

## **ABSTRACT**

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**ANALYSIS OF LEGAL CERTAINTY FOR CREATORS OF  
PHOTOGRAPHY REMOVED FROM THE REGISTER OF CREATION  
(CASE STUDY NUMBER 568/G/2023/PTUN.JKT)**

(xii + 142 pages)

*Photography is a form of communication media used to convey messages or ideas to others. The role of photography itself in everyday life has covered aspects of documentation, communication, art, entertainment, education, business, and social campaigns. In the context of intelligence and intellectual abilities possessed by humans, the resulting works or innovations also require protection for their creators, known as Intellectual Property Rights (HKI). Copyright is one important aspect of intellectual property that provides legal protection for creators of original works. In terms of intellectual property registration, copyright itself adheres to a declarative system or the “first to use” principle, which copyright does not require an initial registration formality to appear. However, the government has accommodated the recording of creations as a form of preventive legal protection. Preventive protection is provided by giving people the opportunity to express their opinions before the final decision is taken by the government with the aim of preventing disputes. Regarding repressive legal protection, the enactment of the Copyright Act has regulated matters relating to infringement and sanctions provided for copyright infringers. However, in the implementation of the registration and revocation of the registration of creations, there is an inconsistency between Das Sein and Das Sollen of the legal certainty of recording creations. In judicial decision number 568/G/2023/PTUN-JKT, the Court found that in this case the Director General of Intellectual Property does not have the authority to abolish the recording of creations. The reason why the Plaintiff chose to sue in the Administrative Court itself was because of the object of the dispute or the letter of deletion that had been issued. So that the decision makes the Plaintiff unable to obtain clear legal certainty in protecting his work if there are other disputes. Therefore, the Plaintiff made legal efforts in the form of a lawsuit to the State Administrative Court to obtain legal certainty regarding the abolished creation registration letter. The research method employed is normative-empirical, utilizing primary data such as interviews and secondary data, including relevant laws and journals.*

*Keywords: Copyright, Photography, Revocation Of The Registration*

*Reference: 77 (1987-2024)*