LEGAL PROTECTION AGAINST COPYRIGHTS FOR TRADITIONAL WOVEN ART MOTIFS AS CULTURAL HERITAGE OF ANCESTORS IN PERSPECTIVE OF STATE OF LAW (ART PROTECTION OF INDIGENOUS FABRICS OF SABU-RAIJUA)

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Abstract: Sabu – Raijua weaving have very deep philosophical values of social life in ethnic communities’ Sabu - Raijua. Each binding weaving contains a diversified pattern or motif and has a characteristic of each. In the current era of globalization, violation activities of piracy or duplication of the weaving in Indonesia including Sabu- Raijua is rampant, for that the legal protection in the form of copyright registration is very important. Legal protection is meant to provide preventiv efforts as well as repressive efforts in order to save the existence of weaving – Sabu-Raijua methamphetamine.

Keywords: Weaving, Protection Law, Copyright

I. INTRODUCTION

1.1. Background

Judging from the perspective of national law, in relation to the intellectual property rights, especially copyright or creative rights, various laws and regulations have been established to ensure the protection of the copyright. But in line with the development of science and technology precisely there are various problems encountered in social life, call it for example; the hijacking or multiplication of various works of a person or a group of people either in his position as the holder of copyright to get permission or license from the government and the work of the community creator who has not been licensed or licensed by the government, such as the work of art copy of custom or batik motif on an ethnic communities in the Republic of Indonesia.
It is of course the responsibility of the state to play the role as much as possible in order to ensure the protection of the copyright of the society, whether economic, moral and cultural so that the creativity of the nation's best sons and the creativity of the culture of the community as the heritage of the ancestors remain preserved, and assured its safety and usefulness as an asset of the nation and state of the Republic of Indonesia.

The traditional fabric of Sabu-Raijua in particular is "a form of fabric made traditionally (in weaving) and has certain motifs, which the motifs have been used for over a long period of time, has even become a continuously maintained Tradition from one generation to another.

From the aspect of Culture, the traditional fabric referred to have a very high architectural value. Sabu-raijua traditional fabric (The Sabu-raijua language: A'I is a sarong / weave worn by women and HII is cloth worn by men) with a number of shades and designations not just fabric made with cloth or base material of the manufacturer or industry but the basic material is the spinning product of the original cotton and the dyeing agent also uses the typical local materials (plants and wood roots) according to the designation. The existing pattern in the Indigenous Cloth has a very close philosophy with the culture of Sabu-raijua tribe society. It is also an important part of identity and pride that is nurtured and inherited naturally, even though the identity and pride is slowly being threatened because of the development of science and technology also includes the presence of a number of new designers who directly or indirectly have copy or mimic the pattern and style of the Cloth for business interests and popularity solely regardless of cultural values that have long been maintained by the community concerned.

As a traditional culture that has been going on for generations, the Copyright on the traditional motifs of traditional cloth / customs of Sabu-raijua should be protected by the state or Government, both Central, Provincial and District Governments so as to guarantee its protection from various actions of other parties that imitate or copy copyright to the Traditional Cloth Motif Art of the Sabu-raijua Ethnic Society can continue to grow and be sustained and preserved or preserved as the heritage of the nation's ancestors and culture.

In relation to the above matter, the government has a great role and responsibility in ensuring the protection of copyright on the Traditional Cloth Motif Art in various forms of laws regulating the Intellectual Property Rights, especially in the Copyright Act. In addition, if the government has not included the content material of Traditional Fabric Motifs into the Copyright Law as a traditional cultural expression (folklore), it does not mean that traditional cloth motif (Sabu-raijua) can not be protected. Because Art Traditional custom fabric motif is part of traditional culture of sabu-raijua tribe in particular and the nation of Indonesia in general. Thus, traditional traditional cloth motifs are more appropriately classed not as ordinary works, but as a form of Traditional Cultural Expressions (Expressions of Folklore). Traditional Cultural Expression or so-called folklore is any form of expressive cultural expression, especially the artistic expression in which the creator is anonymous and transmitted orally.

Based on the above description, it may be understood that the problem in the protection of the art Copyright of The Motif of traditional custom fabrics is a very important and fundamental thing in the framework of cultural preservation of sabu-raijua ethnic societies especially in developing the creative art of artistic motifs custom fabric of sabu-raijua as an integral part of
national culture. This is where the government through various legal products plays an important role so that this cultural heritage and ancestors are not abused by unauthorized foreign parties.

