

INTELLECTUAL PROPERTY

New Regulation Empowers IP Valuation for Business Financing



In a major step toward making intellectual property or IP more bankable, the Indonesian government, through the Ministry of Creative Economy, has issued Minister of Creative Economy Regulation No. 6 of 2025 on Intellectual Property Valuers ("**Regulation**"), effective 26 September 2025. This Regulation implements the Creative Economy Law (Law No. 24 of 2019) and subsequent government regulations by providing a legal framework for professionals to assess the value of IP assets. At its core, the Regulation ensures that valuations are conducted by individuals who are competent, independent, transparent, and accountable.

This move is part of the government's broader initiative to support IP-based financing as a viable option for creative businesses and innovators. A key milestone in this effort came in September, when the Financial Services Authority (*Otoritas Jasa Keuangan* or OJK) issued OJK Regulation No. 19 of 2025 on Ease of Access to Financing for Micro, Small, and Medium Enterprises, which explicitly allows banks and financial institutions to accept IP as collateral. Together, these regulations signal a growing recognition of IP assets as legitimate, bankable resources within Indonesia's formal financial system.

Key Highlights of the Regulation

The following points outline the main provisions of the Regulation and their practical implications.

1. Valuation methods and who can conduct valuations

The Regulation re-emphasises four main approaches to valuing IP:

- **Cost approach:** Estimates how much it would cost to create or replace the IP asset with one that performs the same function, based on current prices.
- **Market approach:** Compares the IP asset to identical or similar assets that have been sold or offered in the market, using available transaction data.
- **Income approach:** Calculates the present value of future income that the IP asset is expected to generate.
- **Other approaches:** These can be used as long as they align with applicable valuation standards.

Valuations may be carried out by either:

- Registered IP Valuers; or
- Valuator Panels appointed by financial institutions.

2. Who qualifies as an IP Valuator or Panel Member?

To be recognised as an IP Valuator, an individual must:

- Hold a Public Appraiser Licence issued by the Ministry of Finance;
- Demonstrate competency in IP valuation; and
- Be registered with the Ministry of Creative Economy.

The Regulation also outlines the documentation required for registration, including a copy of the Public Appraiser Licence, a valid membership card from a professional appraisers association, and a certificate of training in IP valuation.

Meanwhile, a Valuator Panel refers to a group appointed by banks or non-bank financial institutions to assess IP assets, especially when a registered IP Valuator is not available. These panels are particularly relevant for creative economy entrepreneurs seeking financing. If needed, the Valuator Panel may collaborate with a registered IP valuator to conduct the assessment.

However, the Regulation does not yet provide detailed criteria for who may serve on a Valuator Panel, nor does it elaborate on their structure or responsibilities.

Next Steps for IP-Based Financing in Indonesia

While the Regulation primarily establishes the framework for IP Valuators, it represents a significant move toward legal certainty in IP-based financing. Financial institutions—both banks and non-bank lenders—will need to start preparing internal procedures for evaluating financing proposals that use IP as collateral. This will involve coordination with certified IP Valuators and the Valuator Panel. With clearer rules now in place, the Regulation is expected to build trust among lenders and creative industry players alike, paving the way for wider adoption of IP as a legitimate and valuable financing asset in Indonesia.

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