



Empowerment And Preservation of Mekotek Dance in the Tourist Area of Munggu Village, Mengwi District, Badung Regency

Desak Gde Dwi Arini¹, Putu Ayu Sriasih Wesna², Ni Ketut Sukiani³

Fakultas Hukum, Universitas Warmadewa, Denpasar, Bali

desakdwi66@gmail.com, sriasihwesna@gmail.com, ketutsukiani@gmail.com

ABSTRACT

Mekotek dance is fragmentary of the mekotek tradition in Munggu Tourism Village which includes intellectual works within the scope of copyright and has been stated in real form and has rights that need legal protection. The aims of this study is to analyze the implementation of copyright registration for mekotek dance and to find out the form of legal protection. The methods of implementation carried out in the community service program are by Business Law Program, Sastra Faculty Program, and The partnership of Munggu Village tourist area Mengwi district Badung Regency. The results obtained in the study as follows, the implementation of copyright registration for dance mekotek can be done online and offline. For the management of the registration process, it is represented by the Chairman of the Munggu Village Tourism Awareness Group, namely Mr. Putu Suada. Of course, the implementation starts from looking for requirements documents such as the identity of the parties, filling out the application letter; affidavit of ownership; transfer letter of rights where all must be pdf, and proof of the work of mekotek dance in the form of storylines and MP3 videos. The registered creation will be subject to the registration fee. After everything is collected and then sent to the HAKI Partner to take care of online by waiting approximately 1 month to get the results in the form of copyright certificates. Therefore, the results of the registration will be in line to obtain legal protection and lead to quality tourism.

Keywords: Copyright, Empowerment, Mekotek Dance, Legal Protection, Preservation, Registration

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I. INTRODUCTION

One of the tourist villages that has a distinctive/unique attraction in terms of culture is Munggu Village. Munggu Village, Mengwi District, Badung Regency has one the cultural potential the ngerebeg tradition which is better known as mekotek. Mekotekan is one of the traditions carried out once every six months precisely on the Kuningan holiday. This tradition is believed by the people of Munggu Village to eliminate disease outbreaks, and natural disasters and this tradition has been carried out since the Mengwi Kingdom.

Suastini, et al (2021) To support Munggu Tourism Village, packed with mekotek dance fragments or Mekotek Dance that will provide treats for staying in Munggu Tourism Village. Tradisi Makotek yang secara rutin digelar masyarakat Desa Munggu ini terbilang unik. Bahkan, sudah ditetapkan sebagai warisan budaya nasional oleh Kementerian Pendidikan dan Kebudayaan oleh (Kemendikbud). Mekotek, or also known as Grebeg Mekotek, at first was created as a welcome celebration for Mengwi Kingdom's soldiers who defeated the Blambangan Kingdom. As time passes, it becomes a tradition done every 210 days in Munggu. The Dutch government on colonialism days tried to stop this tradition, however, epidemic diseases hit the village. Finally, the government allows the ceremony again, but spear which was usually used on Mekotek have to be changed to woods. The name came from the sound when woods knocks to each other "tek...tek...tek". To this day, Mekotek is still carried out to avoid misfortunes, seeking blessings for the village, and honoring soldiers that were dead at the wars. This unique tradition is also able to strengthen bonding between village members, especially the ones who participated. Before Mekotek was done, prayer will be conducted on Pura Puseh Munggu. Villagers then walk around the village holding woods and later gathered again in the Pura Puseh to do Mekotek. This tradition was done by the male in the village, from young

to old age. Each participant brought wood as long as 3,5 meters and was divided to around 50 people groups. These groups later will unite their woods together and one brave person will try to climb it. The person above will give command and encouragement for the group so he will be able to stay on the top for the longest time. Mekotek was crowned as national intangible cultural heritage by the Indonesian government. (Bali, 2022).



Picture 1 Mekotek Culture in Munggu Village

Purposes of fragmentary mekotek for tourism activities; preservation of cultural arts, uniqueness, and authenticity in Munggu tourist village; directing positive activities for teruna teruni; and improving the economy in Munggu Village. This work is fully supported by Munggu Village whose direction was entrusted by Listibya Munggu Village to the Semeton Barong Art Center under the leadership of Putu Eka Darmayasa from Br. Kerobokan, Munggu. As dance coach Putu Angradana Suka from Br. Gambang and tabuh coach I Nyoman Sudiartana Br. Kerobokan, in collaboration with I Putu Yogi Suarsana Br. Sedahan, with Dalang Nyoman Wija Widastra (Akah Canging), (Badung, 2019:2).



