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POLICY ADVOCACY FOR THE ELIMINATION OF PATENT MAINTENANCE FEE AT ENTREPRENEURIAL UNIVERSITY

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ABSTRACT

Advocating for the ellimination of patent maintanance feees in Higher Education, especially for Entrepreneurial Universities (EU), is essential. The number of patents is the primary indicator in determining the most innovative university. Therefore, the Minister of Law and Human Rights in 2020 adapted by issuing Permenkumham 20/2020 concerning Requirements and Procedures for Imposing Certain Tariffs on Patent and Copyright. According to Permenkumham 20/2020, in some instances, tariffs on patent services can be imposed in the amount of zero rupiahs, including for Higher Education. The research problem is How to advocate for a policy to eliminate patent maintenance fees at an EU?. This research aims to analyze Policy Advocacy for the Elimination of Patent Maintenance Fees at EU. This study uses the Advocacy Strategy Framework concept proposed by Coffman. The research employs a qualitative research method. The results of the research show that the Advocacy Strategy Framework regarding the Elimination of Patent Maintenance Costs in Permenkumham Number 20/2020 is carried out through three changes, Awareness, Will, and Action carried out to audiences, namely Public and Influencers; Influencers; Influencers and Decision Makers; and Decision Makers. The researcher recommends to the Ministry of Law to compile a Roadmap and Action Plan regarding Elimination of Patent Maintenance Costs in Policy Products in the form of Ministerial Decrees Law and Human Rights or Decision of the Director General of IP regarding the Roadmap and/or Action Plan regarding this matter.
Keywords: Patents; Patent Maintenance Fee; Policy Advocacy; Entrepreneurial University.

1. INTRODUCTION

Policy advocacy for eliminating patent maintenance fees in higher education institutions, especially Entrepreneurial University (EU), is important. The EU has a key perception in emphasizing the visible and measurable contribution of universities to innovation and entrepreneurship in a broader sense. In this regard, universities expanded their initial educational and teaching missions towards the triple helix and knowledge triangle paradigm, for example: knowledge and technology transfer and innovation increased substantially.[1] The number of patents is a key indicator in determining the most innovative universities, as is the Reuters methodology for measuring EU performance.[2] In ranking the most innovative universities in Europe, Reuters News relied on data collected by Clarivate Analytics and several research platforms such as Web of Science, Patent Index, Patent Citation Index, and so on. Several criteria to determine the most innovative universities

1 Erdil, E., Meissner, D., Chataway, J. 2018. Innovation Ecosystems and Universities. In: Meissner, D., Erdil, E., Chataway, J. (eds) Innovation and the Entrepreneurial University. Science, Technology and Innovation Studies. Springer, Cham. https://doi.org/10.1007/978-3-319-62649-9_1, hal. 3.

2 Ewalt, David M. 2019. Europe's Most Innovative Universities 2019. October 23. Accessed June 5, 2023. https://www.reuters.com/graphics/Europe-University-Innovation/010091N02HR/index.html.

include: patent volume, patent success, global patents, patent citations, patent citation impact, percent of patents cited, patent to article citation impact, industry article citation impact, percent of industry collaborative articles, total web of science core collection papers.[3] One of the criteria, namely patent volume, has a number indicator in the form of the number of patents submitted by the University. This is an indication of research results that have potential commercial value. The number of patents is limited to patents registered with the World Intellectual Property Organization (WIPO).[4]

The Reuters publication shows that KU Leuven Belgium has ranked first in the list of the most innovative universities in Europe according to Reuters for four consecutive years. The University consistently produces a large number of patents and research publications that influence researchers throughout Europe and the world. It was recorded that the number of patents submitted between 2012 and 2017 was 305 patents with a success rate of granted patents of 40%, and a commercial impact score of 43.3.[5]

Developing countries like Indonesia still face problems with the large costs of maintaining patents, while universities are encouraged to continue to develop their inventions by producing as many patents as possible. Various aspirations were expressed by universities due to limited funding to pay for Patent Maintenance Fees, where trade offs occurred due to the minimal number of patents being commercialized. This makes Patent Maintenance Fees still an obstacle for universities, especially the EU.

This obstacle also seems to have an impact on Indonesia's achievements in the Global Innovation Index (GII), which was relatively stagnant in ranking achievements in 2017-2019 as reflected in Table 1 of Indonesia's ranking in the 2017-2019 Global Innovation Index below:

Table 1 Indonesia's ranking in the 2017-2019 Global Innovation Index

	GII	Innovation Inputs	Innovation Outputs
2019	85	87	78
2018	85	90	73
2017	87	99	73

Sumber: GII, 2019

GII is a world economic ranking based on innovation capability, which consists of around 80 indicators, which grouped into Innovation Inputs and Innovation Outputs with multi-dimensional aspects of innovation. Indonesia's ranking interval in 2019 was between 78 and 85.[6] Likewise, in the following year, 2020, Indonesia's position was still in the same ranking, namely 85.[7] The stagnant condition in Indonesia's ranking growth in GII, makes the importance of policy breakthroughs carried out by the Government, especially the Directorate General of Intellectual Property (DJKI) of the Ministry of Law and Human Rights, as the supporting unit in viewing the output of the amount of Intellectual Property, especially Patents as part of Innovation Outputs.

