

Abstrak

Tujuan penelitian adalah untuk mengetahui dan menganalisis pelanggaran hak cipta melalui media soaial dalam putusan terhadap pelaku pelanggaran hak cipta melalui media sosial pada putusan nomor41 PK/Pdt.Sus-HKI/2021. Rumusan masalah Bagaimana pelanggaran hak cipta melalui media sosial berdasarkan putusan terhadap pelaku pelanggaran hak cipta melalui media sosial pada putusan nomor 41 PK/Pdt.Sus-HKI/2021?.metode penelitian yang digunakan adalah yuridis normatif. Hasil dan pembahasan: bahwa pelanggaran hak cipta yang dilakukan oleh Halilintar Anofial Asmid dan Lenggogeni Umar Faruk atas lagu Lagi Syantik milik PT Nagaswara merupakan pelanggaran hak moral dan hak ekonomi sesuai dengan Pasal 9 ayat (1) Undang-Undang Nomor 28 Tahun 2014 tentang Hak Cipta. Tindakan berupa perubahan lirik, perekaman ulang, dan distribusi tanpa izin melalui media sosial melanggar hak eksklusif pemilik ciptaan dan menimbulkan kerugian material serta immaterial. Putusan Mahkamah Agung yang menghukum tergugat untuk membayar ganti rugi, menghentikan distribusi ilegal, dan meminta maaf secara publik mencerminkan pentingnya perlindungan hukum terhadap kekayaan intelektual. Penegakan hukum yang tegas dalam kasus ini diharapkan dapat mendorong kesadaran akan pentingnya menghormati hak cipta demi keberlanjutan ekosistem industri kreatif yang sehat dan inovatif.

Kata Kunci: Hak cipta, Media sosial, Pelanggaran

*Copyright Infringement Through Social Media Analysis Of Decision Number 41
Pk/Pdt.Sus-Hki/2021*

Abstract

The research aims to understand and analyze copyright infringement through social media in the decision against the perpetrator of copyright infringement through social media in decision number 41 PK / Pdt.Sus-HKI / 2021. The formulation of the problem How is copyright infringement through social media based on decisions against perpetrators of copyright infringement through social media in decision number 41 PK / Pdt.Sus-HKI / 2021? The research method used is normative juridical. Results and discussion: that copyright infringement committed by Halilintar Anofial Asmid and Lenggogeni Umar Faruk on the song Lagi Syantik owned by PT Nagaswara is a violation of moral rights and economic rights in accordance with Article 9 paragraph (1) of Law Number 28 of 2014 concerning Copyright. Actions in the form of lyric changes, re-recording, and unauthorised distribution through social media violate the exclusive rights of the owner of the work and cause material and immaterial losses. The Supreme Court's decision that ordered the defendant to pay compensation, stop illegal distribution, and apologise publicly reflects the importance of legal protection of intellectual property. Strict law enforcement in this case is expected to encourage awareness of the importance of respecting copyright for the sustainability of a healthy and innovative creative industry ecosystem.

Keywords: Copyright, offence, Social media