

LAW ENFORCEMENT AGAINST COPYRIGHT INFRINGEMENT THROUGH INTERNET MEDIA

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Abstract

This paper presents about violations of copyright through the internet and law enforcement of copyright through the internet. A form of violation of copyright through internet media in the form of violation of the economic rights of creators and copyright holders. The copyright infringement is carried out through two main activities on the internet, namely, uploading and downloading, this activity is carried out in an illegal way without giving rewards or royalties to the creator / license holder. While the law enforcement is considered not optimal. This is due to the many obstacles in its implementation, such as copyright laws that cannot keep pace with developments in technology and information. Institutions related to copyright protection have not shown optimal performance. Public legal awareness of the basic concept of copyright is still minimal. This is also based on low economic factors that encourage people to prefer to infringe copyright.

Keywords: Law enforcement, copy right, internet.

INTRODUCTION.

Indonesia as part of the international community has ratified the Agreement on Establishing the World Trade Organization. One of the agenda of the World Trade Organization is the agreement on trade aspects related to intellectual property rights including the trade in counterfeit goods.

The existence of Intellectual Property Rights in relations between humans and between countries is very essential. In its development, intellectual property rights face

various problems. This problem has touched various other aspects, including the legal aspect. The law must be able to provide protection for intellectual copyrighted works, so as to be able to develop the creative power of the community which ultimately leads to the goal of protecting intellectual property rights. In addition, the technological aspect is also a very dominant factor in the development and protection of intellectual property rights. The rapid development of information technology has caused information to be easily and quickly

spread to all corners of the world and is vulnerable to misuse or violation.

One of interesting issue in Intellectual Property Right studies are violation Copyright through the medium of the Internet. Copyright frequently violated the in the form of songs, movies/drama, videos, writings (*e-books*) and others. Not could denied that moment this life man no could released from current communication and information. Moment this information has incarnate Becomes something strength alone in increasingly global competition competitive.

The internet is one of the accelerated technology globalization and leap big for progress deployment information and communication all over the world. Use internet as multimedia information media make variety digital works can by constantly duplicated and disseminated to thousands of people in time short. Internet capability for duplicate and distribute Copyright by large of course make worries for many parties, in particular creator nor circle industry.

Protection the law given by the state to holder Copyright is Law No. 28 of 2014 concerning Copyright that gives right to creator and holder Copyright in To do announcement and multiply creation as effort ensure right economy creator on his creation . Based on Article 1 number 1 of Law No. 28 of 2014 About

Copyright arrange that Copyright is right exclusive emerging creator by automatic based on principle declarative after something creation realized in form real .

Essence in Law No. 28 of 2014 concerning Copyright is group form protection in 2 (two) groups. *First*, protection Copyright addressed to creator's moral rights on creation creation, so arise moral rights (*moral rights*) creator. *Second*, protection economy on creation create creator so that arise right economical (*economic rights*) to creator. Protection Copyright on the internet to be crucial when creation that has Copyright announced and reproduced without pay attention to 2 (two) rights that. This thing lead to violation Copyright. This thing in accordance Article 113 of Law No. 28 of 2014 concerning Copyright, which confirms that:

- (1) everyone with without right to do violation right economy as meant in Article 9 Paragraph (1) letter i for use by commercial convicted with a maximum of 1 (one) year and/ or criminal a maximum fine of IDR. 100,000,000 (one hundred million rupiah).
- (2) Everyone without rights and/or without permission Creator or holder Copyright To do violation right economy Creator as meant in Article 9 Paragraph (1) letter c, letter d, letter f and/or letter h for use by commercial convicted with criminal imprisonment for a maximum of 3 (three) years and/ or

criminal a maximum fine of IDR. 500,000,000.00 (five hundred million rupiah).

- (3) Everyone with without rights and/or without permission Creator or Holder Copyright to do violation right economy creator as meant in Article 9 Paragraph (I) letter a, letter b, letter e, and/ or letter g for use by commercial convicted with criminal imprisonment for a maximum of 4 (four) years and/ or criminal a maximum fine of IDR 1,000,000,000.00 (one billion rupiah).
- (4) Everyone fulfills element as referred to in paragraph (3) carried out in form piracy, punished with criminal imprisonment for a maximum of 10 (ten) years and/ or criminal a maximum fine of IDR 4,000,000,000.00 (four billion rupiah).

