**DEFINITION OF INVENTORS AND LEGAL ASPECT OF PATENT
REGISTRATION**

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Abstract

Intellectual Property Rights relate to the protection of the application of ideas and information that have commercial value. For owners of ideas and information that have commercial values, Intellectual Property Rights are personal property that can be owned and treated with other forms of wealth. The same treatment is like trading or renting it out. So that ideas and information that have commercial value are not used by others irresponsibly, then there must be legal protection. This paper briefly discusses two categories that are protected in Intellectual Property Rights, which are copyright and patent. On the other hand this paper aims to provide an understanding of the legal aspects of copyright and patent registration.

Keywords: Intellectual Property Rights, Copyright, Patents, Law, Registration

A. INTRODUCTION

An Inventor is a person who or some person who jointly implements an idea poured into an activity that results in an Invention. Inventor or holder of Inventor Patent is a person who individually or several people who jointly implement the ideas poured into activities that

produce inventions. The holder of the patent is the inventor as the patent owner or the party who receives the right from the patent owner or other party who further receives the right, which is registered in the general list of patents.

Invention Is an inventor idea that is poured into a specific

problem solving activity in the field of technology.

The word patent comes from the English patent, which originally came from the word *patere* which means opening up (for public examination), and also comes from the term letter patent, which is a decree issued by the kingdom that gives exclusive rights to individuals and certain business actors. From the definition of the word patent itself, the patent concept encourages inventors to open knowledge for the betterment of society and instead, inventor gets exclusive rights for a certain period. Given that the patent does not regulate who has to do a patented invention, the patent system is not considered a monopoly right.

Terms - Terms in Patents

- **Invention**

It is an inventor idea that is poured into a specific problem solving activity in the field of technology, it can be a product or process, or a product or process improvement and development.

- **Inventor or Patent holder**

An Inventor is a person who or some person who jointly carries out an idea that is poured into an activity that produces invention. The holder of the patent is the inventor as the patent owner or the party who receives the right from the patent owner or other party who further receives the right, which is registered in the general list of patents.

- **Rights owned by the Patent holder**

The holder of the patent has an exclusive right to carry out the patent he owns and prohibit other people without his consent:

a. In the case of product patents: making, selling, importing, renting, handing, using, providing to be sold or leased or handed over to products that are patented.

b. In the case of a Process Patent: Using a Patent-given production process to make goods and other actions as referred to in letter a.

- Patent holders have the right to give licenses to others based on the license agreement letter.

- The Patent Holder has the right to sue for compensation through the local district court, to anyone, who intentionally and without the right to do the action as referred to in point 1 above.

- Patent holders have the right to sue people who intentionally and without rights violate the rights of patent holders by carrying out one of the actions referred to in item 1 above.

- **Submission of Application for Patents**

Patents are granted on the basis of the application and fulfill administrative and substantive requirements as stipulated in the Patent Law.

- **First to File system**

Is a system of granting patents that adheres to the mechanism that a person who first submits

an application is considered a patent holder, if all the conditions are met.

- When should the Patent application be submitted?

A Patent application should be submitted as soon as possible, given that the Indonesian Patent system adheres to the First to File system. However at the time of submission, a complete description of the invention must completely describe or disclose the invention.

- Things that should be done by an Inventor before applying for a patent?

a. Do a search. This stage is intended to obtain information about the previous technology in the field of the same invention (state of the art) which allows for a connection with the invention to be submitted. Through the information of the previous technology, the inventor can see the difference between the invention that will be submitted for his Patent application and the previous technology.

b. Analyze. this stage is intended to analyze whether there are special characteristics of the invention that will be proposed for a patent application compared to the previous invention.

c. Make decisions. If the invention has a technical characteristic compared to the previous technology, then the invention should be applied for

a Patent application. Conversely, if no special feature is found, then the invention should not need to be submitted to avoid losses from the cost of filing a patent application. Rights owned by the Patent holder

The patent holder has the right exclusive to carry out the Patents they have and prohibit other people without their consent:

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a. In the case of product patents: making, selling, importing, renting, handing, using, providing for sale or leasing

B. CONCLUSION

From the description above it can be concluded that copyright and patents are two different categories in Wealth Rights

Intellectual, and Copyright cannot be registered in a Patent because the products produced by the two categories are different too.

Whereas to obtain copyright law protection does not have to be registered because Indonesia adheres to the notion

voluntary registration, and Copyright registration is not an acknowledgment of ownership rights Cipta, but the registration only assumed that the registrant was

as creator or Copyright holder. In contrast to patents, to obtain legal protection, the patent must or must

registered, the Inventor is a person who or some person who jointly carries out an idea poured into an activity that produces an invention. Inventor or holder of Inventor Inventor is a person who or some person who jointly implements the ideas set forth in the Invention Is an inventor idea that is poured into a specific problem-solving activity in the field of technology Is an inventor idea that is poured into a problem solving activity specific in the field of technology, can be a product or process, or a product or process improvement and development

C. ACKNOWLEDGEMENT

University Of Indonesia
University Of Mitra Indonesia
Telkom University
University Of Mellbourne
Saitama University

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