

## DAFTAR PUSTAKA

### **Peraturan Perundang-Undangan**

- Act against Unfair Competition in the version published on 3 March 2010 (Federal Law Gazette I, p. 254), as last amended by Article 20 of the Act of 24 June 2022 (Federal Law Gazette I, p. 959).
- Competition Act in the version published on 26 June 2013 (Bundesgesetzblatt (Federal Law Gazette) I, 2013, p. 1750, 3245), as last amended by Article 1 of the Act of 25 October 2023 (Federal Law Gazette I, p. 294).
- Peraturan KPPU Nomor 6 Tahun 2010 tentang Pedoman Pelaksanaan Pasal 25 Tentang Penyalahgunaan Posisi Dominan Berdasarkan Undang-Undang Nomor 5 Tahun 1999 Tentang Larangan Praktek Monopoli dan Persaingan Usaha Tidak Sehat (Jakarta, 9 April 2010).
- Peraturan Ketua Komisi Pengawas Persaingan Usaha Nomor 4 Tahun 2022 tentang Penentuan Pasar Bersangkutan (Jakarta, 28 Desember 2022).
- Peraturan Komisi Pengawas Persaingan Usaha Nomor 2 Tahun 2023 tentang Tata Cara Penanganan Praktik Monopoli dan Persaingan Usaha Tidak Sehat (Berita Negara Republik Indonesia Tahun 2023 Nomor 293).
- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).
- Regulation (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act).
- Undang-Undang Nomor 5 Tahun 1999 tentang Larangan Praktek Monopoli dan Persaingan Usaha Tidak Sehat (Lembaran Negara Republik Indonesia Tahun 1999 Nomor 33, Tambahan Lembaran Negara Republik Indonesia Nomor 3817).

### **Putusan Pengadilan**

- Case AT.39740, European Commission v. Google Search (Shopping), 26 Juni 2017.
- European Commission v. Google Android. Antitrust Case 40099, 18 Juli 2018.
- Bundeskartellamt v. Google. Decision in the Administrative Proceeding B7-61/21. 30 Desember 2021.
- Bundeskartellamt v. Google. Decision in the Administrative Proceeding B7-70/21, 5 Oktober 2023.

### **Buku**

- Ali, Zainuddin, 2021, Metode Penelitian Hukum, Sinar Grafika, Jakarta.
- Azwar, Saifuddin, 2009, Metode Penelitian, Pustaka Pelajar, Yogyakarta.
- Dunne, Niamh, 2015, Competition Law and Economic Regulation: Making and Managing Markets, Cambridge University Press, Cambridge.

- Efendi, Jonaedi dan Johnny Ibrahim, 2018, *Metode Penelitian Hukum: Normatif dan Empiris*, Prenada Media, Depok.
- Ezrachi, Ariel dan Maurice E. Stucke, 2016, *Virtual Competition: The Promise and Perils of the Algorithm-driven Economy*, Harvard University Press, Cambridge and London.
- Lubis, Andi Fahmi, *et al.*, 2017, *Hukum Persaingan Usaha*, Komisi Persaingan Usaha, Jakarta.
- Maruli, Saut, *et al.*, 2024, *Pengantar Bisnis Digital*, Yayasan Cendikia Mulia Mandiri, Kepulauan Riau.
- Nugroho, Susanti Adi, 2014, *Hukum Persaingan Usaha di Indonesia*, Prenada Media, Jakarta.
- Rokan, Mustafa Kamal, 2012, *Hukum Persaingan Usaha: Teori dan Praktiknya di Indonesia*, Raja Grafindo Persada, Jakarta.
- Sarosa, Samiaji, 2021, *Analisis Data Penelitian Kualitatif*, PT Kanisius, Sleman.
- Soekanto, Soerjono, 1984, *Pengantar Penelitian Hukum*, Universitas Indonesia, Jakarta.
- Yani, Ahmad dan Gunawan Widjaja, 2002, *Seri Hukum Bisnis: Anti Monopoli*, Raja Grafindo Persada, Jakarta.
- Zed, Mestika, 2004, *Metode Penelitian Kepustakaan*, Yayasan Obor Indonesia, Jakarta.