Intellectual Property Right violators, especially in the field of Copyright becomes conversation by many countries, especially the United States on piracy that occurred. In 2004, the United States government again included Indonesia in the list of priority countries that need to be supervised (*priority watch list*) as it applies to countries such as China, Argentina and Russia. This thing related with still rampant piracy product from various sector industry in

this country. State this no change since 2001.¹ Consequence inclusion of Indonesia in category *Priority Watch List*, then Indonesia is threatened penalty economy in the form of restrictions export reduction quota trading even until with an economic embargo.²

In practice often found cases violation Copyright through the internet. As example cases that occurred abroad, namely:

1. cases that occurred in Australia where *AMCOS (The Australian Music Publisher Association ltd)* had stop violation Copyright on the internet done Monash University student, offense the occur because of the students without permission make an internet site that contains Top 40 (fourty) songs that have been popular since 1998;
2. Music group U2 demands si website builder that loads song those who haven't marketed.
3. in May 1997, group music origin England Oasis, demanding hundreds of internet sites no official who has load photos , songs along with the lyrics as well as video clips from musician that.³

In Indonesia the cases like this already very often occur good through the process of downloading, uploading, or *copy-paste* to various type digital content, for example song

¹ Adrian Sutedi. Hak Kekayaan Intelektual. Jakarta: Sinar grafika. Jakarta, p. 15.

² Ibid. p. 17.

³ OK. Saidin, 2006, Aspek Hukum Kekayaan Intelektual. Jakarta: Rajawali Pers, Page 522.

or movies/drama. Based on this problem, then formulation of the problem is how enforcement law to violation Copyright through the internet?

DISCUSSION.

Activity Violation Copyright Through Internet Media.

Framework or base thinking give it protection to individual on his creation start from domination theory or sect law emphasize nature to factor man or use sense. One adherents sect law natural is the very John Locke known with Theory Ownership.

John Locke's theory of ownership built on argument the need there is right owned by personal owned by a individual moment face to face with power monarchy. In Thing this thinking Locke very rooted in tradition law nature where man can free take something from nature, and he propose existence something method where taking something from natural that have legitimacy, that is when Locke filed the concept of "work" (labor) as differentiator from takeover appropriate from natural universe this. Draft work this be equipped with draft mixing something taken from natural with something form work certain (concept *mixing metaphors*).

The thing that gives score more this is what becomes differentiator and source legitimacy man for can say that something that becomes hers.⁴ It is John Locke's theory that underlies existence right exclusive to the creator from something creation, that somebody have right for free, live and prosper, and have the right on whole results work hard it sucks. One of results work hard lousy this is right riches intellectual.

Based on Law No. 28 of 2014 concerning Copyright, creation money protected is creations included in scope art cover song or music with or without text, drama or musical drama, dance, choreography, *wayang* and pantomime. Besides that, creation that, creation art appearance all form like art painting, drawing, art carving, art calligraphy, art chisel, art sculpture, collage and art applied, is also included in it. The rest, works architecture, maps, batik art, photography, and cinematography.

Along with development technology moment this. A number of creation like music/songs, movies/drama, paintings, pictures, photos and books has undergo a metamorphosis from form *hard* to form *soft*. However moment this is music already could be heard with only very clicking through cell phone

⁴ Budi F. Hardiman, 2004, Filsafat Modern dari Mahiavelli hingga Nietzsche. Jakarta: Gramedia Pustaka Utama. p. 56.

or music *platforms*. Change this named digital change.

Digitization allow for load Copy and change something creation with very easy. Digitization is also possible for maintain quality by consistent and constant how many twenty ever suau creation copied, however big something creation or how many long time time passed. Quality every copy is the same with quality creation original, copy even could reproduced again from copy. This give birth to reaction chain, in meaning more many copy made from copy too.

Works that have been formatted to in the digital form named whole digital content could published through the internet. See criteria from digital content already duly digital content gets protection Copyright. However, in reality Law No. 28 of 2014 concerning Copyright rated not yet capable for protect creator from results creation creations, especially in Thing the digital content. The rise violation Copyright through internet media triggered by the height mobility people who tend want to get information nor entertainment with instant way.