Picture 2 Mekotek Dance Creations in Munggu Village

Creativity directed by fragments of mekotek dance or mekotek dance is an intellectual work within the scope of copyright and has been poured into the real form and has rights that need to get legal protection. The protected field of creation is regulated in Article 40 paragraph (1) e of the Law of the Republic of Indonesia Number 28 of 2014 concerning Copyright. Therefore, to obtain copyright and legal protection of the Dance Mekotek, it is necessary to protect intellectual property rights through copyright registration to the Directorate General of Intellectual Property of the Ministry of Law and Human Rights of the Bali Regional Office. But the fact that the creators do not understand the copyright registration process and what requirements must be prepared in the registration process and the purpose of copyright registration from the legal aspect greatly provides legal protection to the

copyright holder, for example when there are parties who imitate, publish without permission, this is a violation, the registered party has the right to report to the relevant party handling cases of copyright infringement. The island of Bali is one of the famous tourist destinations in foreign countries. The island of Bali has tourism assets in the form of its natural beauty that is still natural, its unique cultural heritage, and the hospitality of the local community. The existence of objects and tourist attractions in Bali is expected to bring benefits, especially for the surrounding community in generating new jobs. The development of tourism depends largely on the number of foreign and domestic tourist visits. The number of visits is one of the indicators to measure the success of tourism development. Many regions in Indonesia make tourism sec as a source of tax revenue and employment. The government also spurred the development of tourist villages to level development through the economic benefits of tourism.

Tourism development requires the support and involvement of all stakeholders in the field of tourism. Society is one of the important elements of stakeholders to jointly with the Government and business/private circles synergize to implement and support tourism development. Therefore, tourism development must pay attention to the position, potential, and role of the community both as subjects or actors and beneficiaries of development, because community support also determines the long-term success of tourism development. Community support can be obtained through the cultivation of public awareness of the importance of tourism development. For this reason, it takes to process and conditioning to realize a tourism-conscious society. People who are aware of tourism will be able to understand and actualize the important values contained in Sapta Pesona. In this case, the Tourism Conscious Group (Pokdarwis) is one of the components in society that has an important role and contributions to the development of tourism in its area. The existence of Pokdarwis needs to continue to be supported and fostered so that it can play a more effective role in helping to mobilize community participation to realize an environment and atmosphere conducive to the growth and development of tourism activities around tourism destinations. (Kreatif, 2012)

To realize sustainable tourism development, efforts are needed to diversify tourist attractions that are towards improving community welfare, preservation of cultural arts, and being environmentally friendly. In Bali Province, especially Badung Regency, the Regional Government has made Badung Regent Regulation Number 47 of 2010 concerning the determination of tourist village areas in Badung Regency. Badung Regency has 11 tourist villages located in Central Badung and North Badung, namely: Bongkasa Pertiwi Village, Sangeh Village, Pangsang Village, Evening Village, Pelaga Village, Belok Village, Carang Sari Village, Baha Village, Kapal Village, Mengwi Village and Munggu Village. This tourist village has a variety of tourism potential that continues to be explored and developed as a cultural-based tourism development can tourist village is a form of integration between attractions, accommodation, and supporting facilities presented in a structure of community life that blends with applicable procedures and traditions. A tourist village has a distinctive attraction (it can be the physical uniqueness of the rural natural environment, as well as the socio-cultural life of its people) which is naturally packaged and attractive so that the attraction of the countryside can drive tourist visits to the village (Masyarakat, 2018). The aims of this study is to analyze the implementation of copyright registration for mekotek dance and to find out the form of legal protection.

II. METHOD

The methods of implementation carried out in the community service program are by Business Law Program, Sastra Faculty Program, and The partnership of Munggu Village tourist area mengwi district Badung Regency. The implementation of Business Law Program are Maximum increase empowerment and preservation of dance mekotek in the tourist area of Munggu Village, Mengwi District, Badung Regency Socialization of the registration process of Law No. 28 of 2014 concerning Copyright by edia online promotion. The implementation of Sastra Faculty is the form and method of implementing empowerment and preserving the mekotek dance culture in the tourist area of Munggu village, Mengwi district, Badung regency. The implementation partnership of Munggu Village tourist area mengwi district Badung Regency are Program Prepare an interview place Preparing infrastructure, analyze assistance on the form and means and promotion of empowerment and preservation of mekotek dance tourist area Munggu Village Mengwi District Badung Regency.