#### **Artikel Jurnal**

- Aprilia, Nila Dwi, *et al.*, "Perkembangan Ekonomi Digital Indonesia", *Ekonomi Pertahanan* Vol. 7, No. 2 (2021).
- Arakerimath, Anjana dan Pramod Gupta, "Digital Footprints: Pros, Cons, and Future" *International Journal of Latest Technology in Engineering, Management & Applied Science* 4, no. 10 (2015).
- Bartels, Nedo dan Anne Schmitt, "Developing network effects for digital platforms in two-sided markets – The NfX construction guide" *Digital Business* Volume 2 Issue 2 (2022).
- Bougette, Patrice *et.al.*, "Ex-ante versus Ex-post in Competition Law Enforcement: Blurred Boundaries and Economic Rationale", *Groupe de REcherche en Droit, Economie, Gestion (GREDEG CNRS)* 18 (2024).
- Budzinski, Oliver, *et.al.* "The Draft for the 10th Amendment of German Competition Law: Towards a New Concept of Outstanding Relevance across Markets?." *Ilmenau University of Technology, Institute of Economics*, Vol. 26 No. 142 (2020).
- Budzinski, Oliver dan Juliane Mendelsohn, "Regulating Big Tech: From Competition Policy to Sector Regulation?" *Ilmenau Economics Discussion Papers*, Vol. 27, No. 154 (2021).
- Carugati, Christophe, "How Best to Ensure International Digital Competition Cooperation" *SSRN* 4366706 (2023).
- Cseres, Kati, "Intersection of Competition and Regulation in Abuse of Dominance and Monopolization." *Amsterdam Law School Research Paper* No. 2021-

- 36, Amsterdam Centre for European Law and Governance Research Paper No. 2021-03 (2021).
- Djaka, Meriyanti, "Tinjauan Asas Demokrasi Ekonomi Atas Penyalahgunaan Posisi Dominan Dalam Membatasi Pengembang Teknologi di Era Industri Kreatif: Studi Atas Tarif Layanan Google Play Store." *Jurnal Hukum & Pembangunan* 53, no. 2.
- Douglas, Erika, "Digital Crossroads: The Intersection of Competition Law and Data Privacy." Temple University Legal Studies Research Paper No. 2021-40 (2021).
- Evans, Peter dan Annabelle Gawer, "The Rise of the Platform Enterprise: A Global Survey" The Emerging Platform Economy Series, vol. 1 (2016).
- Franck, Jens-Uwe dan Martin Peitz, "Digital Platforms and the New 19a Tool in the German Competition Act." *Journal of European Competition Law & Practice* 12, no. 7 (2021).
- Franck, Jens-Uwe dan Martin Peitz, "Market Definition and Three 19A Designations Under German Antitrust Law: Alphabet, Meta, and Amazon" Discussion Paper CRCTR 224 No. 386 (2023).
- Gryllos, George, "The New Digital Landscape: Interaction between the DMA and Rules of national and EU law governing the conduct of gatekeepers" *Concurrences - Revue des droits de la concurrence - Competition Law Review* (2024).
- Hornung, Philipp, "The Ecosystem Concept, the DMA, and Section 19a GWB" *Journal of Antitrust Enforcement* (2023).
- Jackwerth, Karin, "Great Expectations: The Facebook Case and Subsequent Legislative Approaches to Regulate Large Online Platforms and Digital Markets" *Journal of Intellectual Property, Information Technology and Electronic Commerce Law*, Vol. 13, Issue 3 (2022).
- Katz, Michael L., "Multisided Platforms, Big Data, and a Little Antitrust Policy", *Review of Industrial Organization* Volume 54 (2019).
- Kobayashi, Bruce dan Joshua D. Wright, "Antitrust and Ex-Ante Sector Regulation", *The Global Antitrust Institute Report on the Digital Economy* 25 (2020).
- Koenig, Carsten, "The Designation of Gatekeepers under the New German Competition Rules for the Digital Economy" *European Competition and Regulatory Law Review (CoRe)* 6, no. 3 (2022).
- Kostecka-Jurczyk, Daria, "Abuse of Dominant Position on Digital Market: Is the European Commission Going Back to the Old Paradigm?" *European Research Studies Journal* Volume XXIV, Special Issue 1 (2021).
- Lianos, Ioannis. "Competition Law for the Digital Era: A Complex Systems' Perspective." *CLES Research Paper Series* 6 (2019).
- Mushtaq, Shahzada Aamir, *et.al.* "The Importance of China's Competition Law in the Management of Data in the Country's Rapidly Developing Digital Economy: Policy Recommendations for Pakistan." *Current Trends in Law and Society* 4, No. 1 (2024).

