

ABSTRACT

Copyright is the exclusive right of the creator that arise automatically based on the principle of declarative after an invention is embodied in a tangible form. These rights that can not be perceived by a craftsman batik motifs. Because, in Article 33 paragraph (1) UUHC said that in terms of creation consists of several separate parts created by two (2) or more persons, which is regarded as the creator of those who lead and oversee the completion of the whole of creation. In fact, in the process of making batik, who designed the pattern of batik motifs are certain people who are experts in making batik patterns that craftsmen learned from hereditary earlier ancestors. Therefore, what is the position of batik artisans on the art of pattern making batik motifs within the scope of the employment relationship according UUHC agreements and forms of legal protection against copyright batik artisans on the art of pattern making batik motifs according UUHC.

The research in this paper is a normative legal research using the statute approach and conceptual approach.

Craftsmen motif pattern can be said to be the creator. Because that design motif is craftsman motif pattern and although bound by a treaty relationship working with batik industry entrepreneurs who become creators of creation motif is to remain in control of the batik craftsmen. Because ownership of the copyright in the labor legislation does not clearly describe and necessary to provide an explanation of the article 33 paragraph (1) UUHC, that people are not wrong perception towards understanding the article.

Keywords : Legal Protection, Position Creator, Craftsman Batik