

The Impact of Copyrights and Patents on New Business Performance in Indonesia and the Mediating Role of Vendor Opportunism

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The purpose of this study is to empirically investigate the impact of copyright registration and patent registration on new business performance in Indonesia. Moreover, this study also examines the mediating role of vendor opportunism in the research model. A self-administered questionnaire was used to collect data and a total of 294 respondents participated in this study. Collected data were analysed by using SPSS and AMOS. The findings of the research indicated that copyright registration has a significant and positive impact on new business performance. There is also a positive and significant association between patent registration and new business performance in Indonesia. Moreover, findings stated that vendor opportunisms significantly mediate between copyright registration, patents registration and new business performance. This study faces several limitations which can be considered for future research, such as data size (only 294 respondents) and a cross-sectional time horizon was adopted. In future, this study can be conducted in a longitudinal perspective in order to investigate the comparison between the actual and perceived performance of the new businesses. This study contributes to the existing literature and suggested recommendations for policy-making regarding copyrights and patents for new businesses in Indonesia.

Key words: *Copyrights, Patents, New Business Performance, Vendor Opportunism, Indonesia.*

Introduction

Indonesia has recognised creative businesses as a significant division within the economy. In view of the potential of the creative areas, creative businesses are expected to make a noteworthy contribution to the national economy. The administration of Indonesia has defined a guide for the improvement of the division until the year 2025 (Fahmi, Koster, & van Dijk, 2016). Ensuring licensed innovation is vital to accomplishing improvement of creative businesses. Copyright gives the maker the exclusive legal permission to duplicate, distribute, and sell a book, melodic account, etc., within a specific timeframe. Allowing copyright and related rights will animate creation and advancement (Tambunan, 2017). Accordingly, there is a pressing requirement for the administration to compute the size of the copyright-based industry, so as to determine approaches and measures that will ensure the privileges of creation, and, in this manner, animate the development of the creative segments.

Copyright is one of the primary parts of protected innovation and applies to 'each generation in the abstract, logical, and imaginative space, whatever might be the mode or type of its appearance' (Ku, 2017). In contrast to the assurance of innovations (secured under patent laws), a copyright ensures the type of articulation of thoughts, not simply the thoughts themselves. The World Intellectual Property Organisation (WIPO) characterises copyright laws as securing the proprietor of property rights in scholarly and aesthetic, neutralising the individuals who duplicate or generally take and utilise the structure wherein the first work was communicated by the creator (Storey, 2017). This study accepts the meaning of 'copyright' as proposed by WIPO, a particular office of the United Nations which works in the worldwide administration of Intellectual Property Rights (IPR), and has set up, with the World Trade Organisation (WTO), another all-encompassing concession to licensed innovation, known as the TRIPS understanding.

Protected innovation law has a long history in Indonesia. As early as 1844, a Dutch law to allow select rights to "innovations, presentations and upgrades of objects of craftsmanship and of the general population's determination" was upheld in what was then the Dutch state of the Netherlands East Indies, despite the fact that it was later repealed (Hall, 2019). Protection for trademarks were accessible from 1871, and patent and copyright assurance from 1911 and 1912 respectively. Of these introduced laws, the Patents Act did not endure Indonesia's reversion to autonomy. A temporary enrolment framework for patents was kept up until Indonesia presented another Patents Act in 1989, which came into power in 1991. Currently, there are seven protected innovation laws managing patents, exchange marks, copyright, mechanical structures, exchange insider facts, format plans of coordinated circuits and plant varieties. All of these laws were overhauled and revised between 2000 and 2002 to accomplish TRIPS consistence (Saudi, Sinaga, Roespinoedji, & Ghani, 2019). According to Indonesian government reports, four of the laws managing copyright, patents, trademarks and

modern structures are presently under amendment and a further law managing customary social articulations is in planning.

Figure 1.