- Narayanan, Badri dan Hosuk Lee-Makiyama. "Economic Costs of Ex ante Regulations" ECIPE Occasional Paper, no. 7 (2020).
- Nurhayati, Yati "Regulatory Analysis Digital Markets Act (DMA) European Union In Business Competition" International Journal of Law, Environment, and Natural Resources 3, No. 1 (2023).
- Paparang, Joshua Anggelito. "Tugas dan Wewenang Komisi Pengawas Persaingan Usaha (KPPU) Dalam Penanganan Pelanggaran Hukum Persaingan Usaha Menurut Undang-Undang Nomor 5 Tahun 1999." Lex Privatum 7, no. 7 (2020).
- Prat, Andrea dan Tommaso Valletti. "Attention Oligopoly", American Economic Journal: Microeconomics, Forthcoming (2021).
- Quack, Sigrid, dan Marie-Laure Djelic. "Adaptation, Recombination, and Reinforcement: The Story of Antitrust and Competition Law in Germany and Europe." Sciences Po Institutional Repository (2005).
- Schafer, Fabian, *et.al.* "Data-driven business and data privacy: Challenges and measures for product-based companies" Business Horizon Volume 66 (2023).
- Simbolon, Alum. "Pendekatan yang Dilakukan Komisi Pengawas Persaingan Usaha Menentukan Pelanggaran Dalam Hukum Persaingan Usaha" Jurnal Hukum Ius Quia Iustum 20, No. 2 (2013).
- Sinha, Urbi, "The Big (Data) Problem with the Competition Act 2002" SSRN 3977913 (2021).
- Taladay, John dan Paul Lugard. "The Ten Principles of Ex Ante Competition Regulation." CPI Columns, OECD, November (2022).
- Tanzil, Devina dan Kristianto Pustaka Halomoan, "Pelindungan Data Pribadi Dalam Analisis Penyalahgunaan Posisi Dominan Berdasarkan Hukum Persaingan Usaha" Jurnal Online Atmajaya 1 (2022).
- Wu, Tim, "Blind Spot: The Attention Economy and the Law", Antitrust Law Journal Volume 882 (2017).

### **Skripsi, Tesis, Disertasi**

- Durand, Oscar Le Moine, 2023, The Digital Markets Act: the choice of ex-ante regulation to regulate digital markets, Master Thesis, Universiteit van Amsterdam.
- Ramadhani, Dhea, 2023, Tinjauan Penilaian Posisi Dominan Terhadap Pelaku Usaha Digital dalam Hukum Persaingan Usaha Indonesia (Studi Komparasi Hukum Persaingan Usaha Indonesia dan Jerman), Skripsi, Universitas Sebelas Maret.
- Wishnumurti, Anugrah, 2023, Personal Data Protection in Abuse of Dominant Position: An Analysis of the German Federal Cartel Office Decision No. B6-22/16 of 2019 (Bundeskartellamt v. Facebook), Skripsi, Universitas Gadjah Mada.
- Yanto, Haikal Dwi, 2023, Potensi Terjadinya Persaingan Usaha Tidak Sehat Pada Penggunaan Aplikasi Perdagangan Elektronik di Era Revolusi Industri 4.0 Urgensi Regulasi *Ex Ante* Sebagai Instrumen Penegakan Hukum

Persaingan Usaha Terhadap Platform Digital, Skripsi, Universitas Brawijaya.

### **Artikel Internet**

Angelia, Diva. “Search Engine Paling Banyak Dipakai di Indonesia” <https://goodstats.id/article/search-engine-paling-banyak-dipakai-di-indonesia-KWJqd>, diakses pada 5 September 2024.

Armando, Aru. “Tantangan Pengawasan Persaingan Usaha pada Ekonomi Digital” <https://kumparan.com/aruarmando/tantangan-pengawasan-persaingan-usaha-pada-ekonomi-digital-219D0rETFrJ/full>, diakses pada 5 September 2024.