1.2. **Formulation of the problem**

Based on the above description of the background, then the problems studied, as follows:

a. Why is the need for legal protection against copyrights on traditional customs clothing motifs of Sabu-rajua ethnic in Indonesian legislation?

b. What is the legal protection arrangement for copyrights of Sabu-rajua traditional custom clothing motifs in the Regulation of Copyright Laws in Indonesia?

II. **METHOD**

In accordance with the substance of the problems or legal issues studied in this research is a legal research or also called normative law research. The connection with this research is to look at aspects of legal arrangements related to the legal protection of *ikat sabu-rajua*.

III. **RESULT AND DISCUSSION**

III.1 The Reasons for the Necessity of Legal Protection Against Copyrights to Traditional Cloth Art Motifs of Sabu-Rajua Ethics in Indonesian Laws and Regulations

Copyright can be obtained automatically, but not all works are entitled to copyright (plagiarism works). Substantive Requirements Copyright consists of three elements, namely originality, creativity and fixation. A work has the element of originality and creativity if it is the result of his own creation, although it may be inspired from the work of others. The element of fixation means that a work has been written in a real form, not just an idea. Copyright does not protect ideas, but rather expressions of ideas (Rahayu, 2011).

Intellectual Property Rights is a form of protection for the idea or concrete results of the creator's thinking embodied in the fields of science, art and literature. Intellectual Property Right is a material right for an object that comes from the work of the brain, the work of ratios, the work of reasoning in which the work is called an immaterial object (Saidin). Sherwood (1999) said that there are three basic theories that make a person have property rights over the work he made. The three basic theories are reward theory, recovery theory, and incentive theory. These three theories as the basis for the protection of the results of creativity. Reward theory is a protection given to the creator as a form of appreciation for all his efforts in producing a creation. This award is given with the assumption that in generating the creator has spent a lot of sacrifices in the form of energy, time and cost (Sherwood, 1999). Recovery theory is a theory that suggests that in addition to the rewards as contained in the reward theory, what needs to be paid attention is the compensation that must also be given to the creator of the capital used in producing the creation (Sherwood, 1999).

III.1.1 **Protection of Ties Weaving Protection Sabu-rajua Creates Moral Rights and Economic Rights.**
Judging from the distribution of its kind as proposed by Ermansya Djaja, that; Copyright consists of economic rights, and moral rights. First, economic rights are the right to economic benefits to the creation and the product of the Right. Secondly, the moral right is an inherent right of the Creator or the Doer that cannot be eliminated or removed for no reason, even if Copyright or Related Rights have been transferred (Ermansyah, 2009).

This is an urgent reason why the need to protect the copyrights on customary cloth of sabu-raijua, with the regulation or registration of customary cloth of sabu-raijua into the applicable Legislation will guarantee a legal certainty. Consequently, the economic rights and moral rights of the sabu-raijua people as a whole are guaranteed.

In fact, the Law has given space to the weaving of sabu-raijua which is a creation as stated in Article 40 UUHC number 28 of 2014 as one of the protected creations.

The existence of the UUHC is intended specifically to protect the rights of those who have produced works derived from the expression of intellectual (intangible), rather than tangible, if the intangible is nothing like information ideas and etc. with a certain time limit (Tommy et al., 2013).

The state has firmly provided sufficient space for how to protect the traditional rights of the tribe of its people. However, the guarantee provided by this country is not accompanied by the registration made. Of course there are reasons which then led to the fact that the weaving of sabu-raijua has not been registered in the Directorate General of Intellectual Property Rights to be recognized as one of the protected creations.

As a result of the unregistered custom fabric of sabu-raijua-raijua in the Directorate General of Intellectual Property Rights as a protected creation, it resulted in a flood of custom made sabu-raijua cloth products created from outside the sabu-raijua region. Consequently, will cause losses both morally and materillally against custom fabric sabu-raijua.

Indeed, if the custom fabric of sabu-raijua is registered then, there are many advantages that can be obtained from the recognition of custom fabric sabu-raijua. From the economic point of view, with the guarantee of economic rights of the sabu-raijua people will gain an advantage over their intellectual property. This right shall be the profit of any sums derived by the use of any intellectual property rights, or by the use of others by license. This is because intellectual property rights can be the object of trade in the business world. Economic rights can be transferred. If this is done then certainly plagiarism and fraud on a large-scale to sabu-raijua weaving can be avoided because the regulation firmly sanctioned the perpetrators who do the plagiarism.

