Analysis of the Effect of Intellectual Property Policy with National Economic Growth

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Abstract. *Introduction/Main Objective:* Intellectual property rights play a very important role in driving the economic growth of a country. Intellectual Property (IP) applications in the world continue to increase year after year, this shows that the world community needs protection for its innovative work, and shows that protection has an impact on the economy of a country. *Background of the Problem*: The IP policies of countries in the world focus on building and developing IP Ecosystems. This research was conducted to find out the IP Ecosystem policy developed in Indonesia and its influence on national economic growth so as to provide alternative input for the government as one of the important factors in national economic growth. *Research gaps/Novelty*: This study is conducted to examine how Intellectual Property Policy affects Indonesia's Economic Growth. *Research Methods*: The research used a qualitative approach with an in-depth interview method with informants consisting of regulators, operators and academics. The analytical tool used is NVivo by transcribing the interview results, coding and analyzing the interview results. *Findings/Results*: Based on the results and analysis that has been carried out, the results of data processing, in this case coding, show results that are in accordance with the research theme related to "Analysis of the Effect of Intellectual Property Policy on National Economic Growth". *Conclusions and implications:* This research concludes that the concept of IP development in countries outside Indonesia, which is related to efforts to increase the level of public awareness of IP itself, theoretically implies that the variable of awareness of IP is a key factor in making the IP ecosystem better. In addition, IP socialization & education activities can create an IP-based economic system, have a legally enforceable strategy plan, maximize IP protection efforts on every creative product, to make IP as one of the assets that can be guaranteed also become a supporting factor for the IP ecosystem in Indonesia.

Keywords: intellectual property policy, growth, national economy.

1   INTRODUCTION

The development of globalization requires the national economy in the world to experience a transition from the machine industry to a science-based economy of

information and technology. This transition affects the strengthening of Intellectual Property to strengthen the economic sector in a country. Creativity, innovation, and originality built by the people of the country become valuable things for the nation's economy. Intellectual property is considered important because it can protect and appreciate the work created by humans. Intellectual property in its definition is explained as a right arising from the results of thought that produces a product or process that is useful for humans. The demand of various countries to protect the work in society has led to the development of a new economic trend that prioritizes intellectual property.

Developed countries have a good IP system (for example: China is the country with the second largest economy in the world with the highest level of technological innovation in the world by utilizing IP protection, the United States is a developed country supported by a creative economy based on its Intellectual Property where IP Contribution is 34.8% of GDP; 18.8% of the US Workforce works in the IP sector). IP applications around the world continue to increase year after year, this shows that the world community needs protection for its innovative work, it also shows that IP protection has an impact on the economy of a country.

At the ASEAN country level, the shifting trends should be used as an opportunity to transform from basic manufacturing and commodity exports towards innovation and knowledge-based goods and services. To support the development of this sector, ASEAN countries need to further integrate into an increasingly knowledge-based global Research and Development (R&D) network supported by an ecosystem of intellectual property environments (Geneva Network, et. al, 2019). Indonesia in particular, needs to advance the industrial sector by improving its competitiveness and utilizing the role of industrial design which is part of Intellectual Property Rights (Fathoni, 2014). Encouragement of this sector in the globalization of trade by also providing legal protection for industrial designs, will accelerate national industrial development. Intellectual property rights play an important role in shaping Indonesia's competitiveness to the international world.

Intellectual property policies adopted by countries in the world focus on the construction and development of Intellectual Property Ecosystems. Intellectual Property Ecosystem is an important concept that must be considered and fulfilled to maximally utilize a country's Intellectual Property. There are three important components in creating an intellectual property ecosystem environment, including creation, protection, and utilization.

The three components in the IP ecosystem, namely creation, protection and utilization, are important concepts that must be considered and fulfilled to make the most of a country's Intellectual Property. Looking further into the important role of Intellectual Property in driving the economy, especially in Indonesia, it is necessary to pay further attention to the concept of the intellectual property ecosystem environment to maximally utilize the IP sector.

Fig. 1. The new four components in the IP ecosystem (DGIP Presentation 2022)

Intellectual Property Ecosystem

Intellectual Property Ecosystem

In the era of global economy, a policy strategy is needed to support the IP ecosystem to continue to grow through 4 (four) important pillars of IP policy to support national economic development, namely:

1. **Creation Element** as the fuel of the IP Ecosystem that plays a role in producing creative and innovative intellectual property creations (creation of intellectual works);
2. **The Acquisition and Management of IP Rights element** as the lubricant/oil of the IP Ecosystem which plays a role in facilitating the protection process of the innovation and creativity process through the acquisition of IP rights and management (acquisition and management of IPR);
3. **Elements of IP Rights Enforcement** as lubricating oil/oil that acts as a safeguard for the process of innovation and creativity through the enforcement of rights to IPR management (law enforcement and dispute resolution against IPR violations);
4. **Utilization Element** as the engine of the IP Ecosystem that plays a role in producing and marketing IP products and implementing IP-based financing schemes (IP commercialization).

