



GLOSSARY of INDONESIAN COPYRIGHT TERMS

A

adaptasi

mengalihwujudkan suatu Ciptaan menjadi bentuk lain. Sebagai contoh dari buku menjadi film.

(Psl. 10(1) n, Ps.. 59(1)a UU Hak Cipta No. 28 Tahun 2014 tentang Hak Cipta dan Penjelasan UU Hak Cipta No. 28 Tahun 2014 tentang Hak Cipta)

Adaptation

the transformation of a Work into another form. For example, a book adapted into a film.

(Art. 10(1) n, Art.. 59(1) a Law No. 28 of 2014 on Copyright and Elucidation of Law No. 28 of 2014 on Copyright)

B

bagian substansial

bagian yang paling penting dan khas yang menjadi ciri dari Ciptaan.

Psl. 46(2)b dan c UU Hak Cipta No. 28 Tahun 2014 tentang Hak Cipta

Bagian substansial mengacu kepada setiap bagian yang disalin atau dikomunikasikan dari karya hak cipta. Berdasarkan undang-undang hak cipta Australia yang penting adalah kualitas atau relevansi dari bagian yang disalin dan bukan hanya jumlah bagian yang disalin. Jumlah yang sangat kecil namun merupakan bagian yang distinctive dari suatu ciptaan dapat dianggap sebagai bagian substansial. Bagian substansial hanya dapat digunakan berdasarkan undang-undang hak cipta Australia (seperti ketentuan Fair Dealing or

substantial part

the most important and distinctive part that is the hallmark of a Work.

Art. 46(2)b and c of the Law No. 28 of 2014 on Copyright

Substantial part refers to **any part** which is copied or communicated from copyright material. Under Australian copyright law it is the quality or relevance of the copied part that is important, not only the amount that is copied. A very small but distinctive part of a work may be considered as a substantial part. A substantial part should only be used where permitted under Australian copyright law (eg within the **Fair Dealing** provisions or the **Educational purposes** provisions) or as

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keperluan pendidikan) atau telah disetujui oleh pemilik hak cipta.

authorised by the copyright owner.

basis data

kompilasi data dalam bentuk apapun yang dapat dibaca oleh komputer atau kompilasi dalam bentuk lain, yang karena alasan pemilihan atau pengaturan atas isi data itu merupakan kreasi intelektual.

Pelindungan terhadap basis data diberikan dengan tidak mengurangi hak para Pencipta atas Ciptaan yang dimasukkan dalam basis data tersebut.

(Ps. 10(1) n, Ps.. 59(1) g UU Hak Cipta No. 28 Tahun 2014 tentang Hak Cipta dan Penjelasan UU Hak Cipta No. 28 Tahun 2014 tentang Hak Cipta)

Database

a compilation of data in any form that is readable by a computer or a compilation in any other form, which due to the selection or arrangement of the data content amounts to an intellectual creation.

Protection for the database shall be granted without prejudice to the rights of the Author whose Work is included in the database.

(Art. 10(1)n, Art. 59(1)g of the Law No. 28 of 2014 on Copyright and Elucidation of Law No. 28 of 2014 on Copyright .

bunga rampai

meliputi Ciptaan dalam bentuk buku yang berisi kompilasi karya tulis pilihan, himpunan lagu pilihan, dan komposisi berbagai karya tari pilihan yang direkam dalam kaset, cakram optik, atau media lain.

(Ps.. 59(1) n dan g UU Hak Cipta No. 28 Tahun 2014 tentang Hak Cipta dan Penjelasan UU Hak Cipta No. 28 Tahun 2014 tentang Hak Cipta).

Anthology

Work in the form of a book containing a compilation of selected written works, collection of selected songs, and composition of various selected dances recorded on cassette, optical disc, or other media.

(Art. 59(1)n dan g of the Law No. 28 of 2014 on Copyright and Elucidation of the Law No. 28 of 2014 on Copyright.

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C

Ciptaan	Works
setiap hasil karya cipta di bidang ilmu pengetahuan, seni, dan sastra yang dihasilkan atas inspirasi, kemampuan, pikiran, imajinasi, kecekatan, keterampilan, atau keahlian yang diekspresikan dalam bentuk nyata. <small>(Psl. 1(3) Undang-Undang Hak Cipta No. 28 Tahun 2014 tentang Hak Cipta).</small>	any scientific, artistic, and literary works that are produced through inspiration, ability, thought, imagination, dexterity, skill or expertise expressed in a tangible form. <small>(Art. 1(3) of the Law No. 28 of 2014 on Copyright).</small>
ciptaan berdasarkan hubungan kerja	works made for hire or commission
Ciptaan yang dibuat atas dasar hubungan kerja di lembaga swasta atau atas dasar pesanan pihak lain. <small>(Pasal 36 UU No. 28 tahun 2014 tentang Hak Cipta)</small>	Works that are made on the basis of employment relation in a private institution or on the basis of orders of other parties. <small>(Art. 36 of the Law No. 28 of 2014 on Copyright).</small>
Ciptaan bersama	Joint works
Diciptakan oleh dua atau lebih pencipta dengan maksud bahwa kontribusinya digabungkan menjadi bagian yang tidak terpisahkan atau saling terkait sebagai satu kesatuan.	A 'joint work' is a work prepared by two or more authors with the intention that their contributions be merged into inseparable or interdependent parts of a unitary whole
Ciptaan yang tidak diketahui penciptanya	Unknown Works ~anonymous works ~Orphan works
Ciptaan yang dilindungi	Protected works

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Ciptaan dengan nama alias

Ciptaan yang dalam salinannya atau rekaman suaranya menyebutkan nama pencipta dalam nama samaran.

