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The Normative Structure of Indonesian Pharmacy Trade Secret Law

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Abstract--This article aims to analyze the normative structure of Indonesia's trade secret protection law in the pharmaceutical sector. The analysis is carried out through two prisms: the different intellectual approaches to the judicial review law: the 'basic approach' and the 'legal approach.' Various trade secret crimes in the pharmaceutical sector, such as theft of prescription drugs and drug counterfeiting, continue to increase. We explore developments from both approaches and trace contemporary developments from the approach to law on trade secrets. We then reflect on how each response to two central legitimacy issues should provide legal protection for every owner of the trade secret in the pharmaceutical sector and the public who are victims or perpetrators of criminal trade secrets in the pharmaceutical sector.

Keywords---market place, normative structure, pharmacy trade, policy evaluation, secret law.

Introduction

In the era of globalization, we need a form of protection for the existing trading system. The protection that can be provided in protecting the Intellectual Property Rights (IPR) system (Branstetter, 2017). For this reason, according to Rothman (2019), the Intellectual Property Right (IPR) is part of a legal effort to protect every Copyright. Trade Secret, as a part of IPR, is in a critical position (Conley et al., 2012). It is because every business actor in carrying out the trading process has its trading strategy. In India, a way to protect trade secrets through both contract and fair confidentiality obligations (Reddy, 2018). On the other side, a trading strategy is a specialty or privilege that makes business activities carried out by one business actor with the other (Jalal et al., 2020). Therefore, this trading strategy should not be known by people or other business actors. Since the beginning of the 19th century, matters of confidentiality, particularly those relating to company secrets, have attracted no less critical attention by the court (Dumas et al., 2013).

According to [Van Koppen \(1990\)](#), one of the well-known cases decided in the Netherlands was Cohen vs. Lindenbaum's case. Based on [Morikawa \(2019\)](#), study in Japan, trade secrets are generally valuable information that has a commercial value that a company maintains and safeguarded from being discovered by its competitors. According to [Basuchoudhary and Searle \(Basuchoudhary & Searle, 2019\)](#), trade secrets can be related to industrial secrets, other valuable and confidential information. [Klasa et al. \(2018\)](#), explained that trade secrets start with ideas or thoughts that are not publicly known. Therefore, the development and use of new technology is an essential component of a business's success.

Meanwhile, the ability to sustain investment of research and development in a business situation depends on the extent of its ability to protect its valuable information ([Glaeser, 2018](#)). [Robertson et al. \(2015\)](#), show that the protection of trade secrets develops for economic reasons. For example, the Coca-Cola company has been able to protect formula secrets for more than one hundred years ([Banks, 2016](#)), and it shows how long trade secrets can last if adequately guarded. The Coca-Cola Company was built on the success of the secret formula for Coke ([Allen, 1994](#)).

Based on [Jager \(2014\)](#), legal regulations regarding trade secrets can promote a healthy climate and strengthen the relationship between the parties in trade transactions by providing a set of ethical rules of the game. Even though in the absence of a firm contract. Furthermore, the trade secret law also enhances efficiency and productivity by providing a framework that encourages the free flow of information between all parties regarding a trade transaction ([Liu, 2012](#)). In a broader context, all countries' trade bases can be influenced by the extent of the legal system protecting trade secrets, together with other areas of intellectual property, namely patents, trademarks, copyrights, and industrial designs ([Graham & Sichelman 2016](#)). According to [Abbott et al. \(2012\)](#), the protection of trade secrets can encourage investment, industrial innovation, and technological progress and directly influence its overall economy. For this reason, the fundamental right created by the trade secret law is the ownership right of the trade secret owner to be free from loss and also a loss that may arise because the trade secret is taken by misuse without compensation ([Sandeen & Seaman, 2017](#)). Trade secrets arise from the confidential nature of information, the commercial value of the information, and the efforts to maintain such confidentiality ([Grabmair, 2017](#)).

In Indonesia, Intellectual Property Rights was first contained in Law No. 6/1989 on Patent which took effect on August 1, 1991, then changed to Law No. 13/1997 concerning Amendment to Law 6/1989 and then repealed and amended by Law No. 14/2001 concerning Patent, and the latest to date is Law No. 13/2016 concerning Patent. Law No. 13/2016 concerning Patent indicates that legally Indonesia has recognized and is bound and subject to the provisions of Intellectual Property Rights in the World Trade Organization (WTO). One of the WTO Agreement attachments is the Agreement on Trade-Related Aspects of Intellectual Property Rights, abbreviated as TRIPs. TRIPs are then used as an international standard that must be used concerning IPR ([Rikowski, 2003](#)).