Urgency of Intellectual Property Protection

The four pillars are closely related to the urgency of IP protection:

1. Encouraging creators, inventors, and researchers to be more vigorous in carrying out their creative work and inventions;
2. Supporting commercialization because there is no innovation without commercialization and invention is not called innovation without commercialization; and

3. As a guarantee of legality in the form of legal protection of Intellectual Property, thus providing security and comfort in developing IP-based businesses and avoiding piracy and product counterfeiting by other parties.

2   LITERATURE REVIEW

2.1   Public Policy

Easton defines public policy as the authoritative allocation of values for the whole society or public policy as the forced allocation of values to all members of society. Laswell and Kaplan also define public policy as a projected program of goals, values, and practice or a program of achieving goals, values in directed practices. Robert Eyestone as quoted by Leo Agustino (2008: 6) defines public policy as "the relationship between government units and their environment".

According to Parsons (2001) Public Policy is an action taken by the government, political parties and policy makers for the benefit of the wider community. In this sense, Parsons sees public policy as any action taken by policy makers, especially the government, for the benefit of the community.

In this policy study, it is expected that the collaboration of intellectual property services between the Ministry of Law and Human Rights, with local governments / universities as a driver of increased protection of intellectual property and collaboration of these services is initiated through cooperation between K / L and also stakeholders in the region.

At the regional scale through the Regional Office of the Ministry of Law and Human Rights, cooperation with relevant stakeholders is established to increase IP awareness and also independence in filing intellectual property services. Through the independence of service submissions and also increasing IP awareness through the Regional Office stakeholders, it will maintain the continuity of the rotation of the intellectual property ecosystem axis to produce new innovations. Where the cooperation will have an impact on the intellectual property system in Indonesia. Indirectly, the policy will have an impact on the community as users of intellectual property services.

Meanwhile, Easton defines public policy as the authoritative allocation of values for the whole society or as the forced allocation of values to all members of society. In this case, the value can be in the form of regulations issued by the government or other forms that can force people to comply with what is in the regulation.

2.2   Collaboration

Collaborative Governance Regime (CGR) theory explains in detail how the process of collaboration is dynamic and cyclical, producing interim actions and impacts, before leading to the main impacts, as well as adaptation to the interim impacts.

Directorate General of Intellectual Property (DGIP)

According to the Regulation of the Minister of Law and Human Rights No. 41 of 2021 concerning the Organization and Work Procedures of the Ministry of Law and Human Rights, the Directorate General of Intellectual Property is an executive element in the Ministry of Law and Human Rights which has the task of carrying out the formulation and implementation of policies in the field of intellectual property in accordance with the provisions of laws and regulations. In other words, DGIP is an intellectual property office in Indonesia that organizes the formulation and implementation of policies in the field of intellectual property which includes Mererk, Patents, Copyrights, Industrial Designs, Geographical Indictions, Integrated Circuit Layout Designs and Trade Secrets.

Micro, Small and Medium Enterprises (MSMEs)

MSMEs are productive businesses owned by individuals or business entities that have met the criteria as micro businesses. More clearly, the definition of MSMEs is regulated in the Law of the Republic of Indonesia No. 20 of 2008 concerning MSMEs.

The law states that MSMEs are in accordance with the type of business, namely micro businesses, small businesses and medium businesses. The classification of MSMEs is carried out with a limit on the annual turnover, the amount of wealth or assets, and the number of employees. Meanwhile, businesses that are not included as MSMEs are categorized as large businesses.

Definition and classification based on assets and turnover of each business scale with Net Wealth/Asset Criteria (excluding land and buildings of business premises) and Sales Revenue/Turnover:

1. Micro Enterprises: Net Worth/Assets Maximum IDR 50 million and Sales Revenue Maximum IDR 300 million;
2. Small Business: Net Worth/Assets > Rp50 million-Rp500 million and Maximum Sales Revenue > Rp300 million Rp2.5 billion;
3. Medium Enterprises: Net Worth/Assets > Rp500 million-Rp10 billion and Maximum Sales Revenue > Rp2.5 billion Rp50 billion.

