

ABSTRACT

Riani Karina Anjarsari (01051170236)

THE POTENTIAL OF COPYRIGHT VIOLATIONS ON THE PRODUCTION AND TRADE OF BATIK MOTIF TEXTILE FROM CHINA

Copyright infringement of batik motifs which are classified as traditional cultural expressions has brought a negative impact on the carrying community. This violation brings moral and economic losses. The purpose of this research was to examine the problems, the first is about the legal protection of the protected batik motif as an expression of Indonesian traditional culture. The second is the implementation of legal protection for batik motifs associated with the production and trade of batik-patterned textiles from China. This research uses a normative method with a legal approach. Source of primary, secondary, tertiary legal materials. Data collection techniques using descriptive analysis methods. The results showed that Law Number 8 of 2014 concerning Copyright is sufficient to accommodate the realization of the state's obligation as a Copyright holder for traditional cultural expressions to inventory copyright works by collecting data in a communal intellectual property data center. However, in the regulation, there are no rules regarding dispute resolution if there is a Copyright violation on batik motifs and there is no further regulation in the Government Regulation regarding traditional cultural expressions. Furthermore, these batik fabrics from China cannot be called batik. If the focus is on the issue of batik motifs, then China can be considered as violating the Copyright of traditional cultural expressions batik, especially if the batik motifs produced by China are batik motifs that have been registered in the communal intellectual property data center.

References :

Keywords : batik motif, traditional cultural expressions, violation