

EDITOR-IN-CHIEF

Alfitri

MANAGING EDITOR

Muzayyin Ahyar

EDITORS

Murjani

Lilik Andaryuni

Muhammad Iswadi

Akhmad Nur Zaroni

EDITORIAL BOARD

Noorhaidi Hasan (Sunan Kalijaga State Islamic University, INDONESIA)

Melissa Crouch (University of New South Wales, AUSTRALIA)

Nyi Nyi Kyaw (National University of Singapore, SINGAPORE)

Sayed Sikandar Shah Haneef (International Islamic University Malaysia, MALAYSIA)

Ratno Lukito (Sunan Kalijaga State Islamic University, INDONESIA)

Mohammad Abdun Nashir (Mataram State Islamic University, INDONESIA)

Dani Muhtada (State University of Semarang, INDONESIA)

Zezen Zainal Mutaqin (University of California Los Angeles, USA)

Delmus Puneri Salim (Manado State Institute of Islamic Studies, INDONESIA)

Abdurrahman Raden Aji Haqqi (University Islam Sultan Sharif Ali, BRUNEI DARUSSALAM)

Haitham Osta, (King Abdulaziz University, SAUDI ARABIA)

ASSISTANT TO THE EDITORS

Sayuri

COVER DESIGNER

Nurul Huda

MAZAHIB JURNAL PEMIKIRAN HUKUM ISLAM (ISSN: 1829-9067 | E-ISSN: 2460-6588) is an international journal published by the Faculty of Syariah, IAIN Samarinda. This scholarly periodical specializes in the study of Islamic law and seeks to present the various results of the latest research, both conceptual-doctrinal and empirical, on the field. The publication of an article in this journal is an essential building block in the development of a respected network of knowledge. It is a direct reflection of the quality of the work of the authors and the institutions that support them. Peer-reviewed articles support and embody the scientific method. It is important to agree upon standards of expected ethical behavior for all parties involved in the act of publishing: the author, the journal editors, the peer reviewers, and the publisher.

MAZAHIB JURNAL PEMIKIRAN HUKUM ISLAM has been accredited by The Ministry of Research, Technology and Higher Education, Republic of Indonesia as an academic journal with rank S2 (Decree Number: 51/E/KPT/2017).

MAZAHIB JURNAL PEMIKIRAN HUKUM ISLAM has become a CrossRef member since year 2016. Therefore, all articles published by MAZAHIB JURNAL PEMIKIRAN HUKUM ISLAM will have unique Digital Object Identifier (DOI) number.



Editorial Office:

MAZAHIB JURNAL PEMIKIRAN HUKUM ISLAM, Gedung Laboratorium IAIN Samarinda. Jl. H.A.M.M Rifaddin, Loa Janan Ilir, Samarinda Kalimantan Timur 75131

Telp. (0541) 742193; Fax. (0541) 206172

E-mail: redaksi.mazahib@gmail.com

Website:

<http://journal.iain-samarinda.ac.id/index.php/mazahib>

MAZAHIB JURNAL PEMIKIRAN HUKUM ISLAM accept the order of journal copies. The cost of single copy per-edition is Rp. 70.000 and US\$ 10 for customer from outside Indonesia. The cost does not include handling and shipping.

Please do not hesitate to contact Mazahib Editorial Team for ordering.

Table of Contents

Articles

- 1** **Heru Susetyo, et.al**
*Regulating Halal Products in Indonesia:
Between Religious Needs and Socio-Economic
Challenges*
- 43** **Dian Mustika & Siti Marlina**
*Integrated Marriage Itsbat in Jambi City:
Analyzing the Problems behind Its Implementation*
- 75** **Alfarid Fedro, et.al**
*Legal Analysis on the Fatwa of
Sharia National Council on Rahn:
Between Legal Philosophy and Its Implementation in
Indonesia Sharia Pawnshop*
- 117** **Syaikhu**
*The Dispute Settlements of Inheritance in Palangka
Raya:
A Legal Anthropology Approach*
- 143** **Hervina**
*The Development Strategy of Intellectual Property
Rights and the Quest for Materials Copyrighted in
Islamic Higher Education*

THE DEVELOPMENT STRATEGY OF INTELLECTUAL PROPERTY RIGHTS AND THE QUEST FOR MATERIALS COPYRIGHTED IN ISLAMIC HIGHER EDUCATION

Hervina

IAIN Samarinda

vhie.iainsmd09@gmail.com

Abstract:

