



Legal Protection of Copyright in Digital Content on Social Media under Law Number 28 of 2014 concerning Copyright

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Abstract

This study analyzes the legal protection of digital content copyright on social media under Law Number 28 of 2014 concerning Copyright. The rapid expansion of social media platforms has accelerated the creation, dissemination, and commercialization of digital content, including videos, photographs, music, graphic designs, and live-streaming content, while simultaneously increasing the prevalence of copyright infringement. Common violations include unauthorized re-uploading, removal of attribution, unauthorized modification, and commercial exploitation without the consent of copyright holders. This normative legal research employs statutory, conceptual, and analytical approaches using primary legal materials, including Law Number 28 of 2014, as well as secondary materials derived from legal doctrines and scholarly publications. The findings indicate that the Copyright Law provides comprehensive protection through the declarative principle, moral rights, economic rights, technological protection measures, rights management information, and notice-and-takedown mechanisms within electronic systems. The study also finds that copyright enforcement is supported through administrative, civil, and criminal remedies designed to address various forms of infringement. Despite the adequacy of the normative framework, enforcement remains constrained by challenges related to digital evidence, cross-border jurisdiction, technological developments, and limited public awareness. The study concludes that strengthening institutional coordination, digital copyright literacy, and platform cooperation is essential for improving the effectiveness of copyright protection in social media environments.

Keywords: Copyright, Copyright Enforcement, Digital Content, Legal Protection, Social Media.



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INTRODUCTION

The digital transformation of contemporary society has fundamentally altered the paradigm of creating, disseminating, and consuming intellectual works across national boundaries. The convergence of social media technologies, user-generated content ecosystems, and platform-based creative economies has generated unprecedented opportunities for individuals to participate in global cultural production while simultaneously creating complex legal challenges regarding ownership, attribution, and control over digital content (Shapkina, 2026). In Indonesia, this transformation is reflected in the explosive growth of social media usage, where DataReportal reported that 139 million Indonesians actively used social media in January 2024, representing nearly half of the national population. The increasing dominance of platforms such as TikTok, Instagram, YouTube, and Facebook has accelerated the production and circulation of digital content at a scale previously unimaginable. The digital economy has consequently become increasingly dependent on creative content as a strategic asset capable of generating commercial value, social influence, and cultural capital (Fahmi et al., 2025). Scholars have observed that the emergence of Society 5.0 and data-driven communication environments has transformed copyright from a conventional legal institution into a critical regulatory instrument for sustaining innovation and protecting creators in digital ecosystems (Mulyani et al., 2024). The contemporary discourse on intellectual property protection is no longer confined to the protection of tangible creative products but increasingly concerns the governance of intangible digital assets that circulate rapidly across interconnected online networks (Barmansyah et al., 2025). Within this evolving landscape, the relationship between technological advancement and legal protection has become one of the most pressing issues in contemporary socio-legal studies.

The rapid expansion of digital content production has generated substantial scholarly attention concerning the effectiveness of copyright protection mechanisms in online environments. Previous studies consistently demonstrate that social media platforms have become primary spaces where copyright infringement occurs through unauthorized reproduction, redistribution, modification, and commercialization of digital works (Hutama et al., 2024). Research has shown that digital piracy practices frequently manifest through video re-uploads, unauthorized music distribution, content scraping, and the removal of creator identification marks, producing significant economic and moral losses for rights holders (Maemunah, 2025). Legal scholars further argue that copyright violations in digital environments undermine not only individual creators but also broader creative industry ecosystems that rely on intellectual property as a foundation of sustainable economic development (Sanusi et al., 2024). Studies focusing on digital creative works have emphasized that Law Number 28 of 2014 provides a relatively comprehensive framework for protecting both moral rights and economic rights within the Indonesian legal system (Dwikayani & Resen, 2025). Investigations into social media content protection similarly reveal that the Copyright Law has expanded legal recognition of digital works and introduced mechanisms for monitoring and restricting access to infringing content within electronic systems (Ari Shiddiq et al., 2026). Several normative analyses also conclude that the legislative framework demonstrates a strong commitment to balancing technological development with the protection of creators' interests (Tambunan et al., 2023). Despite these positive assessments, the practical implications of legal protection remain deeply contested within contemporary scholarship.

A closer examination of the literature reveals significant inconsistencies regarding the actual effectiveness of copyright enforcement in digital environments. Some scholars contend that the existing legal framework remains sufficiently adaptive to address emerging forms of digital infringement through available civil, criminal, and administrative remedies (Yulianti et al., 2025). Other studies, however, suggest that the rapid evolution of digital technologies has outpaced legal enforcement mechanisms, creating substantial gaps between normative protection and practical implementation (Juwanti & Siregar, 2024). Research examining digital piracy indicates that the ease of copying, editing, and redistributing content through social media platforms significantly weakens the deterrent effect of existing sanctions (Risma Fernanda Syafi'iyah et al., 2026). Similar concerns emerge from analyses of copyright protection in the digital era, which highlight persistent difficulties related to digital evidence collection, jurisdictional complexity, and cross-platform enforcement (Lumempo et al., 2026). Studies addressing the relationship between innovation and piracy further demonstrate that technological progress simultaneously creates new opportunities for creativity and new avenues for infringement that challenge conventional legal doctrines (Aicha Azdina Adly Fesya et al., 2026). The literature also reveals limited empirical engagement with the operationalization of Articles 54–56 of Law Number 28 of 2014, particularly regarding content takedown mechanisms within social media platforms. Existing scholarship frequently focuses on doctrinal interpretation while providing insufficient analysis of how legal norms function in the context of rapidly evolving digital communication infrastructures.

