MEDIATION AS A SETTLEMENT OF ELECTRONIC BOOK COPYRIGHT DISPUTES TO PROVIDE LEGAL CERTAINTY FROM A BENEFIT PERSPECTIVE

Khamozaro Waruwu
khamow.wr@gmail.com
Triono Edy
trionoeddy@ymail.com
Adi Mansar
adimansar@umsu.ac.id
Universitas Muhammadiyah Sumatera Utara, Medan, Indonesia

Article Info

Received: 2024-06-12
Revised: 2024-07-21
Accepted: 2024-11-20

Keywords: Creator Protection; Electronic Books; Mediation.

Abstract

The use of mediation as an effort to resolve electronic book copyright disputes has become a trend in the community to utilize dispute resolution based on several factors that place it with various advantages, including economic factors, legal culture factors, the wide scope of problems that can be discussed, coaching factors. good relations between the parties and process factors. Based on this, it has become a necessity that mediation is no longer an alternative dispute resolution but rather a dispute resolution effort that must be taken if there is a violation of electronic book copyright. This is in line with the great interest in mediation as an effort to resolve electronic book disputes in providing legal certainty and various perspectives on the benefits of mediation. The purpose of writing is to discuss mediation as an alternative resolution of electronic book copyright disputes. Intellectual Property Rights are referred to as material rights, and the results of this work can be in the form of immaterial objects "intangible objects" which originate from the work of the brain and the results of the work of reasoning ratios which give rise to intellectual property rights. The Copyright Law, especially in Article 40 Paragraph (1) letter n, implicitly recognizes that digital or electronic books (e-books) are one of the adapted works that receive protection. Even though the Copyright Law provides legal guarantees or protection to copyright, creators and copyright holders, in its implementation there are still irregularities in the field of copyright and perpetrators of copyright irregularities can be legally prosecuted. Mediation is a type of dispute resolution that can be chosen in resolving issues in the field of

IPR, especially regarding e-book piracy disputes which are currently widespread. This research uses a normative juridical research method with two types of approaches, namely the statutory research approach and the case research approach. Mediation is the most effective alternative dispute resolution and is required for copyright disputes because it is regulated in the Copyright Law. Apart from this, the form of dispute resolution through mediation has other advantages in the form of being completed more quickly, being lighter, having lower costs and satisfying both parties.

1. Introduction

Hak Kekayaan Intelektual (HaKI) are vital in ensuring a country's industrial and trade excellence, as economic growth heavily depends on trade. HaKI grants exclusive rights to creators in science, art, literature, and technology. According to the World Intellectual Property Organization (WIPO), HaKI includes creations resulting from intellectual ability such as inventions, written works, artistic works, symbols, names, images, and designs used in commerce.[1]

Indonesia, which adheres to the civil law tradition, provides copyright protection based on the philosophy of moral rights to creators. By the principles of the Berne Convention, these rights are eternal, inalienable, and inheritable. Although economic rights can be transferred to companies or other parties, moral rights remain with the creator. The copyright holder is the creator, the recipient of rights from the creator, or another party who receives rights on an ongoing basis, as regulated in Article 1 point 4 of Law Number 28 of 2014 concerning Copyright.[2] This law emphasizes that creators must receive remuneration to obtain economic rights. There are two aspects to copyright: economic rights and moral rights. Economic rights give creators the monetary value of their work, while moral rights protect the creator's right not to have their name removed and their work not changed without permission.[3]

The development of technology is increasingly accelerated by changes in human lifestyle. The current generation is very dependent on digital media and the internet to support their activities. The presence of various media based on digital technology has become part of the lifestyle and has a significant impact on the existence of HaKi, e-business, and e-government activities.[4] This is what drives

[1] Nuzulia Kumalasari, *Hukum Hak Kekayaan Intelektual ; Dasar Dasar Hukum Hak Kekayaan Intelektual Di Indonesia* (Jakarta: Rajawali, 2011).

[2] Marni Emmy Mustafa, *Aneka Penegakan Hak Cipta, Paten Dan Merek* (Badung: P.T. Alumni, 2022).

[3] Ibid.

[4] Ahmad M. Ramali, *Cyber Law Dan HAKI Dalam Sistem Hukum Indonesia* (Bandung: Refika Aditama, 2010).

the development of shifting values (habits) of literacy patterns in society, especially among practitioners and academics, including students, who are starting to switch to using electronic books rather than visiting the library. The efficient nature of electronic books is that they are easy to carry and do not take up much space, which causes books to no longer be reading materials in the form of printed books but in the form of text and images.