Bundeskartellamt and Autorité de la concurrence. “Competition Law and Data”, [https://www.bundeskartellamt.de/SharedDocs/Publikation/DE/Berichte/Big%20Data%20Papier.pdf?\\_\\_blob=publicationFile&v=4](https://www.bundeskartellamt.de/SharedDocs/Publikation/DE/Berichte/Big%20Data%20Papier.pdf?__blob=publicationFile&v=4), diakses 18 Maret 2024.

Bundeskartellamt. “Tasks & Organisational Structure” [https://www.bundeskartellamt.de/EN/Bundeskartellamt/tasksandorganisation/tasksandorganisation\\_node.html](https://www.bundeskartellamt.de/EN/Bundeskartellamt/tasksandorganisation/tasksandorganisation_node.html), diakses 18 Maret 2024.

Eurich, Markus dan Michael Burtscher. “The Business-to-Consumer Lock-in Effect” <https://cambridgeservicealliance.eng.cam.ac.uk/system/files/documents/2014AugustPaperBusinesstoConsumerLockinEffect.pdf>, diakses pada 5 September 2024.

European Data Protection Board. “Guidelines 8/2020 on the targeting of social media users” [https://www.edpb.europa.eu/system/files/2021-04/edpb\\_guidelines\\_082020\\_on\\_the\\_targeting\\_of\\_social\\_media\\_users\\_en.pdf](https://www.edpb.europa.eu/system/files/2021-04/edpb_guidelines_082020_on_the_targeting_of_social_media_users_en.pdf), diakses pada 5 September 2024.

Global Digital Insights. “Digital 2024: Germany” <https://datareportal.com/reports/digital-2024-germany>, diakses pada 5 September 2024.

Global Digital Insights. “Digital 2024: Indonesia” <https://datareportal.com/reports/digital-2024-indonesia>, diakses pada 5 September 2024.

Graham, Megan dan Jennifer Elias. “How Google’s \$150 Billion Advertising Business Works” <https://www.cnbc.com/2021/05/18/how-does-google-make-money-advertising-business-breakdown-.html>, diakses pada 31 Agustus 2024.

Heriani, Fitri Novia. “KPPU Mulai Sidangkan Google” <https://www.hukumonline.com/berita/a/kppu-mulai-sidangkan-google-1t667f39280dc6f/>, diakses pada 5 September 2024.

Hildebrand, Doris. “Dominance in Digital Market”, <https://www.eemc.com/expertise/digital-economy/dominance-in-digital-markets.html>, diakses 10 Maret 2024.

Hoppner, Thomas, *et al.*, “German Federal Cartel Office subjects Google as ‘undertaking of paramount significance for competition across markets’ to

