Use of Patent Rights

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Abstract

Patent is a special right granted by the State to the inventor for his findings in the field of technology for a certain period of time the implementation of this invention is to give his consent to others to implement (Law No. 6 of 1989) 1. The holder of the patent is the inventor as the patent holder or party who receives this right and is registered in the Patent List. Patent rights are regulated in Law Number. 14 of 2001 concerning Patents (hereinafter referred to as the Patent Law). At present, many cases violate special patents in industry. This causes because there are so many products that are released freely and already known by the public, so that there are attempts to imitate other parties to obtain the same market position with related products, and of course to produce products that are good for their products.

A. INTRODUCTION

Patent

The term patent originates from Latin which means it is opened and contrary to Latent which means veiled, therefore that an invention that gets a patent becomes open to the public. Openly this does not mean that anyone can practice discovery can be utilized by others. Only after the patent protection period has passed has the invention become public domain, when this is truly open. With the opening of a new invention, providing information needed for further technological development based on these findings and to provide guidance to those who are interested in exploiting the invention.

Based on the previous explanation, thus patent is a privilege (exclusive) given to an inventor (inventor) on the invention made in the field of technology, whether in the form

of products or processes, on the basis of these privileges, other people are prohibited to utilize the findings except with permission or the inventor himself carries out the findings.

This privilege is given for a certain period of time, after which the findings become public property. Thus any inventions that have been patented, their findings or utilizing their findings. The patent is granted on the basis of the application petitioned by the applicant, and if the patent is accepted it is required by the holder to carry out the patent. For the inventor given a protection right to his invention or we can call it the term monopoly can be considered as an appreciation for his intellectual idea.

Patented Subjects

Regarding the subject of patent article 10 of the Patent Law No. 14 of 2001 states the following:

1. Those who are entitled to obtain a patent are inventors or those who further receive the rights of the inventor concerned.
2. If an invention is produced by several people together, the right or invention is jointly owned by the inventor concerned.

In article 11 of Law No. 14 of 2001 stated; "Unless proven otherwise, the person considered as an inventor is someone or several people who for the first time are declared as inventors in the application

B. CONCLUSION

1. A patent is a special right that is given by someone or his application to that person who creates a new product, a new way of working or a new improvement of the product or the way of working.

2. The object of Patent is a field of technology that can be practically used in the field of industry while the subject of tax is inventor (inventor) or who further receives the right of the inventor concerned.
3. Cancellation of patents can be done in three ways, namely: demihukum cancellation, patent cancellation at the request of the patent holder, cancellation of the patent due to a lawsuit.
4. In general, there are three broad categories of subject matter that can be patented: processes, machines, and items produced and used. The process includes algorithms, business methods, most software, medical techniques, sports techniques and the like. The machine includes tools and apparatus.

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