3   RESEARCH METHODOLOGY

In this research, the approach taken is qualitative with an explanatory research type and case study in nature. The data collected in this research was conducted by in-depth interviews involving stakeholders involved in policies related to intellectual property in accordance with the formulation of the problem built. In-depth interviews in a research can explore a person's views, opinions or inputs to a problem.

The type of data in this research is primary data obtained through in-depth interviews with stakeholders consisting of Regulator and Operator categories.

Table 1. Catagorization of Informants

No	Informant	Responsibilities	Institution	Categories
1	Ir. Razilu	Acting of director general of intellectual property	Directorate general of intellectual property	Regulators
2	Andrieansjah	Head of program and reporting division, dgip	Directorate general of intellectual property	
3	Rachmi	Head of administration division	Regional office of ministry of law and human rights in yogyakarta	
4	Tanti	Head of sub-directorate of legal development and human rights	The ministry of national development planning	
5	Andika	Functional planner	Regional office of ministry of law and human rights in yogyakarta	Academic
6	Anindya Ayu Putri Lintang Kemilau Sakti	Junior associates	Legal consultant for buttonscarves and benang jarum	
7	Apsari Maharani	Evaluator of the implementation of activities and budgets	Directorate general of intellectual property	
8	Febriyanti	Drafter of work and budget plans for the secretariat general	Secretariat general, ministry of law and human rights	
9	Juldin Bahriansyah	Policy analyst, intermediate expert	National research and innovation agency	

Source: Data Processed, 2023.

The data analysis method was conducted using NVivo, an application used for processing and analyzing qualitative data in the form of audio recordings and transcripts from audio recordings. In addition, the results of interviews can be in the form of written narratives from sources if the sources are not willing to be interviewed or limited in place and time.

NVivo can separate data sourced from informants and data sourced from researchers and secondary data (books, research reports, journal articles, websites). NVivo coding results can be displayed on the research results to show a consistent and accurate analysis process. During the coding process, nodes will be generated.

The stages of data analysis carried out are:
    1.   Describing informants by presenting profiles;

2. Transcribing the interview results, which are set out in a structured transcript;
3. Coding and classifying interview transcripts and other document sources through the formation of nodes and sub-nodes;
4. Determining patterns, namely by looking for patterns or themes for each node through the form of data visualization; and
5. Interpreting emerging patterns or themes or the process of drawing conclusions.

The analysis technique used consists of two stages, namely First Cycle Coding which consists of hierarchical analysis and concept mapping and Second Cycle Coding, namely comparative diagram analysis.

4   RESULT / FINDING

The following is an aggregate coding hierarchy to see which nodes are the most dominant (or have the highest number of coding activities) of all informants.

From the results of data processing, it can be seen that the nodes system is divided into two (2) which refer to the formulation or research objectives that have been developed previously, i.e:

- Other Countries' IP Development Models - System Nodes 1; and
- IP to the Indonesian Economy - System Nodes 2.

The way the hierarchy is presented starts from:

- Identify in aggregate which nodes have the highest hierarchy;
- Identify the nodes with the highest reference to system nodes 1;
- Identifies the nodes with the highest reference to system nodes 2; and
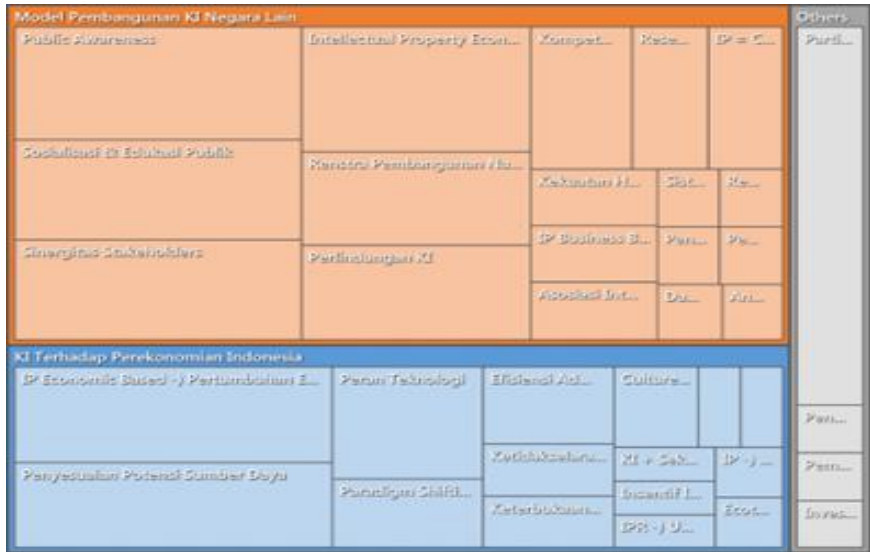- Identifying the nodes with the highest reference to the Others system nodes.