It cannot be denied that GII is a type of Global Governance which involves the exercise of authorities outside one country, in order to influence behavior, generate resources, or allocate authority. Regulatory structures and laws of all kinds increasingly shape the nature, use and effects of such authorities.[8] The legal

3 Reuters. 2019. Reuters Top 100: Europe's Most Innovative Universities 2019 announced. April 30. https://www.reuters.com/article/rpbtop1002019-idUSKCN1S60PA, diakses tanggal 15 Agustus 2021, pukul 15.00.
4 Reuters (2019), diakses tanggal 15 Agustus 2021.
5 Reuters (2019), diakses tanggal 15 Agustus 2021.
6 Cornell University, INSEAD, and WIPO. 2019. Global Innovation Index 2019: Creating Healthy Lives — The Future of Medical Innovation. Geneva: WIPO, hal. xxxv.
7 Cornell University, INSEAD, and WIPO. 2020. Global Innovation Index 2020: Who Will Finance Innovation? Geneva: WIPO, hal. xxxiv.
8 Davis, Kevin, Angelina Fisher, Benedict Kingsbury, and Sally Engle Merry. 2012. Governance by Indicators: Global Power through Quantification and Rankings. (England: Oxford University Press), hal. viii.

foundations of global governance are shifting from legality to informality, as institutions are established outside the traditional boundaries of international law. In this context, non-binding international agreements or often known as "soft law" are mushrooming in various fields, and various informal international organizations even dominate the governance of several challenges facing the world.[9] GII also influences how the Indonesian government carries out policy improvements in regulations which are obstacles in achieving Indonesian innovation at the global level, one of which is reflected in the number of patents produced.

The reality faced by Intellectual Property Managers in the EU is that they still face a dilemma in obtaining patent certificates which has consequences for patent maintenance fees which must be paid every year. The EU, like Universitas Indonesia (UI), itself is facing a dilemma with a patent backlog up to mid-June 2020 of approximately 450 patents. Several UI patents themselves were abolished for various reasons, such as not responding to substantive examination and not paying patent maintenance fees.[10] The reality faced by Intellectual Property Managers in the EU is that they still face a dilemma in obtaining patent certificates which has consequences for patent maintenance fees which must be paid every year. The EU, like Universitas Indonesia (UI), itself is facing a dilemma with a patent backlog up to mid-June 2020 of approximately 450 patents. Several UI patents themselves were abolished for various reasons, such as not responding to substantive examination and not paying patent maintenance fees.[11]

Therefore, in 2020 the Minister of Law and Human Rights made an adaptation by issuing Regulation of the Minister of Law and Human Rights Number 20 of 2020 concerning Conditions and Procedures for Imposing Certain Tariffs on Patent and Copyright Services, on 21 July 2020. In Permenkumham 20/2020, in certain cases, the tariff for patent services can be charged at IDR 0.00 (zero rupiah). This tariff applies to:

> *"...(a) annual patent fees for Government Research and Development Institutions; (b) annual patent fees for State and Private Universities; (c) annual patent fees for Public and Private Schools; (d) annual patent fees for other Government Educational Institutions; (e) annual patent fees in the event that the patent has been granted or donated for social and/or public interests; and (f) costs of requesting changes to data and changes to the name and/or address of the inventor, copyright holder, owner of related rights products, and/or rights recipients submitted through no fault of the applicant."*[12]

Thus, Government Research and Development Institutions, State and Private Universities, and State and Private Schools as well as other Government Educational Institutions may be charged a rate of IDR 0.00 (zero rupiah) from the obligation to pay the annual patent fee.[13] This encourages improvements in governance at UI in the patent registration cycle until the issuance of patent certificates by conducting patent mediation to accelerate granted patent status and UI patent certificates for both patents that have and have not been commercialized.[14] This consequence encourages business process improvements in patent protection (Intellectual Property Rights) as part of Intellectual Property (IP) Management in addition to the Intellectual Assets and Intellectual Capital of Inventors which must remain well managed.[15] Understanding regarding Intellectual Property is an important component of business management and strategy. This can be used to

9 Charles B. Roger. *The Origins of Informality: Why the Legal Foundations of Global Governance are Shifting, and Why It Matters*, hal. 1.

10 Observasi Peneliti pada Juni 2020 sampai dengan Januari 2021 pada Sub Direktorat Kekayaan Intelektual, Direktorat Inovasi dan Science Techno Park Universitas Indonesia.

11 Observasi Peneliti (2020-2021).

12 Peraturan Menteri Hukum dan Hak Asasi Manusia Nomor 20 Tahun 2020 tentang Syarat dan Tata Cara Pengenaan Tarif Tertentu pada Pelayanan Paten dan Hak Cipta, Berita Negara Republik Indonesia Nomor 833 Tahun 2020 art.3 ayat (4).

