

## ABSTRAK

Maraknya penyebarluasan film tanpa izin di aplikasi Telegram telah mencederai hak eksklusif rumah produksi Starvision sebagai pemegang hak cipta. Sehingga penulis terarik untuk meneliti terkait Perlindungan Hukum Pemegang Hak Cipta atas Film yang disebarluaskan di aplikasi Telegram. Penelitian ini bertujuan untuk mengetahui Bagaimana perlindungan hukum terhadap Rumah produksi sebagai pemegang hak cipta atas film produksi Starvision yang disebarluaskan tanpa izin di Aplikasi Telegram dan bagaimana peran pemerintah dalam melindungi Rumah produksi sebagai pemegang hak cipta atas film yang disebarluaskan di Aplikasi Telegram. Adapun metode penelitian menggunakan Normatif-Empiris dengan sumber data primer dan data sekunder dengan Pendekatan Undang-Undang dan Pendekatan Studi Kasus. Adapun hasil dari penelitian ialah terdapat dua bentuk perlindungan hukum hak cipta yaitu perlindungan preventif berupa pemberlakuan Undang-Undang Hak Cipta, UU ITE, dan Peraturan Bersama Kemenkumham dan Kemenkominfo tentang Pelaksanaan Penutupan konten dan/atau Hak Terkait dalam sistem Elektronik, pencatatan ciptaan, serta pemberian *watermark* pada film agar tidak mudah di bajak. Perlindungan represif berupa pengajuan somasi dan penyelesaian sengketa melalui penyelesaian sengketa di luar pengadilan, arbitrase, dan pengadilan yang hanya dapat di laksanakan di Penadilan Niaga. Telegram sendiri memiliki upaya represif berupa menyediakan link aduan untuk penutupan konten. Lalu upaya pemerintahmadalah dengan melakukan edukasi dan sosialisasi bagi pemegang hak cipta serta masyarakat terkait hak cipta. Kemudian upaya lainnya ialah adanya penutupan konten melalui Kemenkominfo atas rekomendasi DJKI karena adanya laporan pengaduan dari pemegang hak cipta atau adanya temuan dari DJKI melalui *online monitoring* terhadap platform digital seperti Telegram. serta meminta pihak Telegram menunjuk perwakilan di Indonesia untuk menjadi penghubung antara pemerintah Indonesia dan Telegram karena Telegram tidak memiliki kantor perwakilan di Indonesia.

**Kata Kunci:** Perlindungan Hukum, Hak Cipta, Penyebarluasan Film

## **ABSTRACT**

*The rampant distribution of films without permission on the Telegram application has infringed the exclusive rights of the Starvision production house as the copyright holder. So that the author is interested in researching related to the Legal Protection of Copyright Holders for Films that are distributed in the Telegram application. This study aims to find out how the legal protection for production houses as copyright holders for Starvision films distributed without permission on the Telegram application and how the role of the government in protecting production houses as copyright holders for films distributed on the Telegram application. The research method uses Normative-Empirical with primary data sources and secondary data with the Law Approach and Case Study Approach. The results of the research are that there are two forms of copyright legal protection, namely preventive protection in the form of the application of the Copyright Law, the ITE Law, and the Joint Regulation of the Ministry of Law and Human Rights and the Ministry of Communication and Information regarding the Implementation of Closing Content and/or Related Rights in the Electronic System, registration of creations, and granting watermark on the film so it is not easy to plow. Repressive protection in the form of subpoena and dispute resolution through out-of-court dispute resolution, arbitration, and courts which can only be carried out in the Commercial Court. Telegram itself has repressive efforts in the form of providing complaint links for content closures. Then the government's effort is to conduct education and socialization for copyright holders and the public regarding copyright. Then another effort is the closure of content through the Ministry of Communication and Information on the recommendation of DJKI due to complaints from copyright holders or findings from DJKI through online monitoring of digital platforms such as Telegram. and asked Telegram to appoint a representative in Indonesia to be a liaison between the Indonesian government and Telegram because Telegram does not have a representative office in Indonesia.*

**Keywords:** Legal Protection, Copyright, Film Dissemination