

ABSTRAK

Shintia Anggi Damayanti, 2021, Perlindungan Hukum Hak Moral dan Hak Ekonomi terhadap Karya Cipta Buku Elektronik (E-Book) di Era Industri 4.0, Skripsi, S1 Ilmu Hukum, Universitas Ngudi Waluyo, Adhi Budi Susilo S.H.,M.H

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**Perlindungan Hukum Hak Moral dan Hak Ekonomi terhadap Karya Cipta
Buku Elektronik (E-Book) di Era Industri 4.0**

Abstrak

Pada era industri 4.0 seperti sekarang ini teknologi semakin berkembang dan memberikan berbagai dampak, salah satunya hak kekayaan intelektual, khususnya hak cipta atas pelanggaran karya cipta buku elektronik seperti pembajakan dan pendistribusian tanpa izin pencipta, oleh karena itu penelitian ini bertujuan untuk (1) Mengetahui bentuk perlindungan hak moral dan hak ekonomi terhadap karya cipta Buku Elektronik di era industri 4.0, (2) Mengetahui perlindungan hukum atas pelanggaran Hak Cipta terkait dengan karya cipta Buku Elektronik berdasarkan Undang-Undang Nomor 28 Tahun 2014 tentang Hak Cipta. Penelitian ini merupakan jenis penelitian kualitatif yang didasarkan pada pendekatan penelitian hukum yuridis normatif.

Hasil penelitian ini menunjukkan bahwa (1) Perlindungan hak moral dan hak ekonomi pencipta (*E-Book*) di era industri 4.0 sesuai dengan UUHC yang menyatakan bahwa pencipta mempunyai hak eksklusif berupa hak moral dan hak ekonomi yang masing-masing dilindungi dalam Pasal 5 dan Pasal 6 tentang hak moral kemudian dalam Pasal 8 dan Pasal 9 tentang hak ekonomi. Dapat juga dilindungi oleh Undang-Undang Informasi dan Transaksi Elektronik karena karya cipta berbentuk elektronik dan pendistribusiannya juga dilakukan melalui media sosial. (2) Perlindungan hukum yang didapatkan oleh pencipta karya cipta (*E-Book*) apabila terjadi pelanggaran atas hak cipta (*E-Book*) terdapat dalam Pasal 99 dan Pasal 113 ayat (3) dan (4) UUHC, pencipta dapat menempuh melalui dua jalur yaitu pidana dan perdata apabila ada pihak yang tidak bertanggung jawab melanggar haknya. Simpulan dari penelitian ini yaitu hak cipta belum bermanfaat untuk pencipta, hal itu dikarenakan masih banyak pencipta buku elektronik yang tidak mendaftarkan hak cipta ke HKI, sehingga jika terjadi suatu pelanggaran akan susah untuk membuktikan haknya.

Kata Kunci: Perlindungan Hukum, Hak Moral, Hak Ekonomi, Buku Elektronik, Era Industri 4.0

ABSTRACT

Shintia Anggi Damayanti, 2021, Legal Protection of Moral Rights and Economic Rights on Electronic Books (E-Books) in the Industrial Era 4.0, Thesis, Bachelor of Law, Ngudi Waluyo University, Adhi Budi Susilo S.H., M.H

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Legal Protection of Moral Rights and Economic Rights on Electronic Books (E-Books) in the Industrial Era 4.0

Abstract

In the industrial era 4.0 as is happening now, technology is growing and has various impacts, one of which is intellectual property rights, especially copyrights for violations of electronic book copyrights such as piracy and circulation without the author's permission, therefore this study aims to (1) determine the form of protection of moral rights and economic rights to Electronic Book copyrighted works in the industrial era 4.0, (2) knowing the legal protection for Copyright infringement related to Electronic Book copyrighted works based on Law Number 28 of 2014 concerning Copyright. This research is a type of qualitative research based on a normative juridical legal research approach.

The results of this study indicate that (1) The protection of the moral rights and economic rights of creators (E-Books) in the industrial era 4.0 is in accordance with UUHC which states that creators have exclusive rights in the form of moral rights and economic rights which are respectively protected in Article 5 and Article 6 on moral rights and Articles 8 and 9 on economic rights. It can also be protected by the ITE Law because copyrighted works are in electronic form and their distribution is also done through social media. (2) The legal protection obtained by the creator of the copyrighted work (E-Book) in the event of a copyright infringement (E-Book) is contained in Article 99 and Article 113 paragraphs (3) and (4) of the UUHC, the creator can take two routes. Both are criminal and civil if there are parties who are not responsible for violating their rights. The conclusion of this research is that copyright has not been useful for creators, it is because there are still many electronic book creators who do not register copyrights with HAKI, so that if there is a violation, it will be difficult to get legal protection.

Keywords: Legal Protection, Moral Rights, Economic Rights, Electronic Books, Industrial Era 4.0