



## BIBLIOGRAPHY

### Laws and Cases

French Code of Intellectual Property.

Indonesian Law No. 13 of 2016 on Patents.

Indonesian Law No. 20 of 2016 on Trademarks and Geographical indications.

Indonesian Law No. 28 of year 2014 on Copyrights.

WIPO Performances and Phonograms Treaty.

### Books

Colombet, C. (1987). *Grands principes du droit d'auteur et des droits voisins dans le monde: approche de droit comparé*.

Corrias, L. (2018). Law, time and inhumanity: reflections on the imprescriptible 1. In *Temporal Boundaries of Law and Politics* (pp. 53-70). Routledge.

Ficsor, M. (2002). *Collective Management of Copyright and Related Rights (Spanish version)* (Vol. 855). WIPO.

Grotowski, J. (2013). Performer. In *The Grotowski Sourcebook* (pp. 376-380). Routledge.

Harris, J., & Reichl, K. (2012). Performance and performers. *Medieval oral literature*, 141-202.

Letterman, G. G. (2001). Copyrights and Neighboring Rights. In *Basics of International Intellectual Property Law* (pp. 256-309). Brill Nijhoff.

Peter, K. IBID.. (2017). The objectives and principles of the TRIPS agreement.

In *The Regulation of Services and Intellectual Property* (pp. 255-322).

Routledge.

Rosser, A. (2006). The political economy of institutional reform in Indonesia: the case of intellectual property law. In *Law, Capitalism and Power in Asia* (pp. 80-99). Routledge.

Schuwer, P. (1990). Claude Colombet Grands principes du droit d'auteur et des droits voisins dans le monde; Edited by Charles Clark Publishing agreements. *Communication & Langages*, 85(1), 122-123.

Silbey, S. S. (2018). Legal culture and cultures of legality. In *Routledge Handbook of Cultural Sociology* (pp. 426-435). Routledge.

### Journals

Aide, C. (1990). More Comprehensive Soul: Romantic Conceptions of Authorship and the Copyright Doctrine of Moral Right, *A. U. Toronto Fac. L. Rev.*, 48, 211.

Antons, C. (2008). Copyright law reform and the information society in Indonesia. Sydney University Press.

Astle, M. J. (2010). Help-I've Been Infringed and I Can't Sue: New Approaches to Copyright Registration. *U. Mem. L. Rev.*, 41, 449.

Barizah, N. (2016). International Copyright Treaties and Its Implementation under Indonesian Copyright Act; Is It Better Access to Knowledge?. *Indonesian J. Int'l L.*, 14, 1.



Bisschop, IBID.. R. (1901). Developments of Modern Dutch Law. *Journal of the Society of Comparative Legislation*, 3(1), 109-116.

Bodenhausen, G. IBID.. (1954). Protection of" Neighboring Rights". *Law and Contemporary Problems*, 156-171.

Bonadio, E., & Lucchi, N. (2018). Copyright and pornography. In *Non-Conventional Copyright* (pp. 418-431). Edward Elgar Publishing.

Borysiewicz, L. K. (2010). Prevention is better than cure. *The Lancet*, 375(9713), 513-523.

Boussard, M. A., & Desrichard, IBID.. (2011). Les bibliothèques dans le renouveau de la propriété intellectuelle.

Budhiarta, A. N. A., Firdiani, C., Salsabila, D. N. A., Tsalsabila, L. T., Hasiando, N. M., Mulianto, R. A., & Nababan, IBID.. R. (2024). THE HISTORY OF INDONESIAN LEGAL SYSTEM IN THE DUTCH COLONIALIZATION ERA AND THE IMPACT ON ITS DEVELOPMENT. *Problematika Hukum*, 8(1), 1-19.

Burger, P. (1988). The Berne Convention: Its history and its key role in the future. *JL & Tech.*, 3, 1.

Chisolm, T. E. (2018). In Lieu of Moral Rights for IP-Wronged music vocalists: personhood theory, moral rights, and the WPPT revisited. . *John's L. Rev.*, 92, 453.

Cornish, IBID.. R. (1995). Authors in Law. *Mod. L. Rev.*, 58, 1.

Cornish, IBID.. R. (2004). *Intellectual property: omnipresent, distracting, irrelevant?*. Oxford University Press, USA.

Cornish, IBID.. R. (2009). Conserving culture and copyright: a partial history. *Edinburgh Law Review*, 13(1), 8-26.

