



**JURIDICAL ANALYSIS OF LAW NO. 28 YEAR 2014
REGARDING COPYRIGHT IN REGARDS TO THE
CIRCULATION OF PIRATED FILMS**

UNDERGRADUATE THESIS

Submitted as one of the requirements to obtain

Sarjana Hukum

By:

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FACULTY OF HUMANITIES


LAW STUDY PROGRAM

CIKARANG

28 MAY 2021

PANEL OF EXAMINERS APPROVAL PAGE

We, the Thesis Panel of Examiners with the thesis title of “**JURIDICAL ANALYSIS OF LAW NO. 28 YEAR 2014 REGARDING COPYRIGHT IN REGARDS TO THE CIRCULATION OF PIRATED FILMS**” submitted by Joshua Roberto Bahanatua Tampubolon has been accepted and can be defended properly at 28/5/2021.

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Dr. Dra. Fennieka Kristianto, S.H., M.H., M.A., M.Kn.

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CHAPTER 1

INTRODUCTION

1.1. Background

Oxford English Dictionary defines copyright as an exclusive legal right to print, publish, perform, film, or record material. Copyright owners have the right to control the reproduction of their work, including the right to receive payment for that reproduction. Creator(s) may give or sell those rights to other legal entities, including publishers and/ or recording companies. The act of using and/ or reproducing a copyrighted content without permission from the copyright holder is called a copyright infringement.

In Indonesia, copyright is regulated by Law No. 28 Year 2014 Regarding Copyright, which replaced Law No. 19 Year 2002 regarding the same subject. Law No. 19 Year 2002 define copyright as "an exclusive right belonging to the creator(s) that forms automatically based on the declarative principle after the creation of a copyrightable material without reducing restrictions in accordance with statutory provisions."

As for the entity that owns the copyright, unless an agreement has been made with the creator(s) and another legal entity, the right is owned by the creator(s). This is in accordance with Law No. 28 Year 2014 Article 1 Number 2 and 4.

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ABSTRACT

In this current era, entertainment have become easily available for us. With the tap of a button, we can watch our favourite films on the computer or on the go with your mobile phones. However, this advancement of technology have also made it easier for piracy to occur. Especially in Indonesia, where both the pirates and the consumers aren't knowledgeable of the law. As of 2020, Indonesia is ranked 7 in numbers of visits to pirate site. Piracy causes companies to lose a lot in revenues, and although so far no large studios have gone bankrupt due to piracy, huge number of piracies may discourage would-be authors from making film, thus reducing the amount of entertainment available to us. This thesis aims to analyse Law No. 28 Year 2014 Regarding Copyright, find out the faults in either the enforcement or the law itself, and find possible ways to fix it.

Keywords: Piracy, Copyright, Copyright Law

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