Therefore, the importance of trade secret protection has increased enormously in the last 20 (twenty) years for many reasons (Kho, 2012). First, the applicability of other forms of IP protection with the advent of technology has created much uncertainty. Second, trade secrets have become so important because technology changes so rapidly in many fields that existing laws and regulations aim to promote and protect inventions and innovations. Another factor that heightens trade secrets' importance is the relative ease with which trade secret rights are created and controlled. For this reason, Law No. 30/2000 concerning Trade Secrets plays an essential role in a business in Indonesia that produces innovations that must be kept confidential to recover costs and profits. Unlike patents, copyrights, and trademarks, there are no formal requirements for obtaining rights to trade secrets. A trade secret owner can prevent unauthorized use or disclosure by someone who obtains the trade secret through improper means. Thus, Law No. 30/2000 concerning Trade Secret is very important to protect ideas that have commercial value that provide competitive and economic advantages.

Trade secrets are company assets that must be maintained indefinitely. If the trade secret has been disclosed to other parties, either having similar or un-similar trades, it will cause the inventor losses. Trade secrets are not only contained in Law No. 28/2014 concerning Copyright but are regulated explicitly in Law No. 30/2000 concerning Trade Secret. With the existence of Law No. 30/2000 concerning Trade Secrets, Indonesia has carried out the obligation to protect the right holders of undisclosed information from fraudulent competitive practices regulated in TRIPs (Halbert, 2016). Based on Crass et al. (2019), this protection is essential because Indonesia, like other countries, is inseparable from similar or even more complex cases.

In the context of trade secrets, the pharmaceutical sector also experiences various trade secret issues (Sundaram, 2014). Based on Verma (2020), the pharmaceutical field is concerned with making, mix drug formulations, identify, combine, analyze and standardize or standardize drugs and treatment, including the properties of drugs and their distribution and safe use. The pharmacist is the name for the profession in the pharmaceutical field. As is well known, developments in the pharmaceutical sector, both related to medicinal products and technology products in the last few decades, have developed rapidly (Bureau-Point et al., 2020). However, along with the pharmaceutical sector's development, there are also fraudulent practices in trade secrets. It is due to patent protection and local job requirements to facilitate access to affordable medicines and encourage domestic pharmaceutical innovation (Oke, 2015). For example, the pharmaceutical sector's trade secrets occur in the United States about drug price comparisons with the UK (Lybecker & Watkins, 2015).

Apart from the above case, there is Niren Patel, a British pharmacist who came from India (Pharmacist Sent to Prison for Selling Prescription Drugs on the Street, 2017). Niren Patel steals prescription drugs from the hospital where he works and then mixes his medicines and sells them on the street. Apart from the Niren case, we can find other examples of cases in February 2019. It was revealed that the seven suspected drug dealers listed in Glist (must be sold based on a doctor's prescription), such as Tramadol, Hexymer, Trihexyphenidyl, Alprazolam, and

Double LL in (Blackstone et al., 2014). The suspects sell concoctions of drugs-List G learns from colleagues who have worked in the pharmaceutical field.

Based on various existing cases, it is for this reason that the implementation of laws and regulations regarding trade secrets in the pharmaceutical sector is important to protect clinical trial data (Rai & Jagannathan, 2012). Confidentiality of prescriptions and drug manufacturing methods maintains business secrets or trade secrets of commercial value and prevents competition (Greene, 2013). In Indonesia, Law No. 30/2000 concerning trade secrets is a positive law Indonesia that supports the application of ethics in the business sector in a trade competition climate, particularly in the pharmaceutical sector (Andayani & Satibi, 2016). The pharmaceutical industries, mostly dependent on research and development, have become one of the industries most likely to become the target of trade secret thefts. Based on the explanation above, the formulation of the problem in writing this article is: What is the juridical review of the implementation of Law No. 30/2000 concerning trade secrets in the field of pharmacy?