Fig. 2. The Aggregate Hierarchy (Source: Data Processed, 2023)

In aggregate, there are several nodes with the highest level of hierarchy, namely (the rest can be seen in Figure 2 and the magnitude can be seen in the coding nodes appendix). The following table illustrates the aggregate number of references (including sub-nodes, if any) of each of these nodes, as follows:

Table 2. Reference Nodes of the Aggregate Hierarchy

No	Nodes	Ref.	Files Coded	Max. Value	Share
1	Public Awareness	9	7	9	100%
2	IP Economic Based > Economic Growth	9	8	9	100%
3	Public Socialization & Education	8	7	9	88%
4	Stakeholders Synergy	8	6	9	88%
5	Intellectual Property Economic Based	8	7	9	88%
6	Adjustment of Potential Resources	8	6	9	88%
7	Low MSME Participation	8	6	9	88%
8	The National Development Strategic Plan	6	6	9	66%
9	IP Protection	6	5	9	66%
10	The Role of Technology	5	5	9	55%
11	Human Resource Competency	4	3	9	44%

12	IP = Capital Asset	3	3	9	33%
13	Research Development	3	3	9	33%
14	Paradigm Shifting	3	3	9	33%
15	Administrative Efficiency	3	3	9	33%

Source: Data Processed, 2023.

This indicates that overall (2 categories of informants), both implicitly and explicitly, alluded to public awareness of IP and the IP ecosystem-based economy being able to impact economic growth. In addition, the nodes "Public Awareness" and "IP Economic Based > Economic Growth", respectively, have the highest source value (9) with a total contribution of 100%.

This indicates that all informants and all data sources mentioned public IP awareness and the effect of IP on the economy. The other nodes, namely "Public Socialization & Education", "Stakeholders Synergy", "Intellectual Property Economic Based", "Adjustment of Potential Resources", and "Low MSME Participation", respectively, have a reference of 8 with a contribution value of 88%. As for the other nodes, they have similar interpretations.

Furthermore, the following will be shown regarding the hierarchy of the Nodes1 System (Other Countries' IP Development Models), as follows:
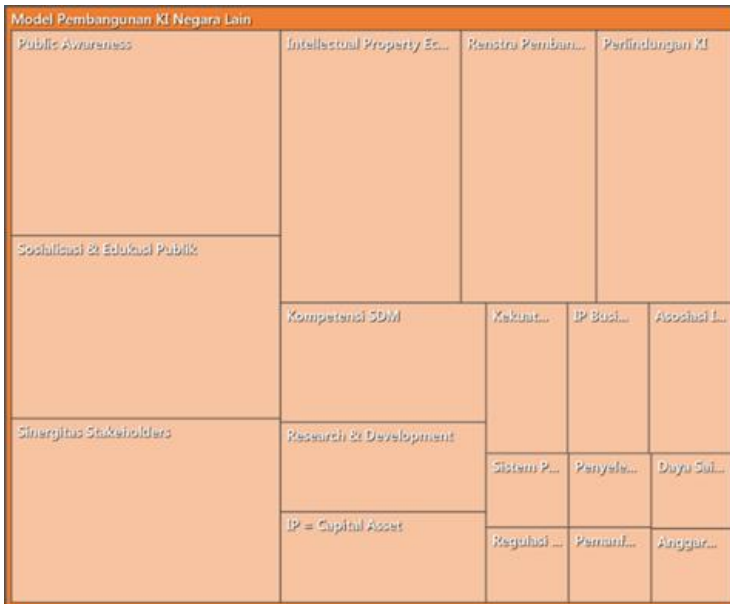

Fig. 3. Hierarchical System Nodes 1 (Source: Data Processed, 2023).

