

ABSTRAK

Elliana Vitry (01659190024)

PERLINDUNGAN HAK CIPTA KARYA *ENTERTAINMENT INDUSTRY* MENURUT TEORI *SWEAT OF THE BROW*

(viii + 84 halaman)

Hak cipta karya *entertainment industry* merupakan hak kekayaan intelektual yang diakui baik secara nasional melalui sistem Hukum HKI dalam ketentuan Hak Cipta dan secara internasional melalui perjanjian TRIPS yang menjadi konsekuensi dari keikutsertaan Indonesia dalam WTO. Walaupun karya *entertainment industry* sudah dilindungi secara nasional dan internasional, tetapi perlindungan tersebut belum efektif menghentikan permasalahan yang terjadi terhadap hak cipta karya *entertainment industry* di Indonesia. Hal tersebut tercermin melalui karya *entertainment industry* yang terus dieksploitasi oleh pihak yang tidak bertanggung untuk keuntungannya sendiri. Melalui penelitian deskriptif dengan pendekatan yuridis normatif, penulis mengkaji asas hukum perlindungan hak cipta karya *entertainment industry* dengan melihat dari teori *Sweat of the Brow*. Berdasarkan hal ini, penulis menyimpulkan bahwa ketentuan hukum hak cipta di Indonesia tidak sejalan dengan konsep teori *Sweat of the Brow* bahwa implementasi pengaturan hukum hak cipta karya *entertainment industry* berdasarkan teori *Sweat of the Brow* memiliki dampak negatif yang besar karena tindakan eksploitasi karya cipta semakin bebas dilakukan tanpa memperhatikan nilai-nilai orisinalitas yang dituangkan di dalamnya, serta menimbulkan ambiguitas terhadap konsepsi dan norma hukum hak cipta *entertainment industry* di Indonesia.

Referensi: 115 (1982-2020)



ABSTRACT

Elliana Vitry (01659190024)

COPYRIGHT PROTECTION OF THE ENTERTAINMENT INDUSTRY ACCORDING TO SWEAT THEORY OF THE BROW

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The copyright of entertainment industry works is an intellectual property right that is recognized both nationally through the IPR Law system in Copyright provisions and internationally through the TRIPS agreement which is a consequence of Indonesia's participation in the WTO. Although entertainment industry works have been protected nationally and internationally, this protection has not been effective in stopping the problems that occur with the copyright of entertainment industry works in Indonesia. This is reflected in the work of the entertainment industry which continues to be exploited by parties who are not responsible for their own gain. Through descriptive research with a normative juridical approach, the author examines the legal principles of copyright protection of entertainment industry works by looking at the Sweat of the Brow theory. Based on this, the authors conclude that the provisions of copyright law in Indonesia are not in line with the concept of the Sweat of the Brow theory that the implementation of copyright law arrangements for entertainment industry works based on the Sweat of the Brow theory has a large negative impact because the exploitation of copyright works is increasingly free to do. without paying attention to the values of originality contained therein, as well as creating ambiguity towards the conception and legal norms of copyright entertainment industry in Indonesia.

References: 115 (1982-2020)

