

## **ABSTRACT**

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### **LEGAL PROTECTION OF COPYRIGHT AGAINST MUSIC PLAGIARISM IN INDONESIA**

**(XIV + 127 pages; 2 pictures; 1 table, 1 attachment)**

*Cases of music plagiarism in Indonesia have often occurred. Many musicians are alleged to have acted on behalf of, taken, quoted other people's works as their creations. As a statutory regulation that regulates copyright, Indonesia Copyright Law Number 28 of 2014 does not specifically regulate about music. This makes the Indonesian courts need to adopt foreign theories/doctrines that can help to solve cases of song plagiarism that occur. In the case found by the researcher, there are similarities in tone, rhythm, structure of the music, and lyrics in two songs by two different songwriters. In this case, the plagiarist claimed he made the song by himself and based on his creativity. In other words, the singer and songwriter named Ed Sheeran stated that he had created the song independently, which was generated from his own ideas and creativity. Based on the analysis conducted by the researcher, it is necessary to test the originality of a song work in determining an act of plagiarism. There are 2 (two) elements that can help to identify the originality of a song work, which are Access and Substantial Similarity. By these elements, researcher think that, based on Indonesian Copyright Law, Indonesian courts can identify the originality of Ed Sheeran's work easier. In addition, there are Theory of Circumstantial Evidence and the Independent Creation Theory which can prove whether a songwriter has committed an act of plagiarism or not. On the basis of these two theories, in the example case it can be proven that Ed Sheeran has committed plagiarism which violates copyright in Indonesia.*

*References: 87 (1944-2021)*

*Keyword: Copyright, Music Plagiarism, Legal Protection*