From Figure 3, it can be seen that, in System Nodes 1, "Public Awareness" is the nodes with the highest number of references, which is 9. Furthermore, the other nodes (Public Socialization & Education, Stakeholders Synergy, and Intellectual Property Economic Based), have a number of references, respectively, of 8. These results mean that, in the context of building IP models in other countries, efforts to increase awareness of the importance of IP, socialization & education activities, the need for stakeholder collaboration, and making IP the basis of economic activity, are the things that are most mentioned by all informants. The contribution value can be seen in the table below:

Table 3. System Hierarchy Reference Nodes 1

No	Nodes	Ref.	Files Coded	Max. Value	Share
1	Public Awareness	9	7	9	100%
2	Public Socialization & Education	8	7	9	88%
3	Stakeholders Synergy	8	6	9	88%
4	Intellectual Property Economic Based	8	7	9	88%
5	Adjustment of Potential Resources	6	6	9	66%
6	The National Development Strategic Plan	6	5	9	66%
7	Human Resource Competency	4	3	9	44%
8	IP = Capital Asset	3	3	9	33%
9	Research Development	3	3	9	33%
10	Legal Force	2	2	9	22%
11	IP Business Based	2	2	9	22%
12	International Associations > Decreased IP Infringement	2	2	9	22%

Source: Data Processed, 2023.

From Table 3, it can be seen that the "Public Awareness" nodes contributed 100% of the total sources. "Public Socialization & Education", "Stakeholders Synergy", and "Intellectual Property Economic Based" were each mentioned by 88% of the informants involved. The following will show the mapping of System Nodes 1:
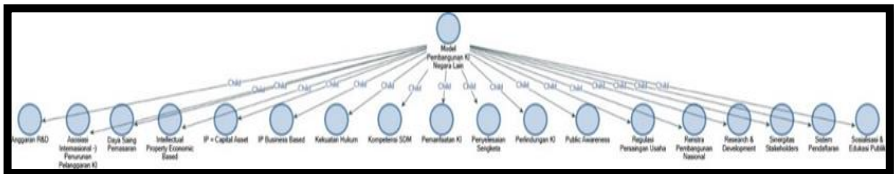

Fig. 4. Project Map System Nodes 1 (Source. Data Processed, 2023).

Furthermore, the following will be shown about the hierarchy of System Nodes 2 (IP on the Indonesian Economy), as follows:
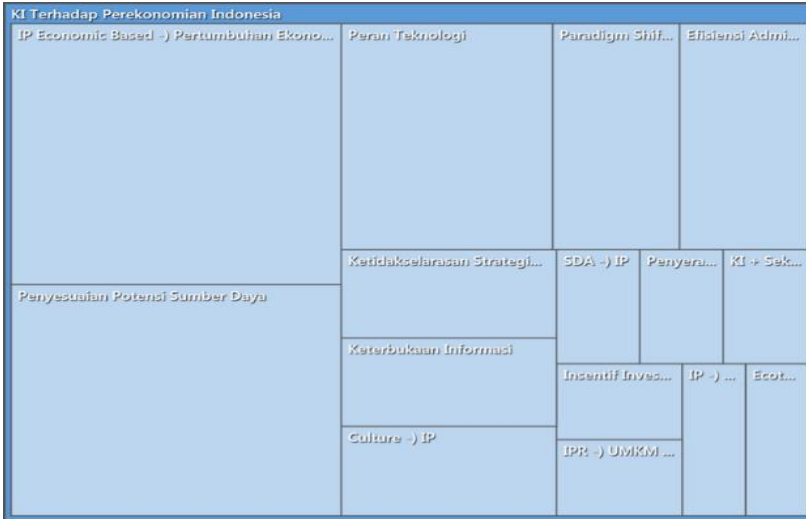
Fig. 5. Hierarchical System Nodes 2 (Source: Data Processed, 2023).

From Figure 5, it can be seen that, in System Nodes 2, "IP Economic Based" is the nodes with the highest number of references, that is 9. Furthermore, other nodes (Adjustment of Potential Resources), have a number of references, that is 8. These results mean that, all (100%) informants agree, either explicitly or implicitly, regarding the influence of IP that can improve the Indonesian economy. The contribution value can be seen in the table below:

Table 4. System Hierarchy Reference Nodes 2

No	Nodes	Ref.	Files Coded	Max. Value	Share
1	IP Economic Based > Economic Growth	9	8	9	100%
2	Adjustment of Potential Resources	8	6	9	88%
3	The Role of Technology	5	5	9	55%
4	Paradigm Shifting	3	3	9	33%
5	Administrative Efficiency	3	3	9	33%
6	Misalignment of Strategy & Policy	2	2	9	22%
7	Information Disclosure	2	2	9	22%
8	Culture > IP	2	2	9	22%

Source: Data Processed, 2023.

