



# Intellectual Property Rights Education as a General Compulsory Subject in Higher Education

M Hudi Asrori S<sup>1</sup>, Dona Budi Kharisma<sup>1\*</sup>

<sup>1</sup>Faculty of Law, Universitas Sebelas Maret, Surakarta, Indonesia.

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Corresponding Author:

Dona Budi Kharisma

[donabudikharisma@staff.uns.ac.id](mailto:donabudikharisma@staff.uns.ac.id)

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**Abstract:** In several developed countries such as the United States of America (USA), Japan, and the United Kingdom, Intellectual Property Rights (IPR) education has an important role in empowering IPR. The existence of HKI education also increases the growth of the creative economy. Therefore, the creative economy sector is growing rapidly and contributing significantly to Gross Domestic Product (GDP), labor absorption, and exports. However, it is different from the people in Indonesia who still lack understanding and awareness of IPR. On the one hand, IPR has moral and economic values that must be protected. This paper aims to examine the urgency of HKI as a compulsory subject in universities in Indonesia. This type of research is legal research using a comparative approach. The data collection technique was carried out by means of a literature study. Data analysis techniques were carried out using normative juridical methods. The results of the study stated that HKI has an urgency as a compulsory subject in tertiary institutions due to several things, first, innovations and research results produced in tertiary institutions are HKI objects that must be protected. In addition to encouraging innovation, this is intended so that inventors and creators can have moral and economic values for their findings. Second, the prevalence of IPR violations in tertiary institutions is an indication of the importance of IPR Education as a general compulsory subject. Third, downstream research results. The main asset in downstream research results is intellectual property owned by creators and inventors. The results of higher education research are the values of originality, innovation, and uniqueness that require the protection of intellectual property. IPR education can be a medium to increase awareness of legal protection for a research result produced by academics.

**Keywords:** Creator; General compulsory courses; Intellectual property rights; Inventor; Universities

## Introduction

IPR is a term to describe ideas, inventions, technologies, works of art, music, and literature, which are intangible when first created, but become valuable in tangible forms as products. Intellectual property is the commercial embodiment of imaginative thinking to solve a technical or artistic challenge that is not limited to the product itself, but the ideal idea behind it, the way that idea is expressed, and the distinctive way it is named and described (Dwivedi et al., 2022). The term "property" is used to describe value, as the term "property" is used to denote a person or group of

persons claiming ownership. Ownership is important because experience has shown that the potential for economic gain provides a strong incentive to innovate (Dong et al., 2022). Therefore, the resulting intellectual property needs to be protected. Efforts to protect intellectual property are realized through the granting of IPR (Idris, 2003).

According to Kharisma et al. (2022), IPR is an intangible right that arises from the results of human intellect in the fields of industry, science, technology, arts, and culture that have economic value. For inventors, IP rights provide exclusive rights to enjoy economically. For other people, they are required to

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respect these rights with a permit or license if they want to enjoy or use these findings. In the context of economic development, Intellectual Property Rights (hereinafter abbreviated as HKI) can be a tool for a country for economic development and social and cultural welfare (Kharisma & Kholil, 2022). In addition to creating fair business competition, consumer protection, and technology transfer, IPR can spur economic growth, create jobs and new industries, and increase the quality and enjoyment of life (WIPO, 2018). In addition, the protection of IPR is also a major consideration for foreign investors to invest in a country (Lindsey, 2006).

In Europe, IPRs fully contribute to the economy (Maradana et al., 2017). Industrial property rights (patents, trademarks, industrial designs, and geographical indications) in Europe generate over 42% of economic activity, the trademark industry alone generates 4.8 trillion euros or 35% of industrial activity. In fact, in the ASEAN context, HKI intensively expands employment in various sectors and contributes positively to international trade (Gani, 2017). Cumulatively, the five Asian countries (Indonesia, Malaysia, the Philippines, Thailand, and Singapore) account for 90% of the gross domestic product of the ASEAN people (Kharisma & Kholil, 2022).

For developing countries, IPR has an important role (Cui et al., 2022). IP protection carried out in developing countries can not only encourage international trade but also provide a competitive effect in the fields of trade, technology development, increased inventions, protection of local culture, and consumer protection (Kharisma & Kholil, 2022). In the Indonesian context, industries that intensively use trademarks have contributed 21% to Gross Domestic Product (GDP) and 51% indirectly to GDP. Industries that use a lot of trademarks in Indonesia contribute 27% of the country's export share, including the food and beverage sector which contributes 19% of manufacturing value added. In terms of employment, workers in industries that use trademarks intensively represent 26% of total employment (INTA & Frontier Economics, 2017; Kharisma & Kholil, 2022).