The development of market place

The history of trade secrets in countries that adopt the common law system begins in England (Ireland, 2019). Cases concerning trade secrets starting in England in the 1800s provide a useful background for understanding the development of the Trade Secrets Act and provide some insight into the trade secret law concept's nature and scope. The cases regarding trade secrets that occur mostly relate to secret drug prescriptions, which have anticipated modern trade secret law doctrines and problems in practice, including the relationship between trade secrets and patents (Miller, 2017). The difficulty of conceptualizing a trade secret as property and free competition - a trade secret relationship. So Britain, which did not have laws and regulations that applied to trade secrets, began to consider the protection of trade secrets in the early 1800s through court decisions (Cotter & Dewhurst, 2019).

The first trade secret cases in the UK arose due to a breach that involved the misuse of trade secrets from a party relationship involving contractual obligations to maintain confidentiality not to disclose or use trade secrets. The first case regarding trade secrets in England occurred in early 1817 in Newberry against James (Deutch, 1997). The Newberry versus James case concerns whether "abuse of confidentiality" of drug formulas is an offense and how the enforcement of court decisions can be carried out without violating trade secret confidentiality during court proceedings. The secret formula for treating gout was the subject of a legal battle that led to Newberry's case against James being the first reported case in the UK. As a distributor, Newberry promised not to make, give, procure, provide, or tell others the secrets of medicinal formulas to treat gout. However, Lord Chancellor Eldon refused to issue a verdict against the trade secret disclosure and did not give the plaintiff his right to claim compensation for any benefit received by the trade secret offender. One reason for refusing to compensate the wrongdoer in this first case is that "most of the secret aspects of the formula have been disclosed in expired British patents." The court decision was deemed

inadequate about the secret parts not shown on the patent because the defendant had learned these parts from the plaintiff in the right way (Jager, 2014).

Lord Eldon is also very concerned about "the difficulties of enforcing court decisions in an attempt to maintain the" confidentiality "of an idea or idea." If the order of judgment is granted, "the court has no way if it turns out that its confidentiality has been breached because full disclosure of what the court must keep confidential cannot be carried out without disclosing trade secrets (Rinartha & Suryasa, 2017). Finally, Lord Eldon decided that the legal means of obtaining justice and the return of the plaintiff's rights due to the breach of confidentiality could be granted. Thus, the plaintiff's rights are not legally impaired (Abbott, 2011).

Apart from the UK, the source of trade secret regulations can be found in the United States, namely the Uniform Trade Secrets Act, which expands the definition of trade secrets from the Restatement of the Law of Torts and simplifies the standards for determining whether the information is kept confidential enough to meet trade secret protection requirements. As follows: "Trade secret means information, including a formula, pattern, compilation, program, device, method, technique or process, that: (i) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and (ii) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy " (Allen, 1994).

Trade secrets play an important role in the realm of Intellectual Property Rights. Trade secrets are just as important as Patent (Patent), Trademark (Trade Mark), and Industrial Design (Industrial Design). The global business competition requires the protection of trade secrets to create a healthy and dynamic business world. The scope of protection of Trade Secret in Law No. 30/2000 concerning Trade Secret Article 2 includes Production methods, processing methods, sales methods, and other information in technology and business that has economic value and is not known to the general public (Nugraha et al., 2020). There are two main differences between trade secrets and other forms of intellectual property rights (IPR) such as copyrights, patents, and trademarks, namely:

- Other forms of intellectual property rights (IPR) are not confidential. Other forms of IPR are protected because they are a type of wealth owned by other people;
- Trade secrets are protected even though they do not contain a creative value or new thinking; the most important thing is that they are not publicly known.

Other forms are always certain forms that can be written, drawn, or recorded exactly according to the government's registration requirements. Trade secrets do not have to be written, the important thing is not the written form or the recording of the information, but the use of the concept, idea, or information itself can be given to other parties orally. It is different from patents or trademarks (Lindsey et al., 2007).

Method

This type of legal research used is normative legal research. Normative legal research is legal research carried out by examining literature or secondary data (Christiani, 2015). In this type of legal research, the law is conceptualized as what is written in statutory regulations (law in the book) or law-conceptualized as a rule or norm that is a benchmark for human behavior deemed appropriate. This study also uses a statutory approach that focuses on Law No. 30/2000 concerning Trade Secrets. Based on the type of legal research used is normative legal research, the research data which is the reference in this study is secondary data, namely in the form of primary legal materials and secondary legal materials (Kennedy, 2017). Primary legal materials are authoritative legal materials, namely having authority, including legislation, official records, or minutes in the making of legislation and judges' decisions (Marzuki, 2011).

