

## **ABSTRAK**

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### **TINJAUAN PENGATURAN ROYALTI LAGU DALAM KAITANNYA DENGAN LARANGAN PENGGUNAAN LAGU MILIK DEWA 19**

(xii + 60 halaman; 0 gambar; 0 tabel; 0 lampiran)

Intellectual property is a human advantage in creating works. In copyright, there are economic rights of creators that can provide benefits for the commercial use of creations. LMKN is a National Collective Management Institution that helps creators manage royalties for creations. In the feud between Ahmad Dhani and Elfonda Mekel or Once, it can be seen that the arguments regarding Article 9 and Article 23 paragraph (5) of Law 28/2014 concerning Copyright. Article 9 stipulates that the creator's permission is needed in the use of creations. Article 23 paragraph (5) also stipulates that the creator's permission is not needed on the condition that royalties are paid to the creator through LMKN. There are also personal problems between them because Once as the former vocalist of Dewa 19 but Once continued to perform Dewa 19 songs as a solo singer. Copyright is born automatically with the declarative principle. Copyright is the exclusive right of the creator to be able to include the creator's name, change the creation, give permission, and receive moral rights and economic rights to his creation. The moral rights of the creator are the creator's rights to be able to defend his rights if there are changes to the creation by the user that can reduce the creator's self-esteem. In the commercial use of creations, it is regulated in PP 56/2021 that everyone can use the creation commercially by paying compensation or royalties to LMKN. Once has complied with existing regulations by paying royalties to LMKN. Once in using Dewa 19's creation did not violate Dewa 19's moral rights by not changing the creation that could reduce Ahmad Dhani's self-esteem. The next problem lies in the exclusive rights of the creator who can give permission. With the existence of LMKN, there are limitations given to exclusive rights. LMKN can give permission to users by fulfilling the creator's economic rights, namely paying compensation or royalties to the creator. In short, the creator of a song cannot prohibit someone from using his creation commercially and users of the creation must respect the moral rights and economic rights of the creator.

Kata kunci: Hak cipta, penggunaan secara komersial, larangan penggunaan lagu.

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