The unresolved nature of these issues carries significant scientific and practical implications because copyright protection increasingly determines the sustainability of digital creative economies. The growth of creator-driven business models has intensified reliance on legal certainty as a prerequisite for investment, innovation, and content monetization within platform economies (Permadi & Asngari, 2025). Empirical observations indicate that creators continue to experience substantial losses resulting from unauthorized commercial exploitation of their works despite the existence of formal legal protections (Damayanti et al., 2025). Emerging technological developments, including artificial intelligence-generated content and blockchain-based digital assets, have further complicated traditional understandings of authorship and ownership under copyright law (Viqria & Fadhilah, 2026). The increasing commercialization of digital artworks through non-fungible tokens also raises new questions regarding the adequacy of existing legal protections for digital creative products (Permadi et al., 2026). Studies examining copyright disputes in digital streaming services reveal that unauthorized distribution continues to proliferate despite regulatory prohibitions, suggesting the persistence of structural enforcement weaknesses (Hutapea & Zakiran, 2026). Research concerning software and digital content protection similarly indicates that the transnational character of online communication creates enforcement challenges that cannot be resolved solely through traditional legal approaches (Shapkina, 2026). These developments underscore the necessity of reassessing the practical effectiveness of Indonesian copyright law in protecting digital content circulated through social media platforms.

Within the broader scholarly landscape, this study positions itself at the intersection of copyright law, digital governance, and social media regulation by critically examining the extent to which Law Number 28 of 2014 provides effective legal protection for digital content creators. Unlike previous studies that primarily focus on specific forms of infringement such as song covers, remix works, streaming piracy, or isolated categories of digital content, this research seeks to develop a more integrated understanding of copyright protection across the wider ecosystem of social media content production and distribution (Nurhuda & Siregar, 2022). Existing analyses of digital copyright protection frequently evaluate statutory provisions in isolation from the broader socio-technological conditions that shape enforcement outcomes (Makruf et al., 2026). The current study responds to this limitation by connecting normative legal provisions with contemporary patterns of digital content circulation and infringement. Such an approach is particularly important because copyright disputes increasingly emerge within platform architectures characterized by algorithmic dissemination, viral replication, and user participation. The examination of copyright protection under Law Number 28 of 2014 consequently offers an opportunity to reassess the relationship between legal certainty, technological change, and creator rights within Indonesia's digital ecosystem (Republik Indonesia, 2014).

This study aims to analyze the legal protection afforded to digital content on social media under Law Number 28 of 2014 concerning Copyright, with particular attention to the effectiveness of existing legal mechanisms in safeguarding creators' moral and economic rights within contemporary digital environments. The research seeks to explain how copyright norms operate in response to the unique characteristics of social media platforms and the challenges posed by rapid digital content dissemination. The study also investigates the extent to which current legal provisions are capable of addressing emerging forms of copyright infringement in increasingly complex online ecosystems. From a theoretical perspective, the research contributes to the development of socio-legal scholarship on digital copyright governance by integrating legal analysis with contemporary discussions on digital communication and platform-based creativity. From a methodological perspective, the study offers a comprehensive normative examination that situates statutory interpretation within broader technological and social transformations affecting intellectual property protection. The findings are expected to enrich academic debates concerning copyright protection in the digital era while providing insights for policymakers, law enforcement institutions, digital platforms, and content creators seeking more effective mechanisms for protecting intellectual works in social media environments.

RESEARCH METHODS

This study employed a normative legal research design, also known as doctrinal legal research, which examines law as a system of norms, principles, and legal doctrines rather than as a social phenomenon observed through empirical field investigation. Normative legal research is particularly appropriate for analyzing legal protection mechanisms because it focuses on identifying, interpreting, and evaluating legal rules governing specific legal issues. The primary legal materials consisted of Law Number 28 of 2014 concerning Copyright, including provisions related to moral rights, economic rights, and the regulation of digital content within electronic systems. Secondary legal materials included scholarly journal articles, legal commentaries, books, and academic publications discussing copyright protection, digital content governance, intellectual property rights, and social media regulation in Indonesia and other jurisdictions. The selection of legal materials was conducted purposively based on their relevance to copyright protection in digital environments, publication credibility, and contribution to contemporary debates on digital copyright enforcement. This study adopted statutory, conceptual, and analytical approaches to examine the adequacy of existing legal norms in addressing copyright infringement involving digital content distributed through social media platforms. The analytical framework focused on assessing the coherence between legislative provisions, legal doctrines, and the practical challenges posed by technological developments in contemporary digital ecosystems (Marzuki, 2021).

The analysis was conducted through a systematic process of legal interpretation, classification, and synthesis of relevant legal materials. First, statutory provisions contained in Law Number 28 of 2014 were identified and interpreted using grammatical, systematic, and teleological methods of legal interpretation to determine their intended scope and application. Second, legal doctrines and scholarly arguments were comparatively examined to identify areas of consensus, divergence, and unresolved legal issues concerning copyright protection in social media environments. Third, the findings were

synthesized to evaluate the effectiveness of the existing legal framework in protecting digital content creators from unauthorized reproduction, distribution, and commercial exploitation of their works. To ensure analytical rigor and trustworthiness, the study employed source triangulation through the examination of multiple legal authorities, including legislation, academic literature, and contemporary legal scholarship. The consistency of legal reasoning was maintained through cross-referencing among legal provisions, judicial interpretations where relevant, and established doctrinal perspectives. This approach enabled the study to generate a comprehensive and critically grounded assessment of copyright protection for digital content under Indonesian copyright law while maintaining methodological transparency and academic reliability (Shapkina, 2026).

