

ABSTRACT

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LEGAL PROTECTION OF PERSONAL DATA IN THE FORM OF NFT ON THE OPENSEA PLATFORM

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The world is currently experiencing rapid technological advances, one proof of which is the emergence of several new things in the world of technology such as the metaverse and the Non-Fungible-Token (NFT). Recently, Indonesians were surprised by the emergence of Gozali Everyday who uploaded his selfies every day for several years on the OpenSea platform, which later sold for more than 1 billion. This then gave rise to the desire of other people to do the same thing by uploading photos on the OpenSea platform, but unfortunately the things that were uploaded were in the form of personal data such as KTP photos or selfies holding KTPs. The spread of a number of personal data on NFTs on the OpenSea platform then attracted researchers to conduct a more in-depth analysis of the legal protection of personal data on NFTs on the OpenSea platform. The formulation of the problem in this research is How is the legal protection of personal data that is traded in the form of NFT on the Opensea platform? and What is the responsibility of the Opensea platform for someone's personal data that is traded in the form of NFT?. This research uses a normative juridical research method, which means that research means a legal research that examines the law which is conceptualized as a norm or rule that exists and is obeyed in society. For the nature of the research using analytical descriptive and the types of data used are secondary data and tertiary data. Furthermore, the type of approach in this study is the statutory approach and the conceptual approach. For data analysis techniques using qualitative methods. The results of the discussion and analysis of this study are related to the protection of personal data in relation to NFTs on the OpenSea marketplace, which can be carried out in two ways, namely preventive protection which is carried out before the occurrence of a legal event and repressive protection related to the imposition of penalties or sanctions after the occurrence legal cases while relating to the responsibilities imposed on OpenSea as a platform that trades photos in the form of NFTs are in the form of criminal, civil and administrative liability. Where each imposition is adjusted to the type of legal violation committed. For suggestions that researchers can give in this study, OpenSea should be able to provide better protection for the security of the personal data of its users. In addition, OpenSea can be held accountable for its actions as a platform that trades data in the form of NFTs.

Keywords: Personal Data, NFT, OpenSea

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