Law No. 28 of 2014 concerning Copyright must give protection for creator in connection personal and intellectual from his creation and

also for utilise his creation. Protection Copyright dimension moral rights that arise from connection personal and intellectual creator and creation, and dimensions *economic rights* related with utilization or exploitation his creation.⁵

Moral rights and economic right is something right exclusively owned by the creator who must protected Law No. 28 of 2014 concerning Copyright. In Indonesia rights economy set in Article 8 of Law No. 28 of 2014 concerning Copyright that right economy is right exclusive creator or holder Copyright for get benefit economy on his creation. Next spelled out by complete in article next that is Article 9 Paragraph (1) which affirms that:

- (1) Creator or holder Copyright as meant in chapter 8 has right economy for do:
- a. Publishing creation;
 - b. Doubling creation in all shape;
 - c. Translation creation;
 - d. Adapting, arranging, or transformation creation;
 - e. Distribution creation or a copy;
 - f. Show creation;
 - g. Announcement creation;
 - h. Communication creation.

⁵ Rahmi Jened, 2013, *Interface Hukum Kekayaan Intelektual dan Hukum Persaingan*. Jakarta: Rajawali Pers, p. 105.

Practitioners use Copyright through the internet a lot found violation right economy creator in it. Practice the could seen from two activity major in the internet media, namely activity upload and download.

Arrangement about Copyright no only set in Law No. 28 of 2014 concerning Copyright just but also set in Law No. 19 Years 2016 about Change on Law No. 11 of 2008 concerning Information and Transactions Electronics (ITE). Article 25 of the ITE Law is determined that: "Information Electronics and/or Document Compiled electronics becomes creation intellectuals, internet sites, and works intellectual that is in it protected as Right Riches intellectual based on regulation legislation".

Violation on right the confirmed in Article 32 paragraph (1) Jo. Article 48 Paragraph (1) of the ITE Law with witness criminal imprisonment for a maximum of 8 (eight) years and/or a maximum fine of IDR. 2,000,000,000.00 (two billion rupiah).

Provider site song get song / recording original from the website/web label/ record that owned by producer phonogram with how to *download* her. Inside Law No. 28 of 2014 concerning Copyright known term reasonable interest based on explanation Article 44

paragraph (1) letter a is reasonable interest _ from creator or holder Copyright is interests based on balance in enjoy benefit economy on something creation. Article 44 is contain doctrine fairness usage, or reasonable use or deep American law is known term *fair use*. Right copyright in America is not is something rights that are absolute. Fair use is recognized doctrine by real in provision legislation and practice business by general. Use results creation copyright used for give criticism and comments, reports news, educational and research purposes no categorized as violation Copyright in America Union.⁶

In the United States, no there is definite criteria for determine something announcements and/or multiplication creation by the other party could considered fair use. However, in practice, the law in the United States often consider 4 (four) things for complete related disputes with fair use, namely: *first*, with see results announcements and/or its multiplication. If there is information, expression, value aesthetics, understanding or corner look new on as or whole right copyright announced/reproduced by the other party, then possibility big judge will decide that announcement/reproduction created by the

⁶ Danrivamto Budhijanto. Hak Kekayaan Intelektual di Era Digital.

<https://www.hukumonline.com/berita/baca/hol17077/hak-kekayaan-intelektual-dalam-era-digital?page=2>

other party considered *fair use*. *Second*, evaluate aspect publicity creation. If something creation not yet once published by its creator, then possibility big judge will decide that announcement/reproduction creation by the other party no including fair use. *Third*, evaluate quality part captured creation. Though taken part _ from something creation only a small part only, however if part small that is characteristic typical from something creation, possibility big judge will decide that announcement reproduction part from something creation by the other party no including *fair use*. *Fourth*, evaluate impact announcement/reproduction something creations by other parties result in loss material for creator or lost opportunity for get profit, then possibility big judge will decide that announcement/reproduction creation by the other party no including *fair use*.

If linked with problem violation through internet media criteria fourth could made excuse that Thing the not violation but is *fair use* or no violate reasonable interest for creator. Announcement and reproduction by the provider site songs and movies don't always negative impact in the form of lost opportunity for get profit, in fact creator/musician/singer get opportunity profit else, because name them Becomes more famous.

Besides that The above pretext is also supported by Article 43 letter d which stipulates

that: "acts that don't considered as violation Copyright include, manufacture or dissemination content copyright through technology media information and communication that is no commercial and/or profitable creator or party related, or creator the state no object on creation and dissemination that".

Article above could made reason defense for provider site manager song that what they do no character commercial because they no sell - buy songs on their web/site. Besides that, until so far this not yet there is subpoena or complaint from those who feel harmed. Not existence step the law taken, can interpreted as no existence object on action and dissemination that.

