

# Copyright Protection in Indonesia: Addressing Piracy and Digital Challenges in the Creative Economy

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## Abstract

Copyright has a vital role in the development of Indonesia's creative industry which is one of the main pillars of the country's economy and contributes significantly to the GDP. The sub-sectors include music, film, visual arts and digital applications and have the possibility of growing even further especially due to technological progress. However, the digital age has its dark side and one restricts of creativity them and is affected piracy the and creators. The copyright purpose infringement of which this study is to assess the effectiveness of copyright laws in Indonesia with an emphasis on the issues that have emerged in the course of the digital revolution. The research is of a qualitative nature and the findings are based on the analysis of Law No. 28 of 2014 on Copyright, case studies in the creative economy sector and comparison with other countries including Japan and South enforcement Korea. The is study bedridden establishes with that several although challenges the including copyright the laws spread in of Indonesia illegal are content adequate, on their the digital platforms, low awareness of the public and weak enforcement mechanisms. Other countries that have encountered similar issues have put in place strong measures which include technology and regulation adaptation as well as government, industry and technology partners. Based on the findings of this study, it is recommended that should the be regulations educated concerning on the the digital need platforms to be respect enhanced, copyright the laws public and there should be interdepartmental cooperation. It is anticipated that these measures will lead to the development of an environment that supports creativity, safeguards the works of creativity and enhances the sustainable development of the creative industry in Indonesia.

**Keywords:** copyright; piracy; creative economy; digital era; Indonesia

## Abstrak

Hak cipta memiliki peran strategis dalam mendukung pertumbuhan ekonomi kreatif di Indonesia, yang menjadi salah satu sektor unggulan dengan kontribusi signifikan terhadap Produk Domestik Bruto (PDB). Subsektor seperti musik, film, seni rupa, dan aplikasi digital menunjukkan potensi besar untuk terus berkembang, terutama dengan kemajuan teknologi. Namun, era digital juga membawa tantangan serius, terutama dalam bentuk pembajakan dan pelanggaran hak cipta, yang menghambat inovasi dan merugikan pencipta karya. Penelitian ini bertujuan untuk menganalisis efektivitas perlindungan hak cipta di Indonesia, terutama

*dalam menghadapi tantangan di era digital. Dengan menggunakan pendekatan kualitatif, penelitian ini mengevaluasi Undang-Undang No. 28 Tahun 2014 tentang Hak Cipta, studi kasus pada sektor ekonomi kreatif, serta membandingkan praktik terbaik dari negara lain, seperti Jepang dan Korea Selatan. Hasil penelitian menunjukkan bahwa meskipun regulasi hak cipta di Indonesia sudah memadai, implementasinya masih terkendala oleh penyebaran konten ilegal melalui platform digital, rendahnya kesadaran masyarakat, dan keterbatasan penegakan hukum. Negara-negara lain yang berhasil mengatasi tantangan serupa telah mengadopsi pendekatan komprehensif, termasuk regulasi adaptif terhadap teknologi digital dan sinergi antara pemerintah, pelaku industri, dan platform teknologi. Penelitian ini merekomendasikan penguatan regulasi untuk platform digital, edukasi publik tentang pentingnya hak cipta, dan kolaborasi lintas sektor. Pendekatan ini diharapkan mampu menciptakan ekosistem yang mendukung inovasi, melindungi karya kreatif, dan mendorong pertumbuhan ekonomi kreatif yang berkelanjutan di Indonesia.*

**Kata Kunci:** hak cipta; pembajakan; ekonomi kreatif; era digital; Indonesia

## **A. Introduction**

Copyright has a strategic role in supporting the development of the creative economy in Indonesia, which has become one of the leading sectors in driving national economic growth. According to a report by the Creative Economy Agency (Bekraf), the sector will contribute 7.44% to Indonesia's Gross Domestic Product (GDP) by 2022, with leading sub sectors such as music, film, fine arts, culinary, and digital applications. The creative economy not only creates employment opportunities but also increases Indonesia's competitiveness in the global market through innovation and creativity.<sup>1</sup>

The development of digital technology accelerates the distribution of creative works and opens up opportunities for industry players to reach a wider audience. However, this progress is also accompanied by various challenges, especially piracy and copyright infringement. The distribution of illegal content through digital platforms has become a serious threat to the sustainability of the creative economy. This phenomenon not only harms the creators of the works but also weakens the sector's growth potential in the long run.

