

## ABSTRAK

Peningkatan penyebaran virus COVID-19 sejalan dengan meningkat jumlah kematian yang diakibatkan oleh wabah COVID-19 serta virus COVID-19 telah menyebar secara luas di dunia sehingga world Health Organization (WHO) telah menetapkan COVID-19 sebagai pandemi. Penyebaran COVID-19 secara luas di dunia diikuti dengan isu terkait paten vaksin COVID-19 maka muncul usulan pengabaian sementara waktu hak paten. Kemunculan Pengabaian sementara waktu hak paten vaksin COVID-19 dalam peraturan perundang-undangan di Indonesia dengan potensi pelaksanaan paten oleh pemerintah (*government use*). Pengabaian sementara waktu hak paten dengan potensi pelaksanaan paten oleh pemerintah memiliki pengaruh terhadap pemilik paten vaksin COVID-19 terhadap hak ekonomi pada situasi pandemi ini. Metode penelitian yang digunakan dalam penelitian ini adalah yuridis-normatif dimana penelitian ini menggunakan pendekatan perundang-undangan.

Pengabaian sementara waktu hak paten dalam potensi pelaksanaan paten oleh pemerintah kaitan dengan vaksin COVID-19 dalam pengaturan di Indonesia salah satunya tertuang dalam Undang-Undang Nomor 13 Tahun 2016 tentang Paten dikarenakan kebutuhan sangat mendesak untuk kepentingan masyarakat dalam memperoleh vaksin COVID-19. Dalam potensi pelaksanaan paten oleh pemerintah maka Pemerintah Indonesia tetap menghormati pemilik paten vaksin COVID-19 dengan memberikan kompensasi sehingga terdapat masyarakat Indonesia dapat mengakses vaksin COVID-19 dengan mudah agar mencapai lingkungan hidup yang sehat.

**Kata Kunci: Paten, Pengabaian Sementara Waktu Hak Paten, Vaksin COVID-19, Pelaksanaan Paten oleh Pemerintah.**

## ABSTRACT

*The increase in the spread of the COVID-19 virus is in line with the increasing number of deaths caused by the COVID-19 outbreak and the COVID-19 virus has spread widely in the world so the World Health Organization (WHO) has designated COVID-19 as a pandemic. The widespread of COVID-19 in the world was followed by issues related to the COVID-19 vaccine patent, so there was a suggestion for a temporary waiver of patent rights. The emergence of a temporary waiver of the COVID-19 vaccine patent in Indonesian laws and regulations with the potential for government use. The temporary release of patent rights with the potential for government use has an impact on the owner of the COVID-19 vaccine patent on economic rights in this pandemic situation. The research method used in this research is juridical-normative where this research uses a statutory approach.*

*The temporary waiver of patent rights in potential government use of the COVID-19 vaccine in the regulation in Indonesia, one of which is contained in Law Number 13 of 2016 concerning Patents due to the very urgent need for the benefit of the community in obtaining the COVID-19 vaccine. In terms of the potential implementation of patents by the government, the Government of Indonesia will continue to respect the owner of the COVID-19 vaccine patent by providing compensation so that Indonesian people can easily access the COVID-19 vaccine to achieve a healthy living environment.*

**Keywords: Patents, Temporary Waiver of Patent Rights, COVID-19 Vaccine, Government Use**