III. RESULT AND DISCUSSION

3.1 Implementation of Mekotek Dance Copyright Registration in Munggu Village, Mengwi District, Badung Regency

Knowing the term object and tourist attraction is better known as "tourist attraction" (Yoeti, 1996). He explained "tourist attraction" as anything that attracts a person or group to visit a certain area. In this case, we are introduced to the term "product" of the tourism industry and tourist attractions. The tourist attraction is part of the tourism industry product, which includes all forms and types of services provided to tourists to be enjoyed and felt from leaving the place (area) of origin to and while in the tourist destination, and until they return to their destination—origin (Paramita, I. B., 2020).

Based on Article 1 number 1 of Law No. 28 of 2014 concerning Copyright, copyright is defined as the exclusive rights of creators that arise automatically based on the principle of declarative after work is realized in real form without reducing restrictions following the provisions of laws and regulations. Copyright is also part of intellectual property in the fields of science, art, and literature which has a strategic role in supporting nation-building and advancing the general welfare as mandated by the Constitution of the Republic of Indonesia of 1945. Copyright itself includes two other rights, namely moral rights, and economic rights. This is stated in Law Number 28 of 2014 concerning Copyright in Articles 5 to 19.

Copyright is now one of the things that the government is concerned about. All artists deserve the protection of the work they create. One of them is the copyright on sendratari. The extraordinary work, namely the fragmentary work of mekotek dance, of course, already has automatic copyright because it has been announced in the real form which was first staged in Munggu Village. To protect a creation in the form of the resulting work potentially or deliberately made to take its economic value, then this is where the role and benefits of registering the copyright are. This is related to the protection function. By first registering copyright to the Directorate General of Intellectual Property (DJKI), there is no need to worry that other parties can sabotage and take advantage of a work that is built with difficulty. The system of implementing copyright registration in this digital era can also be done offline as well as online. In general, the explanation of copyright recording procedures is as follows:

1. Recording of Works and Related Rights products is submitted by Application in writing in Indonesian by the Creator, Copyright Holder, Owner of Related Rights, or his power of attorney to the Minister. (KEMENHAM, 2020:45) In the case of Application as intended in Article 66 paragraph (1) submitted by:
 - a. For some persons who are jointly entitled to a Work or related Rights product, the application is attached with a written statement proving that right; or
 - b. The legal entity, Application is attached to an official copy of the deed of establishment of a legal entity that has been authorized by the authorized official.
 - c. If the application is submitted by several persons, the applicant's name must be written all by specifying one selected applicant's address.
 - d. Fill out the Copyright application form online.
 - e. Upload examples of Works, Related Rights products, with a capacity of 20 MB.
 - f. Attaching a photocopy of the id card, legal entity deed, the certificate for UMK applicant and educational institution or Government R&D,
 - g. Attaching a statement of ownership of the Work and Related Rights; and
 - h. Attach proof of transfer of rights if the names of the creator and copyright holder are different.
 - i. If the application is submitted by an applicant who comes from outside the territory of the Unitary State of the Republic of Indonesia, the Application must be made through an intellectual property consultant registered as a Proxy.
 - j. Pay the registration application fee with the provisions of pnbp copyright tariff based on Government Regulation No. 28 of 2019 as follows:
2. The type of creation registered, Tari (Sendratari) entitled Mekotek Dance, requires a copyright registration application fee of Rp. 400,000 (four hundred thousand rupiah).

Attachment examples related to other Intellectual Property that cannot be recorded in Copyright under Article 68 of Law No. 28 of 2014 concerning Copyright that:

1. The Minister examines applications that have met the requirements as intended in Article 66 and Article 67.
2. The examination as intended in paragraph (1) is carried out to determine whether the Proposed Work or Related Rights product is essentially the same or not the same as the Work recorded in the general list of Works or other intellectual property objects.
3. The results of the examination as intended in paragraph (1) are used as a consideration for the Minister to accept or reject the Application.