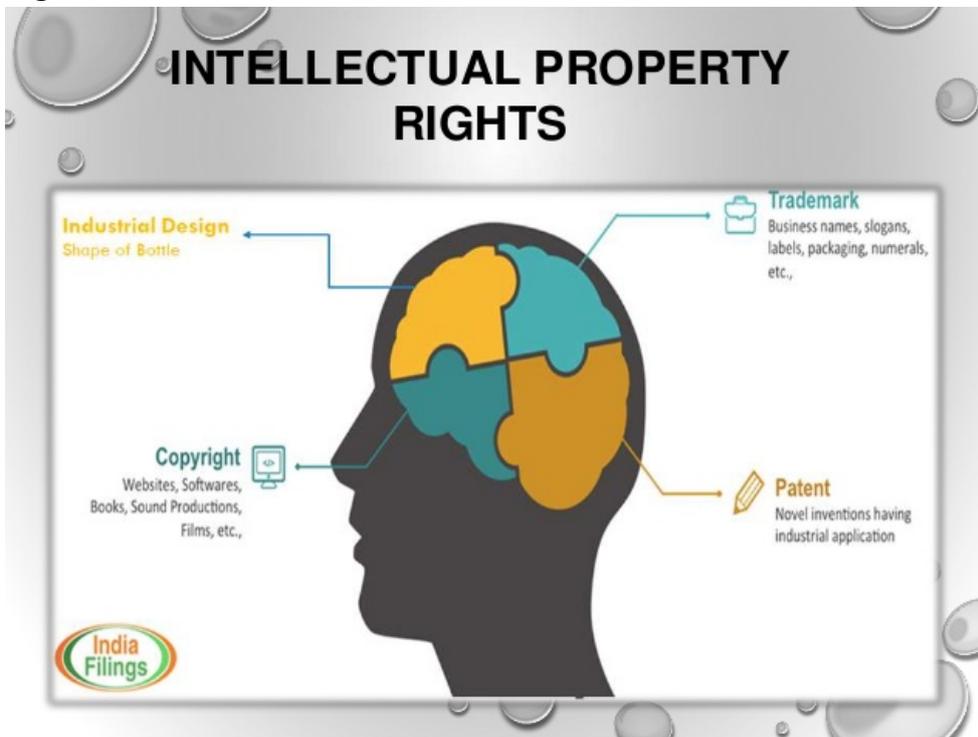


Figure 1 explains the components of intellectual property rights which are necessary for any new business performance.

A focal reason for the hypothesis concerning the financial aspects of exchange cost is the presumption of opportunism. Specifically, this presumption holds that leaders, given the chance, are carrying out business for personal gain. In their study Kishore et.al.(Kishore, R., Iriyama, A., & Gunupudi, L., 2017, June) characterised opportunism as: 'an absence of trustworthiness or openness in exchange, to incorporate personal circumstance with cunning... More by and large, opportunism alludes to the inadequate or twisted exposure of data, particularly to determined endeavors to misdirect, mutilate, camouflage, muddle, or generally befuddle' (Koo, C., & Wati, Y., 2010). Opportunist conduct of vendors in re-appropriating plans in Indonesia takes numerous structures, for instance neglecting to satisfy guarantees and commitments, retaining or mutilating data with respect to their endeavours, or decreasing quality in the conveyance of items or administration (Moussa, 2018; Talvela, Karvonen, & Kässi, 2018).

Currently, in Indonesia, new businesses in the creative industry suffer due to unprotected copyrights and patents. They lack the protection of copyrights and patents due to various

factors. This allows for the theft of company logos, names and other important features, which, in return, affects vendor opportunism. New businesses in Indonesia face many difficulties as vendors do not promote their products due to the violation of copyrights and patents (Desai, 2015; Geiger, 2017). This problem exists in nearly all developing countries. Studies in the past have been carried out on similar subjects but they lacked focus on the impact of copyrights and patents on new businesses. Also, in Indonesia, fewer studies have been carried out on the subject matter. This current study holds importance as it differs from previous studies by discussing the impact of copyrights and patents on new businesses in Indonesia.

The objectives of this study are:

- To analyse the impact of copyrights on new businesses in the creative industry in Indonesia
- To analyse the impact of patents on new businesses in the creative industry in Indonesia
- To analyse the mediating role of vendor opportunism on new businesses in the creative industry in Indonesia

This study scopes around the creative industry in Indonesia which has significantly grown over the past few years. Studies carried out on a similar subject in the past have proven to be significantly important in theory and in practice. In theory, the literature on the importance of copyrights and patent law for new businesses has significantly increased, adding more evidence. Practically, the studies have assisted both new business owners and policymakers to have protected copyrights and patents for their business for stability and for successful vendor opportunism.

