given the public announcement and media coverage of the platform's launch, it is essential to address these issues promptly to ensure its sustainability. Innovations can stagnate or become abandoned without proper monitoring and improvement, which is detrimental to the platform's success.

The platform, which resembles an e-commerce website but focuses on intellectual property, is a crucial tool for IP commercialisation. It aligns with the Public Sector Marketing model discussed in previous chapters and has been adopted and developed by DGIP Kemenkumham to enhance the IP commercialisation process ([Intelektual, 2019](#)).

This platform provides comprehensive information about IP owners and rights holders. IP owners, potential investors, and the public interested in the offerings can access the platform via the marketplace.dgip.go.id webpage. The grand launch of the IP Marketplace demonstrates DGIP's commitment to the success of its 2023 flagship program, which plays a vital role in the Ministry of Law and Human Rights efforts to drive national economic recovery in the digital economy era. Furthermore, the IP Marketplace serves as a parameter for DGIP's performance. Figure 6 displays the IP Marketplace homepage, Figure 7 showcases IP Marketplace Products, and Figure 8 illustrates an IP Marketplace form ([Nugroho, 2022](#)).

The emergence of new systems in the intellectual property (IP) market must adhere to the fundamental principles of certainty and trust, which are essential in every emerging market. These systems should also accommodate the unique attributes of knowledge-based assets and the dynamics of the intellectual property market. Patents have become a critical currency and primary means of assigning value to creators and users of knowledge-based assets. However, a fully functional IPR market infrastructure has yet to emerge, placing an excessive burden on the patent system ([Fishman, 2010](#); [Reitzig, 2004](#)). This gap in the market creates uncertainty, leading to various issues, including increased litigation and speculative behaviour that hinder the innovation the patent system aims to protect.

These problems have raised concerns that the IPR market system may not fully achieve its economic and social objectives, which include stimulating competition based on innovation, facilitating the spread and expansion of knowledge-based ideas and creative expressions, rewarding invention and creativity across different economic systems, and enabling the sustainable development of companies and industries.

The IP Marketplace is a platform developed in response to the community's needs, providing convenience to IP owners in promoting their intellectual works to potential domestic and international investors. The establishment of this platform supports the protection of IP owners' exclusive rights and promotes the successful commercialisation of their IP works or products ([Advocates, 2022b](#)).

Additionally, the IP Market is a marketplace where manufacturers can promote their IP products and provide investors access to relevant product information. This function simplifies the marketing efforts of producers, making it easier for them to reach a broader audience. While not all producers may use the IP Marketplace for marketing, it still serves as a valuable resource for those who do, as well as for investors seeking information about the products they are interested in. This platform contributes to streamlining the marketing process for producers and facilitating access to IP products for investors, ultimately benefiting the IP ecosystem (Advocates, 2022).

The IP Marketplace is crucial in promoting and commercialising intellectual property products. This platform supports IP producers in creating appealing products that can perform well in the market, as they possess superior value compared to others (Nugroho, 2010). By providing a platform for commercialisation, the IP Marketplace aids producers in effectively promoting their products to a broader audience, ensuring that these products have a competitive edge and can be successful in the marketplace (Andersen et al., 2010; Indigo, 2022).

The IP Marketplace initiative led by the Directorate General of Intellectual Property (DGIP) promotes commercialising registered IP products (Kant & Shahid, 2022). Commercialisation is considered one of the key pillars of intellectual property, alongside database and legal protection. This platform allows individuals registered to promote their products efficiently and effectively. Additionally, the IP Marketplace functions as a direct forum for IP owners to connect with potential buyers and investors through an intermediary platform. It is an online marketplace for registered IP products, facilitating their promotion and commercialisation in a digital environment.

## **E. CONCLUSION**

In conclusion, the IP Marketplace is liable for this IT-based platform, designed to connect IP producers with potential customers, ultimately leading to increased benefits and opportunities for KI (Intellectual Property) products.

While the IP Marketplace platform offers significant potential, it is crucial to consider certain aspects for its continued success and sustainability. The government should be prepared to address various consequences and continually improve the system, particularly regarding supervision. Strengthening existing regulations and enhancing security measures can help prevent online fraud and maintain trust within the marketplace.

Suppose the Indonesian government can implement and manage the platform while incorporating additional mechanisms and improvements. In that case, it has the potential to be a sustainable and prosperous platform for promoting intellectual property and supporting the creative economy. This would contribute to the growth of Indonesia's intellectual property sector and foster innovation and economic development in the digital age.

In practice, the government must increase the development of the IP marketplace to become a platform reaching IP producers and consumers. Regulations need to be made to cover the use of IP marketplaces. At the theoretical level, the development of public sector marketing needs to keep improving. Academics have neglected to develop marketing concepts and focused only on product creation. Future research should delve more deeply into public-sector marketing beyond IT. For example, what is the role of the government in marketing its products? Whether services or public goods have been created. So that in the future, the government will not only produce products but also be able to market them.

