

Patent Protection Mechanism for Traditional Knowledge of Traditional Bubu Fishing Equipment Based on Law Number 13 of 2016 concerning Patents

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Abstract

Indonesian waters have enormous natural resource potential, with 13,465 islands, a sea area of 3,257,483 km², and Indonesia's mainland public waters of up to 13.85 million ha consisting of rivers, natural lakes and artificial lakes. (manmade lakes) or reservoirs. So that fish resources in Indonesian waters have long been one of the main livelihoods of the Indonesian people towards prosperity. One of the traditional fishing tools that is very commonly known among fishermen is the trap, made from bamboo in the form of a trap and is passive. The trap is in the form of a cage (trap) so that the fish cannot get out. This traditional Bubu fishing tool is a form of innovation in traditional knowledge created by the Indonesian people, however the patent law which aims to provide legal protection for an intellectual work invention still adopts the Intellectual Property Law of developed countries so that there is no optimal legal protection. towards traditional knowledge, especially traditional Bubu fish fishing tools. Based on these problems, this article aims to analyze how the legal protection and patent application mechanism for traditional knowledge, especially the traditional Bubu fishing gear in Indonesia, is based on Law no. 13 of 2016 concerning Patents. This research will use normative legal research methods with statutory, conceptual and historical approaches. The results of the research conducted show that there are differences in the concepts that animate intellectual property law between the law that develops in society and intellectual property law from the perspective of developed countries. The concept of customary law which animates traditional knowledge which is communal, hereditary, cash and open, is in sharp contrast to the concept of IPR which is exclusive.

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Abstrak

Perairan Indonesia memiliki potensi sumber daya alam yang sangat besar, dengan 13.465 pulau, luas perairan laut sebesar 3.257.483 km², dan perairan umum daratan Indonesia hingga 13,85 juta ha yang terdiri atas sungai, danau alam (natural lakes), dan danau buatan (man made lakes) atau waduk. Sehingga sumber daya ikan di perairan Indonesia menjadi salah satu mata pencaharian utama bangsa Indonesia sejak dahulu untuk menuju kemakmuran. Salah satu alat tangkap tradisional yang sangat umum dikenal di kalangan nelayan adalah bubu, terbuat dari bambu yang berupa jebakan dan bersifat pasif. Bubu berbentuk kurungan (Trap) sehingga ikan tidak dapat keluar. Alat tangkap ikan tradisional Bubu ini merupakan salah satu bentuk inovasi pengetahuan tradisional karya bangsa Indonesia, namun Undang-Undang paten yang bertujuan memberikan perlindungan hukum atas suatu penemuan karya intelektual masih mengadopsi Hukum atas Kekayaan Intelektual dari negara-negara maju sehingga belum adanya perlindungan hukum yang optimal terhadap pengetahuan tradisional khususnya alat tangkap tradisional ikan Bubu. Dari permasalahan tersebut, artikel ini bertujuan untuk menganalisis bagaimana perlindungan hukum dan mekanisme permohonan paten atas pengetahuan tradisional khususnya alat tangkap ikan tradisional Bubu di Indonesia menurut Undang-Undang No. 13 Tahun 2016 tentang Paten. Penelitian ini akan menggunakan metode penelitian hukum normatif dengan pendekatan perundang-undangan, konseptual, dan sejarah. Hasil penelitian yang dilakukan menunjukkan bahwa adanya perbedaan konsep yang menjiwai hukum kekayaan intelektual antara hukum yang berkembang di masyarakat dan hukum kekayaan intelektual dalam perspektif negara maju. Konsep hukum adat yang menjiwai pengetahuan tradisional bersifat komunal, turun-temurun, tunai dan terbuka sangat bertolak belakang dengan konsep HKI yang bersifat eksklusif.

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1. INTRODUCTION

A. Background

Indonesia is a tropical country located on the equator, has a large sea area so it is also called a "Maritime Country." Apart from that, Indonesia is the largest archipelagic country in the world, consisting of five large islands and thousands of small islands that have various shapes and sizes. So overall, around 70% of Indonesia's territory is ocean, so the daily lives of Indonesian people are closely related to the sea. Indonesia's territorial waters and vast marine resources are important for Indonesia because they have enormous potential both culturally and as a source of economic growth and national development. Indonesia's land area reaches approximately 2,012.42 km² and its water area is 5,877,879 km², consisting of 5 large islands and 30 small islands, with a total of 17,504 islands consisting of 8,651 named islands, 8,853 unnamed islands, and 9,842 islands that have been named. verified. This shows that Indonesia's territorial waters are wider than the land area. The area consists of 5.8 million km² of sea waters (75 percent of Indonesia's total territory) with 0.3 million km² of territorial sea waters; 2.8 million km² of Indonesian marine waters; and 2.7 million km² of sea in the Indonesian Exclusive Economic Zone (ZEEI).

