

Perlindungan hak cipta terhadap pendistribusian ciptaan karya sinematografi di internet melalui situs yang bersifat user generated content = The copyright protection on distribution of cinematographic works on the internet through the user generated content site / Randy Antonio Sitanggang

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Abstrak

ABSTRAK

Seiring dengan perkembangan teknologi pada saat ini, maraknya distribusi karya sinematografi di Internet melalui situs yang bersifat User Generated Content secara tanpa hak/izin dari Pencipta dan/atau Pemegang Hak Cipta. Permasalahan yang diangkat adalah bagaimana ketentuan Undang-Undang No.28 tahun 2014 tentang Hak Cipta mengatur pencegahan pendistribusian ciptaan karya sinematografi secara Illegal di Internet, Perlukah membatasi tanggung jawab Penyedia Platform User Generated Content di Indonesia terkait dengan penyebarluasan konten pelanggaran Hak Cipta oleh Pengguna di dalam Platformnya, dan apakah Undang-Undang No. 28 Tahun 2014 tentang Hak Cipta telah mengakomodir Penyedia Platform User Generated Content dalam mencegah pendistribusian karya sinematografi secara illegal di dalam Platformnya. Penelitian ini merupakan penelitian yuridis normatif dengan metode deskriptif analisis. Data dalam penelitian ini diperoleh dari penelitian kepustakaan. Hasil penelitian menunjukkan, bahwa pencegahan pendistribusian karya sinematografi secara illegal di Internet diatur di dalam Bab VIII UU Hak Cipta, dengan memberikan kewajiban kepada Pemerintah dalam mencegah pembuatan dan/atau penyebarluasan konten pelanggaran hak cipta. Dari penelitian menunjukkan, perlunya membatasi tanggung jawab Penyedia Platform User Generated Content terkait pelanggaran Hak Cipta yang terjadi di dalam Platformnya. Selain itu, melalui Pasal 10 UUHC, Penyedia Platform UGC diberikan akomodasi dalam mencegah pendistribusian karya sinematografi secara illegal di dalam Platformnya.

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ABSTRACT

Along with technological developments, the distribution of cinematographic works on the Internet through the User Generated Content Sites without the rights/ permissions of the Author and/or Copyright Holder. The Issues that be appointed are, How The Law No. 28 of 2014 on Copyright regulate the prevention of the illegal distribution of cinematographic works on the Internet, Is it necessary to limit the responsibility of the User Generated Content Platform Provider in Indonesia in relation to dissemination of copyright infringement content by user within its Platform, Has The Law No. 28 of 2014 on Copyright accommodated the User Generated Content Platform Provider in preventing the illegal distribution of cinematographic works within its Platform. This research is a Juridical Normative research with descriptive

analysis. The data in this research is obtained from library research. The results show that the prevention of illegal distribution of cinematographic works on the Internet is regulated in Chapter VIII of the Copyright Act by giving obligations to the Government in preventing the manufacture and/or the distribution of copyright infringement content. From the research indicates, the need to limit the responsibility of the User Generated Content Platform Provider in relation to copyright infringement that occur within the Platform. In addition, based on article 10 Copyright Act, the User Generated Content Platform Provider has been accommodated to prevent the illegal distribution of cinematographic work within its platform.