Intellectual Property Rights becomes a serious discussion in some universities, especially in the Perguruan Tinggi Keagamaan Islam Negeri (PTKIN, State Islamic Higher Education system). The lack of copyrighted academic works in some PTKIN is the background why this article is published. This article aims at looking some development strategies that are exist in several universities in Indonesia. Using empirical studies, this article explores some experiences of three universities related to the strategy of developing intellectual property rights. These three universities are Universitas Islam Indonesia Yogyakarta (UII, Islamic University of Indonesia), Universitas Islam Negeri Sunan Gunung Djati Bandung (UIN Bandung, Sunan Gunung Djati State Islamic University of Bandung) and Institut Agama Islam Negeri Surakarta (Surakarta State Institute of Islamic Studies). This article finds that the development of intellectual property rights institutions in higher education includes four important things: mission, goals, strategies and policies. The conclusion of this article confirms that several universities have established institutions for strengthening intellectual property rights by having clear visions and measurable targets, so as to produce the right policies. Meanwhile, some higher education institutions have not

established yet institution of Intellectual Property Right. However, several universities have been starting to strengthen the protection of intellectual property rights by raising some lecturers' research to be copyrighted academic works.

Keywords: *Intellectual property rights, strategies for the development of IPR, Universities and IPR in Indonesia.*

Abstrak

Hak Cipta menjadi pembahasan serius di perguruan tinggi, khususnya di perguruan Tinggi Keagamaan Islam Negeri. Sedikitnya karya akademik yang memiliki perlindungan Hak Kekayaan Intelektual di PTKIN menjadi latar belakang mengapa artikel ini ditulis. Artikel ini bertujuan untuk melihat sejauh mana strategi pengembangan yang ada di beberapa perguruan tinggi di Indonesia. Dengan menggunakan studi empiris, artikel ini mencoba mengexplorasi beberapa pengalaman perguruan tinggi terkait dengan strategi pengembangan hak kekayaan intelektual. Artikel ini menemukan bahwa pengembangan Lembaga hak kekayaan intelektual di perguruan tinggi mencakup empat hal: misi, tujuan, strategi dan kebijakan. Kesimpulan artikel ini menegaskan bahwa beberapa perguruan tinggi telah mendirikan Lembaga penguatan hak kekayaan intelektual dengan memiliki visi-misi yang jelas dan target terukur, sehingga mampu melahirkan kebijakan yang tepat. Sementara itu, beberapa perguruan tinggi lain belum memiliki capaian seperti yang telah disebutkan. Namun demikian, beberapa perguruan tinggi telah memulai penguatan hak kekayaan dengan mengangkat hasil penelitian para dosen menjadi karya akademik yang memiliki proteksi terhadap hak kekayaan intelektual.

Kata Kunci: *Hak kekayaan intelektual, strategi pengembangan HKI, Perguruan Tinggi dan HKI di Indonesia*

A. Introduction

According to Indirani and Wicaksono, Intellectual Property Rights (IPR), in general, can be understood by a right that belong to someone for his result of intellectual works. The rights are including to take benefit, even materially or non-materially, from that work.¹ The definition mentioned signifies the important things of protection made by someone, including for scholars who concern in academic works like journal article, academic paper, and research report. Thus, the discussion of IPR also important in the field of higher education. One of higher education system in Indonesia is *Perguruan Tinggi Keagamaan Islam Negeri* (PTKIN, State Islamic Higher Education) The existence of IPR, indeed, becomes one of problems in Islamic Higher education in Indonesia. This can be seen from the lack of IPR institutions that found in each Islamic Higher Education. This condition has a consequence on the demands in every accreditation assessment of department which related to some copyrighted academic works as a legal proof of copyrighted materials. As what famous known that there are many scientific products in higher education specifically related to scientific works such as books, journal and research reports that have not legal protection. Then, it is most possibly that the products of scientific work can be claimed by others. In addition, unregistered products in IPR Number has also could decrease standard values in accreditation process of department. This is what causes the presence of IPRs to be urgently needed in Islamic

¹ Indirani Wauran-Wicaksono, "Hak Kekayaan Intelektual Sebagai Benda: Penelusuran Dasar Perlindungan HKI di Indonesia" *Jurnal Refleksi Hukum*, Volume 9, Nomor 2, Tahun 2015, 134.