In the further sections of this study, a literature review, methodology, results and analysis, and a discussion and conclusion will be presented.

Literature Review

The operational definitions of the variables and the relationship amongst the variables that are used in the study are mentioned below.

Copyrights Registration Impact on New Business Performance

Studies (Mahmoud, Blankson, Owusu-Frimpong, Nwankwo, & Trang, 2016) believe that copyright is a long established form of intellectual right. There are two types of copyright: one is conventional copyright, and the second is modern copyright (Lau, Tang, & Yam, 2010). Conventional copyright law protect the rights of drama, film, and cinema, while

modern copyrights protect literary and artistic works in the form of music, drama, movies, art, writing, painting and many more. Studies have also found that (Hammer, 2015) Business Process Management (BPM) plays a vital role in the understanding of copyright terms and conditions. They all work according to copyright terms which can only be followed when an organisation registers copyrights within its administration. New business performance is interrelated with BPM and copyright law, focussing more on the performance and function of these copyrights when installed in a new business. Copyrights ensure customer satisfaction and the acceptable processing of their latest products. BPM is a broad structure for running and transforming managerial operations, with a strong influence from copyright documents (Rajnoha, Štefko, Merková, & Dobrovič, 2016). Prajogo's study has found that (Prajogo, 2016) copyrights give rights and complete authority to its owner to prevent their work from being copied, modified or altered without permission or legal notice. New business performance can integrate the instalment of copyrights into their organisation, which can establish a trust relationship between business performance, owners and competitors.

According to the research (González, Calzada, & Hernández, 2017), industrial sector companies or their business organisation mainly focusses on copyright instalment to protect their data and administration work from being exploited or stolen. Intellectual capital has a great influence on business performance and organisational performance (Jabar, Soosay, Khalid, Musa, & Othm, 2015). Intellectual capital contributes in achieving many goals like economic productivity, market capitalisation and the levels of share value. Recent studies (Silva, Vale, & Branco, 2018) suggest that when new business are established, the number of stakeholders and competitors also increases, providing cause for every new business to copyright intellectual capital for decision making purposes (Lai, Li, Wang, & Zhao, 2008). Strong competition exists between different markets which develops the demand for more technology improvement, thus it is vital to stay connected with intellectual capital to increase the new business's performance. According to the latest studies (Jovkić, Urošević, & Vuković, 2017; Kerdpitak & Jernsittiparsert, 2019) the idea of importance of intellectual capital is spreading throughout the world due to advancements in technology and knowledge related to new businesses and business performance. This idea was first initiated with the help of Strategy Implementation Approach (SIA) that relates itself to the standard model theory of intellectual capital (Crow & Lockhart, 2016; Panniello, Gorgoglione, & Tuzhilin, 2016). For instance, it is assumed that, wherever the standard model of intellectual capital or copyrights will be present, there will be the existence of SIA, which successfully focusses on strategy implementation in the new business management and performance. So, this study proposed a certain hypothesis that:

H1: Copyright Registration has a significant impact on new business performance.

Patent Registration on New Business Performance

Recent studies (BĂCILĂ, MUSCALU, & CIORA, 2017) show the impact of patent registration on new businesses and on their performance. Patent registration, and design work for the registration of trade and service marks, fall under the umbrella of organisational performance and intellectual property organisation. Research (López López & Salazar-Elena, 2017) has found that patent documentation or patent registration depend on the owner or partners of an organisation. It is a formal document that contains all the official information of a new business and is processed by the administration under the legal framework of the patent office. According to several studies (Calvo, 2016) in the area of patent registration and its positive impact on new business performance, it has been found that SIA strategy fulfills the demand of patent as intellectual capital within the context of performance, as well as industrial performance. Patent framework varies from industry to industry but its impact on the new business's setup, including their performance, will always be positive according to the analysis of published research (Faria, Cartaxo, Leão, & Speziali, 2018). SIA belongs to the conceptual theory produced in the field of intellectual capital. Intellectual theory differentiates between intangible possessions and insubstantial liabilities (Doh & Guay, 2006). According to a research article (Cassol, Gonçalo, & Ruas, 2016), assurance and accomplishment have an important role in the development of affluence, or of intellectual capital formation. Thus, this study proposed a hypothesis that:

H2: Patent Registration has a significant impact on new business performance.

