

## Table of Contents

<b>APPROVAL PAGE.....</b>	<b>i</b>
<b>DISCLAIMER.....</b>	<b>iii</b>
<b>TABE OF CONTENTS.....</b>	<b>v</b>
<b>ABSTRACT .....</b>	<b>viii</b>
<b>INTISARI.....</b>	<b>ix</b>
<b>CHAPTER I: INTRODUCTION.....</b>	<b>1</b>
A. Underlying Background .....	1
B. Research Problems .....	5
C. Purposes of the Study .....	6
D. Benefits of the Study .....	6
E. Originality of the Research.....	7
F. Delimitation .....	8
<b>CHAPTER II : Theoretical Framework .....</b>	<b>9</b>
A. Intellectual Property Rights .....	9
B. Copyright in Indonesia.....	10
1. History of Copyrights in Indonesia .....	10
2. Copyrights Principles in Indonesia Law.....	12
3. Object of Copyrights .....	19
C. Copyright in United States of America .....	20
1. History of United States of America Copyright .....	20
2. Basic Principle of Copyright in United States of America.....	22
3. Object of Copyright in United States of America .....	25
D. General Idea of Creator .....	26
E. General Idea of Sampling .....	27
F. General Idea of Legal Protection .....	31
<b>CHAPTER III: Research Methods .....</b>	<b>34</b>
A. Types of Legal Research .....	34
B. Types of Data .....	34
C. Data Collection Methods.....	36
D. Data Analysis .....	37
<b>CHAPTER IV .....</b>	<b>39</b>
A. Sampling Music as Copyrighted works.....	39
A.1. Indonesia Copyright Law acknowledgement for Songs composed based from Sampling as Copyrighted work .....	39
A.1.a. Sampling as Musical Works based on Indonesia Copyright Law .....	39
A.1.b. The Copyrightability for Song used Sampling method as a new Creation .....	41
A.1.c. Possible Infringement of a Song made out of sampling method .....	45

A.2. United States of America Copyright Law acknowledgement for song composed based from Sampling as Copyrighted work. ....	47
A.2.a. Sampling as Musical Works based on United States of America Copyright Act .....	47
A.2.b. The Copyrightability for Song used Sampling method as a new Creation .....	51
A.2.c. Possible Infringement of a Song made out of sampling method .....	60
A.3. Comparison of Indonesia Copyright Law and United States of America Copyright Law regarding the legality of song that used a sampling methods.....	64
<b>B. Copyright Law regulate the relation between the composer and the composer who used a sampling methods.....</b>	<b>66</b>
B.1. Indonesia Copyright Law regulate the relation between the composer and the composer who used a sampling .....	66
B.1.a. License on Indonesia Copyright Law .....	67
B.1.b. Collective Management Institute .....	70
B.1.c. Role of Collective Management Institution to maintain the relations between the composer and the composer who used a sampling methods.....	73
B.2. United States of America Copyright Law regulate the relation between the composer and the composer who used a sampling methods .....	76
B.2.a. License on Copyright Law .....	76
B.2.b. Performing Rights Organization (PRO's) .....	79
B.2.c. Role of Performing Rights Organization to maintain the relations between the composer and the composer who used a sampling method. ....	82
3. Comparison of Indonesia Copyright Law and United States of America Copyright Law regarding the relation between the composer and the composer who used a sampling methods. ....	84
<b>CHAPTER V.....</b>	<b>87</b>
<b>A. CONCLUSIONS.....</b>	<b>87</b>
<b>B. RECCOMENDATIONS .....</b>	<b>89</b>