From Table 4, it can be seen that, the nodes "IP Economic Based > Economic Growth" has a contribution of 100% of all existing sources. This means that all informants agree that the implementation of an IP-based economic system can have an impact on economic growth. Furthermore, the impact of "Adjustment of Potential Resources" was mentioned by 88% of the informants involved. The following will show the mapping of System Nodes 2:
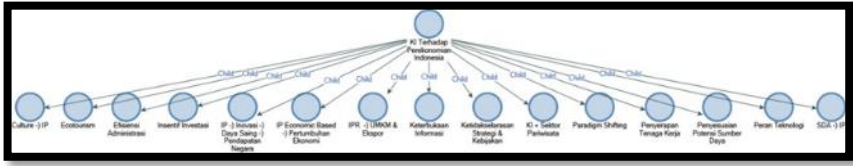
Fig. 6. Project Map System Nodes 2 (Source: Data Processed, 2023).

Furthermore, the following will be shown regarding the hierarchy of the Other Nodes System (matters touched upon beyond the purpose of the research), as follows:
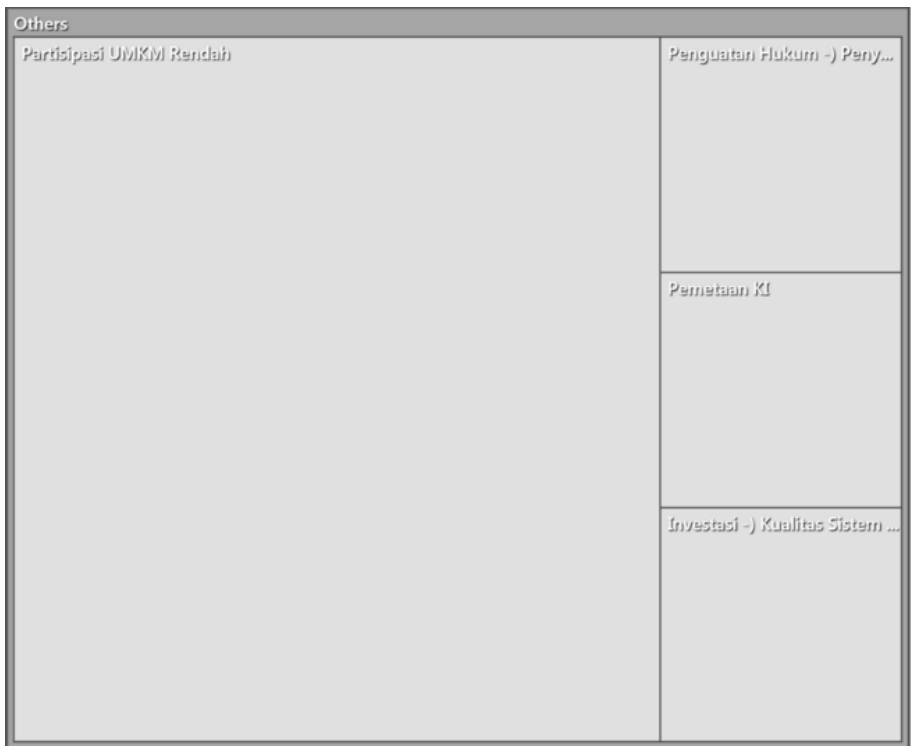

Fig. 7. Hierarchy System Nodes Others (Source: Data Processed, 2023).

From Figure 7, it can be seen that, in the Others Nodes System, "Low MSME Participation" is the nodes with the highest number of references, which is 8. The contribution value can be seen in the table below:

Table 5. System Hierarchy Reference Nodes Others

No	Nodes	Ref.	Files Coded	Max. Value	Share

1	Low MSME participation	8	6	9	88%
2	Law Enforcement > IP Deviation > Innovation	1	1	9	11%
3	IP Mapping	1	1	9	11%
4	Investment > IP System Quality	1	1	9	11%

Source: Data Processed, 2023.

From Table 5, it can be seen that, the nodes "Low MSME Participation" has a contribution of 88% of all existing sources. This means that 88% of informants agree that the participation of MSMEs in IP registration is still low, which is also related to the level of public awareness. The following will show the mapping of the Others Nodes System:
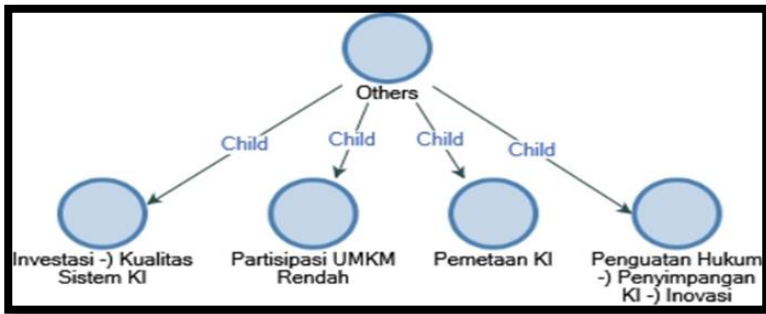
Fig. 8. Project Map System Nodes Others (Source: Data Processed, 2023).