RESULTS AND DISCUSSION

Concept, Principles, and Scope of Copyright under Law Number 28 of 2014

Copyright under Indonesian law constitutes an exclusive legal right granted to creators over intellectual works expressed in tangible form and protected automatically upon creation. Law Number 28 of 2014 positions copyright as a fundamental component of intellectual property protection that seeks to balance the interests of creators, users, and society within a rapidly evolving technological environment (Republik Indonesia, 2014). From a normative perspective, the legal definition of copyright reflects a recognition that creative expression possesses both economic value and personal significance for its creator. The legal framework no longer focuses solely on conventional literary and artistic works but also encompasses digital creations disseminated through electronic platforms. Such expansion demonstrates the adaptive nature of copyright law in responding to technological transformation and the emergence of new forms of creative production. The doctrinal analysis conducted in this study indicates that the Copyright Law establishes a comprehensive legal foundation capable of recognizing digital content as a protected intellectual asset. The legal recognition of digital content is particularly important because social media has become one of the primary channels through which creative works are produced, distributed, and monetized in contemporary society.

A central principle embedded within Law Number 28 of 2014 is the declarative principle, under which copyright protection arises automatically once a work has been expressed in a tangible form. This principle differs significantly from intellectual property regimes such as patents and trademarks that require formal registration procedures before legal protection can be fully exercised. The automatic nature of copyright protection reflects an effort to provide immediate legal certainty to creators operating within increasingly dynamic digital environments (Tambunan et al., 2023). The relevance of this principle becomes more apparent when viewed in the context of social media, where digital content may be created and disseminated to millions of users within a very short period. The absence of mandatory registration minimizes administrative barriers that could otherwise hinder creative activities. Legal scholarship has emphasized that the declarative principle strengthens access to justice for creators because protection is not dependent upon procedural formalities (Yulianti et al., 2025). The normative structure of Indonesian copyright law consequently aligns with international copyright standards that prioritize the protection of original expression from the moment of creation.

The legal architecture of copyright protection under Law Number 28 of 2014 is primarily divided into moral rights and economic rights, each serving distinct but complementary functions. Moral rights are intended to preserve the personal relationship between creators and their works, whereas economic rights are designed to facilitate the commercial exploitation of copyrighted materials. This distinction reflects a dualistic understanding of copyright that recognizes both personal and proprietary interests within creative production (Dwikayani & Resen, 2025). The protection of these rights becomes increasingly significant in digital environments because copyright infringement frequently affects both dimensions simultaneously. For example, unauthorized reposting of digital content may deprive creators of economic benefits while also removing attribution and damaging the integrity of the original work. The conceptual distinction between moral and economic rights under Indonesian copyright law is summarized in Table 1.

Table 1. Comparison between Moral Rights and Economic Rights under Law Number 28 of 2014

Aspect	Moral Rights	Economic Rights
Primary Objective	Protection of the creator's identity and reputation	Protection of the creator's commercial interests
Nature of Rights	Personal and non-transferable	Proprietary and transferable
Protected Interests	Attribution, integrity, authenticity	Reproduction, distribution, monetization
Duration	Closely attached to the creator	Subject to statutory protection periods
Typical Violations on Social Media	Removal of attribution, alteration of content	Unauthorized re-uploading, commercial exploitation

As shown in Table 1, moral rights emphasize the protection of the creator's identity and reputation, while economic rights facilitate the generation of financial value through authorized utilization of copyrighted works. The distinction illustrates that copyright protection extends beyond economic interests and encompasses broader concerns regarding recognition and creative autonomy. Such an approach is particularly relevant in social media ecosystems where content can be altered, reposted, and monetized by third parties with minimal effort. The legal separation of these rights provides a clearer basis for identifying different forms of infringement and determining appropriate legal remedies.

The analysis of moral rights reveals that Indonesian copyright law adopts a strong personality-based approach to authorship. Articles 5 to 7 guarantee the creator's right to be acknowledged, to determine the use of their name, and to preserve the integrity of their work against distortion or modification that may harm their reputation (Republik Indonesia, 2014). The significance of moral rights has increased substantially in digital communication environments because content circulation often occurs without proper attribution. Social media users frequently remove watermarks, alter visual elements, or repost content without identifying the original creator. Such practices may not always generate direct economic losses, yet they can undermine the creator's professional reputation and diminish recognition of creative ownership. Legal scholars have argued that moral rights remain one of the most important instruments for preserving the authenticity and integrity of creative expression in the digital era (Juwanti & Siregar, 2024). The doctrinal analysis indicates that moral rights provide a normative mechanism through which creators can defend their personal connection to their works despite rapid technological change.

Economic rights, on the other hand, function as the legal basis for the commercialization and monetization of creative content distributed through digital platforms. Articles 8 and 9 grant creators exclusive authority to reproduce, distribute, communicate, adapt, and commercially exploit their works. These provisions are particularly relevant in the contemporary creator economy, where social media content frequently generates revenue through advertising, sponsorships, subscriptions, and platform-based monetization systems (Fahmi et al., 2025). The legal recognition of economic rights enables creators to control the commercial use of their works and to receive appropriate financial compensation when such works are utilized by others. Unauthorized commercial exploitation consequently constitutes a direct violation of the economic interests protected by copyright law. Several studies have noted that the growth of digital creative industries depends heavily on the existence of effective legal mechanisms capable of safeguarding these economic interests (Barmansyah et al., 2025). The protection of economic rights therefore serves not only private interests but also broader policy objectives related to innovation, investment, and sustainable creative industry development.