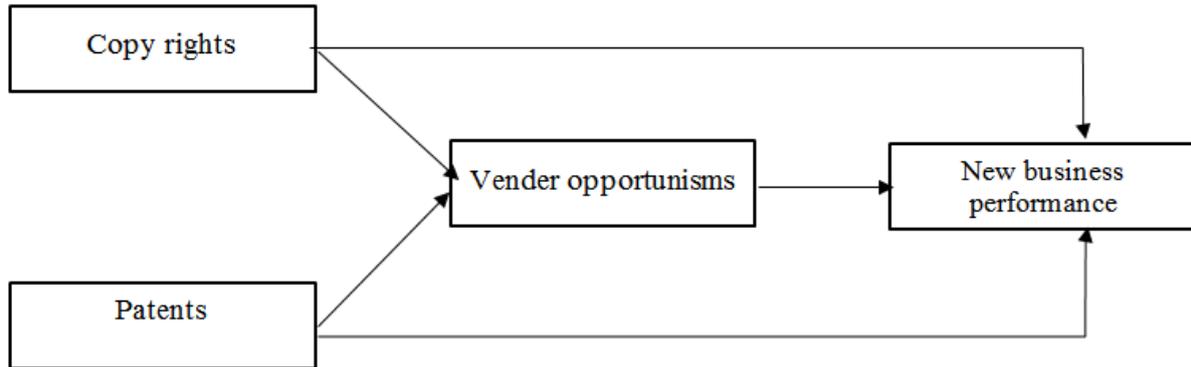
Mediating Role of Vendor Opportunities

According to a recent study (Ghobadian, Stainer, Liu, & Kiss, 2016), vendors are the suppliers of goods from the producer to the consumer. However, in many circumstances a company or an organisation claims itself to be a vendor that acts as a mediator between intellectual capital (Copyright registration or Patent registration) and new business performance. A vendor has an opportunity to facilitate between an intellectual capital holder and a new business establishment. Alexandrova's research (Alexandrova, 2015) holds that vendors are always in search of cost-related products and deals with various competitive advantages. A specialised literature (Kirchmer, 2017) develops the relation of SIA strategy with the vendor opportunities under the terms of copyright and patent registration. Vendors also solve different risk factors and threats regarding outsourcing their success. Vendors play an essential role in the performance of a particular business type, depending on their outsourcing partnership. Studies (Sheikh, Shahzad, & Ishak, 2016) state that high performance of a business can also be achieved through business process management and vendor opportunities. So, this study proposed a hypothesis that:

H3: Vendor opportunity has a significant mediating role/impact between copyright registration and patent registration, and new business performance.

Research Model

The following figure presents the research model of the study:



Research Methodology

The purpose of this study is to empirically analyse the impact of copyright and patent registration on new business performance on the basis of the existing theory. So, in this research, the philosophy of the researcher is positivism, as the objective of the research is to test the existing theory with the new data in a new context. A self-administrative questionnaire was adopted in order to collect the data from respondents. In this research, reality is objective and only numeric data in form of the 5-point Likert scale was collected through the questionnaire. This study adopts the deductive approach because the purpose of the research is testing the existing theory and the research is going from a specific to a generalised manner. The population of this study consists of all those individuals who are working as businessmen within Indonesia, or those who want to become more successful businessmen in the future. Researchers contacted respondents by meeting them personally and requesting them to fill out the questionnaire as best they could within the constraints of their consent. Ethical consideration of the research was kept in the form of the maximisation of respondents' confidence and the secrecy of documented information. A total of 350 questionnaires were distributed among the respondents. All questionnaires were completed in the presence of the researchers, which resulted in a high response return. A total of 345 questionnaires were returned before the application of the statistical analysis on the gathered data. Manual checks of the completion of questionnaires was conducted by the researcher himself; after eliminating incoherently marked and incomplete questionnaires, a final of 294 were usable.

Measures

To measure the study variables, already developed scales were used by the researcher in this study. Measurement operationalisation is compulsory in empirical studies. The philosophy of this research is positivism; and the researcher intends to test the existing theory with new data. Because of this, there is no need to develop new instruments for collecting data from respondents. In this study there are four variables and their measurement are adapted from prior studies. The scale of copyrights and patent registration was adopted from the study of (Igudia & Hamzat). The scale of vendor opportunisms was adopted from the study of (Ozkan-Tektas, 2014). The scale of business performance was adopted from the study of (Doran & Ryan, 2016). In the literature, many other researchers have also used these measurements in order to complete their research and collect empirical data on numeric scales, and these measurements have presented good factor loading in past studies and are appropriate to measure current study variables.

