
Legal Protection of Copyright as a Complaint Offense From a Criminal Law Perspective

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Abstract

Currently, in Indonesia, there are many cases of criminal acts against copyright. This number is quite fantastic when you look at the fact that from what is known the number is already quite high, not to mention small cases that do not receive special attention from the government. Of course, if left unchecked, this could cause losses, not only for the creator of the work but also have an impact on the country's social aspects and even the country's economic aspects. This research uses a normative juridical type of research, what is meant by normative juridical research is legal research. literature because normative legal research is carried out by examining library materials or secondary data only. The legal materials referred to will also be used as interesting literature reviews books, and web-based resources. The occurrence of copyright crimes can harm the creators and thus legal action must be taken against copyright holders during this process. Criminal law against copyright criminals will be implemented. gradually investigation, investigation, prosecution, and investigation in court. The concept of the criminal act of complaint offense (klacht delict), from the meaning of the word klacht or complaint, means a criminal act that can only be prosecuted after a report contains a request for prosecution about a particular person or persons. As a country that has ratified TRIPs (Trade-Related Aspects of Intellectual Property Rights), this means that Indonesia has a strong enough legal basis to protect the owners or holders of Intellectual Property Rights (IPR), which include Copyright. Copyright Law Number 28 of 2014 has adapted to the agreement agreed in TRIPs. Based on the description above, it can be concluded that the offense of complaints in copyright crimes is not appropriate for the use of copyright crimes. This is because the substance of ordinary offenses has more relevance to prosecuting copyright crimes.

Keywords: Copyright, Complaint Offenses, Criminal Law.

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INTRODUCTION

Currently, Indonesia is witnessing a surge in criminal activities related to copyright infringement, a trend that is alarming considering the already substantial number of known cases. Additionally, there are likely numerous smaller-scale instances that escape significant governmental attention. Left unaddressed, this trend poses multifaceted risks, impacting not only the creators of copyrighted works but also the social fabric and economic landscape of the nation. Such infringements indirectly diminish tax revenue, thereby impacting the state treasury. Given the perilous implications, the government must take decisive action to mitigate these occurrences. Strengthening juridical practices about the enforcement of existing case resolutions stands as a pivotal step in addressing this issue. By enhancing the implementation of legal measures, the government can proactively deter future copyright violations and safeguard the interests of both creators and the broader society.

At a time when technology is so rapid, it is inevitable that ultimately brings progress to the times. Legislative regulations or laws are used as tools that determine what legal subjects must do (Rasyid, 2020). So that community behavior can be implemented so that it can be sustainable as envisioned in the constitutional mandate. With the development of law in Indonesia, it should be in harmony with people's behavior, including the development of Intellectual Property Rights.

Through a cultural congress in Bandung in 1951, by Mr Soetan Moh. Sjah, the term copyright in Indonesia was first put forward and accepted as a replacement for the term Author's Rights, which was considered less broad in its scope of understanding. The term authorship is a translation of Auteurs Recht. Because it gives the impression that there is a narrowing of meaning as if what is included in the author's right is the right to compose, while the term copyright is broader and includes composition so that the term copyright is used and used in copyright law in Indonesia (Akbal, 2015). Article 1 of Auteurswet 1912 states, "Copyright is the sole right of the creator, or the right of the person who obtains that right, to the results of his creation in the field of literature, science, and art, to publish and reproduce them by bearing in mind the limitations specified in the law. invite."

"Then Article V of the Universal Copyright Convention states that copyright includes the sole right of the creator to create, publish and authorize the translation of works protected by this agreement."

Law Number 28 of 2014 concerning Copyright recognizes two types of rights contained in a work, namely copyright and neighboring rights. These two types of rights are exclusive rights that are economic for creators, copyright holders, and related rights owners. Article 1 of Law Number 28 of 2014 concerning Copyright, defines copyright, namely:

"Copyright is the exclusive right of the creator which arises automatically based on the declarative principle after a work is realized in real form without reducing restrictions by the provisions of statutory regulations." (Ramadhan A, 2017). Exclusive rights in Article 4 of the Copyright Law Number 28 of 2014 are rights that are only intended for the creator so that no other party can exploit these rights without the creator's permission. Copyright holders who are not creators only have part of the exclusive rights in the form of economic rights.