The Indonesian government has given special attention to copyright protection through comprehensive regulations, one of which is Law No. 28 of 2014 on Copyright.

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<sup>1</sup> Bekraf, *Laporan Tahunan Ekonomi Kreatif 2022*, Jakarta: Bekraf, 2023.

This law is designed to protect the moral and economic rights of creators, as well as encourage innovation in various fields. However, its implementation in the digital era faces various obstacles. Suboptimal law enforcement, low public awareness of the importance of copyright, and weak supervision of digital platforms are some of the main factors that hinder the effectiveness of copyright protection.<sup>2</sup>

This challenge is made even more complex by the nature of digital content, which is easily copied, altered and disseminated without permission. Data shows that Indonesia is one of the countries with high piracy rates, especially in the music and movie industries. Several studies have also shown that piracy not only results in loss of potential revenue for creators, but also reduces investment interest in the creative economy sector.

This study aims to answer several problem formulations relevant to the issue of copyright protection in Indonesia:

1. How does piracy impact the growth of the creative economy sector in Indonesia?
2. Has the implementation of Law No. 28 of 2014 been effective in protecting copyright in the digital era?

By answering these questions, this research is expected to make a real contribution to understanding the problems of copyright protection in Indonesia. In addition, the results of this study are expected to serve as a reference in formulating a more comprehensive strategy to strengthen copyright protection, support innovation, and encourage sustainable growth of the creative economy.

## **B. Method**

The research methodology used in this paper is a normative juridical approach, with data processing in the form of qualitative analysis of various relevant legal sources. The data used in this study consists of primary and secondary data, which is collected through an in-depth literature review. Data collection techniques involve

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<sup>2</sup> Kemenkumham RI, *Panduan Hak Kekayaan Intelektual di Era Digital*, Jakarta: Kementerian Hukum dan HAM, 2022. <https://www.dgip.go.id>

examining laws and regulations, court decisions, legal documents and scholarly literature related to intellectual property rights and trademark protection. This study engages a statutory approach to identify applicable norms.

### **C. Result & Analysis**

The importance of copyright, however much at issue, is undeniable, but it has failed to fully solidify its strategic position as the final piece of armor to fully arming the creative economy. According to Bekraf, the creative economy itself accounts for around 7.44 percent of Indonesia's GDP. It also includes industries such as music, film, fine art, culinary appetites and the growing scope of digital applications and so on. While these sectors shimmer with promise, they remain ensnared by persistent, gnawing challenges: copyright infringement and piracy.

Law no. 28/2014 on Copyright provides a sound legal regime on the protection of moral and material rights of creators. This is designed to make academic progress on copyright while introducing significant advances, for example, an expansion of copyright periods for 70 years posthumously and permission of copyrights as fiduciary property – modern is to raise intellectual property to an elevated level of economic importance. Yet, these provisions frequently stumble at the bar of legislative text, impeded by a decrepit law enforcement, a steep dearth of general, public awareness, and the dire chore of hounding the ginormous universe of digital domainital era that has transformed the nature of our consumption of creative works and, unimaginably, their piracy.<sup>3</sup> Indonesia is a chronic hotspot for intellectual piracy, and hard hit are industries like music and film. This kind of piracy doesn't just nibble profits, it's a cancer on the creative ecosystem. Imagine a musician, or a filmmaker that spends years perfecting their art, only to have their work stolen, reposted only to be consumed for free. When unauthorized distributors siphon away earnings there is an incentive to innovate. For instance, when pirated content infiltrates the film industry, theater attendance falls out of sync.<sup>4</sup> Investor enthusiasm will cool if

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<sup>3</sup> Fajar Sugianto, Astrid Athina Indradewi, and Yohanie Mareta, "Book Pirates and Copycats : Infringement That Speaks For Itself" 2, no. 1 (2024): 259–69.