However, in Law No. 28 of 2014 concerning Copyright confirm that reasonable interest only for scope of Education. As listed in Article 44 paragraph (1) letter a, use, take, copy, and/or conversion something creation and/or product related by whole or as substantial no considered as violation Copyright if the source mentioned or be included by complete for Needs: Education, research, writing creation scientific, drafting report writing critics or review something problem that doesn't harmful reasonable interest for creator or holder Copyright.

Activity second is upload. By general, upload is terms used for describe the process of transferring electronic data among two computers or more. You can also *upload* interpreted as the process of sending data from computer personal to a system like *web server* or *mail server* which then results data *upload* just now will published on internet good for personal nor general. *Upload* usually used for move *files* from computer to internet.

Activity upload digital content on *site link* including in activity announcement. Based on Article 1 number 11 of Law No. 28 of 2014 concerning Copyright, set that: announcement is reading, broadcasting, exhibition, a creation with use tool whatever good electronic or non-electronic or To do with method whatever so that something creation could read, heard, or other people see.

At the moment somebody upload a digital content to something *site link*, then visitors (*netters*) could with easy read, see, hear even can download the digital content .

Uploading process something digital content, can conducted legally or illegally. The legal way is uploader conducted with get permission from creator or creator self uploading with destination promotion. Whereas

the illegal way is if uploader no get permission from si creator nor si holder license.

The illegal way is often found through the internet when this refers to Law No. 28 of 2014 concerning Copyright. Activity uploader separately illegal could rate of 2 (two) reject measuring as following:

1. Permissions from si creator. Somebody must get permission from creator or holder license, before multiply or announce results creation that.
2. Destination. Destination from activity upload the must with faith good, no aim for harm a lot of people as well as no aim for harm certain people.

Law Enforcement Against Violation Copyright Through Internet Media.

According to Jimly Asshidiqie, enforcement law is the process of doing effort for upright or functioning norms law by real as guidelines behavior in then cross or relationships law in life society and state. By conceptual, core of enforcement law lies in activity harmonize connection the values embodied in solid and embodied rules and attitudes act as Suite explanation score Step end, for create, maintain, maintain peace in association live.⁷

⁷ Soerjono Soekanto. 2012, Faktor-Faktor yang Memengaruhi Penegakan Hukum. Jakarta: Rajawali Pers, p. 5.

It means law will could established if component in law the harmonious, harmonious and balanced. Component law the according to Lawrence M. Friedman is substance, structure and culture. If component the walk harmonious, harmonious and balanced eat, law could enforced.

Friedman asserts that there is three element of the legal system, namely substance, structure and culture. Substance is Theory or form from regulation legislation. Structure is concerning authorized institutions create and execute laws, and aspects third of the legal system, namely concerning trust will value, thought or ideas and hopes them.⁸

1. Copyright Law.

Copyright law is one most frequent laws revised. Copyright Law first existed in 1982, then revised in 1987, later 1997, 2002 and also in 2014. Law No. 28 of 2014 was passed and replaced Constitution before with consideration that Law No. 19 of 2002 concerning Copyright already no in accordance again with development law and necessity Public so that need replaced with the new law .

Developments in the field technology information and communication be one

reason replaced Law No. 19 of 2002 concerning Copyright. One challenge before is enforcement law in Technology Information that has been no could again covered by law that. Law No. 28 of 2014 concerning Copyright many load related aspect with technology information and communication, in particular about digital content compared with Constitution earlier.

There is a number of change Law No. 28 of 2014 concerning Copyright in harmony with development technology and communication, namely:

- a. Protection Copyright conducted with longer time in line _ with application rule in various countries as period time protection Copyright in the field certain enforced During life plus 70 (seventy) years after creator died.
- b. More protection good to right the economy of the creators and/ or owner right related, including limit diversion right economy in form sell break up.
- c. Solution dispute by effective through the process of mediation, arbitration or court, as well as application offense complaint for demands criminal.

⁸ Teguh Prasetyo, 2012, Filsafat, Teori, dan Ilmu Hukum: Pemikiran Menuju Masyarakat yang berkeadilan dan bermartabat. Jakarta: Rajawali Pers. p. 312.