HKI contributes greatly to the Gross Domestic Product (GDP) or is significant to a country's total income (McNabb, 2018). Therefore, the government encourages the growth of IPR because it is an important part of the development of the national economy, especially the real sector of society (Gherghina et al., 2020). Intellectual property in several countries contributes significantly to their GDP (Ahmed Lahsen & Piper, 2019). For example, intellectual property in the United States contributes 34.8% to its GDP, and 18.8% of its workforce works in the field of intellectual property. Along with the contribution of intellectual property, the

creative economy also contributes significantly to GDP, which is 11% (Kharisma & Kholil, 2022).

In several developed countries such as the United States of America (USA), Japan, and the United Kingdom, Intellectual Property Rights (IPR) education has an important role in empowering IPR. The existence of HKI education also increases the growth of the creative economy (Kharisma & Hunaifa, 2022). Therefore, the creative economy sector is growing rapidly and contributing significantly to Gross Domestic Product (GDP), labor absorption, and exports (Antara & Sumarniasih, 2017). However, it is different from the people in Indonesia who still lack understanding and awareness of IPR. On the one hand, IPR has moral and economic values that must be protected (Sudarwanto & Kharisma, 2021).

Higher education is one of the birthplaces of various intellectual-based research results. Various innovations in learning and research activities in the form of books, scientific articles, technology, prototypes, visual art, industrial design, visual communication, interior design, craft, multimedia, film, and photography are objects of IPR. Therefore, various IPR objects born in universities need to have their intellectual property protected and their economic benefits optimized (Muryanto et al., 2021).

On one hand, the prevalence of IPR violations and the not-yet-optimal valuation of the resulting IPR is a challenge that is still being faced by various universities in Indonesia. In this regard, this paper seeks to examine the urgency of HKI as a compulsory subject in universities in Indonesia. The relevance and benefits of HKI as a compulsory subject are the main discussion in this paper.

## Method

Data collection techniques in this study were carried out using library research or referred to as document studies. Document study is a data collection tool that is carried out through written data (secondary data) using content analysis. This library research was conducted to collect secondary data on theories that support the proposed problematic analysis, as well as positive law in the form of laws and regulations related to IPR in science education. In this study, the author collects data by reading, understanding, and collecting legal materials to be examined, namely by making document sheets that function to record information or data from legal materials studied which are related to research problems that have been formulated against: Literature books on Intellectual Property Rights and Education and learning methods; and Laws and regulations related to Intellectual Property Rights.

The findings will be technically analyzed using qualitative data analysis techniques. Qualitative data analysis techniques are carried out by collecting data, qualifying then connecting theories related to the problem and drawing conclusions to determine the results. The data obtained will be analyzed using an interactive analysis model, namely a data analysis model carried out using three stages in the form of data reduction, data presentation, and verification in a cycle process between these stages so that the data collected will relate to one another automatically (Kharisma, 2020).

In this study, the analysis process has been carried out since the data collection process is still ongoing. The researcher continues to move between the three components of the analysis with the data collection process as the data process continues. After the data collection process is complete, the researcher moves between the three components of the analysis using the remaining research time (Kharisma & Hunaifa, 2022).

The approach used in this research is the socio-legal research approach. The object of research in this study is not only IPR law in the sense of "norms" or statutory regulations but also social phenomena that exist in society related to the role and function of IPR in increasing the capacity of science education. In socio-legal research, there are two aspects of research, namely aspects of legal research and socio-research. The legal aspect of research means that the research object still exists in the form of law in the sense of "norm" or statutory regulations. While the socio-research aspect means that the object of research is also a social phenomenon that exists in society (Hutchinson, 2002).

## Result and Discussion

Intellectual work is work that contains a risk that may allow other parties to use the intellectual property illegally. Therefore, various efforts to increase understanding and awareness of IPR protection are important with the intention of not causing economic losses to the owner. IPR protection is not only limited to the provision of legal instruments, but also all aspects related to legal protection are interrelated part (Sulistiyono & Sudarwanto, 2019).

