

ABSTRAK

Berdasarkan Undang-Undang Nomor 28 Tahun 2014 tentang Hak Cipta, karya seni batik merupakan salah satu objek yang memperoleh perlindungan hak cipta. Karya seni batik merujuk pada motif batik kontemporer. Namun, pelanggaran hak cipta terhadap karya seni batik masih sering dijumpai dalam praktik, termasuk pada motif bunga kipas ciptaan PT. Omah Batik 33 di Kabupaten Sragen. Penelitian ini bertujuan untuk menganalisis bentuk pelanggaran hak cipta terhadap motif batik kontemporer bunga kipas dan perlindungan hukum yang diterapkan oleh PT. Omah Batik 33.

Penelitian ini menggunakan pendekatan yuridis empiris dengan memadukan data primer dan data sekunder. Data primer diperoleh melalui wawancara dengan pemilik, direktur, dan karyawan PT. Omah Batik 33, sementara data sekunder diperoleh melalui studi kepustakaan. Metode analisis data dilakukan secara kualitatif.

Dalam penelitian ini, ditemukan berbagai pelanggaran terhadap motif bunga kipas, meliputi penjiplakan, penggandaan, dan peredarannya sebagai batik tiruan meskipun motif tersebut telah didaftarkan. Upaya perlindungan represif yang ditempuh masih berfokus pada penyelesaian secara kekeluargaan sehingga perlindungan yang diberikan belum mencapai efektivitas optimal dan masih menyisakan potensi terulangnya pelanggaran. Dapat disimpulkan, penegakan hukum melalui mekanisme litigasi perlu dipertimbangkan untuk memberi efek jera, serta pentingnya penyuluhan kepada masyarakat mengenai urgensi perlindungan hak cipta agar pelanggaran tidak lagi dianggap sebagai praktik yang wajar.

Kata Kunci: Hak Cipta; Motif Batik Kontemporer Bunga Kipas; Perlindungan Hukum.

ABSTRACT

Based on Law Number 28 of 2014 concerning Copyright, batik artwork is one of the objects that receives copyright protection. Batik artwork refers to contemporary batik motifs. However, copyright infringements on batik artwork are still often encountered in practice, including on the bunga kipas motif created by PT. Omah Batik 33 in Sragen Regency. This study aims to analyze the forms of copyright infringement related to the bunga kipas contemporary batik motif and the legal protection applied by PT. Omah Batik 33.

This study uses an empirical juridical approach by combining primary and secondary data. Primary data was obtained through interviews with the owners, directors, and employees of PT. Omah Batik 33, while the secondary data was obtained through literature reviews. The data analysis method was carried out qualitatively.

In this study, various violations of the bunga kipas motif were identified, including plagiarism, duplication, and circulation as imitation batik, despite the motif having been registered. The repressive protection efforts undertaken have still focused on amicable resolution, so the protection provided has not reached optimal effectiveness and still leaves the potential for repeated violations. It can be concluded that law enforcement through litigation mechanisms needs to be considered to provide a deterrent effect, as well as the importance of educating the public about the urgency of copyright protection, so that violations are no longer seen as acceptable practices.

Keywords: *Copyright; Bunga Kipas Contemporary Batik Motif; Legal Protection.*