Pseudonymous work

a work on the copies or phonorecords of which the author is identified under a fictitious name.

17 U.S.C. § 101.

Copyrightable

Istilah yang digunakan untuk menjelaskan ciptaan yang asli dan cukup kreatif untuk didaftarkan ke Kantor Hak Cipta Amerika Serikat.

A term used to describe a work that is original and sufficiently creative to be registered with the U.S. Copyright Office.

Ciptaan yang tidak dilindungi

Ciptaan yang tidak dilindungi termasuk: hasil karya yang belum diwujudkan dalam bentuk nyata; setiap ide, prosedur, sistem, metode, konsep, prinsip, temuan atau data walaupun telah diungkapkan, dinyatakan, digambarkan, dijelaskan, atau digabungkan dalam sebuah Ciptaan; dan alat, benda, atau produk yang diciptakan hanya untuk menyelesaikan masalah teknis atau yang bentuknya hanya ditujukan untuk kebutuhan fungsional.

(Psl. 41 UU No. 28 tahun 2014 tentang Hak Cipta)

Tidak ada Hak Cipta atas hasil karya berupa: hasil rapat terbuka lembaga negara; peraturan perundang-undangan; pidato kenegaraan atau pidato pejabat pemerintah; putusan pengadilan atau penetapan hakim; dan kitab suci atau simbol keagamaan.

(Psl. 42 UU No. 28 Tahun 2014 tentang Hak Cipta)

Unprotected Works

works that have not been embodied in tangible form; any ideas, procedure, system, method, concept, principle, findings or data despite having been expressed, stated, described, explained, or incorporated in a Work; and tools, objects, or products that are created solely to resolve technical problems or of which form is only intended for functional needs.

(Art. 41 of the Law No. 28 of 2014 on Copyright)

There is no Copyright on works for: results of open meetings of State institutions; laws and regulations; State speeches or speeches of government officials; court decisions or judge provisions; and scriptures or religious symbols.

(Art. 42 of the Law No. 28 of 2014 on Copyright)

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Contoh ciptaan

Perwujudan suatu ciptaan dalam bentuk fisik atau elektronik. Contoh ciptaan dapat dalam satu atau beberapa media (seperti kertas, pita video, kode digital daring, dll) dan dapat terdiri dari banyak komponen. Contoh ciptaan diserahkan bersama dengan permohonan pendaftaran dan harus sesuai dengan peraturan dan persyaratan lain dari Kantor Hak Cipta US. Untuk tujuan pendaftaran hak cipta, contoh ciptaan harus jelas dan harus berisi semua *authorsip* yang ingin didaftarkan pemohon.

Deposit copy

A physical or electronic embodiment of a work. A deposit copy may be on or in various media (e.g., paper, videotape, online digital code, etc.) and may consist of multiple components. A deposit copy is submitted with an application for registration and must conform to the U.S. Copyright Office's regulations and other requirements. For copyright registration purposes, the deposit copy should be clear and should contain all of the authorship that the applicant intends to register

D

diciptakan

Sutau ciptaan dianggap diciptakan ketika difiksasi dalam salinan atau rekaman suara pertama kali; saat suatu ciptaan dipersiapkan selama suatu jangka waktu, bagian yang telah difiksasi pada suatu waktu tertentu merupakan ciptaan pada waktu tersebut, sedangkan ciptaan yang disiapkan dalam versi lainnya, maka setiap versi merupakan ciptaan tersendiri.

17 U.S.C

created

“A work is ‘created’ when it is fixed in a copy or phonorecord for the first time; where a work is prepared over a period of time, the portion of it that has been fixed at any particular time constitutes the work as of that time, and where the work has been prepared in different versions, each version constitutes a separate work.”

17 U.S.C

distorsi ciptaan

tindakan pemutarbalikan suatu fakta atau identitas Ciptaan.

distortion of works

the act of twisting facts or identity of the Works

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Doktrin penjualan pertama

Seseorang yang secara sah memiliki salinan atas suatu karya cipta, seperti buku, foto, contohnya berhak untuk mengalihkan salinan tersebut kepada orang lain.

First-sale doctrine

One who lawfully owns a particular copy of a copyrighted work, such as a book or photograph, for example, is entitled to transfer that particular copy to another. Proposed federal legislation would preclude applicability of this doctrine to computer transmissions as one may deliver a copy to one or more others while retaining the original.

Domain publik

Ciptaan yang tidak dilindungi oleh hak cipta merupakan domain publik. Di Amerika Serikat, karya cipta menjadi domain publik ketika masa perlindungan hak ciptanya telah berakhir. Selain itu, ciptaan yang dipublikasikan di Amerika Serikat tanpa peringatan hak cipta pada atau sebelum 1 Maret 1989 dapat menjadi domain publik dan ciptaan yang didaftarkan atau dipublikasikan di Amerika Serikat pada atau sebelum 31 Desember 1963 dapat menjadi domain publik jika hak ciptanya tidak diperpanjang pada waktunya. Status karya kreatif yang sudah berakhir masa perlindungannya atau tidak memenuhi ketentuan undang-undang tidak dilindungi oleh hak cipta.