## **REFERENCES**

Advocates. (2022a). *Direktorat Jenderal Kekayaan Intelektual akan Segara Meluncurkan IP Marketplace* - K&K Advocates. Retrieved from <https://www.kk-advocates.com/direktorat-jenderal-kekayaan-intelektual-akan-segara-meluncurkan-ip-marketplace/>

advocates.com/news/read/direktorat-jenderal-kekayaan-intelektual-akan-segar-meluncurkan-ip-marketplace accessed at July, 25th 2023

Advocates, K. (2022b). *Direktorat Jenderal Kekayaan Intelektual akan Segara Meluncurkan IP Marketplace*. Retrieved from <https://www.kk-advocates.com/news/read/direktorat-jenderal-kekayaan-intelektual-akan-segar-meluncurkan-ip-marketplace> accessed at July 25th 2023

Andersen, B., Rossi, F., & Stephan, J. (2010). Intellectual Property Marketplaces and How They Work: Evidence from German Pharmaceutical Firms. *Intereconomics*, 45(1), 35–47. <https://doi.org/10.1007/s10272-010-0323-x>

Aschemann-witzel, J., Perez-cueto, F. J. A., Niedzwiedzka, B., Verbeke, W., & Bech-larsen, T. (2012). Transferability of Private Food Marketing Success Factors to Public Food and Health Policy: An Expert Delphi Survey. *Food Policy*, 37(6), 650–660. <https://doi.org/10.1016/j.foodpol.2012.06.006>

Azmi, I. F., & Aji, A. (2023). Sistem Anti-Korupsi 4.0: Adopsi Teknologi Blockchain di Sektor Publik. *Integritas: Jurnal Antikorupsi*, 9(1), 93–108. <https://doi.org/10.32697/integritas.v9i1.985>

Butler, P., Collins, N., Butler, P., & Collins, N. (2010). Marketing Public Sector Services : Concepts and Characteristics. *Journal of Marketing Management*, 11(3), 37–41. <https://doi.org/10.1080/0267257X.1995.9964331>

Buurma, H. (2001). Public Policy Marketing: Marketing Exchange in the Public Sector. *European Journal of Marketing*, 35(11/12), 1287–1302. <https://doi.org/10.1108/eum000000006483>

Candra, A., & Absi, W. Z. (2021). Hak Atas Kekayaan Intelektual (HAKI). *Disiplin: Jurnal Ilmu Hukum*, 27(1) 55–62. <https://doi.org/10.46839/disiplin.v28i1.62>

Fishman, E. A. (2010). The Role of Intellectual Property Management Education in a Technology Management Curriculum. *Journal of Technology Transfer*, 35(4), 432–444. <https://doi.org/10.1007/s10961-009-9145-z>

Gargate, G., & Momaya, K. S. (2018). Intellectual Property Management System: Develop and Self-Assess Using IPM Model. *World Patent Information*, 52, 29–41. <https://doi.org/10.1016/j.wpi.2018.01.005>

Government of Singapore and Intellectual Property Office of Singapore. (2021). *Singapore IP Strategy Report 2030*. Singapore: IPOS.

Hammami, S. (2021). The Effect of Intellectual Property Protection on Innovation: Empirical Analysis of Developing Countries Panel. *African Journal of Science, Technology, Innovation and Development*, 13(4), 397–405. <https://doi.org/10.1080/20421338.2020.1824608>

Hendrayanti, E. (2011). Inovasi Efektif: Upaya Mempertahankan Dan Menangkap Pasar Potensial. *Optimal: Jurnal Ekonomi dan Kewirausahaan*, 5(1), 91-102.

Indigo. (2022). *IP Marketplace Inovasi Jawaban Kebutuhan Masyarakat*. Retrieved from <https://indigo99.com/ip-marketplace-inovasi-jawaban-kebutuhan-masyarakat/>.

Intelektual, D. J. K. (2019). Modul KI Bidang Merek dan Indikasi Geografis. *Direktorat Jenderal Kekayaan Intelektual Kemenkumham RI*.

Jang, J., & Manager, S. R. (n.d.). *Asean Patentscope Service*. Retrieved from [https://www.wipo.int/meetings/en/doc\\_details.jsp?doc\\_id=392738](https://www.wipo.int/meetings/en/doc_details.jsp?doc_id=392738) online accessed at July, 20<sup>th</sup> 2023

Kant, L., & Shahid, F. (2022). Managing Intellectual Property and Technology Commercialisation: Experiences, Success Stories and Lessons Learnt—A Case Study from Vivekananda Institute of Hill Agriculture, India. *Journal of World Intellectual Property*, 25(1), 143–156. <https://doi.org/10.1111/jwip.12212>

Kaplan, A. M., & Haenlein, M. (2009). The Increasing Importance of Public Marketing : Explanations, Applications and Limits of Marketing within Public Administration. *European Management Journal*, 27(3), 197–212. <https://doi.org/10.1016/j.emj.2008.10.003>

Kotler, P. (1971). Social Marketing : An Approach to Planned Social Change. *Journal of Marketing*, 35(3), 3–12.