Next, the results of the comparative diagram analysis will be shown. This section is the second stage in coding analysis (Second Cycle Coding). The Second Cycle Coding is based on the nodes or codes that have been made previously (First Cycle Coding). The results illustrate the similarity of things mentioned by each informant (category), the similarity is shown in the nodes located in the middle of the informant's case. Meanwhile, the nodes to the right and left of the informants are nodes mentioned by each informant that are not related to each other, which can replace the exploration diagram. Meanwhile, the number of references to each nodes can be seen in the Coding Nodes folder - select category - statement/image. The following will show the similarity of nodes between Regulators and Operators. In this case, the similarity of these nodes indicates that there are similarities between the things mentioned on the Regulator's side and the Operator's side, either explicitly or implicitly. The following is a comparison diagram that shows this (clear images can be seen in the Nvivo folder - Output - Comparison Diagram - Regulator vs Operator - Image):
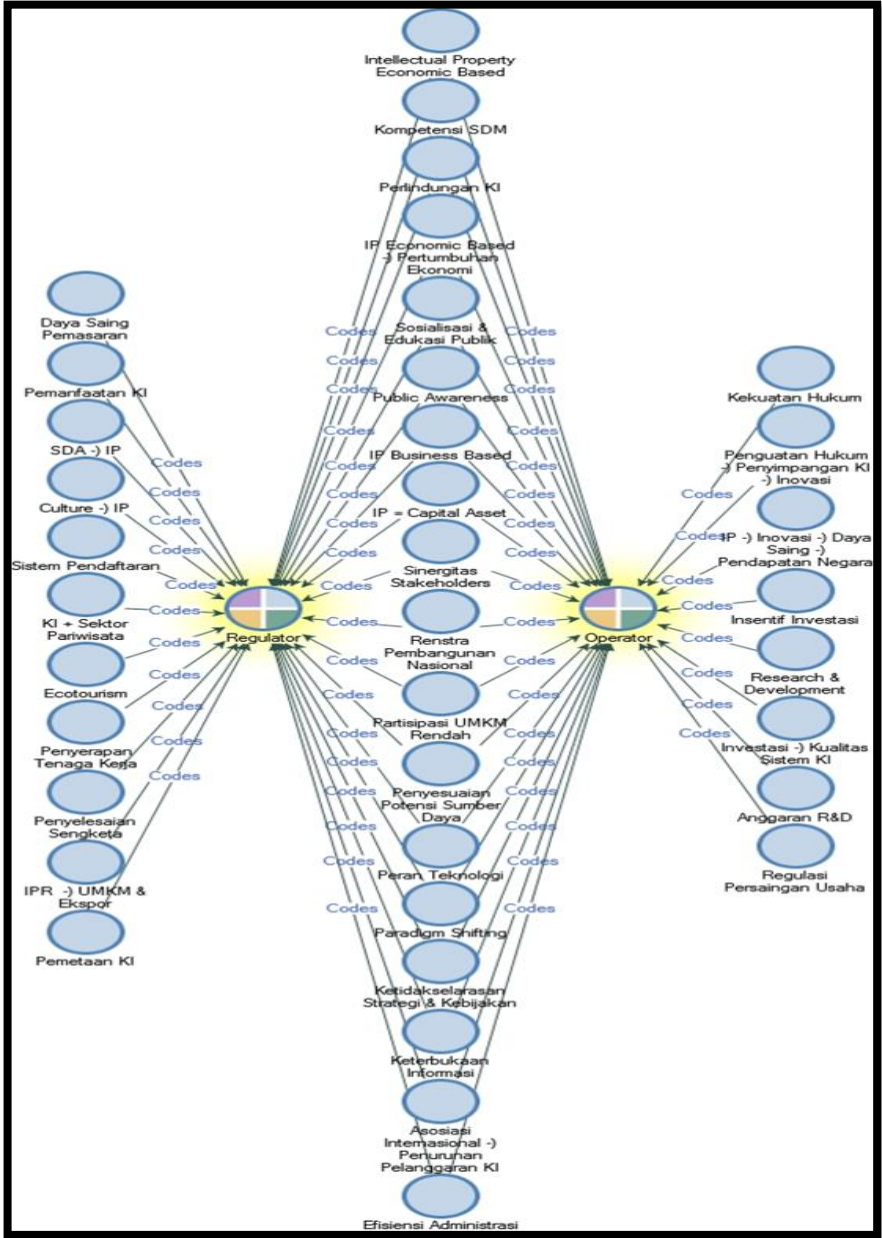
Fig. 9. Comparison Chart - Regulator vs Operator (Source: Data Processed, 2023).