Economic rights in a creative work are various forms of rights that can be economically exploited and in a way it can be said that economic rights are the rights that can be separated from the creator, while the moral right is different from the economic rights, which is an inalienable right and continue to be inherent substantial to its creator. This moral right remains in force even if the economic right to a work of copyright has been transferred by the creator to the other party. Article 9 of the UUHC states that:

The Creator or Copyright Holder as referred to in Article 8 shall have the economic right to:
a) The publication of Creation;
b) Multiplication of Creation in all its forms;
c) Translation of Creation;
d) Adaptation, organizing, or transforming Works;
e) Distribution of Works or copies thereof;
f) Performances of Creation;
g) Announcement of Creation;
h) Communication Creation; and
i) Rental of Creation.

In addition, from a moral point of view is to protect the personal interests (reputation) of the creator or inventor in this case is the sabu-raijua people who have this weave from generation to generation. This right is attached to the personal creator or inventor of a personal nature, showing the characteristic relating to the good name, the ability, and the integrity that only the creator or inventor possesses and is eternal inherent in the creator or inventor throughout life even after death. The purpose of the social function in this case is that besides intellectual property rights for the personal interest of the owner, also for the public interest.

The repudiation of the possession of a copyrighted work by the position of the Author or the right holder is solely in order to provide the protection of the Moral Rights for the Authors (Suyud, 2012).

III.1.2 Legal Protection As Repressive and Preventive Action

Philipus M. Hadjon in Muchtar (2011) distinguish the protection of the law into two namely the protection of the law that is preventive and repressive law protection. Legal protection is a protection afforded to legal subjects in the form of legal instruments whether they are preventive or repressive, whether written or unwritten. In other words the protection of the law as an illustration of the function of law, namely the concept by which law can provide justice, order, certainty, usefulness and peace (Prasko, Abdullah, 2011).

In relation to the protection of this preventive law, legal subjects are given an opportunity to file an objection or opinion before a government decision gets a definitive form. The goal is to prevent the occurrence of disputes. The protection of preventive law is especially meaningful for governmental acts based on freedom of action because with the prevention of preventive law laws the government is encouraged to be cautious in making decisions based on discretion. In Indonesia there is no specific regulation on preventive legal protection.

The embodiment of preventive legal protection can be seen in the regulation on Intellectual Property Rights (IPR), for example Law Number 28 Year 2014 About Copyright. Copyright is an exclusive right of the author or the recipient of the right to announce or multiply his creation or grant permission to it without prejudice to restrictions under applicable legislation "(Art 1 of 1) .The protection of this law relates to the implementations of the right and the obligation of a creation. With the protection of the law, the copyright holder can maintain the preservation of his creation, reproduce his creation and grant permission with a feeling of security, but on the other hand the copyright holder must perform the obligations related to his
creation in accordance with the applicable legislation. Protection of copyright is not necessarily granted, but is provided by request, the inventor submits a copyright request for its creation. As stated in Law No. 28 of 2014 on Copyright. Although copyright is not necessarily granted, at least this is the realization of preventive legal protection, preventing if there is any dispute over copyright in the future.

In the context of preventive law protection against sabu-raijua weaving, of course this is very important to do, because with the registration of sabu-raijua weaving then it will make early preventive measures. Prevention is meant here is to make other people become afraid to conduct activities violation of copyright such as multiply weaving tie sabu-raijua without permission from the copyright holder.

Sabu-raijua woven certainly has the advantage in terms of motif, style and full of value. Of course, prevention activities become indispensable in order to preserve the sabu-raijua weaving so as not to be modified and reproduced without permission which then harm and damage the traditional values attached to sabu-raijua weaving.

In addition to preventive legal protection, repressive legal protection aims to resolve disputes. Handling of legal protection by the General Courts and Administrative Courts in Indonesia includes this category of legal protection. The principle of legal protection of government action rests on the concept of recognition and protection of human rights because historically from the west, the concepts of recognition and protection of human rights are directed towards the limitation and laying of community obligations and government. The second principle underlying the legal protection of governmental action is the principle of the rule of law. Associated with the recognition and protection of human rights, the recognition and protection of human rights has a central place and can be linked to the objectives of the rule of law.

