PRESIDENTIAL REGULATION OF THE
REPUBLIC OF INDONESIA NUMBER 100 OF
2021
ABOUT
IMPLEMENTATION OF PATENTS BY THE GOVERNMENT ON
THE DRUG REMDESIVIR

BY THE GRACE OF GOD ALMIGHTY THE PRESIDENT

OF THE REPUBLIC OF INDONESIA,

Weigh

a. that the spread of *Corona Virus Disease 2019* (COVID-19) has been declared by the *World Health Organization* (WHO) as a *global pandemic* and the Government has also designated non-natural disasters for the spread of *Corona Virus Disease 2019* (COVID-19) as a national disaster;

b. that in connection with the very urgent need in efforts to combat *Corona Virus Disease 2019* (COVID-19) in Indonesia, it is necessary to establish an access policy to remdesivir drugs that are currently still protected by patents;

c. that based on the provisions of Article 109 paragraph (3) of Law No. 13 of 2016 on Patents as amended by Law No. 11 of 2020 on Copyright Work, The Implementation of Patents by the Government is stipulated by Presidential Regulation;

d. that based on the considerations referred to in letter a, letter b, and letter c, it is necessary to settle the Presidential Regulation on the Implementation of Patents by the Government on Remdesivir Drugs;

1. Article 4 paragraph (1) of the Constitution of the Republic of Indonesia of 1945;

2. The law...
2. Law No. 13 of 2016 on Patents (State Gazette of the Republic of Indonesia year 2016 Number 176, Supplementary State Gazette of the Republic of Indonesia Number 5922) as amended by Law No. 11 of 2020 on Cipta Kerja (State Gazette of the Republic of Indonesia Year 2020 Number 245, Supplementary State Gazette of the Republic of Indonesia Number 6573);

DECIDE:

SET

THE PRESIDENTIAL REGULATION ON THE IMPLEMENTATION OF PATENTS BY THE GOVERNMENT AGAINST THE DRUG REMDESIVIR.

Article 1

(1) The government carries out patents on the drug Remdesivir.

(2) The implementation of patents by the Government on the drug Remdesivir is intended to meet the availability and urgent need for the treatment of Corona Virus Disease 2019 (COVID-19).

(3) The implementation of patents by the Government on the drug Remdesivir is carried out for a period of 3 (three) years since this Presidential Regulation came into force.

(4) If after a period of 3 (three) years as referred to in paragraph (3) the pandemic has not ended, the patent grant by the Government is extended until the Corona Virus Disease 2019 (COVID-19) pandemic is set to expire by the Government.

Article 2

The implementation of patents by the Government on the drug Remdesivir as referred to in Article 1 paragraph (1) contains the name of the active substance, the name of the patent holder, the patent application number / patent number, and the title of the invention as stated in the Annex which is an integral part of this Presidential Regulation.

Article 3...
Article 3

(1) The Minister who organizes government affairs in the health sector appoints the pharmaceutical industry as the implementer of remdesivir drug patent as referred to in Article 1 paragraph (1) for and on behalf of the Government in accordance with the provisions of the laws and regulations.

(2) The pharmaceutical industry as referred to in paragraph (1) carries out duties as the executor of remdesivir drug patents on a limited basis, to meet domestic needs, and is noncommercial.

(3) The farmasi industry as referred to in paragraph (1) shall meet the requirements:
   a. have facilities and are able to carry out patents;
   b. not transferring the implementation of the patent to another party; and
   c. have a good way of production, circulation, and supervision in accordance with the provisions of the laws and regulations.

Article 4

The pharmaceutical industry as referred to in Article 3 provides a reward to patent holders of 1% (one percent) of the net value of the drug Remdesivir.

Article 5

(1) The reward as referred to in Article 4 is carried out annually.

(2) Reward as referred to in the verse (1) it is carried out in accordance with the period of time referred to in Article 1 paragraph (3) and paragraph (4).

Article 6

This Presidential Regulation comes into effect on the date it is promulgated.

In order to...
In order for everyone to know, order the promulgation of this Presidential Regulation with its placement in the State Gazette of the Republic of Indonesia.

Set in Jakarta
November 10, 2021

PRESIDENT OF THE REPUBLIC OF INDONESIA,

            ttd.

JOKOWIDODO

Promulgated in Jakarta
November 10, 2021

MINISTER OF LAW AND HUMAN RIGHTS OF THE REPUBLIC OF INDONESIA,

            ttd.

YASONNA H. LAOLY

STATE GAZETTE OF THE REPUBLIC OF INDONESIA IN 2021 NUMBER 253

Copies in accordance with the original

MINISTRY OF STATE SECRETARIAT OF THE REPUBLIC OF INDONESIA

            idang Legislation and
            dm,legal
            administration,

            dia Silvanna Djaman
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REPLI BLIK 1 NDO NESIA

ATTACHMENT
PRESIDENTIAL REGULATION OF THE REPUBLIC
OF INDONESIA NUMBER 100 OF 2021
ABOUT
IMPLEMENTATION OF PATENTS BY THE
GOVERNMENT ON THE DRUG
REMDESIVIR

NAME OF ACTIVE SUBSTANCE, NAME OF PATENT HOLDER, PATENT
APPLICATION NUMBER/ PATENT NUMBER, AND TITLE OF
INVENTION

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<th>No</th>
<th>NAME OF ACTIVE SUBSTANCE</th>
<th>NAME OF PATENT HOLDER</th>
<th>PATENT APPLICATION NUMBER/PATENT NUMBER</th>
<th>TITLE OF INVENTION</th>
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PRESIDENT OF THE REPUBLIC OF INDONESIA,

ttd.

JOKOWIDODO

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MINISTRY OF STATE SECRETARIAT OF THE REPUBLIC OF INDONESIA

Department of Legislation and Ministry of Law,

Vanna Djaman