<sup>4</sup> Muhammad Sabil Bakti and Priskila Christin Nugrani Watania, "Analisis Yuridis Putusan Hakim Dalam

revenues are low for box office admissions, and box office revenues are tied to empty seats. Some consumers view pirated content as 'victimless crime,' a move that has made illegal sharing on digital platforms the norm. This normalization of theft, though, isn't so harmless. When the creative professionals lose their revenue, the entire industries get affected downstream. Music, cinema, art all fuel Indonesia's vibrant cultural landscape, but without funding for necessary support it could start to stagnate.<sup>5</sup>

These problems are addressed by Law No. 28/2014. It spells out who to sue, what to do when you can't sue, and what to do if you don't know anyone to sue; it provides avenues for resolving disputes through mediation, arbitration, or court forum, classifying copyright violations as crimes warranting criminal action. But the implementation of those measures is uneven, to put it gently. Digital breaches are often out of enforcement agency purview, for lack of resources or expertise. Imagine trying to track a single pirated movie file, as it zips from server to server across the globe: such is herculean, in the extreme. The latter is another hurdle in public awareness. Some Indonesians still consider piracy to be a benign act, allowing them to access something they otherwise couldn't afford. This perception, coupled with poor outreach to educate, keep the cycle of infringement perpetuating itself. But schools, community organizations, even religious groups could be key in reshaping public attitudes, but only if they have the funding and focus that doesn't always exist.

Piracy is an issue that Indonesia can emulate through leaders around the world such as Japan and South Korea. Strong anti-piracy measures have been combined with top end technology in these countries. This has worked out in the form of digital watermarking, blockchain verification and robust takedown mechanisms for infringing content. To make this success replicate in Indonesia, a collaboration between the government agencies and private tech companies needs to be coordinated

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Perkara Pelanggaran Hak Cipta Sistem Investasi Emas Melalui Media Internet (Studi Putusan Mahkamah Agung Nomor 1813 K/Pdt. Sus-HKI/2022)," *Anthology: Inside Intellectual Property Rights* 2, no. 1 (2024): 129–42.

<sup>5</sup>Neliti. "None." Accessed 12 December 2024. <https://media.neliti.com/media/publications/160369-ID-none.pdf>

with the international organizations as a whole.<sup>6</sup>

Steps also need to be taken in the education campaigns. There's also a demand for positive reinforcement: encouraging consumers to keep supporting original creators. What if instead of just banging on about how piracy costs us money, we also campaign about how piracy kills dreams? For people to change their behaviors, they need to be able to connect their actions to real human stories. Technology can also help. By using tools such as AI driven content monitoring and automated reporting systems to ease the work of human enforcement officers, the need to monitor every single word would no longer exist. But, these solutions only entail enormous investment and infrastructure development.

If that creative economy is not just a bunch of industries, but an expression of Indonesia's spirit of innovation, then that spirit is showing! Individually, the nation's creators range from gamelan musicians to app developers who represent a rich cultural legacy combined with forward thinking ingenuity. Without stronger protections for intellectual property, however, this potential will not be fully realized. That legislation, such as Law No. 28/2014, must not remain just on paper, but become a real world impact. Stemming losses is not what Buil is about, but rather creating an environment where creativity can flourish. Countries where intellectual property is respected and protected are more likely to earn investors' trust which will be more likely to back in projects. With this, we promote economic growth, create jobs, and more importantly help us to stand out as a country that is culturally present on a global stage.<sup>7</sup>

The economic logic of Copyright isn't just a legal hole; it is an economic imperative. Indonesia's creative economy will only succeed if the right balance between copyright laws and their application organs evolve in line with the digital age. That means cracking down on piracy, educating the public and – thanks to

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<sup>6</sup>Universitas Medan Area. "Hukum Hak Cipta dalam Era Digital: Perlindungan dan Tantangan." Accessed 12 December 2024. <https://bpmpp.uma.ac.id/2024/05/15/hukum-hak-cipta-dalam-era-digital-perlindungan-dan-tantangan/>

<sup>7</sup> Billy Sugihono, David Ciang, and Jeff Antonio Yeo, "Perlindungan Hukum Konten Hak Cipta Dalam Ekonomi Kreatif Berbasis Teknologi Digital-Revolusi Industri Dan Bisnis Indonesia Era 5.0," *Anthology* 2, no. 1 (2024): 49–72.

technology – protecting creators. These are the right measures which will let Indonesia become a leader in the global creative economy and thus prove that culture and innovation can and do go together. Indonesia’s creative economy is able to grow with optimal copyright protection provided. The creative economy is a sector of importance because it creates jobs and accounts for part of global competitiveness, but policy support to protect the innovation and creativity of creators is needed. The sector needs an ecosystem to derive sustainability and this ecosystem can be created only through collaborative efforts of the government, private sector and society. An important asset in the development of the creative economy in Indonesia is copyright. Protection that works does more than just protect innovation, it also does a lot to foster national economic growth. Through implementation of an integrated strategy to address the challenges of piracy, Indonesia has found a way to become a big player in the global creative economy.<sup>8</sup>