In the past, books were collections of papers containing text or images, while electronic books (e-books) contained digital information in the form of text and images. E-books use electronic advances as interactive media that combine design, text, video, and sound, enabling innovation, collaboration, and communication. Initially, the creation of e-books was unimaginable to the public due to a lack of understanding of the legal protection of copyrighted works. Ignorance of legal instruments and financial capabilities often makes copyright owners ignore the legal aspects when creating or selling their works.

Electronic book creations are easy to copy/duplicate, and the results are almost indistinguishable from the original. The process is fast and cheap because it can be done virtually with a computer.[5] Traditional bookworks are published physically and distributed via land, water, and air, while e-books are distributed virtually via the Internet. Other parties often copy works due to the limitations of their creators in mass production. Unique works usually come from individuals or groups who do not copy the work of others. Law Number 28 of 2014 concerning Copyright (after this referred to as the Copyright Law) states that e-books are protected adaptation works. Copyright owners of e-books who experience violations must receive clear legal protection and assistance.

Article 95 of the Copyright Law states that creators who experience copyright disputes over e-books can resolve them through alternative dispute resolution, arbitration, or the Commercial Court. However, there is a backlog of copyright cases in the Supreme Court. Alternative dispute resolution helps maintain public order and reduce tension and conflict in the public eye.[6] Alternative dispute resolution is an institution for resolving disputes or differences of opinion through procedures agreed upon by the parties, namely settlement outside the court using consultation, negotiation, mediation, conciliation or expert assessment.[7]

Mediation is a popular alternative dispute resolution and is favoured by

[5] Ujang Badru Jaman; et all, "Urgensi Perlindungan Hukum Terhadap Hak Cipta Karya Digital," *Jurnal Rechten: Riset Hukum Dan Hak Asasi Manusia* 3, no. 1 (2011): 13, doi:https://doi.org/10.52005/rechten.v3i1.22.

[6] Suyud Margono, "ADR &Arbitrase, Proses Pelembagaan Dan Aspek Hukum," in *Cetakan I* (Jakarta: Ghalia Indonesia, 2000), 13.

[7] Susanti Adi Nugroho, "Manfaat Mediasi Sebagai Alternatif Penyelesaian Sengketa," in *Cetakan I* (Jakarta: Kencana, 2019), 4.

many experts. In this process, a neutral third party helps the disputing parties through negotiations to reach an agreement that satisfies all parties.[8] Unlike litigation or arbitration, the mediation process in resolving e-book copyright disputes is a non-litigation method. The mediator does not have the authority to decide the dispute but only helps the parties reach a mutually agreed agreement.[9] Statutory regulations regulate mediation, specifically Law Number 30 of 1999 concerning Arbitration and Alternative Dispute Resolution, which governs arbitration and alternative dispute resolution matters.

Data from the Directorate General of Intellectual Property (Ditjen KI) of the Ministry of Law and Human Rights shows many legal disputes related to e-book piracy. The Association for Concerned Creative Works (PPKC) often submits these disputes to the Directorate General of KI. For example, PPKC filed a case of violation of Copyright Law Number 28 of 2014. Another case occurred at the West Java Regional Office of the Ministry of Law and Human Rights. PPKC filed a mediation regarding copyright violations by Nusa Putra University Sukabumi for uploading e-books without the author's permission.

Creators experiencing e-book copyright disputes tend to choose mediation as an alternative resolution. Mediation in e-book copyright disputes is becoming a trend due to several advantages, such as economic factors, legal culture, the breadth of issues that can be discussed, fostering good relations between parties, and a more efficient process. Because of these advantages, mediation is now considered an alternative and a primary step in resolving e-book copyright disputes, which aligns with the increasing public interest in this method.

The practice of resolving e-book disputes based on Article 95 of the Copyright Law shows that this regulation does not provide certainty and opens up room for interpretation. The implementation of this article creates a biased and debatable understanding, thus requiring further clarification. Article 95, paragraphs (1), (2), and (3) of the Copyright Law do not require mediation documents as a condition for a lawsuit in the Commercial Court, indicating that mediation is not a requirement. Until now, no instructions have been given for expanding the Commercial Court's authority in handling copyright dispute lawsuits. If absolute competence is applied, the provisions for exceptions to mediation in the Commercial Court, as stipulated in the Regulation of the Supreme Court of the Republic of Indonesia Number 1 of 2016 concerning Mediation Procedures in Court, must be adjusted and synchronized. Almost no copyright lawsuits, including e-books, have been filed in the Commercial Court. To improve the mechanism for resolving copyright disputes, especially e-books, the Mediation Institution needs to be better regulated by improving imperative norms, processes,

[8] Ibid., 22.
[9] Ibid.

and systems.

Based on the background that has been described above, the problems to be discussed include :

a. How is electronic book copyright regulation regulated using normative methods, legal culture behaviour, and dynamics in practice?
b. How is the implementation procedure for mediation of electronic book copyright disputes as a normative legal procedural stage in reflecting institutional improvement?

