DEFINITION OF COPYRIGHT AND WORK THAT CAN BE PROTECTED BY THE COPYRIGHT ACT

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Abstract

Copyright is a special right for the creator and the recipient of the right to announce or reproduce his creation or give permission for it by not reducing restrictions on restrictions according to applicable laws and regulations.

The Copyright Holder is the creator as the Copyright owner or the person who receives the right from the creator.

Registration of works is not an obligation to obtain copyright. For better, it is recommended to the creator and the Copyright Holder to register his creation, because the Registration Letter for the Work can be used as a preliminary proof in the court, if a dispute arises in the future against the creation.

Kata Kunci : Copyright, HAKI, Copyright Act.

A. INTRODUCTION

1. Legislation concerning Haki:

- a. UU no. 19 of 2002 concerning Copyright
- b. UU no. 14 of 2001 concerning Patents
- c. UU no. 15 of 2001 concerning Trademarks
- d. UU no. 30 of 2000 concerning trade secrets
- e. UU no. 31 of 2000 concerning industrial design
- f. UU no. 32 of 2000 concerning the design of integrated circuit layout
- g. UU no. 29 of 2000 concerning the protection of plant varieties

2. Definition of Copyright

Copyright is a special right for the creator and the recipient of the right to announce or reproduce his creation or give permission for it by not reducing restrictions on restrictions according to applicable laws and regulations.

Copyright applies to various types of artwork or works of copyright or "creation". The work can include poetry, drama and other writings, films, choreographical works (dance, ballet) and so on), musical compositions, sound recordings, paintings, pictures, sculptures, photographs, computer software, radio broadcasts and, and television (in certain jurisdictions) industrial design.

Copyright is one type of intellectual property rights, but copyright differs markedly from other intellectual property rights (such as patents, which provide monopoly rights to the use of inventions), because copyright is not a monopoly right to do something, but the right to prevent people others do it.

Laws that regulate copyright usually only include works in the form of the realization of a particular idea and do not include general ideas, concepts, facts, styles, or techniques that may be realized or represented in the creation. For example, copyrights relating to cartoon mouse miki characters forbid anyone who has no right to distribute copies of the cartoon or create works that mimic certain mouse characters created by Walt Disney, but do not forbid creation or other works of art about general mouse characters.

3. Copyright History

The concept of copyright in Indonesian is a translation of the concept of copyright in English (literally means "copy rights"). This copyright was created in line with the invention of the printing press. Before the discovery of this machine by Johannes Gutenberg, the process of making copies of a written work requires energy and costs that are almost the same as the

process of making the original work. Thus, it is likely that the publishers, not the authors, first requested legal protection for printed works that could be copied.

Initially, the monopoly rights were given directly to publishers to sell printed works. It was only when the law on copyright began to be promulgated in 1710 with the Statue of Anne in England, the right was given to the author, not the publisher. The regulation also includes protection to consumers which guarantees that the issuer cannot regulate the use of the printed work after the sale and purchase transaction takes place. In addition, the regulation also regulates the validity period of exclusive rights for copyright holders, namely for 28 years, after which the work becomes public property.

The Berne Convention for the Protection of Artistic and Literary Works ("the Bern Convention on the Protection of Art and Literary Works" or "the Bern Convention) in 1886 was the first to regulate the issue of copyright between sovereign states. to the copyrighted work, and the author does not have to register his work to obtain copyright. As soon as a work is printed or stored in one media, the author automatically obtains copyright exclusive rights to the work

and also to the derivative work, until the author explicitly states the opposite or up to the validity period of the copyright is complete.

4. Copyright Holder

The Copyright Holder is the creator as the Copyright owner or the person who receives the right from the creator.

5. Definition of Creation

Creation is the result of each creator's work in a distinctive form and has a value of authenticity in the fields of science, art and literature.

Registration of works is not an obligation to obtain copyright. For better, it is recommended to the creator and the Copyright Holder to register his creation, because the Registration Letter for the Work can be used as a preliminary proof in the court, if a dispute arises in the future against the creation.

6. Works that can be protected by the Copyright Law

- a. Books, computer programs, flyers, published writings and all other written works.
- b. Lectures, lectures, speeches and other creations are manifested in spoken ways.
- c. Props are made for the benefit of education and science.
- d. Song or music creation with or without text.

- e. Drama, musical drama, dance, choreography, wayang, pantomin.
- f. Fine art with all forms of painting, drawing, sculpture, calligraphy, sculpture, sculpture, collage and applied arts.
- g. Architecture.
- h. Map.
- i. Batik Art.
- j. Photography.
- k. Cinematography.
- l. Translations, interpretations, adaptations, anthologies, databases and other works from the results of the transfer.

7. Which cannot be registered as a Work

- a. Creation outside the field of science, art and literature.
- b. Creations that are not original.
- c. Creations that are not manifested in a tangible form.
- d. Creations that are already public property.
- e. Provisions stipulated in article 13 of the Law on Copyright (UUHC).

8. Term of Protection for something created

- a. Protection of a work is valid as long as the creator lives and is added 50 years after the creator dies.
- b. If the creator is more than 1 person, then the right is granted for life plus 50 years the last pencita dies.

- c. The copyright in the creation of computer programs, cinematography, photography, databases and the resulting works was valid for 50 years since it was first announced.

B. CONCLUSION

Copyright is a special right for the creator and the recipient of the right to announce or reproduce his creation or give permission for it by not reducing restrictions on restrictions according to applicable laws and regulations.

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