Public domain

A work of authorship that is not protected by copyright is in the public domain. In the United States, a copyrighted work enters the public domain when its full copyright term has expired. In addition, works published in the United States without a copyright notice on or before March 1, 1989 may be in the public domain, and works registered or published in the United States on or before December 31, 1963 may be in the public domain if the copyright was not renewed in a timely manner. The status of a creative work which, through expiration of term or failure to comply with statutory formalities, is not protected by copyright

E

ekspresi

Suatu bentuk komunikasi. Ide kreatif sendiri tidak dapat dilindungi hak cipta. Tetapi penyampaian ide kreatif dalam media ekspresi (seperti buku, drama, gambar, film, foto, dll) dapat dilindungi hak cipta.

expressions

A form of communication. Creative ideas alone are not copyrightable. But the communication of creative ideas in a fixed medium of expression (e.g., a book, play, drawing, film, photo, etc.) may be copyrighted.

ekspresi budaya tradisional

salah satu atau kombinasi bentuk ekspresi verbal tekstual, baik lisan maupun tulisan, yang berbentuk prosa maupun puisi, dalam berbagai tema dan kandungan isi pesan, yang dapat berupa karya sastra ataupun narasi informatif; musik, mencakup antara lain, vokal, instrumental, atau kombinasinya; gerak, mencakup antara lain, tari; teater, mencakup antara lain, pertunjukan wayang dan sandiwara rakyat; seni rupa, baik dalam bentuk dua dimensi maupun tiga dimensi yang terbuat dari berbagai macam bahan seperti kulit, kayu, bambu, logam, batu, keramik, kertas, tekstil, dan lain-lain atau kombinasinya; dan upacara adat

traditional cultural expressions

one or a combination of textual verbal, both oral and in writing, in the form of prose or poetry, in various themes and content of the message, which may be a literary work or an informative narrative, music, including, among others, vocal, instrumental, or any combination thereof; motion, including, among others, dance; theater, including, among others, puppet shows and folk plays; fine art, either in two-dimensional or three-dimensional form made of various kinds materials such as leather, wood, bamboo, metal, stone, ceramics, paper, textile, et cetera or a combination thereof; and traditional ceremonies.

F

fasilitasi akses atas suatu ciptaan

fasilitasi akses atas suatu Ciptaan" adalah pemberian fasilitas untuk melakukan penggunaan, pengambilan, Penggandaan, perubahan format, Pengumuman, Pendistribusian, dan/atau Komunikasi suatu Ciptaan secara seluruh atau sebagian yang substansial.

facilitating access to Works

means the provision of facilities to engage in the use, retrieval, Reproduction, format alteration, Publication, Distribution, and/or Communication of a Work in whole or its substantial part.

Fiksasi

perekaman suara yang dapat didengar, perekaman gambar atau keduanya, yang dapat dilihat, didengar, digandakan, atau dikomunikasikan melalui perangkat apapun.

Fixation

Fixation means the embodiment of sounds, images or both thereof from which they can be perceived, reproduced or communicated through any devices.

Fonogram atau rekaman

Fiksasi suara pertunjukan atau suara lainnya, atau representasi suara, yang tidak termasuk bentuk Fiksasi yang tergabung dalam sinematografi atau Ciptaan audiovisual lainnya.

Phonogram

Phonogram means a Fixation of sound of a performance or of other sounds, or of a representation of sound, other than in the form of fixation incorporated in a cinematographic or other audiovisual Works.

G

H

Hak cipta

hak eksklusif pencipta yang timbul secara otomatis berdasarkan prinsip deklaratif setelah suatu ciptaan diwujudkan dalam bentuk nyata tanpa mengurangi pembatasan sesuai dengan ketentuan peraturan perundang-undangan.

Copyright

Copyright means the exclusive right of the author that vests automatically on the basis of declaratory principle after works are embodied in a tangible form without reducing by virtue of restrictions in accordance with the provisions of laws and regulations.

hak eksklusif

hak yang hanya diperuntukkan bagi Pencipta, sehingga tidak ada pihak lain yang dapat memanfaatkan hak tersebut tanpa izin Pencipta. Pemegang Hak Cipta yang bukan Pencipta hanya memiliki sebagian dari hak eksklusif berupa hak ekonomi

exclusive rights

rights that are solely intended for the Author, accordingly no other party may take advantage of these rights without the permission of the Author. Copyright holders who are not Authors only possess a portion of the exclusive rights in the form of economic rights.

Hak Moral

Moral Rights

Hak Terkait

hak yang berkaitan dengan Hak Cipta yang merupakan hak eksklusif bagi pelaku pertunjukan, producer fonogram, atau lembaga Penyiaran.

Related Rights

Related Rights mean rights related to Copyright that is the exclusive right of the performer, producer of phonogram or Broadcasting organization.

I

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informasi elektronik Hak Cipta

adalah informasi tentang suatu Ciptaan, yang muncul dan melekat secara elektronik dalam hubungan dengan kegiatan Pengumuman Ciptaan; yaitu nama pencipta, aliasnya atau nama samarannya; Pencipta sebagai Pemegang Hak cipta; masa dan kondisi penggunaan Ciptaan; nomor; dan kode informasi.