Higher Education in particular. According to Arif and Rosni, through the Tri Dharma of Higher Education, each college must pay attention to the aspects of IPR on some research results that conducted by lecturers. The results of the research carried out by the University so far are still oriented in order to obtain credit numbers as a performance for promotion. The results of research that are commercially valuable and copyrighted materials eligibility are still less attention from some scholars.²

For expressing a protection interest, university needs to find an internal institution which has a special duty. In this case, according to author's observation, some universities have not considerable attention for founding this internal institution. This condition indicates that IPR has not become a priority in higher education level. For responding this condition, IAIN Samarinda (State Institute for Islamic Studies of Samarinda) has been doing several efforts to form this IPR institution, starting from holding IPR seminars and inviting IPR experts in public lectures and workshops. Various efforts should be made to support the existence of this institution in order to developed IPR discourses in IAIN Samarinda.

From theoretical framework, some regulated objects regulated in IPR are works that born because of human intellectual abilities. Intellectual Property Rights is an exclusive right granted to a person or group of people for their work. Intellectual Property Rights is a property right within the scope of technology, science, art and humanities. Basically, the ownership is not the copyrighted goods, but the results of human intellectual abilities in the form of ideas.

² Muhammad Arif, Rosni, "Pemanfaatan dan Pengelolaan Hak Atas Kekayaan Intelektual (HKI) Sebagai Strategi Pengembangan Kewirausahaan", Jurnal Geografi, Volume 10, Nomor 1, tahun 2018, 99.

IPR is a legal protection for inventors, designers and creators by giving privilege to commercialize result of their creativity. Intellectual Property Rights encourages research and development activities to produce new discoveries in various fields. Increasing and protecting IPR is sought to accelerate industrial growth, create new jobs and encourage economic change by improving the quality of life of people who have brilliant ideas.

There are some studies related to IPR issues either theoretically or practically.³ This article would enrich some earlier studies such as; Kusnadi and Budi Santoso, in the UNDIP (Universitas Diponegoro, Diponegoro University) article repository journal entitled “*Audit Hak Kekayaan Intelektual Sebagai Bagian Pengelolaan Risiko Kerugian Bisnis Bagi Perusahaan*” (Audit of Intellectual Property Rights as Part of Managing Business Loss Risk for Company). The study aims to determine the audit of intellectual property rights as part of managing the risk of business losses for companies. Intellectual Property Rights assets are currently underestimated by most companies in Indonesia. When looking at the economic value produced, the asset is far more profitable than the tangible assets. This research was conducted using the juridical-normative approach. The data of the research results were analyzed normatively. The results of the study found that the concept of risk-based IPR Audit can be used by companies by knowing the role and position in the company. Furthermore, the right time and scope of identification of

³ Rami M. Olwan, *Intellectual Property and Development: Theory and Practice* (Springer Science & Business Media, 2013); Darmawati Darmawati, “Islamic Law and Copyright In Academic World: The Dynamic Debates between Privatization and Distribution of Knowledge,” *Mazahib* 17, no. 1 (June 30, 2018), <https://doi.org/10.21093/mj.v17i1.948>; Gaëlle Krikorian and Amy Kapczynski, *Access to Knowledge in the Age of Intellectual Property* (Zone Books, 2010).

the implementation of risk-based IPR Audit as well as the stages in implementing IPR audits based on the risk of business losses. The risk phenomenon arises from the maintenance and maintenance of intellectual property rights assets that are not specifically and measurably assessed.⁴

Another study is the article entitled “*Culture and Intellectual Property Development in Indonesia*”. This paper tries to describe the misunderstanding of some people about IPR. Properly, Intellectual Property Right is not only discussing about the protection ‘*an-sich*’, but also looking at cultural perspective, especially in seeing various portraits of events. In the end, IPR as part of culture can be further developed by paying attention to the priority needs of the Indonesian people.⁵

Some scholars who affiliated with IAIN Samarinda have many scientific works without copyrighted materials. It might affect that some works are vulnerable to being claimed by others. For instance, the results of research, journal articles, books and several other things. These works should be inspected in an institution specifically dealing with IPR issues. Moreover, IAIN Samarinda has a target of being transformed into University level, which incidentally will open a non-Islamic study program. Consequently, protection is not only in the form of copyright but also property rights related to scientific products. This is what has become my academic problem to this research, as the author, to be more serious in

⁴Kusnadi dan Budi Santoso, “*Audit Hak Kekayaan Intelektual Sebagai Bagian Pengelolaan Risiko Kerugian Bisnis Bagi Perusahaan*”, e-Jurnal UNDIP. <https://ejournal.undip.ac.id/index.php/lawreform/article/view/12435/9385>

⁵ Agus Sardjono, “*Culture and Intellectual Property Development in Indonesia*”, INDONESIA Law Review, Year 1 Vol. 3, September - December 2011, 237-252.

conducting research related to the IPR development strategy. I respond to this academic problem by exploring the experiences gained by several IPR professional institutions in Indonesia that continue to take part in protecting people's intellectual property rights.