Meanwhile, secondary legal materials are sourced from legal and non-legal opinions from the literature, research results related to information obtained from the sources. The use of secondary legal materials provides the researcher with a kind of "clue" towards where the research is going (Maes & Thompson-Przulucki, 2012). The data analysis method in this paper applies five tasks of dogmatic law or legal science in a narrow sense that focuses on positive law, namely legislation, which includes description, systematization, analysis, interpretation, and evaluation of positive law and evaluation answer problems

Discussion

Implementation of Law No. 30/2000 concerning trade secrets in the pharmaceutical sector

Protection of confidential information, known as trade secrets, in Indonesia is regulated in Law No. 30/2000 concerning trade secrets. The trade secret law can be very short and concise compared to the laws and regulations in the field of other intellectual property rights (Crass et al., 2019). The result has the potential to cause various interpretations and ambiguity for industry players in the field. Protection of trade secrets has become increasingly important lately with the development of business trends, offline to online. Information about products is undoubtedly an important company asset and must be maintained to be imitated by other business competitors (Bottomley, 2017). However, problems arise when applying criminal sanctions in the implementation of Law No. 30/2000 concerning trade secrets has not been effective. It has resulted in uncertainty from the industry about the natural form of protecting confidential information about its products and what to do to avoid fraudulent competition and theft of product secrets. Because managing trade secrets is necessary and very important for various companies, industries, or other business actors, including the pharmaceutical industry (Trommer, 2014).

In the pharmaceutical industry, of course, drugs are shown to cure a patient's illness. Healing by administering certain drugs must first consult with a doctor, and the doctor has made a diagnosis of the patient's disease written on a prescription (Joenoos & Rokhim, 2019). The doctor's prescription itself is a paper containing a doctor's written request to a pharmaceutical installation, namely a

pharmacy to prepare, manufacture, mix, and deliver drugs to patients (Syamsuni, 2006). Based on the Regulation of the Minister of Health of the Republic of Indonesia No. 58/2014 concerning Standards for Pharmaceutical Services in Hospitals Article 1 Paragraph 1, a doctor's prescription is a written request from a doctor or dentist, to a pharmacist, both in paper and electronic form to provide and deliver drugs to patients according to applicable regulation (Eshonkulov, 2021). The prescribing doctor and the pharmacist as the prescription reader, which can cause errors in drug administration, drug dosage, and timing of administration or use of drugs given by pharmacists to patients or redeemers (Blackstone et al., 2014), prescribing even errors that have serious consequences for the patient's life.

However, what happens if various concocted medicinal products are circulated due to the theft of secret prescription drugs by perpetrators who have worked in the pharmaceutical sector? It is because discussing problems in the pharmaceutical sector and their relation to trade secrets is related to the theft of drug prescriptions and can also cause danger if the dosage of drug ingredients and types of drugs is not following a doctor's prescription (Reddy, 2018). Lack of just one part of the complete prescription structure will endanger the community and lead to prescription abuse, especially for classes of drugs containing narcotics and psychotropic substances. Indeed, technology has been developed in the detection of drug counterfeiting (Greene, 2013). However, it will remain challenging to detect a fake prescription, and it will be even more difficult with the increasing number of perpetrators who abuse drugs in a country in different ways.

The practice of counterfeiting various types of drugs in Indonesia is indeed very concerning. Even drugs are circulating in society without a doctor's prescription. It is certainly very dangerous for the safety of patients or people who consume these drugs. For this reason, anticipatory steps must be taken in order to create better business competition in the pharmaceutical industry. Legal protection in the pharmaceutical sector, especially in various cases of counterfeiting drugs in Indonesia, can take the form of protection that is preventive or repressive (Rai & Jagannathan, 2012).

Preventive efforts to protect trade secret law in the pharmaceutical sector

Preventive legal protection is carried out through the registration of trade secrets of medicinal products. It is as written in Law No. 30/2000 concerning Trade Secret Article 8, namely:

- A mandatory license agreement is recorded at the Directorate General to pay a fee as regulated in this law;
- A trade secret license agreement that is not registered with the Directorate General has no legal effect on third parties;
- As referred to in paragraph (1), the license agreement shall be announced in the official trade secret news.