The meaning of repressive legal protection is of course very important. For example, if this sabu-raijua weaving has been registered and recognized as a creation then indirectly the protection of the law is following because the formal legality has been guaranteed by the law. There is a criminal protection that will protect the copyright of sabu-raijua weaving. Therefore, with the existence of criminal sanctions that regulate it, it will provide repressive measures against copyright infringement and as a preventive measure to frighten people so reluctant to infringe copyright to sabu-raijua weaving.

3.2 Legal Protection Arrangements Against Copyrights Traditional Cloth Art Motifs of Sabu-Raijua In the Regulations of Copyright Laws in Indonesia

3.2.1 Legal Protection of Copyright According to Law Number 28 Year 2014 About Copyright

Copyright Act no. 28 of 2014 is a change to the Copyright Act. 19 of 2002. Amendment to Copyright law intended to give more protection to the Author, Copyright Holder and Rights Owner concerned. As in the new UUHC has improved and refined and provides more protection for creators, copyright holders and related rights owners in the current development of information and technology, as it is included in in some acts to the new Copyright Act (UUHC No. 28 Year 2014). That UUHC no. 28 of 2014 also authorizes the creator, the copyright holder and its related copyright owner, legal protection intended as inaugural and civil legal protection.
In the Context of Civil Provisions, it is stated that each Creator, Copyright Holder and the Owner of the Related Rights may also file a lawsuit through the Commercial Court for copyright infringement or related products. The provisions on indemnity are mentioned in Article 99 paragraph (1) UUHC No 28 of 2014. In accordance with the provisions of Article 99 paragraph 2 it is stated that: "The claim for damages referred to in paragraph (1) may be a request to submit all or a portion of the proceeds derived from the conduct of lectures, scientific meetings, exhibitions or exhibitions of works which are the result of a copyright infringement or related Rights product ". And besides that the Creator, Copyright Owner and Related Rightsholder can also be able to file an interlocutory decision to the Commercial Court. What can an interlocutory decision by the Creator, Copyright Holder and Rightsholder of Related Rights be ?, according to Article 99 paragraph 3 UUHC No. 28 Year 2014 explained that the interlocutory decision is requested to the Commercial Court for; "A. request the seizure of Works made by Announcement or Reproduction, and / or the Replication tool used to generate the Works of the infringement of Copyright and Related Rights products; and / or b. discontinue the Announcement, Distribution, Communications, and / or Reproduction of Works created as a result of copyright infringement and related Rights products."

In UUHC No. 28 Year 2014 regulates the Criminal Provisions, Filing of copyright claim can be done criminally. Copyright law has formulated actions that are categorized as criminal offenses of copyright. Originally this copyright offense was a complaint offense, but later changed to a normal offense. By making a normal offense, prosecution can be done without waiting for a complaint from the copyright holder whose rights have been violated. On the contrary, by being a complaint offense, its action is based solely on a complaint from a creator or copyright holder who feels aggrieved, thus enforcing his law becomes less effective. In addition, the threat of criminal punishment was exacerbated in order to better protect the copyright holders and at the same time allows detention as provided in the Criminal Procedure Code.

3.2.2 Types of Protected Sabu Raijua Weaving
The people of Sabu-rajua are classified as bilineal bilateral societies and analyze patrilineal descendants and two matrilineal (moieties) or hubi lines from the two female-siblings. The names of the two matrilineal groups are drawn from both palm tree stalks, namely hubi ae or 'big palm flowers' and hubi iki or 'little palm flowers'.

![Image](www.doarj.org)
Figure 1. Detail basic motif my wokelaku, hubi ae

![Image of wokelaku motif]

Figure 2. Detail basic motif of ledo for hubi iki group

The main motif on the sarong of the Large Palm Flower group is rectangular and geometrically shaped, and consists of three rhombic shapes (wokelaku, Fig 1), whereas the base of the Small Palm Flower group is made up of wavy lines that are made by means of a bundle technique which has a higher degree of difficulty (Figure 2). The color shades of hubi ae woven is brighter than hubi iki. The reason: on the island of Sabu-raijua as in many other Austronesian societies, the two brothers were at the beginning of the creation of a social organization. In the case of two brothers, the older one act as men, while the younger ones have female symbols. On the island of Sabu-raijua the two sisters were women, where the eldest sister wore male signs such as the younger color and odd number, while her sister had features such as dark colors and even numbers.
Figure 4. Èi king, hubi ae motif: cotton tree, 'ru wèngu'

Figure 5. Composition of hubi iki sarong; the main motif wini Jawu
The difference in the number of plain lines called ro’a is very important and is a marker of identification on the island of Sabu-rajua (the group of Large Palm Flowers: seven indigo-colored plain lines (Figure 4) and the Small Palm Flower group: four wider plain lines, dark blue to black (Figure 5) The term ro’a is derived from the terminology of the ship. The definition of the word ro’a is the distance between two boards filled with the bark fiber, but also the distance between two beams on the roof of the house. It shows that the boats carrying the ancestors of the oceans across, the houses built in the shape of boats, and the weave are part of a whole, a central concept of the main migrant.