The scope of copyrightable works under Article 40 of Law Number 28 of 2014 demonstrates the legislature's intention to accommodate both traditional and digital forms of creativity. The provision covers literary works, musical compositions, cinematographic creations, photographs, computer programs, artistic works, and other forms of expression produced through intellectual effort. A systematic interpretation of this article indicates that digital content uploaded to social media platforms

falls within the category of protected works provided that originality and tangible expression requirements are fulfilled (Mulyani et al., 2024). Videos uploaded to TikTok, photographs published on Instagram, digital illustrations, podcasts, and audiovisual content distributed through YouTube may therefore qualify for copyright protection. The breadth of protected subject matter reflects an understanding that creativity increasingly manifests through digital media rather than conventional physical formats. Contemporary legal developments also indicate that emerging forms of digital expression continue to challenge traditional classifications of copyrightable subject matter. The broad scope of protection established by Law Number 28 of 2014 provides a normative foundation for addressing these challenges while maintaining legal certainty for creators operating within increasingly complex digital ecosystems.

Characteristics of Digital Content on Social Media as Copyrighted Works

Digital content distributed through social media has emerged as one of the most dominant forms of intellectual creation in contemporary digital society. Unlike conventional copyrighted works that are generally disseminated through physical media, digital content exists within networked environments that facilitate continuous production, modification, and redistribution. The legal relevance of digital content lies not merely in its technological format but in its ability to embody original intellectual expression that satisfies the requirements of copyright protection. Contemporary scholarship recognizes that social media platforms have transformed users from passive consumers into active producers of creative works, thereby expanding the range of copyrightable subject matter in the digital environment (Hutama et al., 2024). This transformation has generated new legal challenges because content creation now occurs at unprecedented speed and scale. The normative analysis demonstrates that Law Number 28 of 2014 possesses sufficient conceptual flexibility to accommodate these developments by recognizing digital creations as protected works when originality and fixation requirements are fulfilled. The increasing dependence of creative industries on digital platforms further reinforces the importance of understanding the legal characteristics of social media content.

The diversity of digital content circulating through social media reflects the broad scope of creative expression protected under copyright law. Digital content is no longer limited to text-based communication but includes audiovisual works, photographs, music, graphic designs, podcasts, animations, and various forms of user-generated content. Each category possesses distinct legal characteristics while remaining subject to the same foundational copyright principles. The expansion of digital creativity has encouraged a more inclusive interpretation of protected works under Article 40 of Law Number 28 of 2014, particularly in response to technological developments that continually generate new forms of expression (Sanusi et al., 2024). The legal classification of social media content is summarized in Table 2. This classification demonstrates that the determination of copyright protection depends on the nature of the creative expression rather than the platform through which the content is disseminated.

Table 2. Classification of Digital Content under Copyright Protection

Type of Digital Content	Copyright Category under Article 40
Video Content	Cinematographic Work
Photograph	Photographic Work
Music and Audio	Musical Work
Graphic Design	Artistic Work
Live Streaming Recordings	Audiovisual Work
User-Generated Content (UGC)	Original Creative Work

The categorization presented in Table 2 indicates that social media content generally falls within established copyright classifications rather than constituting an entirely separate legal category. This finding supports the interpretation that Indonesian copyright law remains adaptable despite the emergence of new technological formats. Legal protection is therefore determined by the originality of the content and its manifestation in a perceivable form rather than by the digital platform itself. Such

an approach contributes to legal certainty by ensuring that creators receive protection regardless of the medium used to distribute their works.

One of the defining characteristics of digital content is its capacity for perfect reproduction without any degradation in quality. Traditional creative works typically experience limitations associated with physical duplication, whereas digital files can be copied infinitely while maintaining their original characteristics. This technological feature significantly enhances accessibility and distribution efficiency but simultaneously increases the risk of copyright infringement. The ease with which digital content can be replicated has become a major concern within contemporary copyright discourse because unauthorized reproduction often occurs without the creator's knowledge or consent (Maemunah, 2025). Social media platforms facilitate this process through sharing, downloading, reposting, and screen-recording functionalities that enable rapid circulation across different networks. The legal challenge arises from the fact that a single act of unauthorized copying can generate widespread dissemination within a very short period. Normative analysis suggests that this characteristic necessitates stronger preventive mechanisms alongside traditional legal remedies.

Another significant characteristic of social media content is its interactive nature, which distinguishes it from many conventional copyrighted works. Social media platforms are designed to encourage user engagement through comments, sharing, remixing, stitching, duetting, and other forms of collaborative participation. These technological features create opportunities for innovation and creative adaptation while simultaneously blurring the boundaries between lawful use and copyright infringement. Contemporary legal scholarship has highlighted that digital interaction often produces derivative works whose legal status may be difficult to determine using traditional copyright concepts (Damayanti et al., 2025). The increasing popularity of remix culture illustrates how users frequently modify existing content to create new expressive forms. Although such practices may contribute to cultural creativity, they also raise questions regarding authorization, attribution, and the limits of permissible use. The doctrinal examination reveals that existing copyright provisions remain applicable, although their interpretation requires greater sensitivity to the realities of digital communication.

The borderless nature of digital content represents another characteristic with significant implications for copyright protection. Social media platforms enable content to cross geographical boundaries instantly, exposing copyrighted works to audiences located in multiple jurisdictions simultaneously. This transnational circulation complicates enforcement efforts because acts of infringement may involve users, servers, and platforms operating under different legal systems. Research on digital copyright protection has consistently identified jurisdictional complexity as one of the most persistent obstacles to effective enforcement in online environments (Shapkina, 2026). The challenge becomes more pronounced when infringing content is repeatedly uploaded through multiple accounts across different countries. Conventional enforcement mechanisms were largely developed for territorial legal systems and may therefore encounter limitations when applied to global digital networks. The borderless character of social media consequently requires stronger cooperation between governments, digital platforms, and regulatory authorities to ensure meaningful protection of copyrighted works.