In order to strengthen its position, Indonesia may also consider the adoption of modern technologies, for example, the use of blockchain in secure content transmission and management of intellectual property rights and royalties. Blockchain is capable of helping creators get their due share of profits for their creations as it allows for the proper recording of transactions and use of content in real time and with minimal chances of fraud and illegal copying. Also, there is a great potential for AI in copyright protection especially in the automated detection of copyrighted content and removal from online platforms which currently rely on manual inspection thus being time consuming. Thus, these new technologies, when integrated with strong policy frameworks that are flexible to change with the current trends, can enable Indonesia to advance to the forefront in the fight against piracy and protection of intellectual property on the globe.

Furthermore, cooperating with international organizations like the World Intellectual Property Organization (WIPO) and engaging in discourse on copyright protection can greatly enhance Indonesia’s intellectual property structure. Adopting

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<sup>8</sup> Fajar Sugianto, Stevinell Mildova, and Felicia Christina Simeon, “Increasing Economic Performance Through the Rule of Law in Indonesia: Law and Economics Perspective” 140, no. *Icleh* (2020): 92–99, <https://doi.org/10.2991/aebmr.k.200513.019>.

strategies that have been effective in other countries that have similar challenges like Japan and South Korea may be helpful; these strategies include the use of digital watermarking and advanced content identification techniques coupled with aggressive public awareness campaigns. Such partnerships could also enable sharing of information and resources, technical support and capacity building for the enforcement authorities and other stakeholders to combat piracy.<sup>9</sup>

Besides the technological and structural changes, Indonesia has to work on changing people's perception towards piracy and enforcing education in the matter. New strategies should not only focus on the legal and the economic effects of copyright infringement, but also on the human effects of it through sharing the stories of creators who were impacted by piracy. Many sectors including the educational system, community organizations and even entertainment platforms have a role to play in the socialization of consumers on ethical consumption and production as well as in promoting the consumption of original works and appreciation of creativity as a social product.

The preservation of intellectual property rights alone is insufficient for the sustaining of the creative economy in the long run. An integrated approach to the development is required in order to support innovation, to fight against the socio-economic injustice and to provide equal chances for all the agents involved in the creative industry. This involves rewarding creators, paving way for entry into the market and encouraging investment into the creative industry. Thus, developing a comprehensive strategy that will include technological advancement, legal measures, awareness creation, and international cooperation, Indonesia will be able to develop an environment that will support creativity and innovation.

In the long run these measures do not only prevent unauthorized use of intellectual property but also boost Indonesia's competitiveness in the global creative industry. Strong and well protected creative industries can also contribute to the

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<sup>9</sup> S R Giovani and S S Entoh, "Peran Hak Kekayaan Intelektual Terhadap UMKM Ditinjau Dari Aspek Hukum Dan Ekonomi Indonesia," *Anthology: Inside Intellectual Property Rights*, 2024, 184–207, <https://ojs.uph.edu/index.php/Anthology/article/view/8259%0Ahttps://ojs.uph.edu/index.php/Anthology/article/viewFile/8259/3881>.



attraction of foreign and domestic investments, generate millions of jobs and be an excellent display of Indonesia's culture and innovation. Thus, keeping in mind the above mentioned goals, the country can set the right direction for the future where creativity and culture are not only valued and appreciated but also become the key engines for growth and social progress in the world.

### **C.1 Piracy Is Impacting the Growth of the Creative Economy Sector in Indonesia**

This study specifically investigates the issues of copyright protection in Indonesia related to creative economic growth context. As one of the main contributor to the national economy, the creative economy consists of many sectors including music, film, literature, and visual art. Nevertheless, its potential is seriously hampered by enduring problems in copyright protection. Some important aspects that need to be discussed further include:

#### **1. Law No. 28 of 2014 Effectiveness**

Law No. 28 of 2014 in the Protection of Copyright (UUHC) is the main legal basis that promulgates the protection of copyright in Indonesia. Passed to give a strong law that protects the rights of the creator and gives control over his or her work. The UUHC gives creators exclusive rights to control 3 certain aspects of their creative works (reproduction, distribution and public performance). The existence of this legal framework is imperative for the development of creativity and innovation in the creative economy.