Figure 6. Hebe patola hubi iki (èi worapi)

Figure 7. Èi worapi, patola motif for hubi ae

With the function or position of a king (Dutch Regent) and fetor (Dutch Regent Representative) in the colonial era, a new ruling class emerged. Women of this class began to
embellish their weavings by adding small rows with an extra *lungsi* weaving called the king of the group of ordinary folk. This type of weave is then called the woven king (*èi raja*, Fig. 4). In this group of rulers are also many who convert to Christianity. It is possible that neutral sarongs such as *èi worapi* are woven by the wives and daughters of converted nobles (Fig. 7). They also develop new patterns such as patola motifs derived from Indian textiles (Fig. 7), or lèba motifs that mean 'forbidden' or 'taboo'. Its use is the same as the prohibition motif on Javanese batik in kertaon Yogyakarta and Solo. The lèba pattern reminds us of two distillated dragons that are also a 'loan' pattern.

It should be noted here that there are two patola motifs, one motif for the Big Flower and one for the Small Palm Flower group, so the group identity of the patola-patterned wearer remains clearly visible (Fig 5 & 6).

The specific weave of a *wini* is stored in *tegida*, the customary home of the *wini* sub-group. Nevertheless, as in many places in Indonesia, in the seven-decade years of the seventh most people who have switched faith to other religions. The majority of Sabu-rajua islanders is Christian, and no longer follows the rules of the Jingi ancestor religion, so there is no need to attend meetings at traditional houses of the maternal line group.

### 3.2.3 Law Arrangement of Sabu Rajjua Weaving Registration

The Directorate General of Intellectual Property organize the registration of creation and record it in the general register of creation. The general register of creation can be seen by everyone without charge. The registration of a creation in the general register of creation does not imply endorsement of the contents, meaning, intent, or form of the registered creations. An application shall be filed to the Directorate General with a double letter written in the Indonesian language and accompanied by an example of a work (Firmansyah, 2008).

The registration of a work shall be deemed to have been made upon receipt of the application by the Directorate General of Intellectual Property completely. The transfer of rights to the registration of a work, registered in a number shall only be permitted if all of the registered inventions are transferred to the right of the beneficiary.

**a. Terms of Application for Registration of Works submitted by Individuals**

1) Copy of Identity Card (KTP).

2) Attaching Creation Example:
   a) Art (painting, drawing) of 12 pieces.
   b) Books, papers and the like as much as 2 (two) in the form of CD, CDR or Diskette along with the Book manual.
   c) Tools for education as much as 2 (two) sets and the ways of its use.
   d) A song of 12 sheets of poetry and number notation.

3) Fill out the registration form for the registration of creation and typed neatly on F4 paper of 3 copy and signed on the I sheet with a Rp. 6,000, - stamp.

**b. Terms of Application for Registration of Works submitted by the Legal Entity**

1) Legal Entity Acts which have been legalized by Notaries.
2) Photocopy of Identity Card (KTP) of one of the Directors signing on the application.
3) Tax ID number (NPWP).
4) Attach an example of creation (same as above)
5) Fill out the application form for registration of registration (same as above).

The petition filed by a power of attorney must be a registered attorney in the HKI office. In addition, the application fee for registration of a (1) creation is IDR. 300,000, - except the computer program IS Rp. 500,000, and paid to Bank BRI Branch Warung Buncit Mampang No. Account: 1624 01-000004-30-8 a.n. Ditjen HKI.

Judging from the requirements above, it must be an uncomplicated matter to register sabu-raijua weaving as a protected creation. However, in terms of registration of sabu-raijua-raijua weaving, there are some obstacles that cause this sabu-raijua weaving is not yet protected. The Office of the Ministry of Justice and Human Rights of NTT as an extension of the Directorate General of Intellectual Property Rights of the Ministry of Justice & Human Rights has made efforts in order to open access to the community so that the copyrights on weaving in NTT can be registered.