Copyright electronic information

is information about the Works, which appear and are embedded electronically in connection with the activity of Works Publication;
b. the Author's name, alias or pseudonym;
c. the Author as the Copyright Holder;
d. the period and conditions of the use of the Works;
e. number; and
f. information code.

informasi manajemen Hak Cipta

informasi tentang metode atau sistem yang dapat mengidentifikasi originalitas substansi Ciptaan dan Penciptanya; dan kode informasi dan kode akses.
a. metode atau sistem yang dapat mengidentifikasi originalitas substansi Ciptaan dan Penciptanya; dan
b. kode informasi dan kode akses.

Copyright management information

information on methods or systems that can identify the originality of the substance of the Works and the Author; and the information code and access code.

imbalan yang wajar

imbalan yang wajar" adalah imbalan yang ditentukan sesuai dengan norma umum yang ditetapkan oleh Lembaga Manajemen Kolektif.

Fair remuneration

fair remuneration" means remuneration that is determined in accordance with the prevailing norms as established by the Collective Management Organization.

imbalan kepada pencipta

remuneration for the author

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imbalan kepada Pencipta" adalah Royalti yang nilainya ditetapkan secara standar oleh Lembaga Manajemen Kolektif.

remuneration for the Author" means Royalty of which value is standardized by the Collective Management Organization.

J

Jaminan

collateral

Security, money, or other property, given for a contract. If the contract is defaulted on, the property offered as collateral may be sold and the proceeds used to cover the unpaid debt.

Jawaban gugatan

counterclaim

A separate claim in a civil action served by the defendant to the plaintiff, after the defendant has received a statement of claims.

jual putus

sold flat

jual putus" adalah perjanjian yang mengharuskan Pencipta menyerahkan Ciptaannya melalui pembayaran lunas oleh pihak pembeli sehingga hak ekonomi atas Ciptaan tersebut beralih seluruhnya kepada pembeli tanpa batas waktu, atau dalam praktik dikenal dengan istilah sold flat.

sold flat" means an agreement that requires the Author to hand over his Work through a full payment by the purchaser so that the economic rights of the Works is entirely transferred to the purchaser without a time limit, or in the practice is known as sold flat.

K

karya audiovisual

Karya yang terdiri dari rangkaian gambar

audiovisual work

“Audiovisual works’ are works that consist of a series of related images which are intrinsically intended to be shown by the use of machines or devices such as projectors, viewers, or electronic equipment, together with accompanying sounds, if any, regardless of the nature of the material objects, such as films or tapes, in which the works are embodied.” 17 U.S.C. § 101. In other words, the term “audiovisual works” refers broadly to any work that includes any series of related visual images, whether or not moving, and with or without sounds, as long as a machine or device is essential to the viewing of the related series of images.

karya koreografi

Choreographic work

The term “choreography” is derived from the Greek words “choreia,” meaning “dance,” and “graphikos,” meaning “to write.” A dance is a static and kinetic succession of bodily movements in certain rhythmic and spatial relationships and in relation to time and space. Choreography is the composition and arrangement of a related series of dance movements and patterns

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organized into a coherent whole. Choreography is not synonymous with dance. It is a discrete subset of dance that encompasses certain types of compositional dances. For example, the legislative history for the 1976 Copyright Act states that “choreographic works’ do not include social dance steps and simple routines.” See H.R. REP. NO. 94-1476, at 54 (1976), reprinted in 1976 U.S.C.C.A.N. 5659, 5667; S. REP. NO. 94-473, at 52 (1975).

karya sastra

literary work

works, other than audiovisual works, expressed in words, numbers, or other verbal or numerical symbols or indicia, regardless of the nature of the material objects, such as books, periodicals, manuscripts, phonorecords, film, tapes, disks, or cards, in which they are embodied.” 17 U.S.C. § 101. A literary work is a nondramatic work that explains, describes, or narrates a particular subject, theme, or idea through the use of narrative, descriptive, or explanatory text, rather than dialog or dramatic action. Generally, nondramatic literary works are intended to be read; they are not intended to be performed before an audience. Examples of nondramatic literary works include the following types of works: fiction,

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nonfiction, poetry, directories, catalogs, textbooks, reference works, advertising copy, compilations of information, computer programs, databases, and other textual works

karya sinematografi

Ciptaan yang berupa gambar bergerak (moving images) antara lain film dokumenter, film iklan, reportase atau film cerita yang dibuat dengan skenario, dan film kartun. Karya sinematografi dapat dibuat dalam pita seluloid, pita video, piringan video, cakram optik dan/atau media lain yang memungkinkan untuk dipertunjukkan di bioskop, layar lebar, televisi, atau media lainnya. Sinematografi merupakan salah satu contoh bentuk audiovisual.

cinematographic work

Work in the form of moving images, including documentary films, advertising films, reportage or feature films made with a scenario, and cartoons. Cinematographic work may be made on celluloid tape, videotape, video discs, optical discs and/or other media that allow for screening in cinemas, on wide screen, television, or other media. Cinematography is an example of audiovisual form.

karya transformasi

karya lain dari hasil transformasi" adalah merubah format Ciptaan menjadi format bentuk lain. Sebagai contoh musik pop menjadi musik dangdut.

work resulting from transformation

other work resulting from transformation" means to transform the format of a Work into another format. For example, pop music becoming dangdut music.