Nevertheless, this law is no magic bullet for the difficulties confronting creators in Indonesia. The constraints in law enforcement are a one significant issue. Copyright laws in Indonesia are notoriously weak in enforcing. Most offenders commit many violations with little or no consequences. As an instance, cases of movie and music piracy abound, but relevant authorities seldom persecute them. It creates a climate of impunity in which infringers are driving fearless with no consequence.

Unfortunately, the lack of effective enforcement mechanisms not only undermines the rights of creators but also stop investment into creative industries, because of potential investors are always worried not to invest into that market because their intellectual property can be stolen or misused easily.

A crucial factor too is the fact that very few people are aware of copyright issues. It is very clear that many people in Indonesia are not aware that making use of someone else's work without consent is a crime, law of copyright. This is not just observed amongst casual users but across the creative community there is still lack of awareness about intellectual property rights and how important they are in protecting creative work.<sup>10</sup> Thus it is that piracy is often accepted as a proper rather than a serious offence. There is an urgent need for more intensive educational programs that educate the public about copyright laws and the dangerous impact of piracy on creators and the economy as a whole.

It is because people view piracy as this culture whereby intellectual property theft is acceptable rather than something illegal. This is not a misconception that keeps bad on, thus reinforcing continuing the cycle. This makes the public to be unaware of the laws hence poses a great challenge in the efforts being made towards the development of the creative industry. Therefore, there is a huge need to develop more aggressive educational campaigns in order to ensure that the public knows about the existence of the copyright laws and also the importance of the same. Such programs could also aim at showing the importance of copyright protection in the context of the creativity industries and the role of creators. For instance, one could use real life cases of creators who have been emotionally and financially affected by piracy to make the issue more tangible.

Also, integrating intellectual property education into school curriculums could play a very crucial role in changing people's attitudes from the earliest age. Teachers, parents and other influential members of the society should ensure that schools and universities teach students on the need to respect creative works, the value of innovation and the role of IP in encouraging innovation. Also, there are other measures that include holding seminars, workshops and partnering with other organizations within the community to ensure that the adults are also reached.

Another strategy is to use the effectiveness of digital platforms and social media

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<sup>10</sup> Tobyas Halim, Ravano Harsha, and Gogo Sinurat, "Juridical Analysis : Unraveling Malaysia ' s Modification of the Song ' Halo-Halo Bandung ' Within the Legal Parameters of Law No . 24 of 2014" 2, no. 1 (2024): 300–316.

to create awareness.<sup>11</sup> Infographics, videos and testimonials are some of the content that can be used in the short and sweet way that will be able to capture the attention of many people than the traditional methods. It could also be useful to team up with influencers and public figures who support the concept of ethical consumption of the creative products.<sup>12</sup>

However, it is as important to ensure that the public is enlightened as it is for the creators and other stakeholders in the industry. Most of the creators in Indonesia and especially those from the smaller independent sectors have no idea how to go about protecting their work. It is therefore possible to have workshops and training sessions in which creators are taught how to register their copyright, get licensing and enforcement of their IP.

In the end, public awareness and education should be considered as the final and most important factor. Thus, through creating the awareness, Indonesia will be able to set a culture where the creators are protected when sharing their work, the investors are willing to fund the creative industries and the consumers are aware of their role in supporting the creative industries. This is not only a legal or an economic challenge but a step towards the build a society that embraces and respects the concepts of creativity and innovation.

## **2. Intellectual Property Right (IPR) protection challenges**

With regard to intellectual property rights (IPR) protection, creative industries in the country currently face serious challenge. Lack of robust IPR system is due to, piracy, a lack of efficient legal frameworks. Piracy and the circulation of illicit goods have made Indonesia a major violator of intellectual property rights that has been listed as one of the top violators globally, according to recent studies.

There are some informalities on the legal framework related to IPR in Indonesia. Take for example the time a creator has to spend to find a way to turn to legal recourse against infringement when bureaucratic inefficiencies and lack of alignment exist

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<sup>11</sup> Andrew Chow, Low Wei Xu, and Vanessa Evelyn Sukanto, "The Objectivity of Intellectual Property Rights in Indonesia," *Law Journal* 1, no. 1 (2023): 96–111.

