

ABSTRACT

Sutriani, Ginarti. 09220007. 2013. *Protection of Copyright of Batik in Muamalat Fiqh Perspective*. Thesis. Department of Shariah Business Law. Sharia Faculty. The State Islamic University Maulana Malik Ibrahim Malang, Supervisor: H. Musleh Harry, SH, M.Hum.

Keywords: Copyright protection, batik art, fiqh muamalat

Copyright protection in Indonesia is very less, especially in the art of batik in Indonesia. Batik art is a valuable work of art. The art of batik in Indonesia is still does not get the protection and respect. The majority of Indonesia's Islamic society less an understanding of the rights protected in Islam, making them does not respect the rights of others, although Islam has protected and keep their rights.

In this study, it can be taken two formulations of the problem on how the protection of copyright in Indonesian batik?and how is copyright protection of batik in muamalat fiqh perspective?.

This research includes the study or literature study that examines the normative principles of Islamic law relating to copyright protection. The approach is analytical normative juridical approach, because it does not require the support of the data in form of numbers. Type of approach used in this study is a conceptual approach. While the legal materials collected are in form of primary, secondary and tertiary legal materials. Primary legal materials used is Wahbah Fiqh Az-Zuhaili's muamalah, then the material law edited, and drafted carefully examined and analyzed with descriptive qualitative.

The results of this study is that the development of copyright protection for batik in Indonesia is described in detail on the protection of batik art from law Number 7 of 1987 concerning copyrights, then Number 12 of 1997 on copyright through Law 19 of 2002 on copyright. While copyright protection batik in muamalah fiqh perspective is that it is comparable to the protection of property, because its copyright belongs to the category property, wealth in the form of benefits is not a property in the form of objects.