13 Peraturan Menteri Hukum dan Hak Asasi Manusia Nomor 20 Tahun 2020, art. 2 ayat (2).

14 Observasi Peneliti (2020-2021).

15 Observasi Peneliti (2020-2021).

generate value and create competitive advantage.[16]

Moving on from the background of the problem above, the formulation of this research problem is: How the Policy Advocacy for Eliminating Patent Maintenance Fees in the Entrepreneurial University? The aim of this research is to analyze the policy advocacy for eliminating patent maintenance fees in the Entrepreneurial University. This research is expected to provide practical significance for Policy Makers (Decision Makers) in Government circles to advocate policies to eliminate Patent Maintenance Fees in higher education, especially Entrepreneurial University (EU) and academic significance for the study of Public Policy Advocacy which is always developing following existing dynamics.

This research focuses on Policy Advocacy for Eliminating Patent Maintenance Fees at Entrepreneurial University, considering that the policy advocacy of Permenkumham 20/2020 has important significance in the growth of innovation in the EU, where the number of patents obtained by Universities is one of the indicators measured in the Entrepreneurial Attitute Index (EAI).[17] This research identifies and assesses how the policy advocacy of Permenkumham 20/2020 which imposes a zero rupiah tariff for non-commercial patents produced by universities including the EU is related to the development or level of innovation within the UI environment as the EU. It is hoped that Permenkumham 20/2020 will be able to increase the number of patents in the EU without being hampered by the lack of budget for Patent Maintenance Fees, even though Indonesia's position in the 2021 GII has dropped two places to 87th position,[18] but in the 2022 GII, Indonesia be able to rise to 75th position.[19]

This research uses the Advocacy Strategy Framework concept proposed by Coffman. Policy Advocacy is used to assist organizations in planning, implementing, and evaluating policy advocacy efforts. This is closely related to Policy Advocacy in designing a Public Policy Grantmaking Strategy which includes two main activities in policy objectives related to the targeted audience (x-axis) and the desired outcomes (y-axis).[20] Audiences are groups that target policy strategies and try to influence them. Meanwhile, Outcomes are the results to be achieved in advocacy efforts or policy changes with the audience to achieve policy goals. These two dimensions are not free from problems, considering that it is important to map actors as target audiences and outcomes in three sub-dimensional continuums, namely awareness or knowledge, will and action. The Advocacy Strategy Framework consists of a three-by-three visual table that maps the advocacy strategy to overall initiative outcomes (awareness, will, and action) and audiences (public, influencers, and decision makers) as seen in Figure 1. Advocacy Strategy Framework below:

16 Heim, Irina. 2023. *Intellectual Property Management.* Springer Books, hal. 1.

17 Feola, Rosangela, Roberto Parente, and Cucino Valentina. 2021. "The Entrepreneurial University: How to Develop the Entrepreneurial Orientation of Academia." *Journal of the Knowledge Economy* 12: 1-22. doi:10.1007/s13132-020-00675-9.

18 WIPO. 2021. *Global Innovation Index 2021: Tracking innovation through the COVID-19 crisis.* (Geneva: World Intellectual), hal. 31.

19 WIPO. 2022. *Global Innovation Index 2022: What is the future of innovation-driven growth?.* (Geneva: World Intellectual), hal 19.

20 Coffman, Julia, and Tanya Beer. 2015. "The Advocacy Strategy Framework." *Center for Evaluation Innovation.* Maret. https://www.evaluationinnovation.org/publication/the-advocacy-strategy-framework-3/, hal. 5.

Figure 1. ***Advocacy Strategy Framework***



Figure 5.2. Advocacy Strategy Framework. Source: Coffman (2008). *Foundations and Public Policy Grantmaking*. Paper prepared for The James Irvine Foundation.

Source: Coffman (2008), *Foundations and Public Policy Grantmaking. Paper prepared for The James Irvine Foundation*.[21]

Information related to advocacy strategies is used to assess changes in advocacy strategies before and during the initiative. This strategy can determine whether the tactics used to achieve the desired change are successful or not, and assess the alignment of the objectives carried out. This Advocacy Strategy Framework allows replacing outcomes, audiences, and advocacy activities. This Advocacy Strategy Framework can be applied to a broad spectrum of policy objectives, including at the local and national level.[22]

First, Audiences are a group that targets policy strategies and tries to influence them. Audiences represent the main actors in the policy process, including the public (or specific segments), influencers (for example, media, public figures, business communities, political advisors, etc.), decision makers (for example, authorized officials, administrators, etc.). These audiences are arranged on a continuum according to the proximity of actual policy decisions. Naturally, decision makers are the parties closest to making this decision. In this case, the focus can be on one or more audiences simultaneously.[23]

Second, Outcomes are the results to be achieved in advocacy efforts or policy changes with the audience to achieve policy goals. The three points on this continuum differ in terms of how involved audiences are expected to be in a policy issue. The continuum starts with awareness or knowledge, where the aim is to make audiences aware that there are policy solutions to problems. The next level is will, where the goal is to increase the audience's willingness to take action on a problem, which goes beyond awareness and tries to convince the audience that action is important to solve the problem. The third level is action, where policy efforts actually support or facilitate audience action on an issue. In this case, the focus can be on one or more outcomes simultaneously.[24]

21 Coffman, Julia. 2008. *Foundations and Public Policy Grantmaking.* The James Irvine Foundation. https://www.issuelab.org/resources/1349/1349.pdf, hal. 6.
22 Coffman (2008), hal. 5.
23 Coffman (2008), hal. 5.
24 Coffman (2008), hal. 5.