The Minister gives the decision to accept or reject the application within a maximum of 9 (nine) months from the date of receipt of the application that meets the requirements. In the process of implementing the registration of copyright, mekotek dance is assisted by the HAKI Partner. According to the results of the interview on May 6, 2022, with Mrs. Ratih Pradnyaswari as a HAKI Partner, in addition to finding the identity of the creators and copyright holders, the terms or files that must be prepared for the type of drama creation or musical drama, dance, choreography, puppetry and pantomime, namely the evidence of video footage, floor patterns or screenshots in MP3 / PDF format. Here is the storyline of the fragmentary work of Mekotek Dance (concept of the work of Sendratari I Gusti Agung Nyoman Sakti Munggu, History of Mekotek Dance in Munggu Village):

3. A copyrighted work is a work produced by a person called the Creator, in essence, the Creator is one or more people who individually or together produce a creation of a distinctive and personal nature (Article 1 number 2 of Law No. 28 of 2014 concerning Copyright). The person who makes a creation can not only be done by one person but can be done by several people to produce a creation.

1) Creator :

- Putu Anggradana Suka (Dance Creator)
- I Nyoman Sudiartana (Tabuh Creator)
- I Putu Yogi Suarsana, S.Pd. (Tabuh Creator)

2) Copyright Holder:

- I Ketut Darta (Perbekel Desa Munggu)
- I Made Rai Sujana, S.H. (Bendesa Adat Munggu)
- I Putu Suada (Chairman of Pokdarwis Munggu)

In the process of registration of copyright registration activities mekotek dance there is the emergence of obstacles that come internally and externally, namely as follows:

- a. Internal Factor: Regarding the results of an online interview on May 6, 2022, delivered by Mrs. Ratih As Haki Partner during the process of implementing the Registration of Mekotek Dance Copyright, there are only a few obstacles where the data review time cannot be predicted when it can be resolved because it is still during the Covid-19 pandemic so that it takes longer, of course, when plunging directly into the field must be following safe health protocols, but these obstacles are understandable because the impact of this pandemic is very broad in terms of any field such as tourism, economy, and others.
- b. External Factor: Initially, the creators did not understand how the process and conditions of copyright registration, therefore the solution needed is the need for help from the haki partners (legal consultants of intellectual property rights specialists) to explain what is lacking and needed. The obstacles that occur in the village are almost non-existent, the obstacles are only slight in terms of determining one creator's address to fill out the application form, after discussing finally using the address in Banjar Sedahan Munggu, Munggu Village, Mengwi District, Badung Regency, Bali. The obstacle will occur depending on how we start, from the preparation of making mekotek dance, then legalizing the results of works that have this characteristic, to the continuation of dance mekotek activities where in the future revisions/modifications are carried out so that the tourist attractions are not long in duration and tourists can take part in enlivening the attraction on the stage.

3.2 Benefits of Copyright Registration of Mekotek Dance in Supporting the Munggu Village Tourism Village Area mengwi District Badung Regency

Tourism is one of the important aspects that can have a variety of positive impacts. For individuals or service users, of course, the benefits of traveling activities are a stress reliever and fatigue. For service providers, tourism activities can have an economic impact on them. More broadly, the existence of tourism activities in an area can drive various activities that can encourage economic growth in the area itself.

According to Mr. Suada as the Chairman of the Munggu Village Tourism Awareness Group, with the creation of fragmentary tourist attractions, Mekotek Dance is certainly very beneficial and has several purposes. Where an attraction must be unique, euphoric, and participants of the tourists who will make the attractions can be sustainable (sustainable), for the concept of tourism development is culture and nature sustainable tourism. He also noticed how important the work was to get copyright by recording to the Director-General of IPR. The benefits caused by the registration of this IPR are to provide legal protection for the ownership of intellectual works both communal and personal which is the basis of the development of the creative economy.

The protection of the intellectual property is therefore an important part of future national development and contributes significantly to the development of national and international economies. Because of the manufacture of this arable, there is a purpose to the field of tourism, of course, there is a relationship related to quality tourism. The realization of three qualities, namely tourism must be able to realize the quality of life "quality of life" of local people, on the other hand, tourism must be able to provide quality of trying to "quality of opportunity" to service providers in the tourism industry and the next side and the most important thing is the creation of quality tourist experience "quality of experience" (Arida, 2012) so that tourists come only to Munggu Tourist Village to see the characteristics of unique tourist attractions Mekotek Dance that do not exist in other locations. Each tourist destination certainly has its uniqueness and characteristics that make many people interested in visiting these tourist sites.

