**Analysis of Legal Protection for Unregistered Bamboo Woven Craft Businesses from a Copyright Perspective**

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| **ABSTRACT**This research aims to analyze how legal protection is given to bamboo woven craft businesses whose copyrights have not been registered from a copyright perspective. The problem in this research is related to the existence of a violation of rights committed by other parties who carry out acts of imitation or duplication of woven bamboo crafts in terms of motifs, designs and shapes made by the original owner which are duplicated or imitated by irresponsible parties with the aim of traded without the permission or knowledge of the creator, causing losses to the original creator of the woven bamboo craft. The aim of carrying out this research is to analyze the condition of legal protection for the bamboo woven craft business that occurs in Indonesia. The legal research method used is normative legal research which is carried out by identifying and studying statutory regulations related to Copyright in the issue of providing legal protection in the bamboo woven craft business sector. The approach method used is the legal approach (statue approach) in analyzing existing problems, then the data collected and obtained are processed using qualitative methods. The results of the research are then explained descriptively to provide an overview related to the research results obtained, namely that copyright for works of art and crafts whose copyright ownership has not been registered can still receive legal protection, this is because the copyright of a work attaches automatically to a work created by the creator as long as it has met the requirements as an original work and has been expressed in a concrete form, in which case it has been expressed as a work of woven bamboo craft. However, to obtain stronger legal recognition, bamboo woven works that are developed into bamboo woven craft businesses need to register the copyrighted work. ***Keywords*:** *Legal Protection, Woven Bamboo Crafts, Copyright* |
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1. **INTRODUCTION**

Indonesia is a rule of law country, which in this case is confirmed in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia. As a rule of law, state power is exercised with reference to a just legal basis and provides recognition of various legal supremacy aimed at to provide protection and equality before the law. All actions taken by the community refer to existing laws and if they commit violations they will be subject to sanctions in accordance with applicable laws and regulations [1]. Various activities carried out by the community are based on the meaning of existing laws which aim to obtain legal protection for the various activities carried out [2].

Various types of activities carried out by the community receive their own legal protection. One of the activities carried out by people in mountainous areas is activities in the field of crafts, especially bamboo woven crafts. Crafts are works of art whose manufacturing stages are carried out using human hand skills. Woven bamboo crafts are a type of craft made by human hands, where apart from having useful value, the craft also has its own aesthetic and selling value [3].

Referring to the understanding of woven bamboo crafts as a form of art that is made using hand skills, in this craft the ideas or ideas of the work maker are expressed to make woven crafts with the thought of making shapes, patterns, designs and various other types of creative ideas which are ideas. from the creator of the bamboo weave. The idea of ​​the creator of the woven bamboo craft is a form of copyright for a work, namely the work of woven bamboo craft.

Problems occur in the field regarding woven bamboo crafts whose copyrights are not registered, whereas many other business actors are making similar businesses that are exactly the same as the woven bamboo craft business on the grounds that everyone can make and imitate these motifs. This business was carried out in an effort to increase its income [4]. This is clearly very detrimental to the creator of the work because the results of his or her ideas have been imitated by other business actors without asking permission first and without providing royalties to the actual creator of the work [5]. This detrimental action can be carried out as a legal liability action to obtain compensation for the losses experienced by the creator. However, strong evidence cannot be shown because there is no strong or valid evidence that the creator is the person who truly deserves the craft creation [6]. Law Number 28 of 2014 concerning Copyright states that copyright is an exclusive right for creators or recipients of rights with the aim of announcing or reproducing their creations or granting permission to do so without reducing restrictions according to applicable laws and regulations. This legal regulation is a basis related to copyright for a work created by its creator and the basis for providing legal protection.

Based on the background presented, the author will discuss legal protection efforts given to bamboo woven craft businesses that have not been registered from a copyright perspective. This effort can be used as a solution in resolving an existing legal problem which aims to provide legal protection to the original creator of a work.

1. **METHODS**

This article uses normative legal research, carried out by identifying and studying laws and regulations related to copyright in the issue of providing legal protection in the bamboo woven craft business sector, as well as research, studies and other references related to copyright issues. This article uses a legal approach (*statue approach*) in analyzing the existing problems, namely the problem of providing legal protection to bamboo woven craft businesses whose copyrights have not been registered from a copyright perspective. All data collected and obtained were processed using qualitative methods and then explained descriptively to provide an overview of the research results obtained. This article is accompanied by explaining the problems that occur in terms of intellectual property, namely copyright in the bamboo woven craft business in terms of Copyright law which is part of intellectual property. This article then explains the legal protection efforts that can be given to bamboo woven craft businesses that have not been registered as well as the efforts that can be made to resolve existing problems. This article will provide a solution by referring to data collected from research.