According to Gatot Supramono in his book quoted by Ashibly, Exclusive rights are rights that are intended solely for the holder so that no other party may exploit these rights without the holder's permission. The exclusive rights contained in copyright are economic rights over creations that are not only industrial but also monopolistic. However, unlike monopoly rights, copyright is not absolute. The copyright holder only has the right to restrict other parties from copying, reproducing, publishing, or renting out their work without rights. This is firmly stated by Lessig, quoted by Ashibly, that, "copyright is a property in a very special sense of the term property. It is a protection against some users, not a protection against all users." Copyright is property in a very special sense of the term property, it is a protection only for some users, not all users.

Theoretically, copyright is an absolute natural human right (natural rights) that arises automatically from the moment a creation exists or is announced. The creation will be protected as long as the creator is still alive, even after the creator dies. The author's exclusive rights are also



called economic rights. Article 4 of Law Number 28 of 2014 concerning Copyright states that "Copyright, as referred to in article 3 letter a, is an exclusive right consisting of moral rights and economic rights"

Copyright is used to protect a work of creation in the form of science, art, or literature to reduce piracy of the work created. Copyright can be transferred to another party to publish or reproduce the work with the author's permission (Khoirudin et al., 2022). The Islamic view of copyright is explained in the Al-Qur'an in Q.S AlBaqarah verse 188 which means: "And do not consume wealth among yourselves in a false way, and (do not) bribe the judges with that property, by the intention is that you can consume some of other people's wealth using sin, even though you know."

And in Q.S Al Maidah verse 38 which means "The man who steals and the woman who steals, cut off the hands of both (as) retribution for what they did and as a punishment from Allah. And Allah is all-mighty, all-wise." From these two verses, it is explained that Allah forbids believers from using, eating, and using other people's property without the owner's permission, which is the same as stealing. Thus, anything that causes harm to the creator is essentially prohibited. The Indonesian Ulema Council established its fatwa Number 1/MUNAS VII/MUI/15/2005 concerning the Protection of Intellectual Property Rights (HAKI).

In the current legal framework outlined in Law Number 28 of 2014 concerning Copyright, copyright-related offenses are classified as complaint offenses. This designation marks a departure from the previous legal framework established under Law Number 19 of 2002 concerning Copyright, where such offenses were categorized as ordinary offenses. This shift in categorization holds significant implications for the enforcement and adjudication of copyright violations. Under the current law, copyright infringements are treated as offenses that require a complaint from the aggrieved party, typically the copyright holder, to initiate legal proceedings. This places a greater emphasis on the role of the copyright owner in pursuing legal action against alleged infringers. In contrast, under the previous law, copyright violations were treated as ordinary offenses, suggesting a broader scope of enforcement actions that could be initiated by law enforcement authorities independent of the copyright holder's involvement. This distinction underscores the evolving legal landscape surrounding copyright protection in Indonesia, reflecting efforts to streamline enforcement procedures and enhance the rights of copyright holders.

In the copyright law regime, the nature of the offense changes from a complaint offense to an ordinary offense, then changes again to a complaint offense. The copyright regime during the Auteurswet period from 1912 to Law Number 6 of 1982 still adhered to the offense of complaints. With the emergence of Law Number 7 of 1987 and Law Number 12 of 1997, followed by Law Number 19 of 2002, there was a change in the offense from a complaint offense to an ordinary offense. Then with Law Number 28 of 2014, there was another change from ordinary offenses to complaint offenses. The change like the offense indicates the development of copyright offenses which is followed by a change in the thinking paradigm of lawmakers.