Because Advocacy is usually carried out at many levels at the same time by many actors, it is helpful to have a Roadmap to understand all strategies and expected results. The Advocacy Strategy Framework is a guide that helps the Government create a theory of change without imposing linear thinking, while also helping to identify which medium-term changes can be achieved through these advocacy efforts, where the midpoint is very important in the long chain of policy change.[25] Coffman thinks about the theory of change that underlies public policy advocacy strategies.[26]

Several previous studies related to this research include: First, research conducted by Leila Tahmooresnejad entitled "Do patent funded academic researchers enjoy a longer life? A study of patent renewal decisions" published in the Plos ONE Journal published on 29 August 2018,[27] assesses the extent to which patent renewal data is linked to government funding in a university context that focuses on the relationship between funded patent holders and patent renewal decisions. The aim of this research is to show whether receiving government funding contributes to high-value patents as measured by patent renewal decisions made by their owners.

This research uses quantitative research methods with a cencored regression model to see the relationship between dependent and independent variables, a probit model to estimate the possibility of a patent being extended after 4, 8, and 12 years of patent granting. In Canadian academic nanotechnology-related patents a positive relationship was found between funded researchers and patent renewal rates after four years. Further analysis was also carried out on the relative impact of patent extension after eight years and 12 (twelve) years. The results show that patent renewals over several years can be linked to the level of government funding received by the patent inventor.

The strength of this research lies in evaluating the increasingly expensive costs of maintaining patents to protect intellectual property bringing about the need for better estimates of patent value and identifying relevant indicators for these patents. Researchers fill the gap in previous research on measuring patent value by assuming that this value can be reflected in the length of patent expiry. The analysis used with quantitative research methods shows the strength of this research, which is able to provide results showing that patent renewal in several years is associated with the level of government funding received by the patent inventor.

Leila's research is different from this research, where in this research the researcher focuses on Advocacy for the Policy for Eliminating Patent Maintenance Fees at Entrepreneurial University using qualitative research methods and the Advocacy Strategic Framework concept proposed by Coffman while the research conducted by Leila uses quantitative research methods with cencored regression model and profit model to assess the extent to which patent renewal data is associated with government funding in a University context that focuses on the relationship between funded patent holders and patent renewal decisions.

Second, research conducted by Julian Boulanger, entitled "Patents and Follow-On Innovation: Evidence From Patent Renewal Decisions" which published on SSRN on 11 February 2019.[28] Patents motivate innovation by rewarding Inventors with exclusive rights to findings (inventions), however, scholars argue that this patent reward theory is not sufficient to justify the patent system. When innovation is cumulative, patents can promote or block continued innovation and knowing the conditions under which this effect applies is key to understanding whether patents, as a whole, are desirable or not. Researchers studied how patent protection on existing technologies influenced subsequent innovation using data on patent renewal decisions in the United States, following the enactment of the America Invents Act. The research method used is a quantitative research method by looking at the relationship between two variables, namely dependent and independent and a probit model. Researchers used two types of data, namely data on Patent Maintenance Fees collected from Reed Tech and data on various characteristics of patents and owners, collected from Patents View.

Researchers found that on average, patents have a strong blocking effect on continued innovation. But these average effects mask considerable heterogeneity. First, Researchers explored variations in the three stages

25 Coffman (2008), hal. 7.
26 Coffman (2008), hal. 7.
27 Tahmooresnejad, Leila, and Catherine Beaudry. 2018. "Do patents of academic funded researchers enjoy a longer life? A study of patent renewal decisions." *PLOS One* 1-22. doi:10.1371/journal.pone.0202643
28 Boulanger, Julian. 2019. "Patents and Follow-On Innovation: Evidence From Patent Renewal Decisions." *SSRN* 1-47. doi: http://dx.doi.org/10.2139/ssrn.3347134.

at which a patent must be renewed during its lifetime and found that the blocking effect was driven entirely by patents in the first and second stages. In the third maintenance stage, patents emerge, instead, to promote continued innovation. Second, researchers assessed potential heterogeneity across different technology fields and found that patents block more advanced innovation in discrete technology fields and where patent ownership is highly fragmented.

The results show that a quasi-experimental variation of patent extension using increased maintenance costs took effect in 2013. Researchers found that on average, patents had a strong blocking effect on continued innovation. This effect is driven by patents in the first and second maintenance stages, disappearing over time. The blocking effect is stronger in discrete technology areas and when patent ownership is highly fragmented. Research findings show that technological progress is mostly driven by existing technology, the incentive effect of patent protection on continued innovation cannot be ignored. Researchers also point out that adequate policy reform should be aimed primarily at facilitating licensing agreements early in the patent life cycle and for patents specifically in the technology sector, patent protection is very important in the follow-up of innovation.