According to the Geospatial Information Agency (BIG), Indonesia's coastline is 99,093 kilometres long. Indonesia has wide maritime boundaries, especially after the creation of Insight Nusantara through the Djuanda Declaration which declared that the width of Indonesia's territorial sea was 12 miles. Archipelagic waters are surrounded by baselines that connect the boundaries of the outermost points of Indonesia's Outer Islands. The sea area of the Indonesian archipelago is based and stipulated in the 1982 United Nations Convention on the Law of the Sea (UNCLOS). This has made Indonesia successful in obtaining abundant marine wealth, making the majority of people living on the coast of Indonesia seek their livelihood by sea as fishermen. .

Indonesia's marine natural resources have enormous and diverse economic potential. There are 13 (thirteen) marine-related sectors that can be developed so that they will contribute to the economy of Indonesian society, namely: (1) Capture fisheries; (2) Aquaculture; (3) Cultivation product processing industry; (4) Marine biotechnology industry; (5) Mining and energy; (6) Marine tourism; (7) Sea transportation; (8) Maritime industry and services; (9) Small islands; (10) Non-conventional resources; (11) Marine buildings; (12) Valuable objects and cultural heritage; (13) Conversion and Biodiversity environmental services.

Currently in Indonesia, the utilization of marine fisheries resources (capture) is dominated by small-scale fisheries, simple technology and limited operational range. This is also due to the limited skills of fishermen and the use of simple and traditional fishing equipment. Fishing activities are very dynamic activities, because changes that occur in the environment at that time greatly influence the existence of fish resources and how fishermen can use dynamic fishing methods to remain optimal. Among the existing fishermen groups, the fishermen groups that are most dynamic and follow environmental changes are small-scale fishermen groups with small business capital, limited facilities, and knowledge about the sea that is not optimal so that in catching fish, traditional fishermen often use patterns. original, unique and traditional adaptation patterns. These traditional fishing patterns are found to reflect environmental changes so that they can defend themselves in the face of change.

This traditional Bubu fishing tool is a form of innovation in traditional knowledge created by the Indonesian people, however the patent law which aims to provide legal protection for an intellectual work invention still adopts the Intellectual Property Law of developed countries so that there is no optimal legal protection. towards traditional knowledge, especially Bubu fishing tools. Departing from the description above, the author was interested in studying this issue and expressed it in a scientific work with the title: **"PATENT PROTECTION MECHANISM OF TRADITIONAL KNOWLEDGE**

TRADITIONAL FISHING TOOLS POWDER BASED ON LAW NUMBER 13 OF 2016 CONCERNING PATENTS”

2. RESEARCH METHODS

This type of research article uses normative research, which examines principles, synchronization, history and legal protection. It is hoped that this normative legal research method will be able to find legal truths from a normative perspective so that a normative legal science method can be developed using the legal object itself. From this basis, it is hoped that a systematic picture will emerge regarding the patent mechanism for traditional knowledge of traditional Bubu fishing gear. The approach in this article is a legislative approach by analyzing relevant national and international legal instruments related to patents and traditional knowledge. Apart from that, a conceptual approach is also used to analyze norms that do not specifically regulate patent mechanisms in traditional knowledge.

On this basis, this research uses several legal materials, namely primary, secondary and tertiary legal materials. Examples are materials that have juridical binding power as primary legal materials, complementary materials as secondary legal materials. and tertiary legal materials such as legal dictionaries, indexes, bibliographies, or search materials in searching for legal materials using library research on materials relevant to the article. Furthermore, in the processing, legal material analysis techniques are used to answer the problem.

3. DISCUSSION

A. Fishermen and Traditional Fishing Equipment (Indonesia)

In general, fishermen are defined as people whose livelihood is fishing. The meaning of fisherman can be divided into two as stated in Article 1 of Law of the Republic of Indonesia No. 6 of 1964 concerning Fishery Profit Sharing, namely fishermen who own and fishermen who work. A fisherman owner is a person or legal entity who, with any right, has authority over a ship or boat used in the fishing business and the fishing equipment. Meanwhile, fishermen are all people who, as a unit, by providing energy, participate in the fishing business at sea. Apart from that, the Fisheries Profit Sharing Law also divides the definition of fishermen into two, namely fishermen and small fishermen.