Derivative works

A new work that translates or transforms one or more original copyrighted works (e.g., a movie made from a comic book, a song written about a photograph, etc.).

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Kekayaan intelektual

Intellectual property

Abstract property over which the owner has legal possession and enforceable rights if their rights in that property are infringed by others. The property is usually the result of a creative process. It can include a book or manuscript, a design or simply an idea. The creator of the property is entitled to all rights attached to that property and may apply for a patent, copyright or trademark as legal protection for their property. See *Copyright*

kepentingan reklame atau periklanan

for advertising or publicity purposes

kepentingan reklame atau periklanan" adalah pemuatan potret antara lain pada iklan, banner, billboard, kalender, dan pamflet yang digunakan secara komersial.

for purposes of advertising or publicity" means the placement of a portrait including in advertisements, banners, billboards, calendars and pamphlets for commercial use.

Komunikasi

Communication to the public

pentransmisi suatu Ciptaan, pertunjukan, atau Fonogram melalui kabel atau media lainnya selain Penyiaran sehingga dapat diterima oleh publik, termasuk penyediaan suatu Ciptaan, pertunjukan, atau Fonogram agar dapat diakses publik dari tempat dan waktu yang dipilihnya.

Communication to the public, hereinafter referred to as Communication, means the transmission of Works, performances, or Phonograms through cable or other media other than Broadcasting so that it can be received by the public, including enabling Works, performances, or Phonograms to be accessible to the public at their preferred place and time.

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Konvensi Berne

Berne Convention

An international treaty, the “Convention for the Protection of Literary and Artistic Works,” to protect literary and artistic works signed at Berne, Switzerland, on September 9, 1886, and all acts, protocols, and revisions thereto. The United States acceded to the Berne Convention and became a member on March 1, 1989.

Kuasa

konsultan kekayaan intelektual, atau orang yang mendapat kuasa dari Pencipta, Pemegang Hak Cipta, atau pemilik Hak Terkait

Proxy

Proxy means an intellectual property consultant, or a person authorized by an Author, Copyright Holder or Related Rights owner.

Someone lawfully authorised to act in lieu of another. The term is usually used in relation to a person appointed as the proxy of another in order to vote on that person’s behalf at a company meeting.

kumpulan ciptaan

adalah ciptaan, seperti terbitan berkala, bunga rampai atau ensiklopedia dimana jumlah kontribusi terdiri dari ciptaan-ciptaan terpisah dan tersendiri yang disatukan menjadi satu secara keseluruhan.

Ciptaan bersama adalah salah satu jenis kompilasi.

Collective work

is a work, such as a periodical issue, anthology, or encyclopedia, in which a number of contributions, constituting separate and independent works in themselves, are assembled into a collective whole.

17 U.S.C. § 101.

A collective work is a form of compilation.

L

Lembaga Manajemen Kolektif

institusi yang berbentuk badan hukum nirlaba yang diberi kuasa oleh Pencipta, Pemegang Hak Cipta, dan/atau pemilik Hak Terkait guna mengelola hak ekonominya dalam bentuk menghimpun dan mendistribusikan royalti.

Collective Management Organization

Collective Management Organization means an institution of a non-profit legal entity that is authorized by the Author, the Copyright Holder, and/or Related Rights owner to manage their economic rights in the form of collecting and distributing royalties.

Lembaga Penyiaran

penyelenggara Penyiaran, baik lembaga Penyiaran publik, lembaga Penyiaran swasta, lembaga Penyiaran komunitas maupun lembaga Penyiaran berlangganan yang dalam melaksanakan tugas, fungsi, dan tanggung jawabnya sesuai dengan ketentuan peraturan perundang-undangan.

Broadcasting Organization

Broadcasting Organization means organizer of Broadcasting, including public Broadcasting organization, private Broadcasting organization, community Broadcasting organization and subscription-based Broadcasting organization who in exercising the duties, functions and responsibilities comply with the provisions of laws and regulations.

Lisensi

izin tertulis yang diberikan oleh Pemegang Hak Cipta atau Pemilik Hak Terkait kepada pihak lain untuk melaksanakan hak ekonomi atas Ciptaannya atau produk Hak Terkait dengan syarat tertentu.

License

License means a written permission granted by the Copyright Holder or Related Rights Owner to other parties to exercise the economic rights over their Works or Related Rights product under certain conditions.

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Lisensi Wajib

Lisensi wajib merupakan Lisensi untuk melaksanakan penerjemahan dan/atau Penggandaan Ciptaan dalam bidang ilmu pengetahuan dan sastra yang diberikan berdasarkan keputusan Menteri atas dasar permohonan untuk kepentingan pendidikan dan/atau ilmu pengetahuan serta kegiatan penelitian dan pengembangan.

Compulsory License

A compulsory license is a License to carry out translation and/or Reproduction of scientific and literary Works which is granted based on the decision of the Minister upon request for the purposes of education and/or science as well as research and development activities

M

Masa Berlaku Perlindungan Hak Cipta

Duration of Copyrights Copyright term

The length of time the law allows copyright owners to hold the exclusive rights on their original works.

