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Protection of Economic Right Entitled to Creator and/or Copyright Holder in Accordance with Application of Claim on Complaint on Law Number 28 Year 2014

By:

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ABSTRACT

This legal research aims to analyze the protection of economic rights towards the creator and/or copyright holder and the effect by the existence of claim on complaint as stipulated in Law number 28 of 2014 regarding Copyright towards the economic benefit of the creator.

This legal research uses normative approach and empirical approach method which is conducted by library research and field research. In a field research, the author conducted interviews with some parties that related with the research. Data obtained either by library research or field research, resulted in an elaboration that is descriptive-qualitative which later will be concluded.

From the research that has been done, the author conclude that there are some improvements in Law 28/2014 regarding Copyright towards the protection of economic right of the creator and/or copyright holder and the changes from regular *delict* into claim on complaint provide certainty toward the creator and copyright holder. But on the other hand, Creator and copyright holder should be more protecting and defending their rights by reporting the violation of copyright toward their creation.

Keyword(s): Copyright, economic right, claim on complaint.

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Perlindungan Hak Ekonomi Kepada Pencipta dan/atau Pemegang Hak Cipta Sesuai dengan Penerapan Delik Aduan pada Undang-undang Nomor 28 Tahun 2014

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INTISARI

Penelitian hukum ini bertujuan untuk menganalisis perlindungan ekonomi terhadap Pencipta dan/atau Pemegang Hak Cipta dan efek dari adanya delik aduan sebagaimana diatur di dalam Undang-undang 28/2014 tentang Hak Cipta terhadap manfaat ekonomi Pencipta.

Penelitian hukum ini menggunakan metode pendekatan normatif dan pendekatan empiris yang dilakukan dengan penelitian pustaka dan penelitian lapangan. Dalam penelitian lapangan, Penulis akan melakukan wawancara dengan beberapa pihak yang berhubungan dengan penilitian ini. Data yang didapat baik dengan penelitian pustaka atau penilitian lapangan, akan menghasilkan penjabaran yang bersifat deskriptif-kualitatif dan kemudian akan ditarik kesimpulan.

Dari penelitian yang telah dilakukan, Penulis menyimpulkan bahwa ada beberapa peningkatan di dalam Undang-undang 28/2014 tentang Hak Cipta terhadap perlindungan hak ekonomi Pencipta dan/atau Pemegang Hak Cipta dan perubahan dari delik biasa menjadi delik aduan memberikan kepastian terhadap Pencipta dan Pemegang Hak Cipta. Tapi dari sisi lain, Pencipta dan Pemegang Hak Cipta harus lebih mempertahankan dan melindungi hak mereka dengan melaporkan pelanggaran hak cipta terhadap ciptaannya

Kata kunci: Hak cipta, hak ekonomi, delik aduan.

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