The initial change like copyright offenses occurred with the enactment of Law Number 7 of 1987. This transformation was driven by several factors, chief among them being the alarming escalation of copyright-related crimes, particularly piracy, during that period. The prevalence of such illicit activities necessitated a reevaluation of the legal framework governing copyright enforcement. Additionally, the shift from categorizing copyright offenses as ordinary offenses to complaint offenses was motivated by fundamental principles of criminal law. Under the previous classification, ordinary offenses were subject to enforcement by law enforcement officials independent of the consent or complaint of the injured party. This approach was viewed as inconsistent with the essence of criminal law, which traditionally prioritizes the public interest in determining the enforcement of legal measures. By reclassifying copyright offenses as complaint offenses, the law sought to empower copyright holders to actively participate in the prosecution of infringements while also aligning with broader principles of justice and public interest within the realm of criminal law enforcement.



However, in its application, this ordinary offense still leaves various problems. First, law enforcement officials have difficulty uncovering copyright crimes without involving the creator. Second, law enforcement officials do not know exactly, for example, whether someone has permission to publish or reproduce a work. Third, the injured party has no choice not to prosecute the perpetrator if the case has already been processed by law enforcement officials. Based on these problems, the Copyright regime through Law Number 28 of 2014 changed the nature of copyright criminal offenses from ordinary offenses to complaint offenses (Prihartono, 2022).

Matters included in the category of ordinary offenses cannot be terminated even though the parties have decided to reconcile. By adopting the offense of complaint by Law Number 28 of 2014, law enforcement officers can no longer play an active role in overcoming rights violations copyright without any complaints from the creator or copyright holder who feels disadvantaged. The change from ordinary offenses to complaint offenses in the copyright regime aims to further emphasize that copyright is a right of a personal nature (personal rights). Because copyright is personal, if a violation occurs then it is required a complaint from the creator who feels aggrieved by the violation. With a complaint offense, it will be clear who the creator is or is the copyright holder of the misused work. So change the nature of the offense from an ordinary offense to a complaint offense because it is related to the nature of ownership itself. It means ownership in rights Creation is personal so the reasoning is personal Feeling aggrieved is the one who will complain to the authorities so that the case is investigated.

RESEARCH METHOD

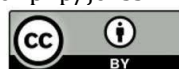
Types of legal research can be divided into normative legal research and empirical or sociological legal research. Normative legal research is research whose data is sourced from secondary data and because this research data is secondary data, it is included in the type of normative legal research. The nature of this research is descriptive. Research data sources include primary legal materials, secondary legal materials, and tertiary legal materials. The data collection method was carried out using document study techniques, which were analyzed using qualitative analysis techniques (Faisal, 2018). This research uses a type of normative juridical research. What is meant by a type of normative juridical research is library legal research because normative legal research is carried out by examining library materials or secondary data only. The legal materials referred to will also be used as interesting literature reviews books, and web-based resources (Abduh, 2022). The analysis used is qualitative (Sihombing & Hadita, 2022).

RESULT AND DISCUSSION

Forms of Criminal Offenses Against Copyright

Sanctions for violations of Intellectual Property Rights (IPR) have so far not had a deterrent effect on the perpetrators so the level of violations continues to increase, even though the government already has the legal instruments in place. Another obstacle is the limited number of law enforcement officers who handle Intellectual Property Rights issues, and the lightness of the decisions handed down by the judicial process to violators so that it does not have a deterrent effect. Apart from that, there is a lack of public awareness to respect and obey laws in the field of IPR and limited public purchasing power. Therefore, coordination is needed between law enforcement officials and related agencies in formulating and establishing strategic policies that will be used as targets for reducing and eliminating IPR violations, as well as increasing public awareness to respect other people's IPRs. Reducing or eliminating IPR violations in Indonesia, in turn, can attract investors, especially investors from abroad, to invest/open businesses in Indonesia, both in the field of Copyright and in the field of IPR, so that they can create new jobs which a macro scale will increase economic growth. National (https://reskrimsus.metro.polri.go.id/2019/04/12/pelanggaran-hak-kekayaan-intelektual/).

