

STUDY OF THE IMPLICATIONS OF THE GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA NUMBER 56 OF 2022 CONCERNING COMMUNAL INTELLECTUAL PROPERTY IN INDONESIA

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ABSTRACT

Indonesia is a country that has cultural diversity. It is the fruit of the customs expression, values from beliefs, morals, and habits, as well as the people knowledge and skills in adapting to their natural environment and interacting in their social life. The Government Regulation 56 of 2022 concerning Communal Intellectual Property (PP KIK) was born to protect it. In particular, it has mandated the governments to act as inventors, protectors, custodian, also users of communal intellectual property. However, the main issues are: First, is PP KIK sufficient to accommodate legal protection for communal intellectual property? Furthermore, what are the implications of implementing PP KIK for indigenous communities in the future? The method used in this paper is qualitative research with normative juridical methods. From the discussions, it can conclude that PP KIK just has contained provisions related to communal intellectual property inventory mechanism, which prioritizes digital data collection processes, as well as communal intellectual property management, utilization, maintenance mechanisms themselves with the existence of these provisions. However, in the author's opinion, it is not sufficient to accommodate the need to protect communal intellectual property itself, also the implications of implementing PP KIK yet to be able to have the maximum positive impact.

Keywords: Communal Intellectual Property, Intellectual Property Rights, Indonesia, Indigenous Community