

Perlindungan hukum hak cipta program komputer yang tidak melekat permanen pada suatu console (game emulator) = Copyright law protection of computer programs that do not permanently on a console attached (game emulator)

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Deskripsi Lengkap: <https://lib.ui.ac.id/detail?id=20298154&lokasi=lokal>

Abstrak

Tesis ini membahas terciptanya suatu program komputer yang dikenal dengan game emulator (atau bisa disebut emulator saja). Program emulator ini memberikan kemudahan dan solusi bagi para penggemar console game tanpa harus menggunakan atau memiliki perangkat keras console game, cukup dengan melakukan instalasi program emulator pada komputer mereka, para penggemar console game dapat mengoperasikan hampir semua jenis game yang berbasis console game tertentu pada komputer yang mereka miliki.

Para produsen console game merasa dirugikan atas hadirnya program emulator tersebut, karena penjualan perangkat keras console game mereka mengalami penurunan yang cukup drastis. Hal ini dikarenakan banyak masyarakat yang lebih memilih untuk menggunakan emulator dalam mengoperasikan game-game berbasis console game tersebut melalui komputer mereka daripada harus membeli perangkat keras yang khusus disediakan bagi game-game tersebut.

Dari uraian latar belakang Tesis ini ditarik permasalahan bagaimana hukum melindungi Program Komputer yang melekat pada perangkat keras dan Program Game Emulator yang merupakan imitasi permainan Console Game telah melakukan pelanggaran Hak Cipta. Dari hasil penelitian ditemukan bahwa program Game Emulator dapat dikatakan suatu karya yang mendapatkan Hak Cipta namun disisi yang lain Program Emulator dapat dikenakan pelanggaran dengan dibuktikan doktrin-doktrin yang ada.

.....The Focus of This study is created a computer program known as the game emulator (or could be called emulators only). This emulator program provides convenience and solution for fans of console games without having to use or have a game console hardware, simply by doing the installation of the emulator program on their computer, console gaming fans can operate almost any type of game that particular game console based on a computer that they have. The problem does not stop there.

The game console manufacturers to feel aggrieved over the presence of these emulator programs, because sales of their gaming console hardware has decreased quite dramatically. This is because many people who prefer to use the emulator in operating the games console-based games through their computers rather than having to buy special hardware is provided for those games.

From the description of the background of this thesis that have been talking about how the emulator in its development as well as an overview of the laws which regulate if those problems, it can be drawn that the problems will be discussed like Emulator include in the creation of Computer programs that get Copyright Protection and Emulator can make violation Copyright Console Game. The result of this Thesis is known that Emulator in one side it can be have to get Copyright Protection, in other side Emulator can Violate Copyright Console game with reasonable doctrine.