2. Research Method

This study uses a normative juridical method, where the main sources used are laws and regulations, doctrines[10], and court decisions related to the responsibility of notaries in making deeds. Secondary data is obtained from relevant literature, including journals, books, and legal articles that address the topic of illegal fishing and the role of notaries. The legislative approach and case studies are used to evaluate the application of the law to the responsibility of notaries in the context of fisheries crimes.

3. Results and Discussion

a. Regulation of Copyright of Electronic Books According to Statutory Regulations

1) Copyright of Electronic Books According to Law Number 28 of 2014 concerning Copyright

HaKi protect creations and products of human creativity derived from intellectual abilities. Scholarly works are considered necessary because of the economic benefits generated.[11] HaKi aims to provide legal protection to individuals or groups for the results of their intelligence and creativity, with adequate legal tools to safeguard these rights.

Copyright is a part of Hak atas Kekayaan Intelektual (HaKI) that grants exclusive rights to creators or holders to publish and reproduce their creations. This right covers works in science, art, and literature.[12] Based on Law Number 28 of 2014, Copyright is defined as an exclusive right granted to the creator of his/her work, without prejudice to the applicable legal restrictions.[13] Copyright infringement, which is rife in the

[10] Eka NAM Sihombing, Cynthia Hadita, *Legal Research* (Malang: Setara Press, 2022).
[11] Nahfidatul Nurlaela Oktavia, "Implementasi Undang-Undang Nomor 28 Tahun 2014 Tentang Hak Cipta Terkait Penggandaan Buku (Studi Kasus Usaha Fotokopi Di Kawasan Universitas Negeri Semarang)" (Universitas Negeri Semarang, 2015).
[12] Eko Budihardjo, *Arsitek Bicara Tentang Arsitektur Indonesia* (Bandung: Alumni, 2007).
[13] Neni Sri Imaniyati dan Panji Adam Agus Putra, *Hukum Bisnis* (Bandung: PT Refika Aditama, 2017).

book copying market, hurts authors, publishers, and the government as revenue from piracy is not taxed. While creators or copyright holders are free to exercise their rights, the law sets limits so that the use of copyright does not violate the law.

Based on the notion of copyright as mentioned in the article above, the elements of copyright can be divided into 3 (three), namely :

a) *publishing rights* ;
b) *reproduction rights* ;
c) *asiignment right*.

HaKi including copyright, are property rights granted exclusively to the creator or right holder to publish, reproduce, and distribute their work and to authorize others to do so. Copyright arises automatically after the job is created and is protected by law for a certain period. The creator, who can be either an individual or a legal entity, is the party who gives birth to the work, as defined in the Copyright Law.

According to Article 1 number 2 of the Copyright Act, the creator is one or several people who individually or jointly produce distinctive and personal creations. The creator automatically becomes the copyright holder, but not all are the creators.[14] Article 1 point 4 states that the copyright holder can be the creator, the party who receives the right legally from the creator, or another party who gets the right legally from the previous right holder. The state will hold copyright on works whose creator is unknown or has not been published, such as unrecorded music, to protect the creator's rights. If, in the future, there is a party that can prove to be the creator, the state will hand back the copyright to the rightful party.[15]

Copyright protection in the era of globalization is becoming increasingly complex, especially for works such as books, which play a role in improving the quality of human resources. Books can be printed, electronic (e-book), or in digital formats such as doc, pdf, txt, and jpg, which can be downloaded and read through electronic devices. One of the advantages of printed books circulating in major stores is that they have an International Serial Book Number (ISBN), which lists their international identity. With an ISSBN, printed books remain a trusted academic reference in compiling scientific papers. However, in the era of information digitization, books are also affected by the emergence of digital versions, namely e-books, which offer a new form of delivering knowledge and information.

[14] Rachmadi Usman, *Hukum Hak Atas Kekayaan Intelektual* (Bandung: Alumni, 2003).
[15] Ibid., 120.

According to Law Number 28 of 2014 concerning Copyright, specifically Article 40 Paragraph (1) letter a, books are protected works.[16] Although this law protects creators and copyright holders, its implementation needs to be improved as deviations. Parties who commit copyright infringement can be prosecuted legally. Copyright infringement often occurs in digital books (ebooks) piracy and selling them at low prices, starting from Rp. 5,000. For example, two Instagram accounts, nuel. Ebook and ebook-kuu2 sell best-selling books and novels at meagre prices. On one of the accounts, they offer 12 ebooks for Rp. 5,000, with payment methods through credit or bank transfer.

