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REPUBLIC INDONESIA

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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;

Remember

2. The law...



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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 Viru:s Disease 201 9* (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 Viru:s Disease 201 9* (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...



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### 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...



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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

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idang Legislation and  
dm, legal  
administration,



Lydia Silvanna Djaman



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

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

No	NAME OF ACTIVE SUBSTANCE	NAME OF PATENT HOLDER	PATENT APPLICATION NUMBER/ PATENT NUMBER	TITLE OF INVENTION
1.	Remdesivir	Gilead Sciences, Inc.	P00201703424/ IDP000070932	Methods for Treating Viral Infections Filoviridae
			P00201603063/ IDP000066850	Pirol[ 1,2,F][1,2,4] Useful Triazina for treatment Viral Infections Sinsitial Respiratory
			W0020 1003923/ IDP000034534	Analog-Analog Carba- Nucleosides Substituted-1 for



				Antiviral Treatment
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WOO201300690..



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			W0020 1300690/ IDP000072426	Methods and Compounds for treatment Viral Infection Paramyxoviridae
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PRESIDENT OF THE REPUBLIC OF INDONESIA,

ttd.

JOKOWIDODO

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REPUBLIC OF INDONESIA

Deputi Bidang Legislation and Ministry of Law,



Vanna Djaman