

Copyright and Related Right Protection in Indonesia

Directorate General of Intellectual Property of
Indonesia

Copyright Protection in Indonesia

Regulated in Copyright Law Number 28 Year 2014

- ✓ The main objective of the **Copyright Law Number 28 Year 2014** is to prioritize national interests and focusing on the balance between the interests of creators, copyright holders, or related rights owners with the community, while also focusing on the provisions on international agreements in the field of copyrights and related rights.
- ✓ Copyright protection has a long time period in line with the application of rules in many countries; therefore, the period of protection of copyrights in certain fields is applied for the duration of the creator's life with an additional 70 (seventy) years after the creator's death.
- ✓ Copyright Protection of the following creations: Photography, Images, Cinematography, Video games, Translation is valid for 50 years from the first publication



Digital Copyright

- ❑ Copyright Law Number 28 Year 2014 has explicitly state provisions concerning internet infringement.
- ❑ Article 56 regulated regarding blockade a content in a website that allegedly infringes

Reporting Procedures :

- ✓ Each person finds out a copyright infringement may report it to the Minister of Law and Human Rights through Directorate General of Intellectual Property Rights.
- ✓ It is then further verified
- ✓ Provided the sufficient evidence, DGIPR recommends to the minister of communication and information technology to shut down the website allegedly contains infringing copyright



Economic Rights

- ❑ In addition there is also prohibition for shopping centres to authorize or to rent to tenant or to other parties to sell goods resulted from copyright infringement
- ❑ Businesses are prohibited from allowing the sale and/or duplication of copyright and /or related rights infringement goods at their place of business.

The copyright of books, and/or all other literary works, songs and/or music with or without lyrics that are transferred in Sold flat agreements and/or are transferred indefinitely, reverts back to the Author once the agreement has reached a period of 25 (twenty-five) years.



Related Rights

The Related Rights are exclusive rights that include:

- a) moral rights of Performers;
- b) economic rights of Performers;
- c) economic rights of Producers of Phonogram; and
- d) economic rights of Broadcasting Organizations.



Collective Management Organization

- The Government supervise CMOs :
 - ✓ Central CMOs has to be registered to Directorate General of Intellectual Property Rights;
 - ✓ Central CMOs have to report their audits and royalty distributions annually to DGIPR
 - ✓ There are 2 (two) Collective Management Organization for the management of copyright royalties for songs and/or music with each representing the following:
representing The author's and representing The related rights owner's
 - ✓ Both Collective Management Organization, have the authority to collect, raise and distribute royalties from commercial users.



TRANSITIONAL PROVISIONS

- Criminal measure as in the New Copyright Law is based on Warranty complaint
- The law applies to the All works and/or product related rights and the user of the creation and/or product related rights are non-Indonesian citizens, non-residents of Indonesia and non-Indonesian legal entities.
- The Authors, copyright holders and/or related rights holders or their heirs who experience loss of economic rights are entitled to compensation.
- Compensation is provided and included in the ruling of the court on criminal copyright and/or related rights cases. Compensation to the Author, copyright holder and/or related rights owner must be remunerated no later than 6 (six) months after the ruling is final and binding.
- Piracy is unauthorized duplication of copyright and/or products related rights and the extensive distribution of the duplicated goods for economic gain.



THANK YOU