- d. Management the place trading responsible for the place sales and/or violation Copyright and/or right related at the center expenses they manage.
- e. Copyright as object move no form made object guarantee fiduciary.
- f. Minister given authority for delete a registered creation, if creation the violated religious norms, moral norms, order public affairs, national defense and security as well as provision regulation legislation.
- g. Creator, holder right copyright, owner right related Becomes member institution management collectively in order to interesting compensation and royalties.
- h. Creator and/ or owner right related get reward royalty for creation or product Right Related made in connection service and use by commercial.
- i. Management agency working collective _ collect and manage right economy creator and owner right related required submit application permission operational to the Minister.
- j. Use right copyright and rights related in means multimedia for respond

development technology information and communication.

Law faced to the reality that happened in society. Schuyt say, law this is "*een neerslag van politieke matchtsverhoudingen*" (a sediment from exchange among powers political in society). Because of that said Constitution mirror from reality society. Conflicts that want to resolve by law with give structure juridical so that Becomes clear the place each party in conflict and what is involved can did.⁹

2. Efforts of Related Institutions In Resolve Violation Copyright on Internet Media

Besides substance (law), structure also becomes reject measuring in a legal system so that the law could enforced. Structure as already explained by Friedman is institutions that create and implement law. Inside Copyright Law, there is institutions that have role in realize protection to Copyright, that is police, Ministry of Communication and Information Technology and the Directorate General Right Riches Intellectual.

Based on Law No. 19 of 2002, how prosecution the right (if occur infringement), rights create is offense ordinary. Offense normal which is different

⁹ Satjipto Raharjo, 2012, *Sosiologi Hukum: Perkembangan Metode dan Pilihan Masalah*. Jakarta: Genta Pers, p. 140.

with right riches intellectual other, so that consequently, the state/government (in page this investigator) automatic, mandatory share in give protection to creator/holder Copyright. However Law No. 28 of 2014 concerning Copyright 2014 no again use offense normal related violation Copyright but use offense complaint .

Previously Copyright Law 1982 using offense complaint related violation. However, the year 1987 complaint changed again Becomes offense ordinary. Reason change offense complaint Becomes offense normal are:

- a. That offense normal seen need for enforced/adopted because change and development in Public along about protection Copyright it turns out no capable anticipated by law right copyright 1982 that adheres to offense complaint. So, need changed specifically regarding the status of classification/type the existing offense in Constitution right copyright 1982 placed as offense complaint;
- b. With classification offense complaint, law Copyright d 1982 it turns out not yet could resolve violation act criminal piracy, in particular piracy book. Violation Copyright the has reach

dangerous level arrangement economy its creator;

- c. Change offense is effort for increase effectiveness prosecution, so that working for more easy and fast enforcement process the law. Become a cop no again wait complaint offense , but can direct take action violation right copyright that occurs;
- d. Consequence existence violation Copyright no just harmful creator or holder Copyright but also the economy in general, the country is experiencing loss consequence decrease income from taxes and charges other.

Law No. 19 of 2002 remains use offense normal for prosecution the right (if occur violation). However, in Law No. 28 of 2014 does not again use offense normal but offense complaint.

Reason the change is because related with nature ownership that alone. Ownership in Copyright that personal so ratio harmed personal that's the one who complained to apparatus the police so that the case investigated.

Practitioner Right Riches Intellectual, Gunawan Suryomucitro also thinks that offense complaint no answer problem offender Copyright. Even a number of

person police utilise offense this for add coffers riches them.

There are pros and cons to change offense normal to offense complaint that, especially in Thing enforcement the law. For 27 (twenty seven) years (1987-2014) offense normal enforced will but case violation Copyright still rampant in Indonesia. Enacted offense complaint estimated will the more troublesome eradication to piracy.

Government in Thing this is the Ministry of Communications and Information Technology has to do effort in cope rampant illegal *downloads* and illegal *uploads*. Effort above in the form of the alleged blocking of the site is a fake site that contains internet/*digital content content* in the form of creation intellectuals who don't get permission from creator nor holder license.

Blocking the cooperation same Ministry of Communication and Information Technology with Newsletter company. Newsletters are a companies engaged in the *internet protocols*. Blocking this conducted with 2 (two) ways that is, with existence complaint and with findings from party Ministry communication and informatics that alone. Effort the in line with vision of the Ministry of Communication and

Information that is for create a clean and safe Internet. However effort blocking that rated not enough effective in effort for prevent and eradicate *illegal downloading* and *illegal upload* in Indonesia. In fact, dozens even thousands of sites that appear on the internet every day, so difficult for Ministry of Communication and Informatics for to do blocking by maximum. Sophistication technology every day make effort this not enough maximum for run.

