ABSTRACT

Rocky Ramadhana (05120080070)

LEGAL PROTECTION OF CINEMATOGRAPHY COPYRIGHT REVIEWED FROM MORAL RIGHTS IN COPYRIGHT LAW

(xi + 97 pages)

The moral right is generally an inherent right of the creator or the parties who can not be removed for any reason, even if the copyright or related rights have been transferred. The law no. 28/2014 becomes the provision to regulate copyright in Indonesia. In addition, the copyright arrangement is the implementation of the ratification of international treaties which are accommodated in the national legal rules in order to protect the rights of the creators. Therefore, the study was conducted to explore and explain the forms of protection against violations, barriers of protection and efforts that can be taken in the dispute resolution of the parties to violations of the moral rights of a cinematographic copyrighted work. Article 4 states that copyright is an exclusive right consisting of moral rights and economic rights. This thesis research uses normative research methods, is an approach that uses the concept of legal positive by examining the application of law. Normative judicial research data in the form of primary legal materials, secondary legal materials and tertiary legal materials are supported by the results of field interviews and literature studies. Based on the results of research about cinematographic copyright protection is known that the regulation of copyright law has been good enough to provide protection. However, in practice the protection provided has not effective because it adopted criminal complaint “Delik Aduan”. The Implementation of protection afforded to the creator requires the initiative and pro-active in protecting the copyright itself. This condition has not effective because it is difficult to reach the forms of violations committed by certain parties without any reports from creator parties.

References : 32 (2002-2014)