Relied on some of the theoretical reviews above, this article prefers to focus on the problem of IPR development strategies, interested cases relating to the process of IPR development, opportunities and challenges for development strategies of IPR in Indonesian universities.

This article based on field work research that explores IPR Development Strategies in universities in Indonesia. The type of this research is a case study that is carried out intensively and deeply towards an individual institution or certain symptoms with a narrow area or subject.⁶

This research focuses on the strategy of developing IPR institutions at universities in Indonesia by conducting observations, interviews and documentations in three places: UIN Bandung (State Islamic University of Bandung, UII Yogyakarta (Indonesia Islamic University of Yogyakarta) and IAIN Surakarta (Surakarta State Institute of Islamic Studies).

B. Intellectual Property Rights and Strategy for its Development

Literally, strategy means tactics.⁷ Whereas, strategy terminologically means a careful plan about an activity to achieve specific goals.⁸ Strategy also can mean the ability

⁶ Suharsimi Arikunto, *Prosedur Penelitian Suatu Pendekatan Praktek*, (Jakarta: PT Rineka Cipta, 1998), 23.

⁷ John M. Echols, Hassan Shadily, *Kamus Inggris Indonesia*, (Jakarta: PT Gramedia Pustaka Utama, 2007); 701.

⁸ Tim Penyusun, *Kamus Besar Bahasa Indonesia*, ed. 3 cet. 3, (Jakarta: Balai Pustaka 2005); 423.

to organize troops in order to win before the battle against the enemy.⁹ Sedarmayanti defines the word strategy as a long-term plan followed by the implementation of actions aimed at achieving victory.¹⁰

In its theory, there are several approaches to asset a value of IPR, market approach, income approach and cost approach.¹¹ In formulating a strategy, I tend to use the workflow as follows: first, determining the company's mission, second determining the objectives achieved, thirdly developing strategies, and determine policy guidelines.¹²

Intellectual property right is actually associated with a right of private law which appreciate human contribution in producing materials commodity.¹³ In general, IPR consist of two main section: (a) property rights that related to industry and (b) property rights that related to copyrights. As for property rights related to the industry, it is divided into (1) Patent Rights (both ordinary and simple patents), (2) Industrial Design, (3) Integrated Circuit Layout, (4) Trademarks, (5) Service Marks and (6) Trade Secrets. Whereas, Copyrights section include, but not limited to (1)

⁹ M. Suyanto, *Marketing Strategy Top Brand Indonesia*, (Yogyakarta: C.V Andi Offset, 2007); 16.

¹⁰ Sedarmayanti, *Manajemen Strategi*, (Bandung: PT Refika Editama, 2014); 2.

¹¹ Sri Mulyani, "Pengembangan HKI sebagai Collateral (Agunan) untuk Mendapatkan Kredit Perbankan di Indonesia", *Jurnal Dimaika Ilmu*, Volume 12 Nomor 3, September Tahun 2012, 573. Lihat juga Shannon P. Pratt & Allina V. Naculita, *valuing a Bussines The Analisis and Apraisal Closely Held Companies*, (New York: Third Edition, Shannon Pratt Paluation, Inc, Copyright by The Mc-Graw, Hill Companies; 367-369.

¹² Rachmat, *Manajemen Strategik*, (Bandung: CV Pustaka Setia, 2014); 14.

¹³ Andrian Krisnawati dan Gazalba Sakeh, *Perlindungan Hak Varietas Tanaman Baru Dalam Prespektif Hak Paten dan Hak Pemuliaann Tanaman*, (Jakarta: PT. Raja Grafindo Persada, 2004); 14.