Law No. 28 of 2014 concerning Copyright give strong foundation to the Ministry of Communication and Informatics in his business for to do prevention and eradication to violation Copyright through the internet. As stated in Articles 55 and 56 of Law NO. 28 of 2014 concerning Copyright:

Article 55

- (1) Everyone who knows violation Copyright and or right related through the electronic system for use by commercial could report to the Minister.
- (2) Minister verify report as referred to in paragraph (1).
- (3) In Thing found enough evidence _ based on results verification report as referred to in paragraph (2), above

Request Reporting Minister recommends to the Minister who organizes affairs government in the field of telecommunications and informatics for partially closed or whole infringing content Copyright in electronic system or make electronic system service no could accessed.

- (4) In Thing closure of internet sites as referred to in paragraph (3) is carried out by whole, in a maximum of 14 (fourteen) days after Mandatory closing of the Minister ask determination court.

Article 56

- (1) Minister who organizes affairs government in the field of telecommunications and informatics based on recommendation as meant in Article 55 Paragraph (3) can close content and/ or right access infringing user Copyright and/ or right related in electronic systems and make electronic system service no could accessed .
- (2) Provision more carry on about implementation closing content and/ or right access infringing user Copyright and/ or right related in electronic system or make electronic system service as referred to in

paragraph (1) shall be determined by regulations together with the Minister and the Minister whose duties and responsibilities are the answer in the field communication and informatics .

Hurry up provider site growth service song or any movie day no free of an easy and fast domain registration process. Even there is domain registration without pay or free. Domains without pay here's a lot used by a group of people who want to create a website/web provider service song or movies.

3. Public Legal Awareness of draft Copyright.

Enforcement law not something standing activity alone but but have connection lead close back with society. Because of that, in talk about enforcement law, better no ignore discussion about the culture of the people in it. Existing community culture very close relation with awareness law Public or something incident certain. Soerjono Soekanto put forward four indicator awareness law, namely:¹⁰

- a. Knowledge law ;
- b. Understanding about law ;
- c. Attitude to law ; and
- d. Behavior law

¹⁰ Ahmad Ali. 2015, *Menguak Tabir Hukum (Legal Theory) Teori Peradilan Judicialpridance*. Jakarta: Kencana. p. 298.

Feeling law and belief law individual is base than awareness law society. Awareness law Public is amount the most from awareness law individual about something incident certain.¹¹

According to Ahmad Ali, that awareness law actually is awareness or the values contained in self man about existing law about expected law there is. Definition will more complete if added element values Public about function what should run by law in society.¹²

According to Soerjono Soekanto, awareness law actually is awareness or the values contained in self man about existing law or about expected law there is. If Public no aware law, then Thing this must becomes study for shaper and enforcer law. Disobedient to law could charged by two thing, namely:

- a. Violation law by the violator already considered as habit even needs.
- b. Applicable law already no in accordance again with demands life.

In case violation Copyright through the internet media, the violations committed already considered as needs. Unified side Public need means cheap and practical entertainment, on the other hand the

entertainment that is offered legally seem expensive and have convoluted procedure for get it. So that the majority of Indonesian people income low use illegal ways to get entertainment.

CLOSING.

Violation to Copyright through internet media in the form of violation right economy from creator or holder Copyright. Violation economic right that conducted through two activity the main things on the internet are uploading and downloading. Activity this conducted with illegal way without give reward or royalties to creator/holder license. Whereas activity that enter in category duplication, distribution and announcement based on Law No. 28 of 2014 concerning Copyright Required get permission or pay rewards/royalty to creator/holder license.

Law enforcement to violation Copyright through the internet yet maximum. This thing caused because there is obstacles to implementation including, 1) Law No. 28 of 2014 concerning Copyright still rated as not following development technology and information. 2) law enforcement and institutions with protection Copyright not yet show optimal performance. This thing caused

¹¹ Soerjono Soekanto, 2009, Pokok-Pokok Sosiologi Hukum. Jakarta: Rajawali press, Page 167.

¹² Achmad Ali, 1998, Menjelajah Kajian Empiris Terhadap Hukum, Jakarta: Yarsif Watampone, p. 191.

not yet can afford apparatus in eradicate perpetrator main continuous piracy grow with fast. 3) awareness law Public to draft base about Copyright still at least this based on because factor low economy so that push Public for more choose to do violation to Copyright .

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