According to Article 1 Number 10 of the Law on Fisheries Profit Sharing: "a fisherman is a person whose livelihood is fishing" while in article 1 point 11 of the Fisheries Profit Sharing Law: "small fisherman is a person whose livelihood is fishing to meet their subsistence needs. daily use of fishing vessels with a maximum size of 5 (five) Gross Tons (GT)". Apart from the Fisheries Profit Sharing Law, the definition of fishermen is contained in the explanation in article 18 paragraph (6) of the Republic of Indonesia Law Number 32 of 2004 concerning Regional Government which provides the meaning that "small fishermen are fishermen from traditional Indonesian communities who use materials and tools traditional fishing." So it can be seen that fishermen can be divided into owner fishermen (juragan), tenant fishermen (laborers/workers), and small fishermen, traditional fishermen, and industrial fishing companies.

Traditional fishermen are fishermen who utilize fisheries resources with traditional fishing equipment, small business capital and relatively simple fishing organizations. So that their daily life is more oriented towards meeting their own needs, if there is excess produce they will sell it and use it to meet basic daily needs and not to reinvest it for business development.

Traditional fishermen are individuals whose job is to catch fish using boats and simple (traditional) fishing gear. With limited boats and fishing equipment, the fishing area is limited to around 6 (six) nautical miles from the coastline. These traditional fishermen are usually fishermen from generation to generation who fish to meet their daily needs.

EyeThis livelihood of catching fish or as a fisherman has of course led to the emergence of fishing equipment which is used to dynamically adapt to needs according to the

surrounding environmental conditions. One of them is the Bubu fishing tool, which is famous among fishermen. A trap is a fishing tool that is in the form of a trap and is passive (does not move). The trap works by trapping the fish's vision so that the fish is trapped inside. There are 3 (three) types of fishing gear, namely: small traps, medium traps and large traps. The trap is made from old bamboo slats with a diameter of 5 cm and a length of approximately 1.5 m which are finely shaved and rattan rope. The traps are arranged to form a cylinder and tied with rattan rope. Bubu are usually installed to block the flow of water. Based on research results, traps are known to be a selective fishing tool because the catch can be returned to the waters without injury and has a minimum impact on the underwater or sea environment. So it can be seen that the trap is a very environmentally friendly fishing tool in accordance with the terms and conditions of the Food Agriculture Organization (FAO).

B. Basic Concepts of Traditional Knowledge and Technology

Knowledge has been humanity's most coveted possession since the industrial revolution. The industrial boom after the World Wars had highlighted the importance of so-called intellectual knowledge. According to Wayan Parthiana, traditional technology (indigenous technology) is original technology that grows and develops in developing countries. The addition of the phrase developing countries is to avoid ambiguity because if traditional technology is developed in developed countries, it cannot be said to be indigenous technology. The existence of this national technology is protected and always developed so that it can be on par with modern technology. This is in line with United Nations General Resolution Number 3201 dated 1 May 1974 concerning the Establishment of a new International Economic Order as follows:

"Giving to the developing countries access to achievements of modern science and technology, and promoting the transfer of technology and the creation of indigenous technology for the benefit of the developing countries in forms and in accordance with procedures which are suitable to their economies"

this resolution shows that there is support for traditional technology (indigenous technology) to face modern influences. Therefore, it can be seen that traditional Indonesian technology is technology that exists and grew as a result of the creation of the Indonesian people and is passed down from generation to generation. Traditional Indonesian technology can be divided into three groups, namely:

1. Technology that is completely created by the Indonesian people, from the manufacturing process to the original ingredients from Indonesia;
2. Technology whose manufacturing process is an Indonesian creation but the ingredients are partly or wholly foreign;
3. Technology whose manufacturing process has been mixed and influenced by elements of foreign technology.

However, even so, these three groups are still considered traditional technology if they can continue to show their characteristics as traditional Indonesian technology. Another unique feature of traditional Indonesian technology is that this technology is labor intensive because it involves human labor and has little capital, is popular and belongs to the public so that the creator of the technology often does not highlight himself; collective style; and static or little change from time to time.

