

ABSTRACT

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“Protection of the creator’s exclusive rights to the arrangement of song/music works”

(xi + 127 pages)

In the era of globalization as of right now, more and more musical works are displayed for entertainment. Indonesia as a country holds the constitution as the highest form of law, in which has regulations in regard to Intellectual Property Rights. Copyright which is part of IPR in the field of literature, art, and science, has a strategic function to carry out the vision as mandated in the fourth paragraph of the Preamble of the 1945 Constitution. Musical works which have copyrights is one of the works that are protected under the copyright law. The copyright holder or creator has the right to make changes in his work, one of which is the arrangement, this certainly does not escape of a violation, one of which is in the form of plagiarism or changing arrangements without permission. Furthermore, with this research being conducted, it is expected to be able to develop future legal knowledge in regard to the application of the exclusive rights of songwriters to the arrangement of song/music works. The research which carried out is using normative empirical research method, with research results showing that the regulatory norms regarding the exclusive rights of creators to the arrangement of song/music works have been formulated in depth in Articles 5 to 25 of Law Number 28 of 2014 concerning Copyright. In addition, the application of the creator’s exclusive rights to the arrangement of songs/music works has not been implemented properly. From these results, it can be concluded that, regarding to the regulation of arrangement still needs improvement because it can create legal uncertainty. Furthermore, regarding the application of the protection of the creator’s exclusive rights to the arrangement of the song/music works, it cannot be considered perfect because it is still constrained by several factors, including the popularity aspect, so that it is necessary to take notice in the fair use doctrine.

Keywords: Music, Exclusive rights, Arrangement

Reference: 83 (1952-2021)