If we understand that from the further written definition of a license the granting of rights even though not a transfer of rights but to enjoy economic benefits, from

that understanding that the owner of the trade secret recipe gives part of his rights to others based on a written agreement (Irawan, 2017). Based on Law No. 30/2000 concerning Trade Secrets, protection of trade secrets for various prescription drugs is carried out through registration. This registration process is intended for legal protection for trade secret owners, both in the short and long term. Indeed, in Law No. 30/2000 concerning Trade Secrets, there is no system to register trade secrets of its products for every business actor, in this case, pharmaceutical industry players (Basuchoudhary & Searle, 2019). However, considering the number of drug prescription theft cases and product counterfeiting, it is necessary for the owner of a trade secret for medicinal products to register their various products at the National Agency of Drug and Food Control (NA-DFC), Republic of Indonesia. It is to minimize efforts to steal and counterfeit various medicinal products from a pharmaceutical industry business actor.

No registration system for Law No. 30/2000 concerning Trade Secrets. Legal protection to trade secret owners given as long as 3 (three) criteria are met, namely: 1) the information is secret; 2) the information has economic value; and 3) precautionary measures are taken by the owner to protect the secrecy. Legal certainty determines the most critical trade secret owner to be protected by seeing which party is previously registered or has a trade secret license (Sundaram, 2014). Besides that, it also provides legal certainty of proof in case of a legal case against a pharmaceutical product (Dacholfany et al., 2021). Because legally, the registration license is the main and authentic evidence made by the authorized official, namely the Directorate General is the Directorate General of Intellectual Property Rights. Thus, the registration of trade secrets in the pharmaceutical sector at NA-DFC is a preventive measure against the theft of product prescriptions and drug counterfeiting (Oke, 2015).

Repressive efforts to protect trade secret law in the pharmaceutical sector

Apart from being preventive, in the context of trade secrets in the pharmaceutical sector, repressive legal protections can also be carried out, such as civil and criminal lawsuits. In-Law No. 30/2000 concerning Trade Secrets Article 11, it states:

- 1) The holder of a trade secret right can sue anyone who intentionally and without right commits an act as referred to in article 4:
 - a) Claim for compensation; and
 - b) Termination of all acts referred to in article 4.
- 2) As referred to in paragraph (1), the lawsuit shall be submitted to the District court.

If a violation occurs, the parties can also resolve it through arbitration or alternative dispute resolution. It is as written in Law No. 30/2000 concerning Trade Secret Article 12; in addition to the lawsuit's settlement as referred to in Article 11, the parties can resolve the dispute through arbitration or alternative dispute resolution. Whereas within the scope of a person it can be said to have violated trade secrets, as written in Article 13 of Law No. 30/2000 concerning Trade Secrets, namely: Trade secret violations also occur when someone

deliberately discloses a trade secret, reneges on an agreement or breaks a written or unwritten obligation to safeguard the trade secret concerned. If we understand in the article above, then a person or party who has violated a trade secret can be said to be in default.

Legally, the owner of prescription drugs' trade secrets can exercise their rights either through civil and criminal action. Drug counterfeiting has become a problem in various countries; attention is needed to find the best countermeasures in overcoming these drugs' counterfeiting. In Indonesia's case, the counterfeiting of various medicinal products is one of the problems that occur in the pharmaceutical industry (Brown, 2008). Thus, one way of dealing with this problem is by repressive protection of trade secrets against various medicinal products owned by pharmaceutical industry business actors (Kholbekov & Berdiev, 2021).

In principle, a lawsuit for compensation is one of the means used to overcome the theft and forgery of prescription drugs and unfair business competition. In addition to harming and endangering public health, the perpetrators of theft and counterfeiting of prescription drugs are considered to have accumulated large profits. Dishonestly (Andayani & Satibi, 2016). Therefore, the party who feels aggrieved is given the right by law to file a compensation claim; a lawsuit for provisions can even accompany it. A provisional lawsuit requests that the court render a decision containing an order regarding temporary action before a final decision is rendered. The objective is to avoid ongoing loss or suffering to the plaintiff's self and interests during the investigation process of the case until the verdict has permanent legal force (Sami, 2014). As a party who feels aggrieved due to the violation, the plaintiff can submit to the Commercial Court to issue a Provisional Determination and file compensation to the defendant when the lawsuit begins to be examined and tried before the Commercial Court. However, in practice, the settlement of theft cases and counterfeiting of prescription drugs - drugs through the Commercial Court are minimal. It can be seen from various cases registered in the Commercial Court, not many owners of trade secret rights have reported or litigation.

