

ABSTRAK

Penelitian ini bertujuan untuk mengetahui dan menganalisis implikasi perluasan *User Generated Content* sebagai media publikasi dan/atau tempat perdagangan hak cipta pada pasal 10 Undang-undang Hak Cipta Nomor 28 Tahun 2014 Berdasarkan putusan Mahkamah Konstitusi Nomor 84/PUU-XXI/2023 dalam perlindungan hak cipta pada platform digital berbasis *User Generated Content* dalam praktik di industri digital dan untuk mengetahui dan menganalisis bagaimana tanggung jawab platform digital berbasis *User Generated Content* atas pelanggaran hak cipta disitus teknologinya. Metode penelitian yang digunakan yakni penelitian hukum normatif dengan menggunakan pendekatan perundang-undangan, pendekatan konseptual dan pendekatan kasus. Adapun hasil penelitian yaitu, 1) perluasan norma pasal 10 UUHC dimana dimasukkannya platform digital berbasis *User generated Content* sebagai media publikasi dan/atau tempat perdagangan berimplikasi pada terpenuhinya hak eksklusif pencipta, pemegang hak cipta, pemegang hak terkait yakni hak moral dan hak ekonomi pada perlindungan hak cipta bidang digital. 2) Platform digital berbasis *User Generated Content* bertanggung jawab atas kerugian yang dialami pencipta, pemegang hak cipta, pemegang hak terkait atas pelanggaran hak cipta disitus teknologinya berupa ganti rugi.

Kata Kunci : Media Publikasi; Hak Cipta; *User Generated Content*

ABSTRACT

This study aims to determine and analyze the implications of the expansion of User Generated Content as a publication medium and / or copyright trading place in article 10 of Copyright Law Number 28 of 2014 Based on the decision of the Constitutional Court Number 84/PUU-XXI/2023 in copyright protection on User Generated Content-based digital platforms in practice in the digital industry and to determine and analyze how the responsibility of User Generated Content-based digital platforms for copyright infringement on their technology sites. The research method used is normative legal research using statutory approaches, conceptual approaches and case approaches. The results of the study are, 1) the expansion of the norms of Article 10 UUHC where the inclusion of digital platforms based on User generated Content as a publication medium and / or trading place has implications for the fulfillment of the exclusive rights of creators, copyright holders, holders of related rights, namely moral rights and economic rights in the digital field of copyright protection. 2) User-generated content-based digital platforms are responsible for losses suffered by creators, copyright holders, holders of rights related to copyright infringement on their technology sites in the form of compensation.

Keywords: Publication Media; Copy Right; User Generated Content