3.3 Preventive Legal Protection of The Copyright of Mekotek Dance In Supporting the Munggu Village Tourism Village Area Mengwi District Badung Regency

Persyaratan suatu ciptaan agar supaya Penciptanya memiliki hak untuk mendapatkan perlindungan hukum :

- a) *Fixed, the idea is not copyrighted, for the idea to be protected copyright then it must be realized first in a form of real unity. That is the essence of the doctrine of fixation. Form, prinsip fixation ini mengharuskan adanya bentuk (form) tertentu dari suatu ciptaan.*
- b) *Original, that the Creation must be something original. That the original is something genuine, which means that there has never been before or a sterile element of influence of other works.*

In the protection of the law, by following the concept of Philip M.Hadjon, there are at least two parties, where the protection of the law is focused on one party, with its actions, dealing with the people who are subject to the actions of the government. All means, including legislation, which facilitates the submission of objections by the people before the government's decision gets a definitive form, are preventive legal protections.

Preventive legal protection is intended that prevention efforts are legal so as not to occur violations of the law in the field of copyright on the fragmentary work of Mekotek Dance. Mekotek Dance is a fragmentary work from the tradition of mekotek which has several purposes, namely supporting tourism in Munggu Tourism Village; preservation of cultural arts, uniqueness, authenticity in Munggu Village, improving the village economy, and developing positive activities for the teruna-teruni in Munggu Village. This type of creation is in the form of dance (sendratari) with the title of creation of the Mekotek Dance Dance Movement, which is not included in the Traditional Cultural Expression (EBT) mentioned in Article 38 of Law Number 28 of 2014 as follows:

1. Copyright to traditional cultural expression is held by the State.
2. The State shall inventory, maintain, and maintain the expression of traditional culture as intended in paragraph (1).
3. The use of traditional cultural expressions as intended in paragraph (1) must pay attention to the values that live in the community of its carrying.

4. Further provisions regarding Copyright held by the State on traditional cultural expression as intended in paragraph (1) shall be governed by Government Regulation.

Copyright is now one of the things that the government is concerned about. All artists deserve to be protected by the work they create. The Recording of The Copyright of Mekotek Dance is one of the implementations of a form of protection in terms of prevention. To carry out the registration process, there must be a fulfillment of the conditions that show that the work created has the only characteristics owned by the Creator and Copyright Holder and has been poured into real form. The period of copyright protection of Mekotek Dance is valid during the Creator's life and continues for 70 (seventy) years after the Creator dies. More details are explained in Article 58 letter e of the Copyright Law as follows:

Copyright Protection of Works:

- a. Books, pamphlets, and all other works;
- b. Props made for the benefit of education and science;
- c. Songs or music with or without text;
- d. Drama, musical drama, dance, choreography, puppetry, and pantomime;
- e. Works of fine art in all forms such as paintings, drawings, carvings, Kigali, sculptures, or collages;
- f. Architectural works;
- g. Map; and
- h. Batik artwork or other motif art, valid during the Creator's life and continued for 70 (seventy) years after the Creator died, starting from January 1 of the following year.

Legal protection of a work is automatic which means that creation gets legal protection from the first time the idea is realized in real form or since it is published to the public without requiring registration. Copyright is subject to declarative stelsel so that the birth of the right to work or protection is not at the time of registration but precisely when it is first announced following the declarative stelsel. Registration itself is the process of obtaining legal protection and legal certainty and administrative products that are not an obligation, recording work at the Directorate General of Intellectual Property Rights with the issuance of a letter recording the creation is only a legal assumption of a copyrighted work so that work even though it has been recorded or has not been recorded is still legally protected.