1. **RESULT AND DISCUSSION**
	1. **Problems in Providing Legal Protection for Bamboo Woven Craft Businesses from a Copyright Perspective**

Legal protection for copyright is needed as an effort to encourage and motivate the public to respect copyright for works produced by their creators [7]. The legal protection given to the Bamboo Woven Craft Business is a form of legal protection provided within the framework of intellectual property rights which provides recognition of the exclusive rights of the creator as a right to enjoy the economic benefits of his creation or invention for himself where there is an exception that other people are entitled to. Without the consent of the creator or copyright owner, they cannot participate in enjoying the results of their creation. An applicable law aims to provide protection and prevention to other people from taking unfair advantage of their creations [8].

The problem in providing legal protection to woven bamboo craft businesses is related to the ownership of copyrighted works of woven bamboo crafts which have not been registered. Owners of woven bamboo crafts who have not registered their work create difficulties in providing strong legal protection in the eyes of the law. Woven bamboo crafts are the result of the creator's ideas in pouring out a motif, shape and design from the bamboo weave which has a meaning and significance for the maker. The problem of registering works that have not been registered is an obstacle in providing legal protection to a work and the owner of the work because there is a lot of duplication and imitation of a craft work intended for sale which can cause a loss for the creator of the craft work. These irresponsible parties carry out imitation or duplication without permission from the creator of the work. This is what requires legal protection for losses experienced by the original creator of a work.

* 1. **Legal Protection Efforts for Bamboo Woven Craft Businesses that Do Not Register Their Copyrights in a Copyright Perspective**

Basically, copyrighted works or works of art that have registered their copyright will receive legal protection as stipulated in Law Number 28 of 2014 concerning Copyright. A work of art created by a creator must receive legal protection and those who copy it or use it for commercial purposes must obtain permission from the copyright holder or creator. The creator referred to in this case is a person or several people who, individually or together, produce a creation that is unique or personal. The copyright holder referred to in this case is the creator as the copyright selector or another party who legally receives the right from the creator or another party who receives further rights from the party who legally receives the right.

Bamboo woven craft businesses that do not register their copyright will still receive legal protection. Woven bamboo crafts, which are a form of copyright because they are works of art originating from the creator's ideas, still receive legal protection even though registration is not carried out. Copyright is automatically owned by the creator if a work meets the requirements as an original work and has been expressed in a tangible form, in which case it has been expressed as a work of woven bamboo craft. However, to obtain stronger legal protection, a work needs to be registered for copyright. This copyright registration aims to facilitate law enforcement and loss claims. Registration of copyright for woven bamboo crafts has several objectives, namely as follows:

1. Proof of Ownership

Copyright registration aims to prove legal ownership. Copyright registration can provide official proof of the person who owns the copyright and the time at which the copyrighted work was created. This can be used as evidence if a dispute or copyright violation occurs.

1. Law enforcement

If there is a violation of the copyright of a work, then in this case a problem will arise in allowing the owner to file a lawsuit in court and demand compensation or other legal action. Once a work has been registered, it will be a determination for law enforcement if it is necessary to claim losses in cases of infringement.

1. Stronger Legal Protection

A work that has been registered can provide strong legal protection and clear legal rights, this is because the work has been legally recognized and registered as proven by proof of registration. This strong legal protection can provide assistance and prevention in the event of a copyright violation.

1. Increased Credibility

A work that has been registered will receive official recognition by a government agency or authorized legal entity which can increase the credibility and reputation of the owner of the work. This increase in credibility can provide greater confidence in a work, in this case the work of woven bamboo crafts.

1. Use of License

A work that has been registered can make the licensing process and making a rights agreement easier because there is a copyright registration document which can be used as valid and strong evidence in making a contract or agreement on the use of a work.

**CONCLUSION**

With regard to copyright for works of art and crafts whose copyright ownership has not been registered, they can still receive legal protection, this is because the copyright in a work attaches automatically to a work created by its creator as long as it meets the requirements. the requirement is that it is an original work and has been expressed in a concrete form, which in this case has been expressed as a work of woven bamboo craft. However, to obtain stronger legal recognition, bamboo woven works that are developed into bamboo woven craft businesses need to register the copyrighted work with the aim of showing proof of legal ownership, as a form of law enforcement, stronger legal protection, strengthening a license in the agreement and increasing credibility and trust in a work.

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