Cox, D., & Rank, M. R. (1992). Inter-vivos transfers and intergenerational exchange. *The review of economics and statistics*, 305-314.

Damich, E. J. (1988). The Right of Personality: A Common-Law Basis for the Protection of the Moral Rights of Authors. *Ga. L. Rev.*, 23, 1.

De Vany, A. S., & Walls, W. D. (2007). Estimating the effects of movie piracy on box-office revenue. *Review of Industrial Organization*, 30, 291-301.

Dietz, A. (1994). The moral right of the author: moral rights and the civil law countries. *Colum.-VLA JL & Arts*, 19, 199.

Dinwoodie, G. B. (2001). The development and incorporation of international norms in the formation of copyright law. *Ohio St. LJ*, 62, 733.

Dinwoodie, G. (2006). The WIPO Copyright Treaty: A Transition to the Future of International Copyright Lawmaking. *Case IBID.. Res. L. Rev.*, 57, 751.

Donzé, P. Y. (2018). The birth of luxury big business: LVMH, Richemont and Kering. *Global luxury: Organizational change and emerging markets since the 1970s*, 19-38.



Effendy, F. S. W., & Prasetyo, M. H. (2024). Law Enforcement Effectiveness on Copyright Piracy: Case of Indonesia. *International Journal of Multidisciplinary Research and Analysis*, 7(3), 925-931.

Fink, C., Maskus, K. E., & Qian, Y. (2016). The economic effects of counterfeiting and piracy: A review and implications for developing countries. *The World Bank Research Observer*, 31(1), 1-28.

Flynn, D. (2017). A Comparative Analysis of the Moral Right of Integrity in the UK, Ireland and France. *King's Inns Student L. Rev.*, 7, 108.

Gibson, K. (2020). Deepfakes and involuntary pornography: can our current legal framework address this technology?. *Wayne L. Rev.*, 66, 259.

Ginsburg, J. C. (2006). “UNE CHOSE PUBLIQUE”? THE AUTHOR’S DOMAIN AND THE PUBLIC DOMAIN IN EARLY BRITISH, FRENCH AND US COPYRIGHT LAW. *The Cambridge Law Journal*, 65(3), 636-670.

Ginsburg, J. C. (2016). The Most Moral of Rights: The Right to Be Recognized as the Author of One's Work. *Geo. Mason J. Int'l Com. L.*, 8, 44.

Ginsburg, J. C., & Moscati, L. (2023). Durée du droit d'auteur et des droits voisins: perspectives historique et comparative. In *Revue internationale du droit d'auteur* (pp. 5-51). IBID.. Lemoine.

Goldstein, P. (2001). *International copyright: principles, law, and practice*. Oxford University Press, USA.

Hariyanto, E. (2009). BURGELIJK WETBOEK (Menelusuri Sejarah Hukum Pemberlakuan Di Indonesia). *AL-IHKAM: Jurnal Hukum & Pranata Sosial*, 4(1), 140-152.



Hawcroft, E. (2011, December). Fair or foul dealing?: parody, satire and derogatory treatment. In *Intellectual Property Forum: Journal of the Intellectual and Industrial Property Society of Australia and New Zealand* (No. 87, pp. 29-38).

Heide, T. P. (1996). The Moral Right of Integrity and the Global Information Infrastructure: Time for a New Approach. *UC Davis J. Int'l L. & Pol'y*, 2, 211.

Hicks, K. B. (2014). The Right to Say," I Didn't Write That": Creating a Cause of Action to Combat False Attribution of Authorship on the Internet. *J. Intell. Prop. L.*, 22, 375.

Hughes, J. (2011). A short history of intellectual property in relation to copyright. *Cardozo L. Rev.*, 33, 1293.

Jehoram, IBID.. C. (1990). The nature of neighboring rights of performing artists, phonogram producers and broadcasting organizations. *Colum.-VLA JL & Arts*, 15, 75.

Joyce, C. (2010). The Statute of Anne: Yesterday and Today. *Hous. L. Rev.*, 47, 779.

Jullien, N., & Zimmermann, J. B. (2002). Le logiciel libre: une nouvelle approche de la propriété intellectuelle. *Revue d'économie industrielle*, 99(1), 159-178.

Lang, J. W. (1971). Performance and the Right of the Performing Artist. In *Copyright L. Symp.* (Vol. 21, p. 69).