A final characteristic that distinguishes digital content from conventional copyrighted works is its susceptibility to modification and technological transformation. Digital files can be edited, enhanced, manipulated, and integrated into new creative products with relative ease, often through software applications available to ordinary users. Emerging technologies such as artificial intelligence, automated content generation systems, and blockchain-based digital assets have further expanded the possibilities for transforming copyrighted works into new forms of expression (Viqria & Fadhilah, 2026). Similar developments can be observed in the growing use of non-fungible tokens (NFTs), which have introduced new methods of commercializing and authenticating digital creations (Permadi et al., 2026). These developments indicate that copyright law must address not only traditional forms of reproduction but also increasingly sophisticated forms of adaptation and digital manipulation. The legal recognition of digital content as a protected work remains essential, yet effective protection increasingly depends on the ability of legal norms to respond to technological innovation without undermining creative freedom.

Forms of Legal Protection for Copyrighted Digital Content on Social Media

The normative analysis of Law Number 28 of 2014 demonstrates that Indonesia has established a relatively comprehensive framework for protecting copyrighted digital content distributed through social media platforms. The legal structure is designed not only to recognize creators' rights but also to provide preventive and corrective mechanisms capable of addressing infringements occurring within digital environments. Copyright protection is granted automatically through the declarative principle, allowing creators to obtain legal recognition without undergoing formal registration procedures. This approach is particularly relevant in social media ecosystems where content is produced and disseminated continuously by individual creators and digital entrepreneurs. Contemporary studies indicate that the effectiveness of copyright protection increasingly depends on the ability of legal systems to adapt to technological transformation while preserving fundamental principles of intellectual property law (Ari Shiddiq et al., 2026). The Indonesian Copyright Law reflects this adaptive approach by extending legal protection to various forms of digital content and incorporating provisions specifically aimed at addressing infringements occurring within electronic systems. The resulting framework seeks to balance innovation, public access, and the protection of creators' legitimate interests.

A fundamental form of protection provided under the Copyright Law is the recognition of exclusive rights, which consist of moral rights and economic rights. Moral rights safeguard the personal relationship between creators and their works, while economic rights secure the creator's authority to derive financial benefits from the exploitation of copyrighted content. In the context of social media, these rights are particularly significant because digital content frequently generates both reputational value and economic revenue through advertising, sponsorships, subscriptions, and platform monetization systems. Legal scholarship has consistently emphasized that the protection of both dimensions is necessary because infringements often affect creators simultaneously at the personal and commercial levels (Fahmi et al., 2025). The principal forms of protection recognized under Law Number 28 of 2014 are summarized in Table 3. The table illustrates that copyright protection in Indonesia extends beyond ownership recognition and encompasses various mechanisms intended to preserve the integrity and commercial value of creative works.

Table 3. Forms of Copyright Protection for Digital Content under Law Number 28 of 2014

Form of Protection	Legal Function	Relevance to Social Media Content
Moral Rights	Protection of attribution and integrity	Prevents removal of creator identity and unauthorized alterations
Economic Rights	Protection of commercial interests	Prevents unauthorized monetization and redistribution
Technological Protection Measures (TPM)	Restriction of unauthorized access or copying	Supports digital security and content control
Rights Management Information (RMI)	Preservation of ownership information	Protects attribution and copyright metadata
Notice-and-Takedown Mechanism	Removal of infringing content	Limits dissemination of unauthorized content

As indicated in Table 3, copyright protection operates through interconnected legal mechanisms that collectively address different dimensions of infringement. Moral rights protect the creator's identity and reputation, while economic rights ensure that financial benefits remain under the control of the copyright holder. Technological and administrative measures complement these rights by providing practical tools capable of responding to violations occurring within digital platforms. The integration of these mechanisms demonstrates that copyright protection is no longer confined to traditional legal remedies but increasingly incorporates technology-based safeguards designed for digital environments.

Another important dimension of legal protection concerns the recognition of technological protection measures and rights management information under Articles 52 and 53 of the Copyright

Law. These provisions reflect a legislative understanding that technological innovation has fundamentally altered the methods through which copyrighted works are created, distributed, and exploited. Watermarks, digital rights management systems, metadata, and other technological tools function as mechanisms for identifying ownership and restricting unauthorized use. The removal or circumvention of such measures may constitute an independent legal violation because it undermines the creator's ability to control access to and use of copyrighted content. Studies examining digital copyright protection have argued that technological safeguards play an increasingly important role in contemporary intellectual property governance because conventional legal remedies often operate only after infringement has occurred (Lumempo et al., 2026). The normative structure of Indonesian copyright law reflects this perspective by recognizing technology not merely as a source of infringement risk but also as a means of enhancing legal protection. Such provisions are particularly relevant within social media ecosystems where digital content can be copied and redistributed instantaneously.

The Copyright Law also provides a specialized protection mechanism for digital content through the regulation of copyright within information and communication technology systems, particularly under Articles 54 to 56. These provisions authorize cooperation between government authorities and electronic system operators in monitoring and restricting access to infringing content. The legal framework effectively establishes the foundation for notice-and-takedown procedures that have become common within global digital platforms. Under this mechanism, copyright holders may report infringing content and request its removal before further dissemination occurs. Research has shown that administrative interventions of this nature are often more effective in digital environments than relying exclusively on litigation because they prioritize speed and prevention rather than post-infringement compensation (Ni Putu Ayu Oka Pradnyani, 2026). The existence of these provisions indicates that Indonesian copyright law recognizes the unique characteristics of online communication and attempts to address them through platform-based enforcement mechanisms. Such regulatory adaptation is essential given the rapid circulation of content within contemporary social media networks.