Art and Literature, (2) Pictures, (3) Films, (4) Photography, (5) Computer Software, (6) Architecture.¹⁴

In other theory, Intellectual Property Rights can be divided into two categories, namely: Copyright and Industrial Property Rights. Industrial Property Rights include Patents, Brands, Industrial Designs, Layout Designs for Integrated Circuits, Trade Secrets and Plant Varieties. In accordance to property rights, even property rights is undefined on the Agreement on Trade-Related Aspects of Intellectual Property Rights, but this agreement revealed that property rights consist of:¹⁵

1. Copyright and rights relating to copyright (such as rights of art);
2. show, sound record producer and broadcasting organization)
3. Brand;
4. Geographical Indications;
5. Industrial Design;
6. Patent;
7. Integrated Circuit Design;
8. Trade Secrets and Data on Tests (Test Data)
9. New Plant Varieties.

C. Strategies on IPR Development in Indonesian Universities

This field work aims at deeply exploring to strategy of IPR development in several universities in Indonesia. There are three universities that become model of this research:

¹⁴ Andrian Krisnawati dan Gazalba Sakeh, *Perlindungan Hak Varietas...*

¹⁵ Suyud Margono, *Aspek Hukum Komersialisasi Aset Intelektual* (Bandung: Penerbit Nuansa Aulia, 2010), 12.

1. Pusat Studi Hak Kekayaan Intelektual UII (Center of Intellectual Property Right, Islamic University of Indonesia, Yogyakarta)
2. Pusat Lembaga Hak Kekayaan Intelektual UIN Sunan Gunung Djati Bandung (IPR Institution Center, Sunan Gunung Jati State Islamic University, Bandung)
3. Pusat Lembaga Hak Kekayaan Intelektual IAIN Surakarta (IPR Institution of IAIN Surakarta, Surakarta State Institute of Islamic Studies, Surakarta)

These three universities are the object of research because the three universities represent Islamic universities in Indonesia. As discussed in the previous paragraph, Islamic universities are facing serious problems in protecting various academic products which conducted by some scholars. For this reason, I will describe the findings of research that has been conducted for approximately three months related to the strategy of IPR Development in several universities in Indonesia.

1. Strategy of IPR Development

Strategy is an action that will guide top management decisions in realizing the program. In addition, the strategy also impacts on the future of the internal organization. Therefore, the nature of the strategy is always oriented towards the future. Strategies have multifunctional or multidivisional consequences. In its formulation, the strategy needs to consider the internal and external factors facing the company. The important question of strategy should start with the question what would be happen and not start from what happened. Strategy formulation is very necessary after knowing some threats, opportunities, strengths and weaknesses of the strategy formulator.

In formulating a strategy, this article uses the workflow as follows: first, determining the company's mission, second determining the objectives achieved, thirdly developing strategies, and determining policy guidelines.

a. Institutional Mission

Institutional mission is a primary aim for the reason of the establishment of institution. The organization's well-prepared mission statement identifies the underlying objectives that are distorted between a company and another company. In addition, the organization's mission describes the operating range of the company in offering products and serving the market.

According to my research findings, IPR Institution Center of UII Yogyakarta (Islamic University of Indonesia) has 3 important-aimed missions:

1) Organizing IPRs Education

The Center Institution of IPR in UII has been established since 2006. One of its activities in the field of education and community is organizing IPR education in the form of seminars / workshops / training aimed at the wider community, both organizational and personal. In fact, this institution has become a consulting institution whose work has penetrated into the outer regions of Yogyakarta. Furthermore, the Center institutions of Intellectual Property Rights of UII has received a legal license for Property and Copyright management from the Directorate General of Intellectual Property Rights of the Ministry of Law and Human Rights of the Republic of Indonesia.

2) Conducting developmental Research for IPR

One of the interesting programs of the IPR Center is a research-based service program. The IPR Center of UII has a project of social-service mentoring. This project starts by identifying a potential of a region. After being well identified, the agency officers from IPR Center carry out intensive assistance, with the aim that the management can produce profitable products. Then, it come to the administrative management stage of patent registration, so that the product has protection and becomes the property of the working group. There have been many craft centers which produce patent products.

3) Implementation, utilization and management of IPR

The Center of IPR of UII has developed its work as a consultant institution for Intellectual Property Rights, so that its existence can be felt by the wider community. One of the latest innovations developed is to provide a brand for regional government according to all patented products in the area. So that the ownership identity can not only be known personally but also by the processing area. Besides, some local governments be well participated in providing protection for products that produced by the local people.