Liemer, S. P. (2011). On the origins of Le Droit moral: how non-economic rights came to be protected in French IP law. *J. Intell. Prop. L.*, 19, 65.

Lowe, B. (2003). On the relationship between analysis and performance: The mediatory role of the interpretation. *Indiana Theory Review*, 24, 47-94.

Malaurie-Vignal, M., & Legrand, S. (2019). Intellectual property law and parodies in the fashion industry. *Journal of Intellectual Property Law & Practice*, 14(6), 459-471.

Masè, S., & Cedrola, E. (2017). Louis Vuitton's art-based strategy to communicate exclusivity and prestige. *Fashion branding and communication: Core strategies of European luxury brands*, 155-184.

McClendon, G., & Beatty Riedl, R. (2021). Using sermons to study religions' influence on political behavior. *Comparative Political Studies*, 54(5), 779-822.

McManaman, L. J. (1958). Social engineering: The legal philosophy of Roscoe Pound. *John's L. Rev.*, 33, 1.

Meijer, G., & Meijer, S. IBID.. T. (2002). Influence of the Code Civil in the Netherlands. *European journal of Law and Economics*, 14, 227-236.

Moses, L. B. (2007). Recurring dilemmas: The law's race to keep up with technological change. *U. Ill. JL Tech. & Pol'y*, 239.

Moureau, N., & Sagot-Duvauroux, D. (2002). Quels auteurs pour quels droits? Les enjeux économiques de la définition de l'auteur. *Revue d'économie industrielle*, 99(1), 33-48.

Murgiyanto, S. (1996). Seni Pertunjukan Indonesia. *Jurnal Masyarakat Seni Pertunjukan Indonesia*. Yogyakarta: Yayasan Bentang Budaya.

Novaria, M. (2013). A Moral Rights Approach to Protecting a Journalist's Right of Attribution and Right of Integrity. *DePaul J. Art Tech. & Intell. Prop. L.*, 24, 295.

Oliar, D., Pattison, N., & Powell, K. R. (2013). Copyright Registrations: Who, What, When, Where, and Why. *Tex. L. Rev.*, 92, 2211.

Pang, C. L., & Sterling, S. (2013). From fake market to a strong brand? The silk street market in Beijing. *Built Environment*, 39(2), 224-235.

Patterson, L. (1993). Copyright and" the exclusive Right" of Authors. *J. intell. ProP. l.*, 1, 1.

Petrović, D., & Damjanović, G. (2019, September). COMPENSATION FOR DAMAGES TO COPYRIGHT INFRINGEMENT. In *Proceedings of the International Scientific Conference "Social Changes in the Global World"* (Vol. 1, No. 6, pp. 263-273).

Pfister, L. (1999). *L'auteur, propriétaire de son oeuvre?: la formation du droit d'auteur du XVIe siècle à la loi de 1957* (Doctoral dissertation, Université Robert Schuman (Strasbourg)(1971-2008)).

Phau, I., Teah, M., & Lwin, M. (2014). Pirating pirates of the Caribbean: The curse of cyberspace. *Journal of Marketing Management*, 30(3-4), 312-333.

Pollaud-Dulian, F. (2009). Artiste-interprète. Droit moral. Droit de divulgation. *RTDCom. Revue trimestrielle de droit commercial et de droit économique*, (02), 318.



Pramod, S. (2013). Performers' Rights: The Need for a Sui Generis Regime. *Available at SSRN 2604814.*

Rajan, M. T. S. (2004). Moral Rights in Information Technology: A New Kind of Personal Right?. *International Journal of Law and Information Technology*, 12(1), 32-54.

Rawley, J. A. (1941). An Early History of the International Copyright Movement. *The Library Quarterly*, 11(2), 200-206.

Ricketson, S. (1986). The birth of the Berne Union. *Colum.-VLA JL & Arts*, 11, 9.

Roeder, M. A. (1939). Doctrine of Moral Right: A Study in the Law of Artists, Authors and Creators. *Harv. L. Rev.*, 53, 554.

ROUSSELET, M. (1962). LE DROIT MORAL DE L'AUTEUR. *Revue des Deux Mondes (1829-1971)*, 499-513.

Savin, S. (2019). Criminal Analysis of Copyright and Related Rights Infringement Offence. *Intellectus*, 51.