As a country that has ratified TRIPs (Trade-Related Aspects of Intellectual Property Rights), this means that Indonesia has a strong enough legal basis to protect the owners or holders of Intellectual Property Rights (IPR), which include Copyright. Copyright Law Number 28 of 2014 has



adapted to the agreement agreed in TRIPs (Hasbir Paserangi, 2011). One of the consequences of Indonesia's participation in international agreements regarding free trade and TRIP (Trade-Related Aspects of Intellectual Property Rights) is reducing or eliminating barriers to international trade and increasing the effectiveness of intellectual property rights (IPR). to realize the need for protection. Likewise, there must be a willingness to develop procedures to enforce intellectual property rights in free trade (Nurhayati Abbas, 1999). Copyright protection as regulated in the Copyright Law clearly states heavy sanctions for copyright crimes. This does not necessarily make people afraid to commit criminal acts. This can be seen from the current rise in copyright crimes. In terms of Copyright law, protected works include creations in the fields of science, art, and literature. These creations are: books, pamphlets, published versions of written works, and all other written works; lectures, lectures, speeches, and other similar creations; teaching aids made for educational and scientific purposes; songs and/or music with or without text; drama, musical drama, dance, choreography, puppetry, and pantomime; works of fine art in all forms such as paintings, drawings, carvings, calligraphy, sculpture, sculpture or collage; works of applied art; architectural works; map; batik artwork or other motif arts; photographic works; portrait; cinematographic works; translations, interpretations, adaptations, anthologies, databases, adaptations, arrangements, modifications and other works resulting from transformation; translation, adaptation, arrangement, transformation, or modification of traditional cultural expressions; compilation of works or data, either in a format that can be read by computer programs or other media; a compilation of traditional cultural expressions as long as the compilation is an original work; video games; and computer programs, this is in accordance with what is regulated in Article 40 of the Copyright Law.

The exclusive rights granted by the State to Copyright holders include declarative moral rights and economic rights. Moral rights are rights that are eternally inherent in the Creator to:

1. Continue to include or not include his name on the copy in connection with the public use of his work;
2. Using an alias or pseudonym;
3. Changing creations according to appropriateness in society;
4. Changing the title and title of the Work; And
5. Defend his/her rights in the event of distortion of the Creation, mutilation of the Creation, modification of the Creation, or anything detrimental to one's honor or reputation.

Moral rights cannot be transferred as long as the creator is still alive. If we transfer the implementation of moral rights, the recipient can waive or refuse to exercise these rights in writing. Apart from moral rights, Copyright holders also get Economic Rights in the form of economic benefits from their Creation, known as Royalties.

Article 112 of the Copyright Law explains that every criminal act against Article 7 paragraph 3 or Article 52 is punishable by a maximum imprisonment of 2 years, and every person who unlawfully commits a criminal offense on economic rights is sentenced to a maximum prison sentence of one year or a maximum sentence of three years. and a maximum fine of five hundred million rupiah.

Legal Protection of Copyright given Criminal Law

The occurrence of a copyright crime can harm the creator and thus legal action must be taken against the copyright holder during this process, criminal law against copyright criminals will be carried out in stages, investigation, investigation, prosecution, and investigation in court. To eradicate these acts which can be classified as copyright crimes, the police can publish research which is one of the stages through trials and criminal investigations with sufficient evidence. Criminal Law can be described systematically. The occurrence of a copyright crime can harm the creator and thus legal action must be taken against the copyright holder during this process, criminal law against copyright criminals will be carried out in stages, investigation, investigation, prosecution, and investigation in court. POLICE to eradicate these acts which can be classified as



copyright crimes can publish research which is one of the stages through trials and criminal investigations with sufficient evidence (Axel Pandoy, 2018).

Copyright Law Number 28 of 2014 regulates copyright criminal cases that must be investigated by investigators according to Articles 112-120, namely as follows:

1. Without the right to carry out commercial use of a work;
2. Without the right to commit criminal acts of economic rights for commercial use of a work;
3. Without the rights and/or permission of the creator or copyright holder, committing a crime against the economic rights of the creator;
4. Committing a form of piracy of a creation;
5. Managing a trading place in all its forms which intentionally and knowingly allows the sale and/or duplication of goods resulting from criminal acts of Copyright and/or Related Rights in the trading place they manage;
6. Without the consent of the person being photographed or his or her heirs, carry out Commercial Use, Duplication, Announcement, Distribution, or Communication of the Portrait for advertising or advertising for Commercial Use both in electronic and non-electronic media;
7. Collective Management Institutions that do not have operational permits from the Minister carry out Royalty withdrawal activities.