The strength of this research lies in its ability to investigate the empirical effects of patents on subsequent innovation using patent renewal data in the United States. The researcher produced a quasi-experimental variation in the decision to extend patent rights using an increase in maintenance costs which came into effect in 2013. Julian Boulanger's research is different from this research, where in this research the researcher focuses on Advocacy for the Policy for Eliminating Patent Maintenance Fees at Entrepreneurial University using the method qualitative research and the Advocacy Strategic Framework concept put forward by Coffman while research conducted by Julian Boulanger used quantitative research methods with cencored regression models and profit models to study how patent protection on existing technology influences subsequent innovation using data on patent renewal decisions in the United States, after the enactment of the America Invents Act.

Third, research conducted by Choi, J., Jeong, B., Yoon, J., Coh, B., & Lee, J, entitled "A novel approach to evaluating the business potential of intellectual properties: A machine learning-based predictive analysis of patent lifetime" published in the Journal of Computers & Industrial Engineering, Volume 145, July 2020.[29] This research comes from the background that most patent holders tend to maintain their patents only if the profits generated are greater than maintenance costs, the patent lifetime has been use of the patent's business potential in patent evaluation. In this research, researchers propose an approach to evaluate the business potential of each patent by applying a machine learning algorithm to predict the likelihood that a patent will survive until its maximum expiration date. A total of 24 indicators and historical maintenance cost event data obtained from a large number of patents are used to learn a feed-forward neural network (FFNN) model. As a result, the FFNN model outperforms other algorithms and interesting trends are identified, namely that recall is higher than precision regardless of the model used, and the predicted level of business potential of a patent has a strong positive correlation with the actual patent lifetime.

The advantage of this approach is its broad applicability in dealing with patents with little or no forward citation. This approach can be used to examine patents with high business potential to uncover hidden core technologies of competing companies or identify newly issued patents with high business potential to predict new technologies. Choi, J., Jeong, B., Yoon, J., Coh, B., & Lee, J's research is different from this research, where in this research the researcher focuses on Policy Advocacy for Eliminating Patent Maintenance Fees at Entrepreneurial University using the method qualitative research and the Advocacy Strategic Framework concept proposed by Coffman while research conducted by Choi, J., Jeong, B., Yoon, J., Coh, B., & Lee, J uses a machine-learning approach to predict the likelihood that a patent will survive to its maximum expiration date to evaluate the business potential of a patent.

Based on the three previous studies above, the researcher sees the novelty (state of the art/novelty) of this research where in this research the researcher focuses on Policy Advocacy for Eliminating Patent Maintenance Fees at Entrepreneurial University using qualitative research methods and the Advocacy Strategic Framework

29 Choi, Jaewoong, Byeongki Jeong, Janghyeok Yoon , Byoung-Youl Coh, and Jae-Min Lee. 2020. "A novel approach to evaluating the business potential of intellectual properties: A machine learning-based predictive analysis of patent lifetime." *Computers & Industrial Engineering* 1-13. doi:https://doi.org/10.1016/j.cie.2020.106544

concept. stated by Coffman In this case, although three previous studies examined patent maintenance fees, none of them has put forward advocacy for a policy of eliminating patent maintenance fees like the policy made by the Minister of Law and Human Rights of the Republic of Indonesia which requires a more in-depth study regarding the Policy Advocacy for Eliminating Patent Maintenance Fees for Entrepreneurial University with two main activities in policy objectives related to the targeted audience (x-axis) and the desired outcomes (y-axis).

The systematics of this research include (1) Introduction consisting of Background to the Problem; Formulation of the problem; Research purposes; Significance of Research; Theoretical framework; Previous Research; and Research Systematics; (2) Research Methods consisting of Research Approach, Type of Research, Data Collection Techniques, Data Analysis Techniques, and Research Locations; (3) Results and Discussion; (4) Conclusions consist of Conclusions and Suggestions.

2. RESEARCH METHODS

In this sub-chapter the researcher explains the research methods used by the researcher when conducting a series of studies. This research discusses Policy Advocacy for Eliminating Patent Maintenance Fees in Entrepreneurial University, which is divided into research approaches, types of research, data collection techniques, data analysis techniques, and research locations.

This research uses a qualitative research approach - exploratory in nature so that you can understand the research problem through the meaning made.[30] Qualitative research is used to build inductive logic where this research builds patterns, categories and themes in a bottom-up manner until it reaches a larger, more general theme.[31] A qualitative approach was also chosen because this research moves with an inductive logic starting with data and literature regarding the policy of eliminating patent maintenance fees at Entrepreneurial University which is then explained into more general major themes

Types of research are divided into several classifications, including based on research objectives, research benefits, research time dimensions, and data collection techniques. This research aims to provide an overview of the Policy Advocacy for Eliminating Patent Maintenance Fees at Entrepreneurial University. If we refer to this objective, then this research is included in descriptive research because descriptive research is research aimed at providing a systematic and detailed picture of a situation, activity, social setting, or relationships that occur within it.[32] According to Neuman, the focus of descriptive research is about how something happens and who is involved.[33] Next, Neuman classifies the benefits of research into two types, namely pure research which is research with a focus on development, testing and theory which then explains how social interaction can occur and applied research which is research to provide practical solutions in the social environment.[34] Referring to these two classifications, this research is included in pure research because it aims to verify theories and is used to develop and broaden scientific insights. This research is also included in pure research because it is only carried out to meet the needs of researchers and is carried out without being tied to other agencies or sponsors during the research.