In building IPR legal institutions in tertiary institutions, they cannot stand alone but instead build these institutions into a single unit based on the identification of various normative and non-normative obstacles and challenges. These institutions will be realized in the form of IPR education regulations and the objectives of the education will be formulated in terms of learning outcomes as well as the substance of HKI educational materials by creating IPR courses.

The HKI education course is a conscious and planned effort to create a learning atmosphere and learning process so that students actively develop their potential to have knowledge, personality, and skills, according to their respective study programs (Yli-Panula et al., 2022). In addition, students are expected to be able to make a constructive contribution to society, nation, and state, by referring to IPR principles. The IPR education course is a learning process using a student-centered learning approach, to develop students' knowledge, attitudes, and skills as future leaders of the nation in building their professionalism by their respective study programs by making IPR principles a guiding principle, so that they become good citizens (good citizenship). Students who understand IPR principles will protect work produced by themselves and respect the work produced by others. Muhammad Djumhana and R. Djubaedillah (2014) stated that the principles contained in IP rights include:

### *The Principle of Natural Justice*

People who have created a work, the result of their hard work and intellectual ability, are entitled to receive rewards such as a sense of security because they get legal protection and are recognized for their work.

### *The Economic Argument*

IPR is a right that comes from creative activity, a human intellect ability that is expressed in various forms, has benefits, and is useful in supporting human life. IPR is a form of wealth for the owner. Ownership of an IPR will benefit, for example in the form of royalty payments or technical fees.

### *The Cultural Argument*

This principle is the development of science, art, and literature. Development in this field is very meaningful for increasing living standards, and human dignity, and contributing to building civilization. It is hoped that recognition of human works and initiatives recorded in the IPR system can be a trigger so that new useful works continue to emerge.

### *The Social Argument*

This principle is the development of science, art, and literature. Development in this field is very meaningful for increasing living standards, and human dignity, and contributing to building civilization. It is hoped that recognition of human works and initiatives recorded in the IPR system can be a trigger so that new useful works continue to emerge.

The recommended learning approach in IPR education courses is a student-centered learning approach, to understand and live up to IPR principles both ethically and scientifically. With the hope that IPR

principles will be internalized so that they become guiding principles or guiding principles for students in creating a work and developing a spirit of professionalism by the major. This IPR education implies that students can become professional people who protect work produced by themselves and respect the work produced by others in the life of society and the state. In addition, the urgency of IPR education is to prevent duplication of works, fortify oneself from IPR infringements and respond to the challenges of changing from the conventional economy to a digital economy and a creative economy in the future (Singh, 2022).

Student-centered learning brings a logical consequence that students must be more active in exploring and exploring IPR Education knowledge, both theoretically and practically which is reflected in attitudes and treatment (Borst et al., 2020). Therefore, learning places more emphasis on the andragogy learning system. Learning provides space for students to share more learning experiences and interact (Loeng, 2020). These learning experiences were obtained from literacy studies and field studies with examine carefully and thoroughly on every topic studied.

There are three urgencies for HKI education in tertiary institutions (Linnes et al., 2022), namely: First, innovation and research results produced in universities are intellectual property objects that must be protected. In addition to encouraging innovation, this is intended so that inventors and creators can have moral and economic values for their findings. Second, the prevalence of IPR violations in tertiary institutions is an indication of the importance of IPR Education as a general compulsory subject. Third, downstream research results. The main asset in downstream research results is intellectual property owned by creators and inventors (Biagioli, 2019). The results of higher education research are the values of originality, innovation, and uniqueness that require the protection of intellectual property. IPR education can be a medium to increase awareness of legal protection for a research result produced by academics.

## Conclusion

IPR education has proven to be effective for increasing IPR awareness. The existence of IPR education increases the number of IPR registrations. Intellectual Property Rights education as a compulsory higher education subject can be a breakthrough for the Indonesian education system. Understanding and knowledge of IPR is important when innovation in the digital economy and creative economy is growing rapidly. Research results and innovations that are born in universities must be protected so that creators and

inventors obtain moral and economic benefits from their work. IPR education can also prevent violations and various IPR crimes. Then, IPR education can be a mechanism as well as a solution to the lack of IPR registration at the tertiary level.