Results and Analysis

Data was collected and analysed from 294 respondent's using SPSS and AMOS. The results of the demographical findings show that there are 119 male and 175 females participating in this study. Most respondents fall in the range of 21-30 years of age; 243 respondents have a degree, 118 have their masters degree, and the remaining hold other degrees.

Reliability Test

The direct collection of data from respondents necessitates a check of data suitability and normality. Moreover, the measurement used to measure the constructs of the study also require the identification of the internal consistency of items and the reliability of the instruments. To fulfill this purpose, the researcher applied two statistical tests in order to check data suitability and reliability. The findings of the KMO test shows the suitability of the data for major analysis, as seen in table 1, whereas in table 2 the internal consistency and factor loading of each item can be seen.

Table 1: KMO and Bartlett's Test

| | | |
|--|--------------------|----------|
| Kaiser-Meyer-Olkin Measure of Sampling Adequacy. | | .842 |
| Bartlett's Test of Sphericity | Approx. Chi-Square | 5834.307 |
| | df | 190 |
| | Sig. | .000 |

Table 2: Component Matrix

| | Component | | | |
|------|-----------|------|------|------|
| | 1 | 2 | 3 | 4 |
| PR1 | | | | .739 |
| PR2 | | | | .631 |
| PR3 | | | | .709 |
| PR4 | | | | .507 |
| CR1 | .794 | | | |
| CR2 | .822 | | | |
| CR3 | .798 | | | |
| CR4 | .653 | | | |
| CR5 | .815 | | | |
| CR6 | .828 | | | |
| CR7 | .792 | | | |
| NBP1 | | | .769 | |
| NBP2 | | | .743 | |
| NBP3 | | | .743 | |
| NBP4 | | | .748 | |
| VO5 | | .945 | | |
| VO4 | | .784 | | |
| VO3 | | .927 | | |
| VO2 | | .783 | | |
| VO1 | | .940 | | |

Discriminant and Convergent Validity

Discriminant Validity is “the degree in which the variable is in fact differing from each other experimentally. On the other hand, Convergent Validity is the extent of assurance a researcher has that a characteristic is well evaluated by its measures” (Kim & Kim, 2010).

Table 3: Discriminant and Convergent Validity

| | CR | AVE | MSV | NBP | CR | PR | VO |
|------------|-------|-------|-------|--------------|--------------|--------------|--------------|
| NBP | 0.926 | 0.758 | 0.049 | 0.871 | | | |
| CR | 0.930 | 0.661 | 0.060 | 0.222 | 0.813 | | |
| PR | 0.807 | 0.534 | 0.360 | 0.147 | 0.366 | 0.819 | |
| VO | 0.922 | 0.712 | 0.131 | 0.338 | 0.434 | 0.376 | 0.921 |

Results prove the convergent and discriminant validity of the data, as every construct discriminates from the other, and the value of AVE for all variables is greater than MSV.