Intellectual property issues persist unabated, necessitating widespread recognition of the intrinsic value of copyrighted works. Indonesia, in particular, grapples with rampant software piracy, establishing itself as a haven for such illicit activities. The accessibility of illegally reproduced optical media, including CDs, VCDs, and DVDs, underscores the prevalence of piracy even within the creative industry, notably in computer software. Moreover, the widespread downloading of songs over the internet further exacerbates copyright infringement concerns. Despite the pervasive nature of these challenges, the enforcement mechanisms for copyright protection remain largely uniform across different nations. Typically, legal recourse involves a combination of civil litigation, criminal proceedings, and administrative measures aimed at safeguarding intellectual property rights. Despite these established procedures, the effectiveness of copyright enforcement efforts varies significantly from one jurisdiction to another.

Implementation of Complaint Offenses as a Form of Copyright Protection

The concept of the criminal act of complaint offense (*klacht delict*), from the meaning of the word *klacht* or complaint, means a criminal act that can only be prosecuted after a report contains a request for prosecution about a particular person or persons. For criminal acts with a complaint offense, the public prosecutor carries out a prosecution if there is a complaint from the victim who experienced the crime. Complaint offenses are not regulated in Book I but are in Book II, every act is made a complaint offense, it regulates this matter individually and also regulates who has the right to make the complaint. Lawmakers require complaints about certain crimes. Regarding the causes, according to Von Liszt, Berner, and Von Swinderen, speaking objectively, certain crimes are material or ideal losses to the person. Those who are directly affected by the damage must be prioritized compared to other damage that occurs in general. According to MvT (*Memory van Teolichting*). Certain crimes require a complaint on the basis that the authorities interfered with something. This event may result in higher harm in the specific interests of the victim than in reality, i.e. if the authorities did not intervene in a special case. Thus, deciding whether someone has caused harm depends on whether the authorities are required to do so. or no consideration for disadvantaged communities. Complaint offenses are divided into two types absolute complaint offenses (*absolute klacht delict*) and relative complaint offenses. The absolute complaint offense according to the Criminal Code can only be prosecuted by a public prosecutor if there is a complaint from a person who has the right to complain. Meanwhile, a relative complaint offense (*relative klacht delict*) is a crime of complaint, which is only against certain things, or in other words a relative complaint offense where a complaint is only a condition between the person who is guilty and the person who is harmed there is a special relationship (Jamba, 2015).



The regulatory landscape surrounding criminal provisions concerning copyright protection is explicitly outlined within the Copyright Law. Specifically, Article 120 of this legislation designates criminal acts against copyright protection as complaint offenses. Under this provision, the authority to initiate a complaint rests with the aggrieved party, typically the copyright owner, encompassing both the original creator of the work and any entities or individuals to whom the copyright has been legally transferred. Notably, the Copyright Law explicitly defines unauthorized usage of copyrighted material as a clear-cut complaint offense, thereby precluding complaints from parties lacking rightful ownership of the copyright.

However, while this framework ostensibly aims to safeguard the interests of copyright holders, its reliance on complaints poses significant challenges to the effective enforcement of copyright protection laws. By tethering legal action to the initiation of complaints, the system may inadvertently impede the swift and comprehensive prosecution of copyright infringements. This limitation becomes particularly pronounced in cases where copyright violations occur but are not promptly reported by the copyright holder. Consequently, there exists a risk that such a complaint-based approach could undermine efforts to uphold copyright protections and deter infringement effectively. As such, there may be merit in exploring potential amendments or alternative enforcement mechanisms within the Copyright Law to ensure a more robust and proactive approach to combatting copyright violations while simultaneously safeguarding the rights of creators and copyright owners.

