

# Analisis Yuridis Perjanjian Penerbitan Buku antara Pengarang dan Penerbit Studi Perjanjian Penerbitan Buku antara Pengarang A dengan Penerbit X dan Perjanjian Penerbitan Buku antara Pengarang B dengan Penerbit Y = Legal Analysis of Book Publishing Agreements between Author and Publisher Case Study Book Publishing Agreement between Author A and Publisher X and Book Publishing Agreement between Author B and Publisher Y

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## Abstrak

[<b>ABSTRAK</b><br>

Skripsi ini menganalisis aspek hukum perjanjian dalam proses penerbitan buku antara Pengarang A dengan Penerbit X dan antara Pengarang B dengan Penerbit Y berdasarkan Kitab Undang-Undang Hukum Perdata dan Undang-Undang Nomor 28 Tahun 2014 tentang Hak Cipta. Pokok permasalahan yang diajukan yaitu mengenai keabsahan perjanjian, formulasi yuridis perjanjian, dan pembagian hak dan kewajiban terkait perlindungan hukum para pihak yang diatur dalam perjanjian. Penelitian ini merupakan penelitian yuridis normatif dengan pendekatan deskriptif analitis, yang bertujuan memberikan gambaran praktik perjanjian penerbitan buku di Indonesia saat ini. Hasil penelitian menyimpulkan bahwa: pertama, kedua perjanjian penerbitan buku telah sah secara hukum. Kedua, perjanjian penerbitan buku pertama merupakan perjanjian berlapis yaitu merupakan perjanjian pemberian izin (lisensi), perjanjian pemberian kuasa, dan sekaligus perjanjian pengalihan hak. Sementara perjanjian kedua merupakan perjanjian kerja sama dan perjanjian pengalihan hak. Ketiga, pembagian hak dan kewajiban para pihak yang diatur dalam kedua perjanjian penerbitan buku tersebut pada umumnya masih menitikberatkan pada kepentingan penerbit.

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<b>ABSTRACT</b><br>

This thesis examines the contractual law aspects in the book publishing process between Author A and Publisher X and between Author B and Publisher Y based on the Code of Civil Law and Law No. 28 Year 2014 on Copyright. Principal issues have been raised about the validity of the agreement, the agreement juridical formulation, and distribution of rights and obligations of the parties related to the legal protection set out in the agreement. This research is a normative-descriptive approach, which aims to provide an overview of book publishing agreements practice in Indonesia today. The study concluded that: first, both of the book publishing agreements was lawful. Second, the first book publishing agreement is an agreement that is layered, consists of licensing agreement (license), contract for power, and at the same time right transfer agreement. While the second agreement is a cooperation agreement and the agreement on transfer of rights. Third, the distribution of rights and obligations of the parties to these two agreements set forth in the book publishing in general is still focused on the interests of publishers., This thesis examines the contractual law aspects in the book publishing process between Author A and Publisher X and between Author B and Publisher Y based on the Code of Civil Law and Law No. 28 Year 2014 on Copyright. Principal issues have been raised about the validity of the agreement, the agreement juridical formulation, and distribution of rights and obligations of the parties related to the legal protection set out in the

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