Institutional support further strengthens the legal protection framework established by Law Number 28 of 2014. The Directorate General of Intellectual Property (DJKI) plays a central role in copyright administration, public education, and enforcement coordination, while Collective Management Organizations facilitate royalty collection and distribution for commercial uses of copyrighted works. These institutions contribute to the operationalization of copyright protection by translating normative provisions into practical enforcement mechanisms. Their functions are increasingly important because digital creators often require assistance in protecting their rights against infringements occurring across multiple platforms and jurisdictions. Legal analyses have emphasized that effective copyright protection depends not only on the existence of substantive legal norms but also on the institutional capacity to implement and enforce those norms consistently (Barmansyah et al., 2025; Hutama et al., 2024). The interaction between legal rules, technological measures, and supporting institutions demonstrates that copyright protection in digital environments requires a multidimensional regulatory approach. Such an approach enhances the ability of creators to safeguard both the economic and moral value of their works within an increasingly complex digital ecosystem.

Forms of Copyright Infringement of Digital Content on Social Media

The normative examination of Law Number 28 of 2014 reveals that copyright infringement on social media primarily arises from the unauthorized use of protected digital content by third parties. Although digital platforms have expanded opportunities for creativity, participation, and content dissemination, they have simultaneously created an environment in which copyrighted works can be reproduced and redistributed with minimal technical effort. The ease of copying, downloading, and sharing digital files has significantly increased the frequency of unauthorized uses that directly interfere with the exclusive rights granted to creators. Contemporary legal scholarship consistently identifies unauthorized reproduction and distribution as the most prevalent forms of infringement occurring within digital ecosystems (Maemunah, 2025). The legal significance of these practices extends beyond individual disputes because widespread infringement can weaken incentives for creative production and undermine the sustainability of the digital creative economy. The doctrinal analysis indicates that the legal framework established under Law Number 28 of 2014 clearly recognizes such conduct as a violation of copyright when undertaken without authorization from the creator or copyright holder. The

persistence of these practices suggests that technological accessibility has developed more rapidly than public awareness of copyright obligations.

One of the most common forms of infringement involves the unauthorized reproduction and redistribution of digital content across multiple social media platforms. Videos originally uploaded on TikTok are frequently reposted on Instagram Reels, YouTube Shorts, Facebook, or other platforms without the creator's permission, often generating engagement and financial benefits for unauthorized users. Such practices directly interfere with the creator's exclusive economic rights to reproduce, distribute, and communicate copyrighted works to the public. Legal analyses have emphasized that unauthorized reposting should not be regarded as a harmless act of sharing because it may divert audience attention, reduce monetization opportunities, and erode the creator's control over the exploitation of their work (Permadi & Asngari, 2025). The major forms of copyright infringement identified through the normative analysis are presented in Table 4. The classification illustrates that copyright violations on social media frequently affect both economic and moral dimensions of creators' rights.

Table 4. Major Forms of Copyright Infringement on Social Media

Form of Infringement	Rights Affected	Typical Practice on Social Media
Unauthorized Re-uploading	Economic Rights	Republishing videos, photos, or music without permission
Removal of Attribution	Moral Rights	Deleting creator names, credits, or watermarks
Unauthorized Commercial Use	Economic Rights	Using content for advertising, promotion, or monetization
Unauthorized Modification	Moral Rights	Altering content in ways that affect its integrity
Unauthorized Cover, Remix, or Adaptation	Moral and Economic Rights	Reusing copyrighted material without authorization
Redistribution of Recorded Live Streams	Economic Rights	Recording and reposting live broadcasts without consent

The patterns presented in Table 4 demonstrate that copyright infringement in digital environments extends beyond simple copying and frequently involves more complex forms of unauthorized exploitation. Many infringements simultaneously affect multiple legal interests, making enforcement and legal classification increasingly challenging. The diversity of infringement practices also reflects the evolving nature of social media interactions, where content circulation often occurs across interconnected platforms and audiences.

Infringement of moral rights represents another significant challenge within social media environments. Moral rights are violated when creators are deprived of attribution, when their identities are intentionally concealed, or when copyrighted works are modified in ways that damage their reputation or artistic integrity. The removal of watermarks, editing of creator information, and publication of altered versions of original content are examples frequently encountered across digital platforms. Such conduct may not always produce measurable financial losses, yet it directly affects the creator's personal relationship with the work and undermines the recognition attached to authorship. Research examining copyright protection in digital spaces has highlighted that moral rights violations have become increasingly common because digital editing tools enable users to alter content with little technical expertise (Juwanti & Siregar, 2024). The normative structure of Indonesian copyright law treats these violations seriously because authorship and integrity constitute fundamental components of copyright protection. The persistence of attribution-related infringements indicates that legal awareness regarding moral rights remains relatively limited among social media users.

