

OPTIMIZATION OF MEDIATION AS AN ALTERNATIVE DISPUTE RESOLUTION FOR INTELLECTUAL PROPERTY RIGHTS IN THE PERSPECTIVE OF CIVIL LAW

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Abstract

Background - An overview of the significance of innovation and intellectual property in Indonesia, highlighting the role of information technology in business development and the importance of mediation as a means of ensuring legal certainty. Additionally, this section will address current challenges in intellectual property protection.

Purpose - To understand the position of mediation in resolving Intellectual Property disputes from a civil law perspective and To understand the optimization that occurs in the process of resolving intellectual property disputes from a civil law perspective.

methodology - This research is a normative legal study that employs a qualitative approach to examine and analyze legal norms (normative analysis) within existing legislation. In this study. By investigating legal materials, the researcher can understand and analyze the implementation of mediation from a civil law perspective. Mediation is considered the best alternative solution, especially given that disputes have often been treated as prolonged and complicated issues. One of the functions of law is to serve the interests of humanity.

Findings - Flexibility in the mediation process is expected to address various issues related to intellectual property disputes, particularly from a civil law perspective. Method for resolving intellectual property disputes from a civil perspective is highly relevant. By utilizing mediation, the parties can resolve conflicts in a more efficient.

Originality - Challenges in IP Mediation: The success of mediation highly depends on the willingness of the parties to compromise and seek a joint solution. If one party is unwilling to negotiate, the mediation process can fail. The skills of a mediator who does not have sufficient understanding of IP can obstacle the mediation process

Keywords: Conflict, Dispute Solution, Intellectual Property, Mediation