C. Patents for Bubu Traditional Technological Knowledge

I. Intellectual property rights

Intellectual property is translated from the English term "intellectual property" by the World Intellectual Property Organization (WIPO) as creations resulting from intellectual abilities which can take the form of inventions, written works, or in the form of artistic works, symbols, names, images, and even designs. used in trading activities. Apart from that, intellectual property rights are also translated from English to mean Intellectual Property Rights as ".. the rights given to persons over the creations of their minds. They

usually give the creator an exclusive right over the use of his/her creation for a certain period of time”.

Intellectual Property Rights is a legal protection that arises and is given by the state to a person and/or group of people or bodies for ownership of ideas in a creative work including technology, science, and art and literature. To obtain Intellectual Property Rights, a work needs to be registered with certain requirements in order to create protection for ideas, ideas and information. Intellectual property rights are divided into two types, namely; copyright and industrial property rights. Copyright is a right that is attached to a work at the same time the work is created so that there is a guarantee of the authenticity of a work and protection of the work against plagiarization. Meanwhile, industrial property rights are divided into several parts, namely: patents, brands, trade secrets, industrial designs, integrated circuit layouts, and geographical indications.

The attention of the international community regarding intellectual property law relating to the economy began with the conclusion of the international Trade-Related Aspects of Intellectual Property Rights (TRIPs) agreement by the World Trade Organization (WTO), which was attached to the WTO Agreement from the Uruguay Round. 1994 which contains trade negotiations in The General Agreement on Tariffs and Trade (GATT). Countries wishing to join WTO membership are required to implement the basic provisions of TRIPs to access further trade benefits from WTO membership. In this way, TRIPs effectively controls the global distribution of, and trade in, information through the operation of intellectual property rights. This means that intellectual property law remains a powerful organizing principle for the development, recognition, distribution, and consumption of information.

Furthermore, the provisions regarding Intellectual Property Rights are listed in Appendix 1C to the WTO Agreement in the TRIPs Agreement. The TRIPs Agreement came into force in 1995. However, there is a special transition period provided by the WTO for developing countries for at least four years until TRIPs is fully implemented. Meanwhile, Least-Developing Countries or underdeveloped countries are given a transition period of six years.

Indonesia as one of the member countries of the agreement establishing the WTO makes the state responsible so that Indonesia is obliged to participate in all applicable WTO provisions, one of which is in the field of Intellectual Property Rights as stated in the TRIPs international agreement or convention. As a response to its membership in the WTO, Indonesia has regulations regarding intellectual property rights in Indonesia which are regulated using different laws based on their type. Copyright or copyrights is regulated in Law Number. 19 of 2002 concerning Copyright; Patent rights or patents are regulated in Law Number. 19 of 2001 concerning Patents; Brand or trademark rights are regulated in Law Number 15 of 2001 concerning Trademarks; Trade Secrets are regulated in Law Number 30 of 2000 concerning Trade Secrets; Industrial Design is regulated by Law Number 31 of 2000 concerning Industrial Design; and Integrated Circuit Layout Design or circuit layout is regulated in Law Number 32 of 2000 concerning Integrated Circuit Layout Design.

II. Patent

A patent is an exclusive right given by the state to an inventor or the result of his invention in the field of technology, valid for a certain period of time to carry out his own work, generally granted for 16-20 years. The object of a patent is an "invention" which is defined as an inventor's idea of a problem solving activity in the field of technology or product, or improvement and development of a product or process. Patents are usually granted on works in the form of processes, machines, manufacturing, material composition, improvements or a product. This right is the strongest right in intellectual property protection because this right allows the patent holder to prohibit other people from making,

selling and using the subject of the patent. To be able to claim a patent, an invention must have elements of novelty, usefulness, and be able to contribute to knowledge.

Historically, patents appeared before copyright, but the concept of "intellectual property" itself emerged long before the division of types of intellectual property. The origins of intellectual property protection date back to the 15th century in Venice when patents were first issued. Since then, the concept of intellectual property rights has expanded to protect ideas used for a product in an industrial process. Patents require cooperation with the government to provide special rights for inventors regarding the information they own.