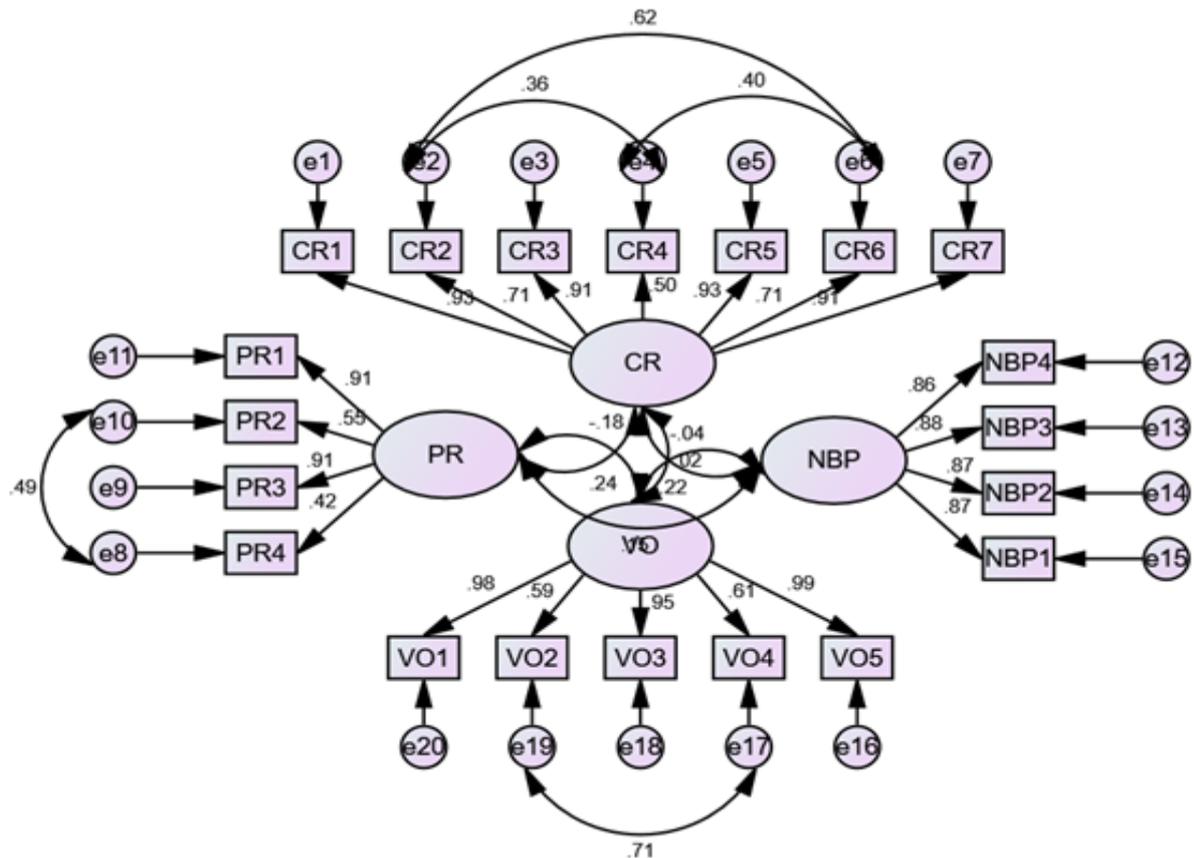
Confirmatory Factor Analysis

The confirmatory factor analysis (CFA) is “a multivariate arithmetic process which is utilised in order to examine how good the studied constructs signify the figure of variables.” The following table shows the findings.

Table 4: Nested Confirmatory Factor Analysis

| Indicators | Threshold range | Current values |
|------------|----------------------|----------------|
| CMIN/DF | Less or equal 3 | 2.545 |
| GFI | Equal or greater .80 | .842 |
| CFI | Equal or greater .90 | .930 |
| IFI | Equal or greater .90 | .930 |
| RMSEA | Less or equal .08 | .073 |

Figure 2. CFA



Structural Equation Modeling

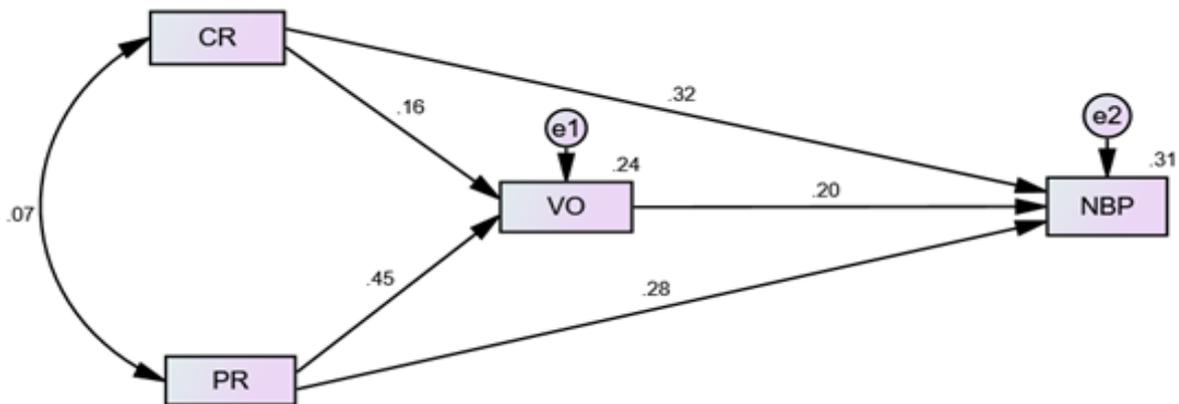
By using the AMOS structural equation, a modelling test was performed in order to test the hypothesis of this study. At the same time, this test provides the direct and indirect results of regression.