Based on the time dimension of the research, Neuman classifies research into several types, namely cross-sectional, time series, panel, cohort, and case study.[35] This research is then included in cross-sectional research, which is research conducted in one time period and can be carried out in research with various objectives ranging from exploratory, descriptive, to explanatory. This research was conducted over a certain time period, namely June 2020 to January 2023. Neuman differentiates data collection techniques in research into two types, namely quantitative, where the data is obtained through research, content analysis, surveys,

30 Creswell, John W. 2009. *Research Design: Qualitative, Quantitative, and Mixed Method Approach*, (California: Sage Publications, Inc), hal. 4.
31 Cresswell (2009), hal. 186.
32 Neuman, W Lawrence. 2014. *Basics of Social Research: Qualitative & Quantitative Approaches*, (England: Pearson Education Limited), hal. 31.
33 Neuman (2014), hal. 31.
34 Neuman (2014), hal. 94.
35 Neuman (2014), hal. 32.

as well as statistical and qualitative data, which is research with data collection through field research and historical-comparative research.[36] In this research, the data used is primary and secondary data. Primary data in this research was obtained through observation and in-depth interviews with sources related to the topic of policy advocacy for eliminating patent maintenance fees at Entrepreneurial University. Then, secondary data obtained through various sources such as books, articles, journals, electronic sources, and other scientific publications that related to the implementation of policy advocacy.

The data collection technique then used in this research is a qualitative data collection technique which is then reclassified into primary and secondary data. Primary data used in this research obtained from observations made at the Sub-Directorate of Intellectual Property and Promotion, Directorate of Innovation and Science Techno Park, University of Indonesia. Then, secondary data was obtained through several literatures that were related to the research conducted. In this research, the literature used is all books, articles, journals, electronic sources and other scientific publications that are relevant to policy advocacy for eliminating patent maintenance fees at Entrepreneurial University.

Researchers use qualitative data analysis which is the process of looking for patterns or relationships from the data collected to be able to draw conclusions which are then analyzed using illustrative methods. Referring to Neuman, the illustrative method is a process for illustrating or reducing theoretical concepts into empirical evidence or situations so that conclusions in interpreting social problems can be drawn. Neuman explains that theoretical concepts used in research can be thought of as empty boxes that can then be filled with empirical evidence collected during the research.[37] The process of collecting data to answer the questions in this research was carried out at the University of Indonesia and DJKI as the research locus based on research problems discovered by researchers. The researcher chose the University of Indonesia because since 2021, UI has become an Entrepreneurial University, in line with the changes that occurred in the UI Strategic Plan 2019-2024. UI has produced a large number of patents, which have experienced obstacles in paying patent maintenance fees, so that several UI patents were also abolished by DJKI for not paying patent maintenance fees. Advocacy Policy for Eliminating Patent Maintenance Fee is relevant and interesting to study further.

3. RESULTS AND DISCUSSION

Since the publication of Permenkumham 20/2020, the policy of eliminating patent maintenance fees has become something that is felt to help universities, especially Entrepreneurial University, in increasing the number of patents, without being constrained by patent maintenance fees for patents that have not yet been commercialized. The research results show that the EU itself no longer experiences problems related to patents that have not yet been commercialized which might be eliminated due to non-payment of patent maintenance fees. The guarantee of legal certainty in Permenkumham 20/2020 has provided a reduction in annual patent maintenance fees for Government R&D Institutions, State and Private Universities, and Public and Private Schools as well as other Government Educational Institutions which can be charged at a rate of IDR 0.00 from the obligation to pay the annual Patent fee.

The conditions for imposing a rate of IDR 0.00 annual patent fee are: (1) The patent is registered in the name of a government research and development institution/state or private university/public school or private/other government educational institution; (2) The patent is not yet commercial; (3) for patents that are granted or donated for social and/or public purposes; and (4) submit an application for a tariff of Rp. 0.00 (the application form can be downloaded on the dgip.go.id website))[38] Furthermore, applications for a tariff of Rp. 0.00 for state or private universities must upload the following documents: (1) Patent Certificate; (2) Application letter accompanied by reasons related to the imposition of a tariff of IDR 0.00 addressed to the Minister of Law and Human Rights, signed by the competent leadership at the State or Private University in question; and (3) A sufficiently stamped statement stating that the registered patent is not yet commercial.[39]

36 Neuman (2014), hal. 37.
37 Neuman (2014), hal. 350.
38 Peraturan Menteri Hukum dan Hak Asasi Manusia Nomor 20 Tahun 2020, art. 3 ayat (4).
39 Peraturan Menteri Hukum dan Hak Asasi Manusia Nomor 20 Tahun 2020, art. 21.