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## Author Contributions

Conceptualization, M Hudi Asrori S and Dona Budi Kharisma; methodology, M Hudi Asrori S; validation, Dona Budi Kharisma, and M Hudi Asrori S; formal analysis, M Hudi Asrori S; investigation, M Hudi Asrori S and Dona Budi Kharisma; resources, Dona Budi Kharisma and M Hudi Asrori S; data curation, M Hudi Asrori S; writing-original draft preparation, Dona Budi Kharisma, and Dona Budi Kharisma; writing-review and editing, Dona Budi Kharisma; visualization, M Hudi Asrori S and Dona Budi Kharisma; supervision, Dona Budi Kharisma; project administration, M Hudi Asrori S; funding acquisition, M Hudi Asrori S and Dona Budi Kharisma. All authors have read and agreed to the published version of the manuscript.

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## Conflicts of Interest

The authors declare no conflict of interest.

## References

- Ahmed Lahsen, A., & Piper, A. T. (2019). Property rights and intellectual property protection, GDP growth and individual well-being in Latin America. *Latin American Economic Review*, 28(1), 12. <https://doi.org/10.1186/s40503-019-0073-5>
- Antara, M., & Sumarniasih, M. S. (2017). Role of Tourism in Economy of Bali and Indonesia. *Journal of Tourism and Hospitality Management*, 5(2). <https://doi.org/10.15640/jthm.v5n2a4>
- Biagioli, M. (2019). Weighing intellectual property: Can we balance the social costs and benefits of patenting? *History of Science*, 57(1), 140-163. <https://doi.org/10.1177/0073275318797787>
- Borst, R. T., Kruyen, P. M., Lako, C. J., & De Vries, M. S. (2020). The Attitudinal, Behavioral, and Performance Outcomes of Work Engagement: A Comparative Meta-Analysis Across the Public, Semipublic, and Private Sector. *Review of Public Personnel Administration*, 40(4), 613-640. <https://doi.org/10.1177/0734371X19840399>
- Cui, V., Narula, R., Minbaeva, D., & Vertinsky, I. (2022). Towards integrating country- and firm-level