In the figure, there are about 18 similar nodes ("Intellectual Property Economic Based", "Human Resource Competency", "IP Protection", "IP Economic Based > Economic Growth", "Public Socialization & Education", "Public Awareness", "IP

Business Based", "IP = Capital Asset", "Stakeholders Synergy", "The National Development Strategic Plan", "Low MSME Participation", "Adjustment of Potential Resources", "The Role of Technology", "Paradigm Shifting", "Misalignment of Strategy & Policy", "Information Disclosure", " International Associations > Decreased IP Infringement ", and "Administrative Efficiency") are mentioned by both parties, either explicitly or implicitly. These similarities can be considered by researchers so that they can conduct a deeper analysis between these similarities. (To see specifically what statements in the nodes that are mentioned simultaneously by both parties, can be seen through the Nvivo - Output - Comparison Diagram - Regulatort vs Operator - Statement folder).

5   DISCUSSION

The previous research focuses more on legal protection in the form of regulations and assesses the effectiveness of implementing IP regulations. Apart from that, it also looks at the protection of IPR which is linked to legal protection of products whose IPR has been registered with provisions on business competition. While the research that will be carried out by researchers will look at the impact of the IPR protection policy pursued by the Government in relation to the fact that the trend of economic growth stems from the creative economy based on IP. In addition, research discussions took place in several relevant ministries, institutions and stakeholders (both face-to-face and online) related to national IP located in Jakarta.

6   CONCLUSION AND RECOMMENDATION

6.1   Conclusions

The concept of developing Intellectual Property (IP) in countries outside Indonesia related to efforts increase the level of public awareness about IP itself, IP outreach & education activities, collaboration of all stakeholders, creating an IP-based economic system, having a strategic plan and legal force, maximizing efforts to protect IP in every creative product, so as to make IP one of the capital assets that can be guaranteed. The IP ecosystem development policy in Indonesia is mapped in several nodes in System Nodes 2 (IP to the Indonesian Economy), and one of them is still found misalignment between strategy and policy ("Misalignment of Strategy & Policy"). Furthermore it is necessary to take the are several steps that can be taken by the Indonesian government in order to advance Intellectual Property as one of the important factors in national economic growth related to the implementation of IP pillars that currently exist in Indonesia.

6.2   Recommendations

Based on the conclusions that have been described, the researcher provides the following suggestions as follows:

For the Government:

Related on the effect of IP policy on national economic growth, the government needs to pursue a comprehensive policy from planning, implementation to a thorough evaluation of the 'new' economic system such as the Green Economy Transformation that supports the creation of an IP-based economic system to ensure that IP policy has a significant effect on national economic growth. Besides that, there are alternative efforts to the transformation of a new economic system (Green Economy), such as the effort to build 'social engineering' are needed in order to form a new economic culture in society through various efforts to increase public awareness related to IP. Intellectual Property as one of the main backbones in the digital economy era needs to get policy encouragement not only at the regulatory level but also through efforts to embrace the community in the 'social engineering' scheme of Indonesian society which has now begun to adjust to the culture of economic society 4.0 in the digital era.

Furthermore, regarding about the relation between stakeholders in forming a reliable IP ecosystem, it necessary to make the synergy and collaboration between them, especially in executing IP-based Economic Transformation policies. The sustainability of IP-based Economic Transformation in the flow of Green Economy Transformation requires synergy and active collaboration between cross-sectors, cross-actors, and cross-regions implemented through various strategies. Eventually the efforts to increase the level of public awareness of IP where all informants 100% agree that the variable awareness of IP is a key factor in making the IP ecosystem better, a comprehensive policy is needed in breaking down the leveling in disseminating understanding and increasing awareness of IP.

For the Next Researchers:

Hereinafter, for future researchers who want to conduct similar research, in order to increase the required time period so that the results obtained can be better and more accurate. In addition, future researchers can also add variables related to quantitative data, such as data regarding the commercialization (added value) of IP products that have been protected or registered compared to before they were registered, this is important so that we can see more directly the effect of IP protection on economic growth.

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