

ABSTRAK

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PERLINDUNGAN HUKUM TERHADAP HAK CIPTA KARYA SENI LUKIS DAN ILUSTRASI DIGITAL YANG DIGUNAKAN PADA DEEP LEARNING AI ART GENERATOR TANPA IZIN PEMILIK HAK CIPTA DI INDONESIA

(81 halaman: 1 gambar; 0 tabel; 0 lampiran)

Dibalik perkembangan *AI Art Generator* pada dunia digital muncul pelanggaran hak cipta yang berdampak bagi para pencipta seni khususnya lukisan dan ilustrasi digital. UUHC telah mengatur hak moral dan hak ekonomi yang wajib dilindungi bagi pencipta sebagai bentuk penghormatan/penghargaan atas ciptaannya. Penelitian ini menggunakan metode yuridis normatif dengan studi pustaka. Dari penelitian ini didapatkan bahwa perusahaan *AI Art Generator* telah melanggar ketentuan UUHC pasal 9 ayat (3) karena telah melakukan penggandaan ciptaan yang tidak terlindungi lisensi CC guna kepentingan secara komersial melalui *deep learning* AI, selain itu untuk data yang terlisensi CC perusahaan *AI Art Generator* tidak menghiraukan persyaratan hak yang diminta oleh pencipta sebagai salah satu ciri khas lisensi CC sehingga melanggar norma sosial/kesusilaan. Tindakan tersebut menimbulkan akibat hukum secara perdata dimana perusahaan *AI Art Generator* wajib mengganti kerugian sesuai pasal 96 UUHC, sementara secara pidana bisa diberikan sanksi sesuai pasal 112 UUHC dan 113 UUHC.

Referensi: 56 (2002 – 2024).

ABSTRACT

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LEGAL PROTECTION OF COPYRIGHT OF DIGITAL PAINTINGS AND ILLUSTRATIONS USED IN DEEP LEARNING AI ART GENERATOR WITHOUT PERMISSION FROM COPYRIGHT OWNER IN INDONESIA

(81 pages: 1 images; 0 tables; 0 attachments)

Behind the development of AI Art Generator in the digital world, copyright infringement has emerged that has an impact on art creators, especially digital paintings and illustrations. UUHC has regulated moral rights and economic rights that must be protected for creators as a form of respect/appreciation for their creations. This study uses a normative legal method with a literature study. From this study, it was found that the AI Art Generator company has violated the provisions of UUHC article 9 paragraph (3) because it has duplicated creations that are not protected by a CC license for commercial purposes through deep learning AI, in addition to data licensed under CC, the AI Art Generator company ignores the rights requirements requested by the creator as one of the characteristics of the CC license, thus violating social/moral norms. This action has legal consequences in civil law where the AI Art Generator company is obliged to compensate for losses in accordance with article 96 of UUHC, while criminal sanctions can be given in accordance with articles 112 of UUHC and 113 of UUHC.

References: 56 (2002 – 2024).