Another increasingly prominent category of infringement concerns the unauthorized commercial exploitation of copyrighted digital content. Social media platforms have created economic opportunities through advertising revenue, affiliate marketing, sponsorship arrangements, and business promotions,

encouraging some users to utilize copyrighted materials for profit without obtaining permission. Such conduct directly conflicts with the economic rights granted to creators under Articles 8 and 9 of the Copyright Law. Legal studies have shown that unauthorized commercial use often produces greater harm than non-commercial infringement because it enables third parties to benefit financially from creative efforts in which they had no role (Damayanti et al., 2025). Similar concerns have emerged in relation to cover songs, remix content, and derivative audiovisual works that are monetized through platform-based revenue systems without appropriate licensing arrangements (Nurhuda et al., 2022). The growing commercialization of social media content has consequently intensified the importance of licensing mechanisms and royalty management systems. These developments demonstrate that copyright disputes in digital environments increasingly involve questions of economic fairness and value distribution rather than merely unauthorized copying.

The analysis further indicates that emerging technological developments have expanded the range and complexity of copyright infringement. Digital piracy now extends beyond conventional reposting practices to include unauthorized streaming, automated content replication, AI-assisted content manipulation, and the circulation of digital assets through novel technological frameworks. Studies addressing contemporary copyright challenges emphasize that technological innovation often generates legal ambiguities that existing regulatory frameworks must continually address (Aicha Azdina Adly Fesya et al., 2026). Similar concerns have been identified in relation to unauthorized distribution of copyrighted films through digital streaming services and other online platforms that facilitate large-scale access to protected works without proper licensing arrangements (Hutapea & Zakiran, 2026). The borderless nature of digital communication further complicates enforcement because infringing content can rapidly spread across jurisdictions with differing legal standards. These developments suggest that copyright infringement on social media should not be understood merely as isolated acts committed by individual users but as part of a broader structural challenge affecting digital governance, intellectual property protection, and the sustainability of creative industries.

Law Enforcement Mechanisms and Sanctions for Copyright Infringement on Social Media

The normative analysis demonstrates that Law Number 28 of 2014 establishes a multi-layered enforcement framework designed to address copyright infringement occurring within digital environments. Rather than relying exclusively on judicial remedies, the legislation incorporates administrative, civil, and criminal mechanisms that can be applied according to the nature and severity of the infringement. This approach reflects an understanding that digital copyright violations often require rapid intervention because unauthorized content can be disseminated to large audiences within a short period. Legal scholars have noted that effective copyright protection in the digital era depends not only on substantive rights but also on the availability of enforcement mechanisms capable of responding proportionately to diverse forms of infringement (Sanusi et al., 2024). The legal architecture adopted by Indonesia attempts to balance preventive objectives with corrective measures by providing several enforcement pathways that may be pursued individually or cumulatively. Such flexibility is particularly important within social media ecosystems where violations vary considerably in scale, intent, and economic impact. The effectiveness of copyright protection therefore depends not merely on legal recognition of rights but also on the practical accessibility of enforcement procedures.

Administrative enforcement constitutes the most immediate mechanism available for addressing copyright violations on social media platforms. Articles 54 to 56 of Law Number 28 of 2014 provide the legal foundation for cooperation between government authorities and electronic system operators in monitoring and restricting access to infringing content. Through notice-and-takedown procedures, copyright holders may request the removal of unauthorized content before further dissemination occurs. This mechanism prioritizes speed and prevention, making it particularly suitable for digital environments characterized by rapid content circulation. Research on digital copyright governance indicates that platform-based enforcement has become one of the most significant regulatory instruments for mitigating online infringement because it enables intervention before economic losses escalate (Ari Shiddiq et al., 2026). The principal enforcement mechanisms recognized under Indonesian copyright law are summarized in Table 5. The table illustrates the complementary relationship between administrative, civil, and criminal remedies within the broader copyright protection framework.

Table 5. Copyright Enforcement Mechanisms under Law Number 28 of 2014

Enforcement Mechanism	Legal Objective	Main Outcome
Administrative Enforcement	Prevent ongoing infringement	Content removal, access restriction, blocking
Civil Litigation	Compensation and rights restoration	Damages and judicial remedies
Criminal Enforcement	Punishment and deterrence	Imprisonment and fines
Institutional Supervision	Monitoring and coordination	Verification and enforcement support
Collective Rights Management	Economic rights protection	Royalty collection and distribution

As shown in Table 5, each enforcement mechanism serves a distinct legal function while contributing to the broader objective of copyright protection. Administrative measures focus on prevention, civil remedies prioritize compensation, and criminal sanctions emphasize deterrence. The coexistence of these mechanisms reflects a comprehensive enforcement strategy capable of addressing the multifaceted nature of digital copyright infringement. Such an arrangement is particularly relevant because violations occurring on social media frequently produce both economic and non-economic consequences that cannot be resolved through a single legal avenue.

Civil enforcement provides copyright holders with the opportunity to seek legal remedies through judicial proceedings when infringements result in economic losses or harm to personal interests. Articles 95 to 108 of the Copyright Law authorize creators and copyright holders to file claims for compensation arising from violations of their exclusive rights. The availability of civil remedies reflects the private-law dimension of copyright, where the primary objective is the restoration of rights and the recovery of losses suffered by the injured party. Contemporary legal analyses indicate that civil litigation remains an important instrument because many copyright disputes involve economic interests that cannot be adequately addressed through administrative measures alone (Risma Fernanda Syafi'iyah et al., 2026). The possibility of claiming both material and immaterial damages is particularly relevant in social media contexts where infringements may simultaneously affect monetization opportunities and professional reputation. Despite its legal significance, civil litigation often requires substantial financial and procedural resources, which may discourage individual creators from pursuing formal legal action. These practical constraints reveal an ongoing tension between the availability of legal remedies and the accessibility of justice for digital content creators.