<sup>12</sup> Nasution, Emmi Rahmiwita, and Loso Judijanto. 2024. "Legal Strategies for Protecting Intellectual Property Rights in Business A Case Study Creative Industry in Indonesia". *The Easta Journal Law and Human Rights* 2 (02):80-88. <https://doi.org/10.58812/eslhr.v2i02.209>.

within certain governmental bodies. Furthermore, existing laws do not provide substantial protection for communal intellectual property rights (CIK) which are particularly important in a culturally rich country such as Indonesia and where intellectual property rights in traditional knowledge and cultural expressions have the potential to be unprotected or under protected.<sup>13</sup>

In addition, regulations governing IPR are not clear and serve to bar gaining access to financing for many creative entrepreneurs. Invest in the sector is discouraged when intellectual property protection is not certain, which can hinder innovation and growth within the sector. Investment into Indonesia should attract more investment and grow creative industries and it's essential to update the regulation about investment in Indonesia while protecting intellectual property.

## **C2. Improvement Recommendations in Protecting Copyright in the Digital Era?**

To effectively address these challenges and foster growth within Indonesia's creative economy, several recommendations can be made:

- a. **Strengthening Enforcement Mechanisms:** It is the need of the government to increase its enforcement abilities under the copyright law. It might include boosting money to police agencies policing intellectual property right and installing dedicated units to deal with piracy.
- b. **Public Awareness Campaigns:** Greatly increasing the level of awareness of copyright issues can be done through launching nationwide campaigns of informing the nation of the copyright issues. These should be different campaigns targeting different meltings whose message should be to respect intellectual property rights.
- c. **Legal Reforms:** An existing IPR framework gaps and ambiguities in must be addressed through amendments to existing IPR laws, in order to provide a comprehensive review of and reform of the existing IPR laws. They encompass making communal intellectual property rights clear and protecting traditional

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<sup>13</sup> Niteesh Kumar Upadhyay and Mahak Rathee, "Impact of Artificial Intelligence on Intellectual Property Rights," *Proceedings of International Young Scholars Workshop* 9 (2020): 52–71, <https://doi.org/10.47344/iysw.v9i0.192>.

knowledge enough.

- d. Collaboration with Stakeholders: Dialogue on best practice for IPR protection can take place with engaging stakeholders from different sectors such as government agencies, industry representatives and civil society organizations. Solidarity can bring about solutions, which are innovative and useful to all concerned parties of the creative economy.
- e. Utilizing Technology: Technology can do much to enhance IPR protection. Digital platform can have implementation of the advanced tracking systems to trace the content usage and catch possible infringements before they become too widespread.

These measures will help Indonesia to achieve an environment surrounding creative economy that is conducive to growth, while effective protection of intellectual property rights.<sup>14</sup> Not only will this be good for creators but also that as a nation we will be in a position to build stronger as the economy will encourage innovation and creativity all around.

### **1. Copyright Infringement Cases**

There are many cases of copyright infringement that prove this problem in Indonesia is very serious. Some clear examples of cases includes:

The uploading of Indonesian series for the price of a TikTok a day is now an issue in the creative economy. With the growth of TikTok, and other videos, the increase in unauthorized uploads of web series and films today leads to important questions regarding rights to intellectual property and the protection of creation. Not only does this threaten content creator's economic interests but legal enforcement in this digital landscape is made difficult.<sup>15</sup>

Upload of web series snippets or entire episodes of web series without permission on TikTok is infringement of the clear copyright law. As regulated by Law No. 28 of 2014 concerning Copyright (UUHC), cinematographic works, such as web series, are protected by copyright and provide its creator with both moral and the

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<sup>14</sup> Wiraatmaja Lookman, Andri Kurniawan, and Kuras Purba, "Pertanggungjawaban Hak Cipta Cover Lagu Terhadap Pencipta Pada Konten Digital Youtube," no. 28 (2021): 28–48.

<sup>15</sup> [\[PDF\] PENYEBARAN WEB SERIES DI TIKTOK: PERSPEKTIF HAK CIPTA](#)[ojs.unud.ac](https://ojs.unud.ac)

right to take economic advantage over her work. The rights they have are the very exclusive right to reproduce, to distribute, and to publicly display a work. Unless individuals record and upload these series without permission, they're infringing on these rights and taking a toll on the creators of these materials who have come to depend upon rights for an income that comes from lawful viewership.