The major obstacle in eradicating the producers and perpetrators of theft and counterfeiting prescription drugs is the low sentences imposed on the perpetrators who are caught so that the perpetrators continue to commit theft and counterfeiting prescription drugs. Regarding the provisions of trade secret criminal acts regulated in Law No. 30/2000 concerning Trade Secret, the *lex specialist* principle must be enforced, meaning that trade secret crime in the pharmaceutical sector is a particular crime that falls outside the provisions of general criminal acts regulated in the Criminal Code. The reason is that the trade secret crime in the pharmaceutical sector is specifically regulated as an inseparable part of Law No. 30/2000 concerning Trade Secret. So, the pharmaceutical sector's trade secret crime is a sub-system that is fully embedded in Law No. 30/2000 concerning Trade Secret.

Also, the criminal act of trade secrets in the pharmaceutical sector has already been determined. In the other side, the offense element in the application is not permissible to look for an offense element in the articles of the Criminal Code

(Ireland, 2019). Likewise, the criminal threat has been specifically regulated in each type of trade secret crime in the relevant pharmaceutical sector. Thus, both from a doctrinal approach and based on the Criminal Code (KUHP) Article 1, the principle of *lex special* and *lex general* adheres to the principle of trade secret crime in the pharmaceutical sector. Also, against criminal acts of trade secrets in the pharmaceutical sector, the *lex posterior* must be enforced. So that is why a special arrangement must have the power to override the provisions of the Criminal Code articles for trade secret crimes in the pharmaceutical sector. There are provisions for criminal trade secrets in the pharmaceutical sector that almost correspond to the Criminal Code articles. For this reason, the steps that must be taken by the public prosecutor when dealing with criminal acts of trade secrets in the pharmaceutical sector are to the first study and analyze whether the crimes committed are truly criminal trade secrets in the pharmaceutical sector (Graham & Sichelman, 2016). If it turns out to be pure, then the *lex special* derogate *lex general* must be upheld.

The amendment of offense can become a complaint offense in Law No. 30/2000 concerning Trade Secrets is indeed a separate issue considering that trade secret crimes in the pharmaceutical sector are detrimental to producers and consumers and the state. With a complaint, offense means that they can only be prosecuted if there is a complaint, and the party is aggrieved (Halbert, 2016). Therefore, the party who feels aggrieved must act actively in processing complaints to Civil Servant Investigators. Because without a complaint from the aggrieved party, trade secret crimes in the pharmaceutical sector cannot be prosecuted. Also, only holders of trade secret rights in the pharmaceutical sector are aware of whether there are violations or criminal acts against their trade secrets that have been legally protected if they have been registered (Sandeem & Seaman, 2017).

Protection of trade secrets in the pharmaceutical sector is one way to overcome theft and counterfeiting of various medicinal products in Indonesia (Sami, 2014). Protection accompanied by adequate law enforcement against criminal acts of trade secrets in the pharmaceutical sector is expected to positively impact the pharmaceutical industry in Indonesia through fair business competition between business actors and guarantee the quality of officially registered products (Grabmair, 2017). The healthy business competition will encourage business actors in the pharmaceutical industry to make more efficient use of existing resources and be followed by improving quality, service, and appropriate technology (Conley et al., 2012).

Conclusion

Repressive legal protection carried out through various civil and criminal liability claims, and alternative dispute resolution in trade secret cases in the pharmaceutical sector is still not optimal compared to legal protection that is preventive based on Law No. 30/2000 concerning Trade Secret. Various criminal cases of trade secrets in the pharmaceutical sector have not been maximally implemented even though Law No. 30/2000 concerning Trade Secret has been regulated and civil and criminal legal protection as well. So that is why it is very important for every victim who has the right to trade secrets in the pharmaceutical sector to report allegations relating to trade secret violations.

Apart from that, the legal apparatus can better respond to any complaints from the public regarding counterfeiting modes of various pharmaceutical products and complaints from the owners of trade secret rights. A fast and precise response will create fair business competition, guarantee the drug's quality, and minimize the medical impact of counterfeiting drugs consumed by the public

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