Masa Berlaku Hak Moral

berlaku tanpa batas waktu.

Duration of Moral rights

endure for indefinite term.

Masa Berlaku Hak Ekonomi

Duration of Economic Rights

mempertunjukkan

perform

to recite, render, play, dance, or act it, either directly or by means of any device or process or, in the case of a motion picture or other audiovisual work, to show its images in any sequence or to make the sounds accompanying it audible.” 17 U.S.C. § 101.

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menampilkan	display
	modifications of Works" means a change to the Works
modifikasi ciptaan	modifications of works
modifikasi Ciptaan" adalah perubahan atas Ciptaan.	modifications of Works" means a change to the Works
monopoli	Monopoly
	To possess exclusive control over something. It is an offence for any company holding a monopoly to take advantage of that power to eliminate or damage another competitor, prevent another from becoming a competitor or deter any potential competitor under Trade Practices Legislation.
mutilasi ciptaan	mutilation of works
mutilasi Ciptaan" adalah proses atau tindakan menghilangkan sebagian Ciptaan	mutilation Works " means the process or act to eliminate part of the Works.

N

nilai-nilai yang hidup dalam masyarakat pengembannya	values that live in the custodian practicing them
adalah adat istiadat, norma hukum adat, norma kebiasaan, norma sosial, dan norma-norma luhur lain yang dijunjung tinggi oleh masyarakat tempat asal, yang memelihara, mengembangkan, dan melestarikan ekspresi budaya	customs, norms of customary law, customary norms, social norms, and other noble norms upheld by the community of origin that maintains, develops, and preserves the traditional cultural expressions.

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tradisional.

O

objek esensial	essential object
objek esensial" adalah perangkat lunak komputer yang menjadi objek utama perjanjian penyewaan.	essential object" means computer software that is the main object of a rental agreement.

P

Pelaku Pertunjukan	Performer
seorang atau beberapa orang yang secara sendiri-sendiri atau bersama-sama menampikan dan mempertunjukkan suatu Ciptaan.	Performer(s) means one or several persons who individually or jointly perform and present works.

Pelanggaran	Infringement
	Infringement occurs when someone other than the copyright owner exercises the exclusive right of the copyright owner unlawfully. Certain limitations to the owner's rights are defined in Sections 107 through 122 of the Copyright Act.
	The breaking of the rights of another, the remedy for which is an award of damages. Legal dictionary for Australia. P. 112

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Pembajakan	Piracy
Penggandaan Ciptaan dan/atau produk Hak Terkait secara tidak sah dan pendistribusian barang hasil penggandaan dimaksud secara luas untuk memperoleh keuntungan ekonomi.	Piracy means an unauthorized Reproduction of Works and/or Related Rights product and the distribution of goods resulting from the reproduction extensively to gain economic benefit.
Pembatasan Hak Cipta	Copyright Limitation
Perbuatan yang tidak dianggap sebagai pelanggaran Hak Cipta	Acts that are not considered as Copyright infringement
Pemberi lisensi	licensor
	A person or body having the authority to grant a license. See licence, licensee
Pemberi lisensi	assignor
	One who transfers property rights or powers to another.
Pembuktian	Burden of proof
	A party's duty to prove a disputed assertion or charge. The burden of proof includes both the burden of persuasion and the burden of production.
Pemegang Hak Cipta	Copyright Holder
Pencipta sebagai pemilik Hak Cipta, pihak yang menerima hak tersebut secara sah dari Pencipta, atau pihak lain yang menerima lebih lanjut hak dari pihak yang menerima hak tersebut secara sah	Copyright Holder means the Author as the Copyright owner, the party who has acquired lawful right from the Author, or other parties who have acquired subsequent rights from the party who has acquired lawful rights.

GLOSSARY of INDONESIAN COPYRIGHT TERMS

Pemilik (properti, bangunan)	Landlord/landlady
	Any person who allows another to occupy his/her land or house in return for a consideration called rent.
Pencatatan	Recordation
	Recordation is the official filing in the public records of the U.S. Copyright Office of a document having to do with copyright. The purpose of recordation is to make a public record of the facts in the document.
Pencatatan	Recordation ~(copyright) deposit
	Recordation is the official filing in the public records of the U.S. Copyright Office of a document having to do with copyright. The purpose of recordation is to make a public record of the facts in the document.
Pencipta	Author
seorang atau beberapa orang yang secara sendiri-sendiri atau bersama-sama menghasilkan suatu ciptaan yang bersifat khas dan pribadi.	Author means the person or several persons who individually or jointly produce works that are unique and personal.
Pendistribusian	Distribution
penjualan, pengedaran, dan/atau penyebaran Ciptaan dan/atau produk Hak Terkait.	Distribution means the sale, circulation, and/or dissemination of Works and/or a Related Rights product.