In Indonesia, patents regulated in Article 1 number 1 of Law Number 13 of 2016 concerning Patents states that "Patents are exclusive rights granted by the government to inventors for a certain period of time for the results of their innovation in the field of technology, either by the patent owner who creates it himself or gives permission/ license to other parties to use it." Patent implementation in Indonesia has been adjusted to the standards in the TRIPs Agreement. It is known that there are two forms of patents in Indonesia, namely patents and simple patents. A patent means the right to the publication of a new invention that contains innovation and can be implemented in reality. Meanwhile, a simple patent is a right given to an invention that contains innovation. According to Article 22 and Article 23 of Law Number 13 of 2016 concerning Patents, patents have a patent period of 20 years while simple patents have a patent period starting from 10 years. The law also states that a patent is required to meet three criteria, namely innovation, copyright data and industrial implementation.

In practice, the subject and object of law in patents cannot be separated from the rules or laws regarding patents. The subject of a patent is an inventor, and if an invention is produced by more than one inventor, then the rights to the invention are given to all the inventors concerned. In this case, the inventor is the person or group of people who was first declared as the inventor/inventor in the application. Meanwhile, the object of a patent is an invention created by an inventor.

III. Intellectual Property Rights for Traditional Knowledge

Protection of Intellectual Property Rights is very important, especially for Indonesia. Indonesia as a country that has enormous potential in the field of creative industry and abundant natural resources requires support from all parties to be able to optimize Intellectual Property Rights in order to be able to make maximum contributions, especially in the economic sector.

Intellectual property law is understood as ideas or knowledge developed by western society to provide protection for creativity over monopoly that occurs in the west. This intellectual property legal mechanism is to bring together the public so they can register the results of their ideas, creativity and innovation into the recording system. However, in the context of traditional knowledge, often the criteria for intellectual property are "creative output" or innovation. Apart from that, in principle, intellectual property law must have a definition, while traditional knowledge has an open nature.

Protection of Intellectual Property Rights is of course inseparable from the presence of TRIPs as a multilateral agreement that specifically discusses Intellectual Property Rights. However, the presence of TRIPs gave rise to several criticisms regarding the basics of its creation which tended to be directed towards large companies which could control the global distribution of goods so that efforts to globalize intellectual property rights often harmed developing countries and indigenous groups. TRIPs internationalizes intellectual property principles using a uniform approach, thereby potentially damaging the diversity of production and exchange of knowledge in developing countries as well as in traditional and indigenous communities.

In this case, traditional/customary communities are presented in 2 choices. On the one hand, intellectual property is a western concept that can cause more harm than good when

applied to traditional knowledge. On the other hand, intellectual property can be an attractive way to protect traditional knowledge from exploitation by foreign parties. Intellectual property law is understood as ideas or knowledge developed by western society to provide protection for creativity over monopoly that occurs in the west. Legal protection of Intellectual Property Rights in Indonesia does not appear to be a top priority judging from the low number of applications for Intellectual Property Rights. The low enthusiasm of the Indonesian people certainly has economic, social, cultural, legal and political impacts between countries. So there is a need for a clear legal basis and information on mechanisms for protecting intellectual property rights to the public.

IV. Bubu's patented mechanism

Protection of traditional knowledge and expressions of traditional culture or Folklore (PTEBT) in Indonesia is in the spotlight after a dispute emerged between Indonesia and Malaysia over the use of several Indonesian folklore by Malaysia. Indonesian people are of the opinion that the misuse of PTEBT hurts the nation's self-esteem. In Indonesia, PTEBT is considered as knowledge that teaches traditions, wisdom, values passed down through sagas, legends, arts, ceremonies so as to form social norms and the way of life of the Indonesian nation. The Indonesian government has recognized the importance of the value of intellectual property contained in Indonesian folklore since the Copyright law was created in 1982, namely Article 10 of Law no. 19 of 1982 concerning Copyright which states that the state holds copyright over Indonesia's cultural heritage, which includes prehistoric heritage works, history, cultural objects, folklore and people's cultural products to be protected from use by foreigners.

Apart from the Intellectual Rights Law (in this case the Patent Law), the protection of traditional knowledge is also stated in Law Number 5 of 2017 concerning the Advancement of Culture. According to Article 1 Number 3 of the Law on the Advancement of Culture, the advancement of culture is "an effort to increase cultural resilience and the contribution of Indonesian culture amidst world civilization through the Protection, Development, Utilization and Development of Culture." In relation to Intellectual Property Rights, Intellectual Property Rights are part of culture so they must be developed and maintained optimally.