This is of course contrary to Article 28D of the Constitution of the Republic of Indonesia (UUD 1945 RI) which firmly states that everyone has the right to recognition, guarantees, protection, and fair legal certainty as well as equal treatment before the law. In the event of a copyright crime, the state as implementer of the guarantee of citizen protection should be able to carry out the mandate of the 1945 Constitution to protect copyright holders. Law enforcement problems (Rambey, 2022). in the case of a criminal offense against a copyrighted work, there is a resolution. With the existence of regulations regarding copyright crimes, it is a complaint offense, which means that the copyright holder or direct copyright recipient who can make a complaint can hamper law enforcement in the field of copyright.

The Indonesian Constitution itself states that the relationship between the state and the people is very clear and must be the legal basis for the government to enforce it as an obligation. In general, the state's obligations are contained in the preamble to the 1945 Constitution (Hanifah, 2020). As is known, copyright is a legal system in Indonesia that has undergone several changes. The most fundamental thing about this change is in the right of offense (Rasyid, 2020). If the complaint offense becomes a guideline for law enforcement in copyright crimes, in its application it will mean that law enforcement officials will not be able to act if a copyright crime occurs even if there is evidence of a criminal act if the copyright holder does not file a complaint. If the legal process is carried out by law enforcement, they will not know whether the person suspected of committing a criminal act is the person who is given copyright holder rights. Not to mention that copyright holders prefer to sue civilly to obtain compensation for losses incurred by the copyright holder. This is possibly the basis for lawmakers to make copyright crimes into complaint offenses.

The rise of piracy of copyrighted works is not only due to weak law enforcement but also weak supervision of creative works circulating in society. Violations of copyright are carried out openly, this can be proven by the large number of pirated works being sold openly and the public and law enforcement also know about it. It can be concluded that the effectiveness of the law, as expressed by Hans Kelsen, is that the difference between natural science and normative legal science does not lie in the logical structure of the statements used by the two sciences in describing their respective objects, but in the specific meaning of the description. In the statement of natural law, namely natural laws, this condition is connected with a consequence of the existence of "reality". In normative legal statements, namely legal regulations in the descriptive sense of the expression "necessity" (Hans Kelsen, 2016). In this case, the transition from an ordinary crime to a



complaint offense is based on the success of law enforcement for copyright infringement, and not on the compatibility of the concepts of crime and complaint offenses. In the concept of copyright, which can be considered a criminal object, currently, there are legal norms (legal norms) that are based on reality and are not mandatory.

The Indonesian state was formed to protect the entire Indonesian nation (Ismail Koto, Ida Hanifah, 2022). Thus, countries with existing systems should be able to work in preventing or prosecuting copyright crimes. The offense of complaints as a gateway to law enforcement should not be an inhibiting factor in enforcing copyright protection laws. The seriousness of law enforcement can create conditions for a law-abiding society. And encourage the emergence of creative works by the nation's children.

CONCLUSION

The analysis presented indicates a misalignment between categorizing copyright crimes as complaint offenses and the optimal enforcement strategy for addressing such offenses. The essence of ordinary offenses appears to be more suitable for prosecuting copyright crimes due to its inherent focus on law enforcement's proactive role in pursuing criminal activities, irrespective of the need for complaints from aggrieved parties. By recognizing the state's responsibility to safeguard the interests of citizens, particularly copyright holders, it becomes apparent that a reevaluation of the legal framework governing copyright enforcement is necessary.

Consequently, a recommendation emerges to reclassify copyright crimes as ordinary offenses to streamline law enforcement procedures and enhance their efficacy. This adjustment would empower law enforcement agencies to initiate inquiries, investigations, and prosecutions for copyright crimes without being reliant on complaints from copyright holders. By removing the constraint imposed by complaint offenses, law enforcement officials can act swiftly and decisively to address copyright infringements, thereby bolstering the protection of intellectual property rights. Ultimately, such a shift in classification would foster a more robust and proactive approach to combating copyright violations, aligning with the state's duty to uphold justice and protect the rights of its citizens.