In principle, copyrights are obtained not by record-keeping, but in the event of a dispute in court regarding a recorded and unrecorded Work and if interested parties can prove its veracity, the judge may determine the actual Creator based on that proof. As for the implementation of a form of preventive protection from the copyright of Mekotek Dance, it can provide copyright licenses. Article 1 Number 20 explains the definition of a license, namely: A license is written permission granted by the Copyright Holder or The Owner of Related Rights to other parties to exercise economic rights to their Work or Related Rights products under certain conditions. In other words, the permission states what the user of the creation can and cannot do to work. The copyright holder, may license the work independently and/or through a representative, meaning to act as a licensor, to a third party, or in this case, the user of the work as a licensee, to carry out some actions under the terms of the license applied. The applicable license terms may be enforced until the validity period of the licensed copyright protection expires. For example, if a third party wants to create a tourism promotion activity by using video footage of Mekotek dance, thus the party must ask permission from the creator or copyright holder to prevent violations of exclusive rights such as moral rights and economic rights.

3.4 Repressive Legal Protection of the Copyright of Mekotek Dance in Supporting the Munggu Village Tourism Village Area, Mengwi District, Badung Regency

Repressive legal protections aim to resolve disputes. The handling of legal protection by the General Court and Administrative Justice in Indonesia belongs to this category of legal protection. The principle of legal protection against government actions rests and comes from the concept of recognition and protection of human rights because, according to the history of the west, the birth of concepts of recognition and protection of human rights is directed to restrictions and the laying of obligations of society and government. The second principle underlying the protection of the law against acts of government is the principle of the state of law. Associated with the recognition and

protection of human rights, the recognition and protection of human rights has a prime place and can be attributed to the purpose of the rule of law.

Repressive protection is a legal path whose handling is resolved in court. Repressive legal protection can also be taken if there is an action when copyrighted work has been infringed. Because the work of Mekotek Dance has obtained a letter recording the creation, and if there is a copyright infringement easily prove in writing.

The creator or copyright holder has the right to fight for his rights, especially in the event of a violation of his creation. The creator or copyright holder needs to know that there are three forms of copyright-related disputes: unlawful acts, licensing agreements, and disputes regarding rates in the withdrawal of rewards or royalties. Actions considered against the law are based on written and unwritten rules that live in a society, such as the principle of propriety.

Once aware of the form of the dispute, the creator or copyright holder can determine whether the matter wishes to be resolved peacefully through alternative dispute resolution (mediation, negotiation, or conciliation path), arbitration, or the courts. Law No. 30 of 1999 on Arbitration and Alternative Dispute Resolution explains that arbitration is a way of resolving a civil dispute outside the general court based on an agreement or arbitration made in writing by the parties to the dispute.

The three differences in the alternatives to dispute resolution are:

- a. Mediation is a way of resolving disputes through the negotiation process to obtain agreements between the parties with the help of mediators who are neutral and do not impose a settlement. The result of mediation is a peace agreement that is strengthened by the mediator into a peace deed.
- b. Conciliation is the resolution of disputes between the parties brokered by a conciliator. Unlike mediators, conciliators are more active in providing advice and opinions on the problems that occur.
- c. While negotiation is the resolution of disputes between the parties carried out without a third party.
 - a) Articles 96 to 104 of Law No. 28 of 2014 concerning Copyright explained civil efforts. One of the articles regarding compensation is described in Article 96 as follows:
 - b) The Creator, Copyright holder, and/or holder of Related Rights or his heirs who have suffered economic rights losses are entitled to Indemnity. Compensation, as intended in paragraph (1), is given and included at once in the court's decision on the case of copyright and/or related rights.
 - c) Payment of Damages to the Creator, Copyright Holder, and/or owner of Related Rights shall be paid no later than 6 (six) months after the court decided permanent legal force.

In Article 100 of Law No. 28 of 2014, there is a description of the procedures for lawsuits. To file a claim for damages in the Commercial Court is outlined as follows:

- a. First must file a lawsuit for copyright infringement to the Chairman of the Commercial Court.
- b. Then record the lawsuit in the register of court cases on the date of registration of the lawsuit by the clerk. The clerk will provide a signed receipt and submit a lawsuit application to the chairman of the Commercial Court a maximum of 2 days from the date of registration of the lawsuit.
- c. After that, the determination of the day of the trial will be issued a maximum of 3 days from the time the lawsuit is registered.
- d. Furthermore, the bailiff will notify and call the parties a maximum of 7 days from the registration of the lawsuit.
- e. The reading of the verdict on the lawsuit in the hearing is open to the public, for a maximum of 90 days from the time the lawsuit is registered. If it cannot be fulfilled, it can be extended for 30 days.
- f. Against the decision of the Commercial Court, the defeated party can apply for cassation.