If the application is approved, the Minister of Law and Human Rights issues a letter of approval for the imposition of certain rates on patent services. On the other hand, if the application is not approved, the Minister of Law and Human Rights will issue a rejection letter. Based on this rejection letter, the applicant will be charged a fee in accordance with the provisions of the statutory regulations.[40] Permenkumham Number 20/2020 also equipped with a non-commercial patent statement form, an annual patent fee form at a certain rate of 0 rupiah, and an application form for a 0 rupiah fee for patent services in the Appendix which is an inseparable part of this Regulation of the Minister of Law and Human Rights.[41]

Applications for a certain rate of 0 rupiah for patent services at state or private universities must be submitted every year as long as the patent is still under protection. This application for certain tariffs takes effect from the 6th year until the end of the protection period. Applications for the 6th year must be submitted no later than three months from the date of the patent certificate. As for requests for certain rates after the 6th year, the request is submitted no later than three months before the payment due date for the following year. In the event that the submission of a certain tariff for patent services is not carried out, the patent holder will be charged a tariff in accordance with the provisions of the statutory regulations.[42]

Based on the policy of Permenkumham Number 20/2020 above, Policy Advocacy steps are the right steps to determine the Public Policy Strategy for the Ministry of Law and Human Rights, especially DJKI regarding the Elimination of Patent Maintenance Fees for Entrepreneurial University, which is what is needed to achieve this policy target.

Which audience will be engaged to address it. Identify who is the target in this category (for example, certain publics, certain influencers, and influential decision makers. For example, the mass media are influencers to the public. Mass media can be strong influencers on how the public or decision makers view policy issues. Consequently, efforts made to raise the profile of an issue often target the media to increase coverage of the issue or influence how the mass media frames the issue.

The research findings showed that the Advocacy Strategy Framework related to the Elimination of Patent Maintenance Fees in Permenkumham Number 20/2020 carried out through three changes. First, Awareness is carried out to audiences, namely (a) Public (State or Private Universities including the EU) obtaining advocacy activities, namely Public Education related to the Policy for Eliminating Patent Maintenance Fees for Patents that have not been commercialized; (b) Influencers (Mass Media/Public Figure Influencers) obtain advocacy activities, namely Influencer Education regarding the Elimination of Patent Maintenance Fee Policy for Patents that have not been commercialized for State or Private Universities including the EU; (c) Decision Makers (Policymakers) obtain advocacy activities, namely Policymaker Education related to the Policy for Eliminating Patent Maintenance Fees for Patents that have not been commercialized for State or Private Universities including the EU; (d) Influencers and Decision Makers obtain advocacy activities, namely Policy Analysis/Research related to the Policy for Eliminating Patent Maintenance Fees for Patents that have not been commercialized for State or Private Universities including the EU.

Second, Will is carried out to audiences, namely (a) Public and Influencers, obtaining advocacy activities, namely Public Will Campaigns, by encouraging State or Private Universities, including Entrepreneurial University, to comply with the requirements and procedures for submitting Applications for Elimination of Patent Maintenance Fees for Patents that have not been commercialized and communication strategic that builds support from State or Private Universities including the EU to comply with the requirements and procedures in the Application for Elimination of Patent Maintenance Fees for Patents that have not been commercialized; (b) Influencers, obtain advocacy activities, namely Communications and Messaging by communicating and providing messages regarding Applications for the Elimination of Patent Maintenance Fees for Patents that have not been commercialized for State or Private Universities including the EU as well as Media Advocacy by using mass media to advance policy initiatives, namely the Policy for Eliminating Patent Maintenance Fees for Patents that have not been commercialized for State or Private Universities including EU; (c) Decision Makers, obtain advocacy activities, namely Public Forums, by holding Expert Meetings/FGDs with Policymakers such

40 Peraturan Menteri Hukum dan Hak Asasi Manusia Nomor 20 Tahun 2020, art. 26.
41 Peraturan Menteri Hukum dan Hak Asasi Manusia Nomor 20 Tahun 2020, art. 29.
42 Peraturan Menteri Hukum dan Hak Asasi Manusia Nomor 20 Tahun 2020, art. 31.

as DJKI, Ministry of Finance, DJKI Patent Directorate, regarding the Policy for Eliminating Patent Maintenance Fees for Patents that have not been commercialized for State or Private Universities including the EU .

Third, Action is carried out on audiences, namely (a) Public and Influencers, obtaining advocacy activities, namely Community Mobilization, by bringing together as many Stakeholders and Influencers as possible to increase their awareness regarding the Policy for Eliminating Patent Maintenance Fees for Patents that have not been commercialized for State or Private Universities, including EU with the aim of strengthening stakeholder participation for policy sustainability and independence; (b) Influencers, obtain advocacy activities, namely Coalition Building with Collaborative partnerships to obtain support regarding the Policy for Eliminating Patent Maintenance Fees for Patents that have not been commercialized for State or Private Universities including the EU; (c) Influencers and Decision Makers, obtaining advocacy activities, namely Lobbying, where the mass media influences policymakers to make policies (make changes or create new regulations); (d) Decision Makers, obtain advocacy activities, namely Model Legislation which is recommended to be designed as Guidelines/Technical Instructions/SOP for the Policy for Eliminating Patent Maintenance Fees for Patents that have not been commercialized for State or Private Universities including the EU as well as Regulatory Feedback by Elaborating on regulatory feedback that is considered It is necessary to improve and form new regulations that are in line with needs and developments.