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Penerima lisensi	licensee
	A person to whom a licence has been granted. See licence; licensor
Penerima lisensi	assignee
	One to whom property rights or powers are transferred by another
pengalihan	Transfers ~assignment
	The transfer of rights or property; the rights or property so transferred
pengalihan tanpa batas waktu	indefinite transfers
Penghentian	Cease –and-desist order
	A court order or agency order prohibiting a person from continuing a particular course of conduct.
Penggandaan	Reproduction
proses, perbuatan, atau cara menggandakan satu salinan Ciptaan dan/atau fonogram atau lebih dengan cara dan dalam bentuk apapun, secara permanen atau sementara	Reproduction means a process, act, or a method of Reproducing a copy of works and/or phonogram or more by any means and forms, permanently or temporarily.
Penggandaan untuk kepentingan pribadi	Reproduction for personal purposes/uses
	The reproducing of material intended solely for the purposes of the individual who makes the copy

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penggandaan sementara

Penggandaan sementara" adalah penambahan jumlah suatu Ciptaan secara tidak permanen yang dilakukan dengan media digital, misalnya perbanyak lagu atau musik, buku, gambar, dan karya lain dengan media komputer baik melalui jaringan intranet maupun internet yang kemudian disimpan secara temporer dalam tempat penyimpanan digital.

temporary acts of reproduction

temporary acts of Reproduction" is non-permanent addition to the quantity of a Work done by digital media, for example the reproduction of songs or music, books, drawings, and other work using a computer media either via intranet or internet that is then stored temporarily in a digital storage.

Pengelola tempat perdagangan

Managers of business premises

Pengganti Ciptaan

Pengganti Ciptaan atau pengganti produk Hak Terkait adalah contoh Ciptaan atau produk Hak Terkait yang dilampirkan karena Ciptaan atau produk Hak Terkait tersebut secara teknis tidak mungkin untuk dilampirkan dalam Permohonan, misalnya, patung yang berukuran besar diganti dengan miniatur atau fotonya.

Work substitution

A Work substitution or a Related Rights product substitution is a sample of the Work or Related Rights product that is attached because the Work or the Related Rights product is technically impossible to be attached to the Application, for example, a large statue that is replaced with a miniature or a photograph.

Penggunaan Secara Komersial

pemanfaatan Ciptaan dan/atau produk Hak Terkait dengan tujuan untuk memperoleh keuntungan ekonomi dari berbagai sumber atau membayar.

Commercial Use

Commercial Use means the use of Works and/or a Related Rights product with the purpose of gaining economic benefit from various sources or by payment.

Pengumuman

Publication

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pembacaan, penyiaran, pameran, suatu ciptaan dengan menggunakan alat apapun baik elektronik atau non elektronik atau melakukan dengan cara apapun sehingga suatu ciptaan dapat dibaca, didengar, atau dilihat orang lain.

Publication means a reading, broadcasting, exhibition of a creation using any means, either electronic or non-electronic, or performing in any way so that a creation can be read, heard, or seen by others.

the distribution of copies or phonorecords of a work to the public by sale or other transfer of ownership, or by rental, lease, or lending. The offering to distribute copies or phonorecords to a group of persons for purposes of further distribution, public performance, or public display, constitutes publication. A public performance or display of a work does not of itself constitute publication." 17 U.S.C. § 101.

Penutupan Konten

menutup konten dan/atau hak akses pengguna" adalah mencakup 2 (dua) hal yang meliputi pertama pemblokiran konten atau situs penyedia jasa layanan konten dan kedua berupa pemblokiran akses pengguna terhadap situs tertentu melalui pemblokiran internet protocol address atau sejenisnya.

Blocking content

blocking the content and/or user access rights" includes two (2) things that includes, first, blocking the contents or sites providing content services and, second, in the form of blocking the access of users to specific sites by way of blocking the internet protocol address or similar

circumvention

The act of bypassing a technological device or system (password, encryption, watermarking) to gain access to or copy a work.

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Penyewa	tenant
	Any person who occupies premises under the terms of a tenancy agreement or lease. The tenant may be known as the lessee and the person granting the lease as the lessor.
Penyiaran	Broadcasting
pentransmisiian suatu Ciptaan atau produk Hak Terkait tanpa kabel sehingga dapat diterima oleh semua orang di lokasi yang jauh dari tempat transmisi berasal	Broadcasting means a transmission of Works or a Related Rights product wirelessly so that it can be received by anyone in locations far from where the transmission originated.
Peringatan Hak Cipta	Copyright Notice
	A statement placed on copies or phonorecords of a work to inform the public that a copyright owner is claiming ownership of the particular work. A copyright notice consists of three elements: • The copyright symbol © (or for phonorecords, the symbol ⒫), the word “Copyright”, or the abbreviation “Copr.”; • The year of first publication of the work; and • The name of the copyright owner. A copyright notice is no longer legally required to secure copyright on works first published on or after March 1, 1989, although it does provide legal benefits
Permohonan	Application
permohonan pencatatan Ciptaan oleh pemohon kepada Menteri.	Application means an application for the recordation of Works by the applicant to the Minister.