Laing, A. (2003). Marketing in the Public Sector : Towards a Typology of Public Services. 3(4), 427–445. <https://doi.org/10.1177/1470593103042005>

Merges, R. (2011). *Justifying Intellectual Property: Chapter 1*. Massachusetts: Harvard University Press. <https://doi.org/10.4159/harvard.9780674061125>

Munandar, H., & Sitanggang, S. (2011). *Mengenal HKI (Hak atas Kekayaan Intelektual, Hak Cipta, Paten, Merek, dan Seluk-Beluknya*. Jakarta: Erlangga Group.

Norcia, V. Di. (2005). Intellectual Property and the Commercialisation of R&D. *Science and Engineering Ethics*, 11(2), 203–219.

Nugroho, Y. (2010). NGOs, The Internet and Sustainable Rural Development: The case of Indonesia. *Journal of Information, Communication & Society*, 13(1), 88–120. <https://doi.org/10.1080/13691180902992939>

Nugroho, W. (2022). *Kemenkumham Luncurkan IP Market Place dan Logo Baru Indikasi Geografis*. Retrieved from <https://kumparan.com/kumparannews/kemenkumham-luncurkan-ip-market-place-dan-logo-baru-indikasi-geografis-1xyDfakZZrl>

Reitzig, M. (2004). Strategic management of intellectual property. *MIT Sloan Management Review*, 45(3), 35-40+93.

Ryba, B. (2009). *The John Marshall Review of Intellectual Property Law*. 577(2014), 577–600.

Serrat, O. (2017). *Marketing in the Public Sector*. In: Knowledge Solutions. Singapore: Springer. <https://doi.org/10.1007/978-981-10-0983-9>

Snavely, K. (1991). Marketing in the Government Sector: A Public Policy Model. *American Review of Public Administration*, 21(4), 311–326.

Suryanto, A., Firdaus, M., Aswi, A., & Tamsir, F. A. (2023). The Challenges and Opportunities in the Implementation of E-learning for Competence Development of State Civil Apparatus. *Information Sciences Letters*, 12(5), 2165–2175. <https://doi.org/10.18576/isl/120551>

Suryanto, A., Fitriati, R., Natalia, S. I., Oktariani, A., Munawaroh, M., Nurdin, N., & AHN, Y. hoon. (2022). Study of working from home: the impact of ICT anxiety and smartphone addiction on lecturers at NIPA School of Administration on job performance. *Heliyon*, 8(12), 1-13. <https://doi.org/10.1016/j.heliyon.2022.e11980>

Suwarno, Y., & Sejati, T. A. (2017). *Modul Pelatihan Dasar Calon PNS Whole of Government*. Jakarta: Lembaga Administrasi Negara.

Sweet, C., & Eterovic, D. (2019). Do Patent Rights Matter? 40 Years of Innovation, Complexity and Productivity. *World Development*, 115, 78–93. <https://doi.org/10.1016/j.worlddev.2018.10.009>

Sweet, C. M., & Eterovic Maggio, D. S. (2015). Do Stronger Intellectual Property Rights Increase Innovation?. *World Development*, 66, 665–677. <https://doi.org/10.1016/j.worlddev.2014.08.025>

Syafrinaldi, F., & Almaktsur, M. A. (2008). *Hak Kekayaan Intelektual*. Pekanbaru: Suska Press.

Walsh, K. (2009). Citizens and consumers: Marketing and public sector management. *Public Money & Management*, 11(2), 9–16. <https://doi.org/10.1080/09540969109387649>

Widjayanti, A. (2011). Marketing Dalam Sektor Publik. *Jurnal Ilmu Administrasi: Media Pengembangan Ilmu Dan Praktek Administrasi*, 8(3), 330-339. <https://doi.org/10.31113/jia.v8i3.295>

Williams HL (2016) Intellectual property rights and innovation: Evidence from healthcare markets. *Innovation Policy Econom*, 16, 53–87. <https://doi.org/10.1086/684986>

Yuliani, A. (2018). *Pandai Memanfaatkan Teknologi*. Retrieved from [https://www.kominfo.go.id/content/detail/12360/pandai-memanfaatkan-teknologi-digital/0/sorotan\\_media](https://www.kominfo.go.id/content/detail/12360/pandai-memanfaatkan-teknologi-digital/0/sorotan_media)

Zaheer, A. N., & Rashid, A. (2017). Analysing the Role Of Public Sector Marketing in Improving Social Effectiveness: a Case Study from Anhui Province, China. *International Review on Public and Nonprofit Marketing*, 14(1), 57–71. <https://doi.org/10.1007/s12208-016-0162-y>