Table 5: Structural Model Results

| | | | |
|-----------------|---------|---------|--------|
| Total Effect | PR | CR | VO |
| VO | .451*** | .164** | .000 |
| NBP | .374*** | .350*** | .204** |
| Direct Effect | PR | CR | VO |
| VO | .451*** | .164** | .000 |
| NBP | .282** | .317*** | .204** |
| Indirect Effect | PR | CR | VO |
| VO | .000 | .000 | .000 |
| NBP | .092** | .033** | .000 |

To test the hypothetical model of this study, structural equation modeling was performed by using AMOS. Outcomes of the analysis indicated that Copyright forms 31.7% of the positive and significant impact on new business performance, whereas the direct impact of patent registration on new business performance is 28.2%. This means that if one unit of copyright and patent registration increases, it will bring a 31.7% and a 28.2% rise in new business performance respectively. Moreover, vendor opportunisms play a mediating role between study model and results. This is indicated in that it has 9.2% significant mediating role between patent registration and new business performance, whereas it's mediating role between copyrights and new business performance is 3.3%. From a total perspective, findings show that the total impact of copyright on new business performance is 35% whereas patent registration has 37.4% total impact on new business performance. Thus all of the hypotheses of this study are accepted. The following figure below is a screenshot of the structural equation modelling while running in SEM, in AMOS, and showing the standardised regression weights between the variables.

Figure 3. SEM



This figure shows the standardised coefficient of each path, for example, the figure shows that copyright has a 32% direct impact on new business performance.

Discussion and Conclusion

Discussion

For any new business, the protection of copyrights and patents is very important and has a significant impact on the success or failure of the business, as well as on vendor opportunism for the business. The current study aimed at analysing this impact in Indonesia. Three hypotheses were formed in this study for analysing the impact. The first hypothesis was based on the impact of copyrights in new business in Indonesia. This hypothesis was accepted by this study: if the copyrights of a new business are not protected, the logo, name and other features of the company are stolen, leading to loss. Previously, researchers such as (Pucihar, Ravesteijn, Seitz, & Bons, 2018) were also of a similar view in their study. The second hypothesis of the study was the impact of patents on new business performance in the creative industry in Indonesia. This hypothesis was significantly accepted in this study as the protected patents add to the value of the new business and show a positive impact. Similar results were seen in the study of (Lee & Lee, 2017). The third and last hypothesis of the study tested the impact of the moderating role of vendor opportunism on new business in the creative industry of Indonesia. This hypothesis was justified in this study as, with protected copyrights and patents, vendors are attracted. Otherwise, there is a hindrance from vendors if the copyrights and patents are not protected. Study of (Chaudhry, Srivastava, & Joshi, 2018) showed similar results previously.

Conclusion

Copyrights and patents are integral to any new business as their protection ensures the success and safety of the business. Copyrights and patents are a huge problem for new



businesses in the creative industry in Indonesia. Due to unprotected copyrights and patents vendor opportunism is also affected. The current study focussed on studying the impact of copyrights and patents on new business performance in Indonesia with the mediating role of vendor opportunism. This study scoped the creative industry of Indonesia. Data was collected from new business owners within the creative industry and the results were analysed on SPSS software. The results of the study accepted all three hypotheses of the study and justified that copyrights and patents do have an impact on new business performance in Indonesia, as well as the mediating role of vendor opportunism. This study is significant in theory and in practice. In the theoretical field, the study has increased evidence on the impact of copyrights and patents in new business and also on the mediating role of vendor opportunism. Practically, the industry and policymakers in Indonesia can benefit from this study by protecting their copyrights and patents. The current study had some limitations as it was only limited to one industrial factor and had a small sample size. Also, the study could be carried out in neighbouring regions of Indonesia but was limited to Indonesia. In future, by filling these gaps, a significant increase to the literature can be established.

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