- stricter antitrust law obligations”, <https://www.hausfeld.com/de-de/was-wir-denken/perspektiven-blogs/german-federal-cartel-office-subjects-google-as-undertaking-of-paramount-significance-for-competition-across-markets-to-new-competition-law-obligations>, diakses 6 Agustus 2024.
- Junida, Ade Irma. “Indonesia Menguasai 40% Pasar Ekonomi Digital ASEAN”, <https://asean2023.id/id/news/indonesia-controls-40-percent-of-asean-digital-economy-market>, diakses 10 Maret 2024.
- KPPU. “Siaran Pers No. 55 KPPU PR VI Tok! KPPU Mulai Sidangkan Google” [https://kppu.go.id/wp-content/uploads/2024/06/Siaran-Pers-No.-55\\_KPPU-PR\\_VI\\_2024-17.05.pdf](https://kppu.go.id/wp-content/uploads/2024/06/Siaran-Pers-No.-55_KPPU-PR_VI_2024-17.05.pdf), diakses pada 5 September 2024.
- Mediana. “KPPU Mulai Sidangkan Google atas Dugaan Monopoli” [https://www.kompas.id/baca/ekonomi/2024/06/28/kppu-tuding-google-jalankan-monopoli?status=sukses\\_login&login=1727018801934&open\\_from=header\\_button&loc=header\\_button](https://www.kompas.id/baca/ekonomi/2024/06/28/kppu-tuding-google-jalankan-monopoli?status=sukses_login&login=1727018801934&open_from=header_button&loc=header_button), diakses pada 5 September 2024.
- Market US. “Google Statistics and Facts” <https://market.us/statistics/web-search-engine/google/>, diakses pada 5 September 2024.
- Nakashima, Ryan. “AP Exclusive: Google tracks your movements, like it or not” <https://apnews.com/article/828aefab64d4411bac257a07c1af0ecb>, diakses pada 5 September 2024.
- Nuys, Marcel dan Anne Eckenroth. “Germany: New FCO toolkit fosters competitive balance in digital markets” <https://globalcompetitionreview.com/review/the-european-middle-east-and-african-antitrust-review/2024/article/germany-new-fco-toolkit-fosters-competitive-balance-in-digital-markets>, diakses pada 31 Agustus 2024.
- OECD. “Analytical Note on the G7 Inventory of New Rules For Digital Markets (2023)”, <https://www.oecd.org/competition/analytical-note-on-the-G7-inventory-of-new-rules-for-digital-markets-2023.pdf>, diakses 18 Maret 2024.
- OECD. “Big Data: Bringing Competition Policy to the Digital Era” <https://www.oecd-ilibrary.org/docserver/a1c2d55c-en.pdf?expires=1726604795&id=id&accname=guest&checksum=94A74E53188DE3EE97F4DF58F64FB987>, diakses pada 24 Agustus 2024.
- OECD. “Monopolisation, Moat Building and Entrenchment Strategies – Note by Germany” [https://one.oecd.org/document/DAF/COMP/WP3/WD\(2024\)19/en/pdf](https://one.oecd.org/document/DAF/COMP/WP3/WD(2024)19/en/pdf), diakses pada 27 Agustus 2024.
- Paemen, Dieter. “The Google Android European Court Judgment and its Wider Implications” <https://www.cliffordchance.com/insights/resources/blogs/talking-tech/en/articles/2022/09/the-google-android-european-court-judgment-and-its-wider-implica.html>, diakses pada 31 Agustus 2024.

- Privacy International “Competition and Data”  
<https://privacyinternational.org/explainer/2293/competition-and-data>,  
diakses pada 27 Agustus 2024.
- Ritchi, Hamzah. “Algoritma vs Persaingan Usaha”,  
<https://kppu.go.id/blog/2021/03/algoritma-vs-persaingan-usaha/>, diakses  
10 Maret 2024.
- Riyanto, Andi Dwi. “Hootsuite (We are Social): Data Digital Indonesia 2024”,  
<https://andi.link/hootsuite-we-are-social-data-digital-indonesia-2024/>,  
diakses 10 Maret 2024.
- Roche, Marie Anne. “Ex Ante or Ex Post”, [mafr.fr https://mafr.fr/en/article/ex-ante-ex-post2/](https://mafr.fr/en/article/ex-ante-ex-post2/), diakses 18 Maret 2024.
- Santika, Erlina F. Santika. “Tingkat Penetrasi Internet Indonesia Capai 79.5% per 2024”,  
<https://databoks.katadata.co.id/datapublish/2024/04/12/tingkat-penetrasi-internet-indonesia-capai-795-per-2024>, diakses 10 Maret 2024.
- Schlun & Elseven. “Competition Law in Germany”, <https://se-legal.de/competition-law-and-antitrust-regulation-in-germany/?lang=en>,  
diakses 18 Maret 2024.
- Statista. “Digital Advertising Germany”  
<https://www.statista.com/outlook/dmo/digital-advertising/germany>,  
diakses pada 5 September 2024.
- Statista. “Digital Advertising Indonesia”  
<https://www.statista.com/outlook/dmo/digital-advertising/indonesia>,  
diakses pada 5 September 2024.
- Statista. “Market share of leading desktop search engines worldwide from January 2015 to January 2024”  
<https://www.statista.com/statistics/216573/worldwide-market-share-of-search-engines/>, diakses pada 31 Agustus 2024.
- Stobierski, Tim. “Harvard Business Review - What are network effects?”  
<https://online.hbs.edu/blog/post/what-are-network-effects>, diakses pada 27 Agustus 2024.
- The Select Committee on Communications. “Chapter 4: Market concentration”  
[publications.parliament.uk](https://publications.parliament.uk)  
<https://publications.parliament.uk/pa/ld201719/ldselect/ldcomuni/299/29907.htm#footnote-108>, diakses pada 5 September 2024.