

ABSTRACT

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LEGAL PROTECTION FOR ART MERCHANDISE UNDER LAW NO. 28 YEAR 2014 REGARDING COPYRIGHT AND LAW NO. 31 YEAR 2000 REGARDING INDUSTRIAL DESIGN

(xiii + 94 pages)

Alongside with the development of law in Indonesia, the Indonesian government is incorporated in the World Intellectual Property Organization (WIPO) as a form of effort in achieving social and economic welfare for Indonesia. Through several international organizations and agreements such as the Paris Convention and Berne Convention, legal protection aims to increase the creativity of the creators to produce more work. In this contemporary art era, the growth of creation is increasing rapidly. Many concepts and art forms and their applications have not been found in the previous era. One of them which will be discussed as the main topic in this legal research is an object that is made as an extension of artwork, or what could be referred as art merchandise, and its legal protection by the applicable law in Indonesia. The form of art merchandise that is made into everyday items often results in confusion because the nature of the object, which is also a work of art.

Legal research included in this paper analyzes the prevailing law, namely Law No. 28 Year 2014 Regarding Copyright and Law No. 31 Year 2000 Regarding Industrial Design as two laws that can protect art merchandise, which will then be followed by the implementation of the law, which will be supported through a test case. This study concludes that the Copyright Law and Industrial Design Law provide legal protection standards for art merchandise that can be distinguished in registration, protection period, and scope of protection, and that the Copyright Law provides a more comprehensive concept of legal protection for the Authors.

This research is expected to be useful to help answer legal confusion over art merchandise as a protected work of intellectual property rights, and to benefit the Indonesian government in regulating the protection of art merchandise to increase the growth of works that will encourage the growth of creative economy in Indonesia.

Keywords: *WIPO* , art merchandise, merchandise

References: 61 (1975 – 2018)