Furthermore, Policy Advocacy for Eliminating Patent Maintenance Fees for the EU in Permenkumham Number 20/2020 has benefits, namely: First, promoting innovation. Elimination of Patent Maintenance Fees could encourage EUs and Innovators to implement innovative projects without the financial burden of ongoing costs. This can result in more innovative discoveries and technologies. Second, access to resources. The policy of eliminating Patent Maintenance Fees for the EU can free up the budget for research and development activities to pay for Patent Maintenance Fees, so that it is hoped that it can produce greater innovation overall. Third, economic growth. By reducing Patent Maintenance Fees, it is hoped that patented technology produced by the EU can enter the market, thereby potentially stimulating economic growth and job creation. Fourth, support entrepreneurship. The EU is often a center for start-up companies and spin-offs. The policy of eliminating Patent Maintenance Fees for the EU in Permenkumham Number 20/2020 can make it easier for startups and spin offs to protect intellectual property and encourage entrepreneurship. Fifth, global competition. In a global context, some countries do not require patent maintenance fees or charge much lower fees. Eliminating patent maintenance fees for the EU in Permenkumham Number 20/2020 makes the EU in Indonesia more competitive on the international stage.

In the development of the Policy for Eliminating Patent Maintenance Fees at EU in Permenkumham Number 20/2020, it is necessary to anticipate the loss of income from patent maintenance fees, which so far have provided income through PNBP to the Government. Apart from that, quality control is also necessary. It is necessary to anticipate that the Eliminating Patent Maintenance Fees at EU will not result in a reduction in the quality of patents to lower levels or irrelevant patents, thereby causing the number of patents that cannot be used (not commercialized) to increase significantly.

The Ministry of Law and Human Rights of the Republic of Indonesia, especially DJKI, in advocating for the policy for eliminating Patent Maintenance Fees in Permenkumham Number 20/2020 explains the findings of this research in the Advocacy Strategy Framework Roadmap and Action Plan regarding Elimination of Patent Maintenance Fees in Permenkumham Number 20/2020 and Action Plan related to the Policy for Eliminating Patent Maintenance Fees in Permenkumham Number 20/2020 which maps out two main activities in policy objectives related to the targeted audience (x-axis) and the desired outcomes (y-axis). This can then be stipulated in a Policy Product in the form of a Decree of the Minister of Law and Human Rights or a Decree of the Director General of Intellectual Property regarding the Roadmap and/or Action Plan regarding this matter. Information related to advocacy strategies is used to assess changes in advocacy strategies before and during the initiative. This strategy can determine whether the tactics used to achieve the desired change are successful or not, and assess the alignment of the objectives carried out.

4. CONCLUSION

Based on the matters above, the research findings show that the Advocacy Strategy Framework related to the Elimination of Patent Maintenance Fees in Permenkumham Number 20/2020 was carried out through three changes, namely First, Awareness was carried out to audiences, namely (a) Public (State Universities or Private including EU); (b) Influencers (Mass Media/Public Figure Influencers); (c) Decision Makers (Policymakers); and d) Influencers and Decision Makers regarding the Policy for Eliminating Patent Maintenance Fee for Patents that have not been commercialized for State or Private Universities including the EU. Second, Will is carried out to audiences, namely (a) Public and Influencers; (b) Influencers; (c) Decision Makers, obtain advocacy activities, namely Public Forums, by holding Expert Meetings/FGDs with Policymakers such as DJKI, Ministry of Finance, DJKI Patent Directorate, regarding the Policy for Eliminating Patent Maintenance Fees for Patents that have not been commercialized for State or Private Universities including the EU. Third, Action is carried out on audiences, namely (a) Public and Influencers; (b) Influencers; (c) Influencers and Decision Makers; (d) Decision Makers, obtain advocacy activities, namely Model Legislation which is recommended to be designed as Guidelines/Technical Instructions/SOP for the Policy for Eliminating Patent Maintenance Fees for Patents that have not been commercialized for State or Private Universities including the EU as well as Regulatory Feedback. The researcher recommends that a Roadmap and Advocacy Strategy Framework Action Plan be prepared regarding the Elimination of Patent Maintenance Fees in Permenkumham Number 20/2020 and an Action Plan related to the Policy for Eliminating Patent Maintenance Fees in Permenkumham Number 20/2020 which maps out two main activities in policy objectives related to the targeted audience (x-axis) and the desired outcome (y-axis). This can then be stipulated in a Policy Product in the form of a Decree of the Minister of Law and Human Rights or a Decree of the Director General of Intellectual Property regarding the Roadmap and/or Action Plan regarding this matter. This research identifies a series of steps and issues that the Government needs to consider when implementing the Policy for Eliminating Patent Maintenance Fees in Permenkumham Number 20/2020 for Entrepreneurial University. Information related to advocacy strategies is used to assess changes in advocacy strategies before and during the initiative. This strategy can determine whether the tactics used to achieve the desired change are successful or not, and assess the alignment of the objectives carried out. In this way, the Ministry of Law and Human Rights, especially DJKI, can see changes in both benefits and risks in this Permenkumham. These measures should be considered separately for each policy objective.

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