The Commercial Court is the only court authorized to adjudicate copyright disputes under the Act. If the chosen dispute resolution path is through the court, then the creator or copyright holder has the option to file a claim for damages (civil) or resolve it criminally. However, the choice of dispute

resolution through the criminal domain is the last resort (*ultimum remedium*) in resolving copyright disputes. Copyright criminal proceedings are regulated in Articles 95, 105, 110 - 120 of the Copyright Act. The creator and holder of the copyright or related rights can still file criminal charges even if they have filed a civil lawsuit. However, if civil and criminal charges coincide, civil lawsuits will come first. Please note that copyright is a complaint delik, so it can only be prosecuted if the creator, copyright holder, or heirs report a criminal offence for his creation. Criminal complaints can now be made through the pengaduan.dgip.go.id website. Complaints can be made by filling out a criminal complaint form. On the form will be asked for the whistleblower's data. After the report is filed, the complainant can check the complaint status on the status menu. Before criminal charges are made, the creator or holder of the copyright or related rights usually reprimands the party who committed the violation first (*somasi*).

In addition, Article 95 paragraph (4) of the Copyright Law must first be mediated between the parties to the dispute. This is why criminal efforts are referred to as a last resort in resolving copyright disputes. If mediation is not successful, then the creator or holder of the copyright or related rights can report criminal acts to police official investigators, Civil Servant Investigation Officers (PPNS) KI at the Regional Office of the Ministry of Law and Human Rights, or PPNS KI at the Directorate of Investigation and Dispute Resolution. After reporting, the reported party will be called for examination. The examination results will be discussed in the title of the internal case to determine whether the report can be raised to the investigation. Expert witnesses will also be called in for questioning.

During the investigation period, the investigator will conduct an examination of the correctness of reports or information related to criminal acts in the field of copyright and related rights, examination of parties suspected of committing criminal acts on it, asking for information and evidence from parties suspected of committing criminal acts, checking bookkeeping, recording and other documents related to criminal acts, searching and examining places where there is suspected evidence, bookkeeping, recording, and other documents related to criminal acts, and confiscating and/or stopping the circulation of materials and goods resulting from violations with the permission of the court to be used as evidence.

In addition, investigators can ask for expert information in investigations and ask for the help of relevant agencies to make arrests, detentions, and the determination of criminals. Investigators can also stop the investigation if insufficient evidence is found. The results of the investigation will be presented to the public prosecutor. According to Sumodiningrat, empowerment is not forever, but *sapai* targets the community can be independent, although from afar it is guarded so as not to fall again (Sulistiani, 2004). (Judging from this opinion, it means empowerment through a period of the learning process to achieve independent status, however, to achieve independence, there is still continuous maintenance of spirit, conditions, and abilities so as not to experience so much distress.

The role of the younger generation in society is the next generation of a nation, community cadres, and family cadres. Youth is always identified with change, how not, the role of youth in building this nation, the role of youth in upholding justice, and the role of youth in rejecting power. The role of the younger generation in the change of the nation, youth or generation is a productive workforce and agent of change. On the other hand, the youth has an essential role in development because he will move the direction of nation-building and determine the nation's future. The empowerment of the younger generation pointed out that there is a provision of legislation Number 40 of 2009 concerning youth Article 1 paragraph 6 determines that empowerment is an activity to raise the potential and active role of youth, then Article 17 paragraph 3 letter e, that the active role of youth as agents of change is realized by developing: sports, arts, and culture.

Preservation or preservation is abased and essential effort is also called factors that support it both from within and outside the preserved thing. Therefore, a process or preservation action regarding a strategy or technique is based on their individual needs and conditions. Sustainability cannot stand alone because it is always paired with development, in this case, survival. Sustainability is an aspect of stabilization of human life, while survival reflects dynamics. The meaning of preservation of culture or art, when viewed in terms of meaning, means that it remains in the original state, unchanged, eternal. This indicates that the preservation of culture is interpreted to make letting remain unchanged, remain as it was before, and maintain its continuity.