Web series sharing snippets on TikTok has wide reaching ramifications on creators and then the entire creative industry.<sup>16</sup> The tendency for viewers to access series for free behind unauthorized channels reduces their motivation to watch these series through official platforms which the creators benefit financially from.<sup>17</sup> For individual creators, and for production companies that invest large sums in creating quality content, this is not only an issue; it is also a problem. Piracy can lead to financial losses that can restrict future projects and innovation of Indonesia's creative economy.

Moreover, intellectual property violation has ethical implications. Therefore, unauthorized distribution of a work deprives its creator of its customary financial rewards, and denigrates the contribution the work makes to the progress of culture and science. A culture of not respecting intellectual property can mean that the creative people who add value to this culture are just not being fairly paid for it, and they aren't being fairly rewarded, they just aren't being fairly respected for it.

## **2. Comparison with International Practices**

Looking at copyright protection practices in other countries such as Japan and South Korea, there are several approaches that can be used as examples for Indonesia:

- a. Adaptive Regulation: These countries are adherent to the development of digital technology, with regulations meant to control a new iteration. Protection of the digital content is included in the list as well as aiding copyright infringement prosecution.

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<sup>16</sup> Felicia Irene Christabelle Suryanto et al., "Taylor's Version: A Case Study in Intellectual Property Rights for Musicians," *Anthology: Inside Intellectual Property Rights* 2, no. 1 (2024): 372–87, <https://ojs.uph.edu/index.php/Anthology>.

<sup>17</sup> [Tinjauan Yuridis terhadap Pelindungan Cuplikan Film dan ...journal.stekom.ac](http://journal.stekom.ac)

- b. Multi-Stakeholder Collaboration: This is similar to how Japan and South Korea have worked with governments, creative industries and technology platforms to make an ecosystem that still encourages innovation but isn't another taking the rights of works.<sup>18</sup>

#### **D. Conclusion**

From the research findings above it can be said that copyright protection in Indonesia is struggling to overcome challenges in the digital era. While Law No. 28 of 2014 provides a sufficient legal framework, its implementation is hindered by several factors:

- a. High Levels of Piracy: Both online and offline it is still rampant but it is an assault on the economy, the creative industry and for creators.
- b. Low Public Awareness: The public still does not really know about copyright issues and they think nobody will notice anything if I download that movie illegally.
- c. Weak Law Enforcement: There is too little enforcement against copyright violations and many are being let off without the stiff penalties they deserve. To address these challenges, this research recommends several strategic actions:
  - d. Strengthening Regulations for Digital Platforms: But it is important to ensure that digital platforms must take responsibility for the publication and in fact offer a mechanism for reporting infringements.
  - e. Public Education on Copyright: Educational campaigns are needed to increase the awareness of the public about the respect of copyrights and understand the negative consequences of piracy. Partnerships with schools, universities and community organizations to disseminate information on intellectual property rights might be this.
  - f. Cross-Sector Collaboration: The fostering of an ecosystem that promotes

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<sup>18</sup> Sergio Felix, Akhsa Soendoero, and Arizal Tom Liwafa, "Mengungkap Melodi : Membongkar Hak Royalti Atas Hak Cipta Lagu Di Industri Musik Digital Indonesia," *Anthology: Inside Intellectual Property Rights* 2, no. 1 (2024): 1–27.

innovative form across government entities, creative industry stakeholders as well as technology platforms hinges on building synergies between government entities, creative industry stakeholders and technology platforms. When efforts are collaborative, enforcement strategies can be more robust and both resources for education and advocacy can be shared.

- g. Adopting Best Practices from Other Countries: By learning from the successful practices of Japan and South Korea, Indonesia can get insights on Adaptive regulations and an enforcement mechanism to support present condition of the country.
- h. Utilizing Technology: Therefore, technology like digital rights management (DRM) systems can be better leveraged to the control rights of any work in respect to its access and usage more effectively.

It is hoped that by implementing these things that Indonesia can now foster an environment conducive to creative economic growth, while at the same time to preserve effective intellectual property rights. This will not only help boost society's overall economy through innovation and creativity, but will also help creators grow. Finally, these challenges must be tackled in order to maintain a sustainable creative economy for a creative economy that highlights intellectual property rights for Indonesia's dynamic digital landscape.

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