REFERENCES

- Abduh, R. (2022). Perspektif Kesejahteraan Tenagakerja Dengan Model Penetapan Upah Minimum Kabupaten Kota. *Iuris Studia: Jurnal Kajian Hukum*, 3(1), 38–44.
- Akbal, M. (2015). Pentingnya Perlindungan Hukum Terhadap Karya Cipta Di Bidang Komputer Dalam Menyongsong Masyarakat Ekonomi Asean. *Prosiding Seminar Nasional Himpunan Sarjana Ilmu-Ilmu Sosial*, 1.
- Axel Pandoy. (2018). TINDAK PIDANA HAK CIPTA MENURUT UNDANG-UNDANG NOMOR 28 TAHUN 2014 TENTANG HAK CIPTA. *Lex Crimen*, 1(VIII), 168–178.
- Faisal, F. (2018). Akibat Hukum Ketiadaan Akta Ikrar Wakaf Atas Perwakafan Tanah. *De Lega Lata: Jurnal Ilmu Hukum*, 3(2), 143–153.
- Hanifah, I. (2020). PERAN DAN TANGGUNG JAWAB NEGARA DALAM PERLINDUNGAN HUKUM TENAGA KERJA INDONESIA YANG BERMASALAH DI LUAR NEGERI. *DE LEGA LATA*, 5, 10–23.
- Hans Kelsen. (2016). *Teori Umum Tentang Hukum dan Negara* (N. Mangunsong (ed.); R. Muttaqien (trans.); 11th ed.). Nusa Media.
- Hasbir Paserangi. (2011). Perlindungan Hukum Hak Cipta Software Program Komputer di Indonesia. *Jurnal Hukum*, 18(19), 20–35.
- Ismail Koto, Ida Hanifah, S. P. (2022). LEGAL PROTECTION OF COMMUNAL INTELLECTUAL PROPERTY IN INDONESIA. *Kanun Jurnal Ilmu Hukum*, 24(2), 298–309.
- Jamba, P. (2015). Analisis Penerapan Delik Aduan Dalam Uu Hak Cipta Untuk Menanggulangi Tindak Pidana Hak Cipta Di Indonesia. *Jurnal Cahaya Keadilan*, 3(1), 32–49.
- Khoirudin, A., Leliya, L., Alim, Z., & Faturrohman, F. (2022). Pengaturan Hukum Terhadap Pelaku Tindak Pidana Illegal Streaming Di Media Sosial Perspektif Undang-Undang Nomor 28 Tahun 2014 Tentang Hak Cipta. *Al-Mustashfa: Jurnal Penelitian Hukum Ekonomi Syariah*, 7(1), 41–51.
- Nurhayati Abbas. (1999). Hak Atas Merek dan Perkembangannya. *Fakultas Hukum Unhas Dengan Yayasan Klinik HAKI*, 1.



- Prihartono, P. (2022). *REKONSTRUKSI REGULASI TERKAIT TINDAK PIDANA HAK CIPTA DALAM PERSPEKTIF UNDANG-UNDANG NOMOR 28 TAHUN 2014 BERBASIS KEADILAN*. Universitas Islam Sultan Agung Semarang.
- Ramadhan A, D. P. (2017). *Kebijakan Legislatif Perubahan Pengaturan Pelanggaran Hak Cipta sebagai Delik Aduan pada Undang-Undang Nomor 28 Tahun 2014 Ditinjau dari Perlindungan Hak-Hak Pencipta atau Pemegang Hak Cipta*.
- Rambey, G. (2022). Penegakan Hukum Pidana Terhadap Tindak Pidana Pencucian Uang di Bidang Perpajakan. *Iuris Studia: Jurnal Kajian Hukum*, 3(2), 184–192.
- Rasyid, F. P. (2020). Kajian Relevansi Delik Aduan Pada Implementasi Undang-Undang Hak Cipta. *Mimbar Hukum - Fakultas Hukum Universitas Gadjah Mada*, 32(2), 212. <https://doi.org/10.22146/jmh.51060>
- Sihombing, E. N. A. M., & Hadita, C. (2022). Bentuk Ideal Tindak Lanjut Atas Putusan Mahkamah Konstitusi Dalam Pengujian Undang-Undang. *Japhtn-Han*, 1(1), 35–46.