According to Article 1 number 1 of the Law on the Promotion of Culture, culture is "everything related to creativity, work, taste, initiative and the results of the work of society." Koetjaraningrat, an anthropologist, stated that there are several forms of culture, namely: ideas, ideas, values, norms, which are abstract forms; second, namely the form of complexity of human behavioural activities in society; third, forms in the form of objects created by humans that are concrete or real. From the definition of culture according to Article 1 paragraph 1 of the Law on the Advancement of Culture, it can be seen that the traditional Bubu fishing gear is an example of culture because it was created as a work of traditional society from generation to generation and can be classified as a concrete or real form of culture. .

There is a separate mechanism for traditional knowledge to be able to submit a patent application based on Law Number 13 of 2016 concerning Patents. This patent application is stated in Articles 24 to 26. Articles 24 and 25 contain the requirements for submitting a patent application, and Article 26 contains special mechanisms related to traditional knowledge as follows:

- (1) If the Invention is related to and/or derived from genetic resources and/or traditional knowledge, the origin of the genetic resources and/or traditional knowledge must be stated clearly and correctly in the description.
- (2) Information about genetic resources and/or traditional knowledge as intended in paragraph (1) is determined by official institutions recognized by the government.
- (3) Sharing of results and/or access to the utilization of genetic resources and/or traditional knowledge as intended in paragraph (1) is carried out in accordance with statutory

regulations and international agreements in the field of genetic resources and traditional knowledge."

From this article, it is known that traditional knowledge requires proof of the source of the knowledge determined by an official government institution. This is related to the protection mechanism in the Law on Objects for the Advancement of Culture, namely Inventory; Security; Maintenance; and Publications which state that currently the government, especially regional governments, are obliged to safeguard objects of cultural advancement starting from recording and documentation, maintenance to prevent damage, loss or destruction of cultural objects, and carrying out publications relating to inventory, security and maintenance.

Therefore, it is known that there are two legal basis mechanisms for implementing patent applications for traditional knowledge, namely the Patent Law and the Law on the Advancement of Culture. In submitting a patent application for traditional trap fishing equipment, in the first stage reporting or an active role for the local government is required to inventory its traditional knowledge as an object of cultural advancement until it reaches the publication stage. If it is deemed to have a clear description of the origin of the resource and has been determined by an official institution or regional government, the application can proceed in accordance with Articles 24-26 of the Patent Law.

4. CONCLUSION

Based on the discussion described previously, a conclusion can be drawn that the traditional Bubu fishing gear is a form of innovation in traditional knowledge created by the Indonesian people. As a form of innovation, this fishing gear can ideally be protected by the principles of intellectual property rights protection. However, because the regulations regarding intellectual property rights have developed and been developed by western countries, it is felt that it is not optimal to protect the intellectual rights of developing countries, which include traditional knowledge. As a solution, a supporting law was created, namely the Law on the Promotion of Culture, to support the mechanism for requesting protection of intellectual rights to cultural knowledge.

Patent applications for traditional technology, especially for traditional Bubu fishing gear, can be made based on the patent law and the law on the promotion of culture. According to Article 26 of the Patent Law, traditional knowledge can be applied for a patent if it has sufficient documentation regarding the source of the innovation, as proven by a body or institution recognized by the government. This is in line with the Law on the Advancement of Culture which states the obligation of regional governments to document and inventory all culture in their territory. These two rules are a sustainable mechanism that is related to each other, and if carried out well and sustainably then all culture and traditional knowledge can be protected on the basis of the protection of their respective intellectual property rights.

5. SUGGESTION

The mechanism for protecting intellectual property rights over traditional knowledge requires an active role and active participation by the central and regional governments. The Law on the Promotion of Culture has provided opportunities for all traditional knowledge to be optimally protected. Therefore, there is a need for participation by the central and regional governments to record and document all traditional knowledge in their territories in order to create a protected culture. This cultural protection has benefits apart from social and cultural, but can also help economic growth.

The many international discussions regarding sustainable development, innovation and cultural diversity have brought issues regarding traditional societies to the surface in various sectors, one of which is the economy. Thus, the role of the international community is needed to protect traditional communities from the threat of private and monopolistic resource management. So international discussions must be expanded to produce information about traditional societies.

The International Community needs to create effective international protection for production originating from culture and traditional communities, traditional knowledge and biological resources as soon as possible. Efforts to create international protection for intellectual property are a way or means of protecting information and values that develop within traditional society itself.

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