Unlike the center of HKI in UII, the IPR Institution of UIN Sunan Gunung Jati Bandung and IAIN Surakarta just established in 2017 under organization of *Lembaga Penelitian dan Pengabdian Masyarakat* (LPPM, Institute for Research and Community Service). The two institution has not a strict mission yet to develop its IPR

centers. Nevertheless, the IPR Institution of UIN Sunan Gunung Djati has begun to take care of 43 works of lecturers to obtain IPR certificates which are results of scholars research. This step was taken as a trigger for a real work program in the coming years. In other side, IPR institution in IAIN Surakarta just proposed some lecturers works to be registered in copyright process.

Higher Education Institutions

UII	UIN Bandung	IAIN Surakarta
1 Organizing IPR education	They do not have a mission yet.	They do not have a mission yet. IPR
2 Conducting developmental research for IPR	IPR institution administrators begin their efforts for IPR	institution administrators begin their efforts for IPR
3 Implementation, utilization, and management of IPR	mainstreaming by registering copyright of lecturer's work. This attempt as initial action to motivate lecturers and establish institutional work between university and The Ministry of Law and Human Rights as an authoritative institution for IPR	mainstreaming by registering copyright of lecturer's work. This attempt as initial action to motivate lecturers and establish institutional work between university and The Ministry of Law and Human Rights as an authoritative institution for IPR

Table 1. The development of IPRs Institution Mission

b. Institutional Objectives

Objectives are the result of planning activities. The projection of an objective is to formulate things that will be resolved, and it should be measured if possible.

According to my fieldwork. There are several institutional objectives that will be achieved by these three institutions. The Center of IPR of UII has threefold objectives: the first, Realizing a comprehensive and sustainable understanding of IPR for society. Second, realizing a synergic relationship among creators/inventors, universities, and industries in application, utilization and management of IPR. Third, realizing the IPR documentation center and encouraging optimal protection and management. Based on these objectives, it can be seen that the continuity of the institution runs dynamically. The usefulness can be felt by wider society. The center of HKI UII has many visitors from various groups to conduct consultations and ask for assistance related to IPR. In optimizing this institution as an academic project, the center of IPR also invites some creative students to join in for developing IPR center in UII.

Meanwhile, UIN Bandung has a goal that every year there must be the work of university scholars will be copyrighted. Currently, even though only a few people are involved, these professional staff have been invited by some universities to share experiences and to provide assistance in managing center of IPR.

Whereas IAIN Surakarta is almost in line with UIN Bandung which is focused on increasing the work of lecturers to be copyrighted. The effort for developing internal IPR institution was seriously

cultivated by IAIN Surakarta with support of all parties, especially university leaders. *Lembaga Penelitian dan Pengabdian Masyarakat IAIN Surakarta* (LPPM, Institute for Research and Community Service of IAIN Surakarta), as an institution that oversees IPR management, often gives various seminars related to the management of copyright to various scholars in IAIN Surakarta.

The simplification of the institutional objectives for IPR development could be seen in the table below:

Higher Education Institution		
UII	UIN Bandung	IAIN Surakarta
Realizing a comprehensive and sustainable understanding of IPR for society realizing a synergic relationship among creators/inventors, universities, and industries in application, utilization and management of IPR realizing the IPR documentation center and encouraging optimal protection and management	Has not specific goal yet, this institution emphasizes an effort to increase some interesting scholar's work to be copyrighted academic works.	Has not specific goal yet, this institution emphasizes an effort to increase some interesting scholar's work to be copyrighted academic works.

Table 2. The institutional objectives for IPR development

c. Strategies

Strategy is a formulation of comprehensive planning on how the company/institution will achieve its mission and objectives. Strategies maximize competitive advantage and minimize the limitations of competitive ability.

Based on my observation in this research, the Center of IPR in UII has been a strategic plan since establishment. As a university paradigm, of course, scientific development covers all types of scientific fields, whether general science or religious sciences. In other words, intellectual products that can be protected either in the form of copyright or property right. The significant strategic effort of Center of IPR in UII is a project of social service mentoring by identifying a potential of a region. Through this initial project, it will then give birth to innovative ideas by combining the theoretical framework which discussed in university classroom, and the natural potential that found in the field during the social service activities. Currently, The Center of IPR in UII has established partnerships with several important institutions, including:

- Dirjen HKI Kementerian Hukum dan Hak Asasi Manusia Republik Indonesia (Directorate General of Intellectual Property Rights, The Ministry of Law and Human Rights of the Republic of Indonesia)
- Kementerian Riset, Teknologi dan Pendidikan Tinggi (The Ministry of Research, Technology and Higher Education of the Republic of Indonesia)
- The Ministry of Education of the Republic of Indonesia
- Bank Indonesia