3.5 Empowerment and Preservation of Mekotek Dance in Munggu Village Tourist Area Mengwi District Badung Regency

Based on an interview dated May 9, 2022, with Bendesa Adat Munggu, Mr I Made Rai Sujana, SH, said that from the history of mekotek dance from 1700 Munggu Belambangan cadet troops, Ida Cokorda Nyoman prayed right on the day of Tumpek Kuningan. Hence, the mekotek dance performance was always right on the day of Tumpek Kuningan. Pawisik mekotek tradition on Tumpek Kuningan day with the success of his team maintaining Blambangan then commemorated as a day of mekotek dance tradition precisely on the day of brass tumpek. However, in the Dutch colonial era, it was forbidden to use spears (because they were considered identical to rebellions, which occurred plagues of disease, hot gering disease, diarrhea, and until death), now changed spears to bamboo—finally allowed then carried out mekotek dance using bamboo with a stick of wood (pulat wood approximately 3.5 to 4 meters long), the end of the wood decorated pandan and tamyang, which means as a reinforcement repellent in Munggu Village Mengwi District Badung Regency. The tradition of mekotek is carried out with attractions around the village of Munggu by parading a shield as a symbol of a sword repellent.

The shield is traction in Pure Dalem Munggu village as a symbol which was once a place to worship Ida Cokorda Nyoman, which is paraded every day Tumpek Kuningan with koteka around Munggu village until the village compresses it with the sound of tech and technology, which aims to expel bhuta Kala that disturbs the community.

Based on the interview with Bendesa Adat, said that the empowerment of mekotek dance in the tourist area of Munggu village, Mengwi District, Badung Regency, the people of Munggu village are required to participate in carrying out the tradition of mekotek dance, every carrying out the attractions of mekotek dance must surround the village of Munggu until it is shortened the road, which aims to the safety of the village community and to get windfall and welfare for the people of Munggu village. Mengwi District of Badung Regency.

While the preservation of dance mekotek in the tourist area of Munggu Village, Mengwi District, Badung Regency, in an interview with Bendesa Adat said that several ways are done to preserve the culture of dance mekotek, namely as follows:

1. Ngerebeg mekotek dance as a cultural heritage tradition of objects has a patent certificate in 2016;
2. Mekotek dance (Mekotek dance) has a copyright certificate in 2019;
3. Mekotek dance will be sold to the tourism sector in Indonesia, Munggu Village as an area of one of the tourist areas that will be staged 2 times in Jaba Pura Dalem;
4. The Porkdarwis group of Munggu tourist village invited 250 Guide people to provide socialization and participate in promoting mekotek dance to foreign countries;
5. Mekotek dance will be used as a cultural attraction with every arrival of domestic tourists and foreign tourists when visiting the Munggu Village tourist area;
6. The impact of mekotek culture, Munggu Village has established many villas in the middle of rice fields for tourist transit points;
7. Munggu Village tourist area has prepared various culinary places for tourists.

IV. CONCLUSIONS

The form of legal protection against the copyright of mekotek dance there is 2 (two), namely preventive and repressive protection. Based on the description of the discussion in the previous chapter, it can be concluded that the implementation of copyright registration for dance mekotek can be done online and offline. The management of the registration process is represented by the Chairman of the Munggu Village Tourism Awareness Group, Mr Putu Suada. Of course, the implementation starts from looking for requirements documents such as the identity of the parties, filling out the application letter; affidavit of ownership; transfer letter of rights where all must be pdf, and proof of the work of mekotek dance in the form of storylines and MP3 videos. The registered creation will be subject to the registration fee after everything is collected and then sent to the HAKI Partner to take care of online by waiting approximately one month to get the results in the form of copyright certificates. Therefore, the registration results will be in line to obtain legal protection and lead to quality tourism.

How to empower and preserve mekotek dance in the tourist area of Munggu Village, namely by the way the community is obliged to participate in the implementation of mekotek dance and preserve mekotek dance by selling culture to the tourism domain so that domestic tourists and foreign tourists are interested in watching our cultural heritage attractions, mekotek dance has also been promoted to Foreign countries by guides who come to Indonesia. Based on Law No. 28 of 2014 concerning Copyright, it has copyright protection, especially this type of dance mekotek work. This form of preventive legal protection has been implemented by registering the copyright with the Office of the Ministry of Law and Human Rights of Bali Province. Besides that, it can also license third parties who want to take advantage of the work. At the same time, the implementation of repressive legal protection forms can be completed by non-litigation and litigation channels.

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