- perspectives on intellectual property rights. *Journal of International Business Studies*, 53(9), 1880-1894. <https://doi.org/10.1057/s41267-022-00564-0>
- Dong, G., Kokko, A., & Zhou, H. (2022). Innovation and export performance of emerging market enterprises: The roles of state and foreign ownership in China. *International Business Review*, 31(6), 102025. <https://doi.org/10.1016/j.ibusrev.2022.102025>
- Dwivedi, Y. K., Hughes, L., Baabdullah, A. M., Ribeiro-Navarrete, S., Giannakis, M., Al-Debei, M. M., Dennehy, D., Metri, B., Buhalis, D., Cheung, C. M. K., Conboy, K., Doyle, R., Dubey, R., Dutot, V., Felix, R., Goyal, D. P., Gustafsson, A., Hinsch, C., Jebabli, I., ... Wamba, S. F. (2022). Metaverse beyond the hype: Multidisciplinary perspectives on emerging challenges, opportunities, and agenda for research, practice and policy. *International Journal of Information Management*, 66, 102542. <https://doi.org/10.1016/j.ijinfomgt.2022.102542>
- Gani, A. (2017). The Logistics Performance Effect in International Trade. *The Asian Journal of Shipping and Logistics*, 33(4), 279-288. <https://doi.org/10.1016/j.ajsl.2017.12.012>
- Gherghina, Ștefan C., Botezatu, M. A., Hosszu, A., & Simionescu, L. N. (2020). Small and Medium-Sized Enterprises (SMEs): The Engine of Economic Growth through Investments and Innovation. *Sustainability*, 12(1), 347. <https://doi.org/10.3390/su12010347>
- Hutchinson, T. (2002). *Researching and Writing Law*. Pyramont: Lawbook Co.
- INTA & Frontier Economics. (2017). *Kontribusi Ekonomi Industri Sarat Merek Dagang di Indonesia, Malaysia, Filipina, Singapura, dan Thailand, 14 Agustus 2017*. Retrieved from: [https://www.inta.org/Communications/Documents/ASEAN\\_Impact\\_Study\\_Exec\\_Summary\\_Bahasa\\_Indonesia\\_091117.pdf](https://www.inta.org/Communications/Documents/ASEAN_Impact_Study_Exec_Summary_Bahasa_Indonesia_091117.pdf).
- Kemdikbud. (2021). *Hilirisasi Hasil Riset Kembangkan Potensi Kekayaan Intelektual Sebagai Produk Komersial*. Retrieved from <https://dikti.kemdikbud.go.id/kabar-dikti/kampus-kita/hilirisasi-hasil-riset-kembangkan-potensi-kekayaan-intelektual-sebagai-produk-komersial/>
- Kharisma, D. B. (2020). Urgency of financial technology (Fintech) laws in Indonesia. *International Journal of Law and Management*, 63(3), 320-331. <https://doi.org/10.1108/IJLMA-08-2020-0233>
- Kharisma, D. B., & Hunaifa, A. (2022). Comparative study of disgorgement and disgorgement fund regulations in Indonesia, the USA and the UK. *Journal of Financial Crime*, 30(3), 635-649. <https://doi.org/10.1108/JFC-01-2022-0022>
- Kharisma, D.B. & Kholil, M. (2022). *Hukum Merek Pasca Undang-Undang Cipta Kerja*. Intrans Publishing.
- Kharisma, D.B. & Kholil, M. (2022). *Hukum Merek dan Ekonomi Kreatif di Indonesia*. Intrans Publishing
- Kompas. (2022). *Kesadaran Memiliki Hak Kekayaan Intelektual Masih Rendah*. Retrieved from <https://www.kompas.id/baca/ekonomi/2022/12/21/kesadaran-terhadap-properti-intelektual-masih-rendah>
- Lindsey, T. Damian, E. Butt, S. Utomo, T.S. (2006). *Hak Kekayaan Intelektual: Suatu Pengantar*. Bandung: PT Alumni.
- Linnes, C., Ronzoni, G., Agrusa, J., & Lema, J. (2022). Emergency Remote Education and Its Impact on Higher Education: A Temporary or Permanent Shift in Instruction? *Education Sciences*, 12(10), 721. <https://doi.org/10.3390/educsci12100721>
- Loeng, S. (2020). Self-Directed Learning: A Core Concept in Adult Education. *Education Research International*, 2020, 1-12. <https://doi.org/10.1155/2020/3816132>
- M. Djumhana, & Djubaedillah, R. (2014). *Hak Milik Intelektual, Sejarah, Teori dan Praktiknya di Indonesia*. PT Citra Aditya Bakti.
- Maradana, R. P., Pradhan, R. P., Dash, S., Gaurav, K., Jayakumar, M., & Chatterjee, D. (2017). Does innovation promote economic growth? Evidence from European countries. *Journal of Innovation and Entrepreneurship*, 6(1), 1. <https://doi.org/10.1186/s13731-016-0061-9>
- McNabb, K. (2018). Tax Structures and Economic Growth: New Evidence from the Government Revenue Dataset: Tax Structures and Economic Growth. *Journal of International Development*, 30(2), 173-205. <https://doi.org/10.1002/jid.3345>
- Muryanto, Y. T., Kharisma, D. B., & Ciptorukmi Nugraheni, A. S. (2021). Prospects and challenges of Islamic fintech in Indonesia: A legal viewpoint. *International Journal of Law and Management*, 64(2), 239-252. <https://doi.org/10.1108/IJLMA-07-2021-0162>
- Singh, D. (2022). The Causes of Police Corruption and Working towards Prevention in Conflict-Stricken States. *Laws*, 11(5), 69. <https://doi.org/10.3390/laws11050069>
- Sudarwanto, A. S., & Kharisma, D. B. B. (2021). Comparative study of personal data protection regulations in Indonesia, Hong Kong and Malaysia. *Journal of Financial Crime*, 29(4), 1443-1457. <https://doi.org/10.1108/JFC-09-2021-0193>
- Sulistiyo, A., & Sudarwanto, A. S. (2019). Issues and Challenges of Trademark Law Registration for Small. *International Journal of Business, Economics and*

- Law*, 18(5), 311–319. Retrieved from [https://ijbel.com/wp-content/uploads/2019/07/ijbel5-VOL18\\_402.pdf](https://ijbel.com/wp-content/uploads/2019/07/ijbel5-VOL18_402.pdf)
- WIPO. (2018). *What is Intellectual Property?* WIPO Publication No. 450(E).
- Yli-Panula, E., Jeronen, E., & Mäki, S. (2022). School Culture Promoting Sustainability in Student Teachers' Views. *Sustainability*, 14(12), 7440. <https://doi.org/10.3390/su14127440>