- Perhimpunan Masyarakat HKI Indonesia (*Indonesian Intellectual Property Societies/IIPS*)
- Pemerintah Provinsi Yogyakarta (Regional Government of Yogyakarta)
- Pemerintah Kabupaten Temanggung (Regional Government of Temanggung district)
- Dinas Perindustrian dan Perdagangan (Department of Industry and Trade of Tarakan City)
- Pusat Pengembangan dan Pemberdayaan Pendidik dan Tenaga Kependidikan (Center Center for Development and Empowerment of Teacher and Educational staff)
- Program Pasca Sarjana Institut Seni Indonesia (ISI) Yogyakarta. (Post-Graduate Program Indonesian Art Institute)
- Ikatan Penerbit Indonesia (IKAPI) Komda DI Yogyakarta (KOMDA Association of Indonesian Publisher of Yogyakarta)
- Forum Mebel, Kerajinan dan Seni Yogyakarta (Formekers, Yogyakarta Furniture, Crafts and Arts Forum)
- Harian Jogja (Yogyakarta Daily News)
- Majalah Handicraft Indonesia (Handicraft Magazine)
- Radio Unisi Yogyakarta (Unisi Radio of Yogyakarta)
- Dagadu Yogyakarta

As for UIN Sunan Gunung Djati and IAIN Surakarta, these two institutions have a simple strategy by utilizing internal institutional resources. some of the academic works of good lecturers are projected to get copyrighted legality.

d. Institutional Policy on Intellectual Property Rights

Institutional Policy provides broad guidelines for overall organizational decision. Institutional Policy is also a guideline that links formulation of strategy and implementation. Actually, institutional policy is interpreted and implemented through the strategies and objectives of each division of work. Such work divisions then give rational consideration for institutional policy which will be guideline for the functional area that they follow.

The IPR Center of UII becomes the only licensed consulting institution in Yogyakarta. Because of progressive institutional policies, this institution provides services for the acceleration of IPR management and educates some industrial company and institution related to product protection. This institution also provides a website that provide services and information related to IPR.

Both of IPR Institution of UIN Sunan Gunung Djati and IAIN Surakarta socialized policies regarding the acceleration of IPR registration. For lecturers who want to register result of their academic works, they have to prepare some required documents which will then be accompanied by special officers who are competent in administration process of IPR registration.

2. Opportunities and Challenges in development of Intellectual Property Right

The Intellectual Property Right Center of UII has become a semi-autonomous institution within University. With its flexibility as a semi-autonomous university institution, this condition seems to make institutional

movement more active, and gradually becomes a developing institution. The development of IPR institution could not be separated from his support of professional human resources of UII and extensive partnership networks. The partnership intended here is not only formal sources, but also informal sources in among grassroots as civil society. In addition, the institute also conducts cadres by recruiting students who have a work ethic and creative thinking. While the challenges felt by the institution at this time are, the more developed types of products or services that demand the availability of professionals, while the main actor who runs the wheel is limited. Some of the human resources spread in various divisions they have not yet been able to perform optimally in prestigious HKI forums. In addition, the feasibility and availability of facilities and infrastructure must be continuously improved.

In other side, Surakarta State Institute of Islamic Studies (IAIN Surakarta) and Sunan Gunung Djati State Islamic University of Bandung (UIN Bandung) have budget priority in order to support IPR development. In addition, the leaders of these two universities also give full attention to some efforts made by LP2M in socializing IPRs in the lecturers' community. The obstacle of IPR development in IAIN Surakarta is lack of professional human resources who specifically deal with Intellectual Property Rights.

According research findings, IPR institution in some universities have to pass some tactical steps as strategy for developing IPR. The first, IPR Institution has to formulate clear vision and mission. This vision can be elaborated in detail in short-term strategic plans, mid-term strategic plans, and long-term strategic plans. Second, IPR institution has to formulate clear objectives;

IPR institution must be able to read clearly the achievements in the future, so that the planned programs can be measured carefully by paying attention to the strengths and weaknesses they have. The third, IPR institutions must have a development strategy by considering existing situation. It means that the existence of IPR institutions must be able to represent the needs of local people. In addition. The fourth, IPR institution must formulate policy as realization of IPR development strategy.