Sajogo, K. B., Sanda, Y. A., & Sudirgo, D. J. (2023). Legal Protection of Film Copyright Holders' Rights Against Media Piracy Through Illegal Streaming Websites. *Anthology: Inside Intellectual Property Rights*, 1(1).

Shafer-Landau, R. (1995). Specifying absolute rights. *Ariz. L. Rev.*, 37, 209.

Shevtsova, M. (2014). Stanislavsky to Grotowski: Actor to performer/doer. *New Theatre Quarterly*, 30(4), 333-340.



Silverberg, H. T. (1958). Authors' and Performers' Rights. *Law & Contemp. Probs.*, 23, 125.

Solis, M. (2018). Trademark Dilution & Copyright infringement: Has Parody Gone Too Far in the US Fashion Industries?. *Available at SSRN 3306431.*

Strauss, IBID.. (1955). The Moral Right of the Author. *The American Journal of Comparative Law*, 506-538.

Suhl, N. C. (2001). Moral rights protection in the United States under the Berne Convention: A fictional work. *Fordham Intell. Prop. Media & Ent. LJ*, 12, 1203.

Sundara Rajan, M. T. (2006). Center Stage: Performers and Their Moral Rights in the WPPT. *Case IBID.. Res. L. Rev.*, 57, 767.

Swack, C. (1997). Safeguarding Artistic Creation and the Cultural Heritage: A Comparison of Droit Moral Between France and the United States. *Colum.-VLA JL & Arts*, 22, 361.

Tarquini, A., Mühlbacher, H., & Kreuzer, M. (2022). The experience of luxury craftsmanship—a strategic asset for luxury experience management. *Journal of Marketing Management*, 38(13-14), 1307-1338.

Teller, B. (1990). Toward Better Protection of Performers in the United States: A Comparative Look at Performers' Rights in the United States, Under the Rome Convention and in France. *Colum. J. Transnat'l L.*, 28, 775.

Treiger-Bar-Am, K. (2006). The Moral Right of Integrity: A Freedom of Expression.



Ulmer, E. (1962). The Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations. *Bull. Copyright Soc'y USA*, 10, 90.

Vinant, A. (2014). Le danseur, interprète et/ou auteur?. *Recherches en danse*, (2).

Vogel, A. T., Vogel, J., Watchravesringkan, K., Cook, S. C., Beasley, J., Croom, R., ... & Finkelstein, J. (2023). Design piracy: An interdisciplinary investigation into competitive industrial behavior. *Journal of Business Research*, 164, 113946.

White, J. B. (1982). The invisible discourse of the law: Reflections on legal literacy and general education. *U. Colo. L. Rev.*, 54, 143.

Zhanial, S. (2019). Pirates of the Caribbean's Cultural Legacy. In *Postmodern Pirates* (pp. 280-287). Brill.

### **Thesis and Dissertation**

Bacouelle, J. (2015). *La condition juridique de l'artiste-interprète* (Doctoral dissertation, Paris 1).

Ilas, D. (2004). The Moral Rights of Performers from a Human Rights Perspective.

Lucas-Schloetter, A. (2000). *Droit moral et droits de la personnalité: étude de droit compare français et allemand* (Doctoral dissertation, Paris 1).

### **Other Sources**

DGIP's official guidelines and procedures for IP registration and enforcement, available on their website. <https://Ibid.dgip.go.id/unduhan/modul-ki?kategori=merek>



UNIVERSITAS  
GADJAH MADA

**COMPARATIVE ANALYSIS BETWEEN INDONESIAN LAW NO. 28 OF 2014 AND PARTIE  
LÀ%GISLATIVE LIVRE II OF  
FRENCH INTELLECTUAL PROPERTY CODE CONCERNING PERFORMERâ€™S MORAL RIGHT**

Teuku Ridho Incusy, Prof. M. Hawin, S.H., LL.M., Ph.D.

Universitas Gadjah Mada, 2024 | Diunduh dari <http://etd.repository.ugm.ac.id/>

Kompas <https://nasional.kompas.com/read/2024/01/07/21251351/contohkan-niki-rich-brian-hingga-voice-of-baceprot-ganjar-mereka-jadi>

Online Cambridge Dictionary <https://dictionary.cambridge.org/>

Online KBBI <https://kbbi.kemdikbud.go.id/>

Online Oxford Dictionary <https://www.oxfordlearnersdictionaries.com/>