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Pertunjukan	Performance
	To perform or display a work 'publicly' means 1. to perform or display it at a place open to the public or at any place where a substantial number of persons outside of a normal circle of a family and its social acquaintances is gathered; or 2. to transmit or otherwise communicate a performance or display of the work to a place specified by clause (1) or to the public, by means of any device or process, whether the members of the public capable of receiving the performance or display receive it in the same place or in separate places and at the same time or at different times."
perwajahan karya tulis	typographical of a published work
aspek seni pada susunan dan bentuk penulisan karya tulis. Hal ini mencakup antara lain format, hiasan, komposisi warna dan susunan atau tata letak huruf indah yang secara keseluruhan menampilkan wujud yang khas.	the artistic aspect in the composition and form of written work. This includes, among other, formats, ornament, color composition and arrangement or layout of aesthetic fonts that as a whole presents a unique form.
Potret	Portrait
karya fotografi dengan objek manusia.	Portrait means a photographic work with a human object.
Produser Fonogram	Producer of Phonograms
orang atau badan hukum yang pertama kali merekam dan memiliki tanggung jawab untuk melaksanakan perekaman suara atau perekaman bunyi, baik perekaman pertunjukan maupun perekaman suara atau bunyi lain.	Producer of Phonogram means a person or legal entity that is the first to record and is responsible for performing voice recording or sound recording, both performance recording and voice or other sound recording.

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Program Komputer

seperangkat instruksi yang diekspresikan dalam bentuk bahasa, kode, skema, atau dalam bentuk apapun yang ditujukan agar komputer bekerja melakukan fungsi tertentu atau untuk mencapai hasil tertentu.

Computer Program

Computer Program means a set of instructions that are expressed in the form of languages, codes, schemes, or in any form that is intended for a computer to perform specific functions or to achieve certain outcomes.

R

Ringkasan

Versi ringkas atau singkat dari ciptaan yang sudah ada dengan tetap memegang ide umum dan kesatuan ciptaan.

Abridgement

A shortened or condensed version of a preexisting work that retains the general sense and unity of the preexisting work.

Royalti

imbalan atas pemanfaatan Hak Ekonomi suatu Ciptaan atau Produk Hak Terkait yang diterima oleh pencipta atau pemilik hak terkait.

Royalty

Royalty means remuneration for the utilization of Economic Rights of Works or Related Rights product received by the Author or Related Rights owner.
Pasal UU Hak Cipta

A royalty is compensation paid to the owner of an IP right for the use of that right. A royalty is usually payable as a portion of proceeds from sales

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S

Saduran

tindakan mengubah karya cipta yang ada (baik dilindungi atau termasuk dalam domain publik) atau ekspresi folklor, dengan tujuan selain dari yang asalnya, dengan suatu cara sehingga menghasilkan karya baru dimana terjadi penambahan unsur-unsur dari karya cipta yang ada dan yang baru karena perubahan yang digabungkan bersama-sama.

Adaptation

the act of altering a pre-existing work (either protected or in the public domain) or an expression of folklore, for a purpose other than for which it originally served, in a way that a new work comes into being in which the elements of the pre-existing work and the new elements added as a result of the alteration-merge together.

Salinan

Salinan adalah obyek material, selain dari rekaman suara, dimana suatu ciptaan difiksasi dengan semua metode yang diketahui atau dikembangkan kemudian, dan

copies

“Copies’ are material objects, other than phonorecords, in which a work is fixed by any method now known or later developed, and from which the work can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device. The term ‘copies’ includes the material object, other than a phonorecord, in which the work is first fixed.” 17 U.S.C. § 101

Sarana Kontrol Teknologi

sarana kontrol teknologi" adalah setiap teknologi, perangkat, atau komponen yang dirancang untuk mencegah atau membatasi tindakan yang tidak diizinkan oleh Pencipta, Pemegang Hak Cipta, pemilik Hak Terkait, dan/atau yang dilarang oleh peraturan perundang-undangan.

Technological Protection Measure

technological protection measure" means any technology, device, or component designed to prevent or restrict unauthorized acts by the Author, the Copyright Holder, the Related Rights owners, and/or those prohibited by laws and regulations.

surat pencatatan ciptaan

Certificate of registration

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surat penggeledahan

Dokumen resmi yang biasanya diberikan kepada polisi yang memungkinkan mereka memasuki

Search warrant

An official document issued usually to the police entitling them to enter any premises named therein and to search for and seize any property found there and named in the warrant.

surat pernyataan kepemilikan

surat pernyataan kepemilikan" adalah pernyataan kepemilikan Hak Cipta atau produk Hak Terkait yang menyatakan bahwa Ciptaan atau produk Hak Terkait tersebut benar milik Pencipta, Pemegang Hak Cipta atau pemilik Hak Terkait.

a statement of ownership

a statement of ownership" is a statement of Copyright or Related Rights products ownership stating that the Work or Related Rights product genuinely belongs to the Author, Copyright holder or Related Rights owner.

T

Tanggungjawab

Liability

1. to owe something to another. If you owe something to someone you have a liability to that person.
2. To be obliged to do or refrain from doing something or to be responsible for something. See liable

Tanggungjawab pemilik

Landlord liability

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Terjemahan

translation

Perubahan ciptaan dari satu bahasa ke bahasa lain.

A rendering of a work of authorship from one language into another, such as a work that has been translated from English into Spanish, from German into English, or from Hindi into Malayalam.

Tidak berhak

unlawful

Tanpa hak, ilegal, dilarang, atau tidak diperbolehkan oleh undang-undang.

Not lawful; illegal; prohibited or not permitted by law. Both civil and criminal acts and omissions may be unlawful. For example, it is unlawful for a manufacturer to be negligent in the manufacture of goods to be used by consumers. This gives to both civil litigation for damages and criminal prosecution.

Tidak diumumkan

Unpublished work

Ciptaan yang tidak diumumkan.

A work for which publication, as defined in the Copyright Law, has not occurred.