D. Conclusion

The development of intellectual property rights strategy that in three universities is organized by internal IPR institution. The strategy is encompassing four important things; mission, institutional objectives, strategy and policy. from three IPR institutions, only Intellectual Property Right Center of Islamic University of Indonesia (IPR Center of UII) has clear vision and missions. The mission of IPR Center of UII are Organizing IPRs Education, Conducting developmental Research for IPR, Implementation, utilization and management of IPR. Whereas, UIN Bandung and IAIN Surakarta have no strict institutional objectives, these two universities are prioritizing efforts to increase the work of lecturers to be materially copyrighted.

According research findings, IPR institution in some universities must pass some tactical steps as strategy for developing IPR. The first, IPR Institution has to formulate clear vision and mission. This vision can be elaborated in detail in short-term strategic plans, mid-term strategic plans, and long-term strategic plans. Second, IPR institution has to formulate clear objectives; IPR institution must be able to read clearly the achievements in the future, so that the planned programs can be measured carefully by

paying attention to the strengths and weaknesses they have. The third, IPR institutions must have a development strategy by considering existing situation. It means that the existence of IPR institutions must be able to represent the needs of local people. In addition. The fourth, IPR institution must formulate policy as realization of IPR development strategy.

BIBLIOGRAPHY

- Arif, Muhammad dan Rosni, “Pemanfaatan dan Pengelolaan Hak Atas Kekayaan Intelektual (HKI) Sebagai Strategi Pengembangan Kewirausahaan”, *Jurnal Geografi*, Volume 10, Nomor 1, tahun 2018.
- Arikunto, Suharsimi, *Prosedur Penelitian Suatu Pendekatan Praktek*, Jakarta: PT Rineka Cipta, 1998.
- Darmawati, Darmawati. “Islamic Law and Copyright In Academic World: The Dynamic Debates between Privatization and Distribution of Knowledge.” *Mazahib* 17, no. 1 (June 30, 2018). <https://doi.org/10.21093/mj.v17i1.948>.
- Echols, John M., Shadily, Hassan, *Kamus Inggris Indonesia*, (Jakarta: PT Gramedia Pustaka Utama, 2007).
- Krisnawati, Andrian dan Sakeh, Gazalba, *Perlindungan Hak Varietas Tanaman Baru Dalam Prespektif Hak Paten dan Hak Pemuliaann Tanaman*, Jakarta: PT. Raja Grafindo Persada, 2004.
- Krikorian, Gaëlle, and Amy Kapczynski. *Access to Knowledge in the Age of Intellectual Property*. Zone Books, 2010.
- Kusnadi dan Budi Santoso, “Audit Hak Kekayaan Intelektual Sebagai Bagian Pengelolaan Risiko Kerugian Bisnis Bagi Perusahaan”, *e-Jurnal UNDIP*.
- M. Suyanto, *Marketing Strategy Top Brand Indonesia*, (Yogyakarta: C.V Andi Offset, 2007).
- Margono, Suyud, *Aspek Hukum Komersialisasi Aset Intelektual* Bandung: Penerbit Nuansa Aulia, 2010.
- Mulyani, Sri, “Pengembangan HKI sebagai Collateral (Agunan) untuk Mendapatkan Kredit Perbankan di Indonesia”, *Jurnal Dimaika Ilmu*, Volume 12 Nomor 3, September Tahun 2012

- Olwan, Rami M. *Intellectual Property and Development: Theory and Practice*. Springer Science & Business Media, 2013.
- P. Perdian, “Perlindungan Hukum terhadap Seni Terbang Buhun di Kecamatan Majalaya Kabupaten Bandung Dihubungkan dengan Undang-Undang No. 28 Tahun 2014 tentang Hak Cipta”, *Skripsi*, (UNPAS, 2016).
- Pratt, Shannon P. & Naculita, Allina V., *Valuing a Bussines The Analisis and Apraisal Closely Held Companies*, (New York: Third Edition, Shannon Pratt Paluation, Inc, Copyright by The Mc-Graw, Hill Companies.
- Rachmat, *Manajemen Strategik*, Bandung: CV Pustaka Setia, 2014.
- Sedarmayanti, *Manajemen Strategi*, Bandung: PT Refika Editama, 2014.
- Tim Penyusun, *Kamus Besar Bahasa Indonesia, ed. 3 cet. 3*, Jakarta: Balai Pustaka 2005.
- Wauran, Indirani dan Wicaksono, “Hak Kekayaan Intelektual Sebagai Benda: Penelusuran Dasar Perlindungan HKI di Indonesia” *Jurnal Refleksi Hukum*, Volume 9, Nomor 2, Tahun 2015.