An effort in the form of socialization, as well as to maximize the device of the regional apparatus is done by the Regional Office of the Ministry of Justice and Ham NTT. On the one hand, the attention of the Regional Government and the people seemed to be unresponsive in order to register sabu-raijua weaving as the original creation of the sabu-raijua community.

Based on the research conducted, it was found that the causal factor of sabu-raijua weaving has not been registered is due to the human consciousness factor. The Office of the Ministry of Justice and Human Rights of NTT opened the largest space for registration, but the awareness of the importance of a woven product into copyright has not been thought of by the community.

Nani Nurhayati (Head of Public Legal Administration and HKI Regional Office of the Ministry of Law and Human Rights of East Nusa Tenggara) affirms that the registration of binding copyrights is not complicated and does not require expensive cost, it just need awareness from the community. Public awareness to be pro-active in registering weaving as a protected copyright is highly demanded. This is of course very reasonable because the people of NTT are not yet fully aware of the benefits to be gained if sabu-raijua weaving is successfully certified by the Directorate General of Intellectual Property Rights.

In addition to these inhibiting factors, on the other hand, weaving in several places in NTT have been certified. Call it TTS District and Ende District. Both areas have full copyright and are held by Dekranasda as its managers.

Specifically for ikat weaving in the TTS District stated quite successful in terms of legal protection. This is because the SoE has registered as many as 10 (ten motifs) and then realized by the Directorate General of IPR as a protected creation. Of course this becomes a very positive value, in the framework of protection of ikat TTS Regency.

In research conducted by the researcher on Mr. Saudale from Head of Sub Directorate of Industry and Trade Cooperative Office of TTS. Obtained information stating that the struggle of
TTS in the framework of recognition of the creation of *ikat* woven is done for 4 (four) years. The struggle takes quite a long time and patience. This is because there are refusals from the Directorate General of IPR to immediately complete the other completeness.

According to him, normatively there is the possibility of a registrant through an individual line, but in fact the Directorate General of Intellectual Property Rights will only serve the application for registration of *ikat* weaving which already has legal entity and the legal entity must be under the command of Regional Government. To that end, the Director General of HKI suggested that *Dekranasda* be used as a container in order to register every *ikat* weaving we wished to register.

Legal protection is the key word of the registration of *sabu-raijua* weaving. Without legal protection, then *ikat* weaving is traced and manufactured by people at will. For that, it should take the sensitivity of the community as well as the Government of *Sabu-raijua* Regency in order to register *sabu-raijua* weaving as a creation of *sabu-raijua* society.

**IV. CONCLUSIONS AND RECOMMENDATIONS**

**IV.1 Conclusions**

The conclusions that can be drawn from the findings as discussed above are as follows:

a. Need legal protection against traditional weaving *sabu-raijua*, namely:
   1) Philosophically, because in various motifs attached to *sabu-raijua* weave contain a point of view or ideals of *sabu-raijua* ethnic life about identity and existence itself in the life of society.
   2) Jurisdictionally, is to ensure legal certainty of the creation and for the creator of the *sabu-raijua* weaving, both economically, culturally, individually and communally from various unlawful acts of various parties seeking profit by utilizing the motifs present in the fabric weaving *ikat sabu-raijua*.
   3) Sociologically, is to increase legal awareness and legal compliance of the community in order to ensure the safety and continuity of *sabu-raijua* weaving as ancestral heritage and cultural society *sabu-raijua*.

b. The regulation of the legal protection of the copyrights of the motifs of the fabrics of *sabu-raijua* substantively has not been clearly and detailed about the weaving as specified in Article 10 of Law Number 28 Year 2014 concerning Copyright.

**IV.2 Recommendations**

As for some suggestions that need to be considered are as follows:

a. Recognizing the importance of legal protection against the copyrights of traditional customs motifs of traditional cloths, both philosophically, jurisdictionally and sociologically, the government, including local governments, should provide support in the form of strengthening the capacity and capability of customary institutions and ethnic communities, especially in ensuring legal protection against the copyrights of art motifs custom fabric of *sabu-raijua* and facilitate the process of registration of copyright.
b. The Government needs to revise Law No. 28 of 2014 on Copyright by entering the weaving arrangement as a work of art and cultural heritage of a society especially in the case of the state's responsibility related to the state's power over a work that cannot be known by its owner.

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REFERENCES