Criminal sanctions represent the most coercive component of the copyright enforcement framework and are intended to deter serious violations involving commercial exploitation and piracy. Articles 112 to 118 of Law Number 28 of 2014 prescribe penalties that include imprisonment and substantial monetary fines for individuals who intentionally infringe copyright for commercial purposes. The existence of criminal sanctions demonstrates that copyright infringement is not merely a private dispute but may also constitute conduct harmful to broader economic and social interests. Legal research has emphasized that criminal enforcement is particularly relevant in cases involving systematic piracy, large-scale unauthorized distribution, and commercial exploitation of copyrighted works without authorization (Makruf et al., 2026). Similar concerns have been raised regarding digital piracy practices that continue to affect the sustainability of creative industries despite the availability of legal sanctions (Risma Fernanda Syafi'iyah et al., 2026). The deterrent function of criminal law is especially important in digital environments where technological tools enable rapid and extensive dissemination of infringing content. Effective application of criminal sanctions consequently serves both punitive and preventive purposes within the broader copyright protection regime.

The implementation of copyright enforcement mechanisms remains influenced by a number of structural and technological challenges. The verification of digital evidence, identification of anonymous users, cross-border dissemination of infringing content, and the involvement of foreign platform operators frequently complicate enforcement efforts. Studies examining copyright governance in the digital era have observed that legal norms alone are insufficient when institutional capacity and technological capabilities do not develop at the same pace as digital innovation (Shapkina, 2026).

Comparable challenges have been identified in broader discussions regarding digital intellectual property protection, particularly in relation to emerging technologies, online piracy, and evolving forms of digital asset exploitation (Viqria & Fadhillah, 2026; Permadi et al., 2026). The effectiveness of enforcement therefore depends upon cooperation among regulatory authorities, digital platforms, creators, and users. A legal framework may provide comprehensive normative protection, yet its practical success is determined by the extent to which enforcement institutions can adapt to technological change while maintaining legal certainty and procedural fairness. The Indonesian copyright regime demonstrates substantial normative readiness, although continued regulatory refinement and institutional strengthening remain necessary to ensure effective protection of digital content within increasingly complex social media ecosystems.

CONCLUSION

This study concludes that Law Number 28 of 2014 concerning Copyright has established a comprehensive and adaptive legal framework for the protection of copyrighted digital content on social media platforms. Through the application of the declarative principle and automatic protection, the regulation recognizes both moral rights and economic rights as fundamental legal instruments for safeguarding the interests of creators in digital environments. The statutory analysis demonstrates that digital content, including videos, photographs, music, graphic designs, and live-streaming content, falls within the scope of protected works under Article 40 of the Copyright Law. The law further incorporates technology-oriented provisions, particularly those relating to technological protection measures and copyright protection within electronic systems, reflecting legislative awareness of the unique characteristics of digital communication. The existence of notice-and-takedown mechanisms and platform-based enforcement measures illustrates an effort to accommodate the rapid circulation of content across social media networks. From a normative perspective, the legal architecture of the Copyright Law provides a sufficiently broad foundation to address contemporary copyright issues arising from technological transformation and the expansion of digital creative industries.

The findings also indicate that the legal recognition of digital content as copyrighted work has not eliminated the prevalence of copyright infringement within social media ecosystems. Unauthorized re-uploading, removal of attribution, commercial exploitation without permission, unauthorized modification, and various forms of digital piracy continue to constitute significant challenges for creators. These practices affect not only the economic interests of copyright holders but also the moral interests associated with authorship, reputation, and the integrity of creative works. The study further reveals that technological developments have expanded the forms and complexity of infringement, making enforcement increasingly difficult in borderless digital environments. Although the Copyright Law provides administrative, civil, and criminal remedies, the effectiveness of these mechanisms is often constrained by difficulties in verifying digital evidence, identifying perpetrators, and addressing infringements involving multiple jurisdictions. The persistence of these challenges suggests that legal protection in digital spaces requires more than the existence of formal legal norms. Effective protection depends on the interaction between legal regulation, technological governance, institutional capacity, and public compliance.

The study further demonstrates that copyright enforcement under Law Number 28 of 2014 reflects a multidimensional approach that combines preventive and corrective measures. Administrative enforcement offers rapid responses through content removal mechanisms, civil remedies facilitate compensation and restoration of rights, while criminal sanctions serve deterrent functions against serious violations and digital piracy. The coexistence of these mechanisms indicates that Indonesian copyright law has attempted to respond to the diverse forms of infringement emerging within digital ecosystems. At the same time, the analysis highlights the importance of institutional actors such as the Directorate General of Intellectual Property, collective management organizations, and social media platforms in ensuring the practical implementation of copyright protection. The effectiveness of legal protection is therefore closely linked to the ability of these institutions to cooperate in monitoring, preventing, and responding to violations. Continued institutional strengthening remains necessary to ensure that copyright enforcement keeps pace with technological developments and changing patterns of digital content distribution.

Law Number 28 of 2014 has demonstrated substantial normative readiness in addressing copyright protection for digital content on social media. The law successfully incorporates traditional

copyright principles while adapting them to the realities of digital communication and online content dissemination. Nevertheless, the dynamic nature of digital technologies requires ongoing regulatory refinement and continuous evaluation of enforcement mechanisms. Future policy development should focus on strengthening digital copyright literacy, enhancing cooperation between government agencies and platform operators, and improving the effectiveness of technology-based enforcement tools. Greater public awareness of copyright obligations is equally important because many infringements originate from limited understanding of intellectual property rights rather than deliberate misconduct. The long-term sustainability of Indonesia's digital creative economy ultimately depends on the ability to maintain a balanced legal environment that simultaneously encourages innovation, protects creators, and promotes responsible participation in digital spaces.

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