Article 40 Paragraph (1) of the Copyright Act does not explicitly explain the protection of e-book copyright works, only mentioning books in general. The availability and popularity of e-books depend on the format and ease of the device used to read them. Some well-known e-book formats include EPUB, AZW, KF8, and PDF. These formats are adapted to the devices used, and as technology evolves, new formats will likely emerge that better suit users' needs.[17]

Article 40, paragraph (1) letter a of the Copyright Law states that books, including electronic books, are protected creations. Bookworks are a form of copyright that needs legal protection, produced through authors' and publishers' ideas, thoughts, and designs. Copyright arises automatically after an idea is put into the form of a work, and the law protects both registered and unregistered creations. Copyright registration does not prove ownership but serves as an evidentiary tool to determine the rightful creator in the event of a dispute in court.

Copyright protection by law encourages creators to continue innovating and creating new works. This protection is regulated in law with criminal sanctions for copyright infringers. Although the Copyright Act protects photography, law enforcement is still weak compared to the more established music copyright protection. The government is expected to provide adequate security so that creators of photographic works can continue to work. With good legal protection, quality book work can likely continue to grow.

2) Legal Protection of Electronic Book Copyright Infringement

Legal protection of copyright aims to encourage individuals with intellectual abilities and creativity to be more enthusiastic about creating works that are beneficial to the nation's progress. With the Copyright Act,

[16] Eddy Damian, *Hukum Hak Cipta* (Bandung: Alumni, 2015).

[17] Rina Tiya Lestari; et all, "E-Book Interaktif," *Jurnal Kajian Teknologi Pendidikan* 1, no. 1 (2018): 71–76, doi:https://journal2.um.ac.id/index.php/jktp/article/view/3529/2184.

the creator does not need to worry about the status of his creation because the creation is recognized when it is first published, not when registration. Legal protection against unauthorized copying of books can be done preventively and repressively. Preventive protection involves establishing regulations by the authorities to protect weaker parties. This protection is part of legal development to create a favorable climate for creativity in science, art, and literature.

Copyright infringement is ongoing and can even be seen and felt in everyday life. The impact of these violations include :

a) Damage the fabric of the nation's life in the economic, legal, and socio-cultural fields
b) Leads to a passive desire to work in the fields of science, art and literature
c) Reduced income or state revenue in the form of income tax that should be paid by the creator or copyright holders.[18]

Copyright is granted for tangible creations, such as those that can be seen, read, or heard, and does not protect ideas that are still abstract. Copyrighted works provide inner satisfaction and also have economic value. Copyright infringement is not considered an offense if the source is indicated and it is used for non-commercial, including social, activities. In Europe, the copyright system emphasizes the “moral right” which gives recognition to the creator and their work. Meanwhile, America prioritizes “economic rights” which focuses on economic protection for the creator.

The Indonesian government needs to review the merger of moral rights and economic rights in the Copyright Law for the field of architecture. For photography, it is suggested that the government prioritizes one view of copyright as the basis of the law, considering the architecture practice. Architectural copyrighted works, which come from ideas and deep thoughts, should get serious attention to prevent plagiarism or piracy by Indonesians and foreign countries. Law No. 28 of 2014 on Copyright protects creators who produce unique and original works in science, art, and literature. This protection emphasizes the importance of the creator's expertise and creativity in creating distinctive works. The scope of copyright, including copyrighted works of books, is outlined in Article 40, paragraph (1) of the law.

Raising awareness about respect for copyrighted works is a challenging task. It requires significant support of facilities and

[18] Hanafi, *Tindak Pidana Hak Cipta Dalam Problematika Penegakkan Hukumnya (Dalam Insane Budi Maulana, Kapita Selekta Hak Kekayaan Intelektual I)* (Jakarta: UII Yogyakarta dan Yayasan Klinik HAKI, 2005).

infrastructure and the involvement of academics, students, law enforcement, government, and society. Efforts that can be made include :

a) Continuous socialization to the academic community.
b) Making Hak Kekayaan Intelektual courses mandatory to change students' perceptions of copyright.
c) Requiring lecturers to develop standard modules as reading materials without violating copyright.

In addition, Article 40 Paragraph (1) letter N of the Copyright Act recognizes e-books as adapted works that also receive protection, so e-books must be protected as adapted printed books.

The enactment of the new Copyright Law in 2014 is a refinement of the previous law, aiming to provide better protection to creators and their creations. Rapid developments in science, technology, art, and literature create the need for increased security and assurance of legal certainty for creators, copyright holders, and owners of related rights. This is reflected in the articles of the law that show seriousness in providing such protection.

b. Electronic Book Copyright Infringement in the Digital Age

The Copyright Law, specifically Article 40 Paragraph (1) letter n, recognizes that digital or electronic books (e-books) are adapted works entitled to protection. E-books are considered a form of printed book adaptation and must be protected. Article 40 Paragraph (2) confirms that adapted works also receive protection equal to original works. To prevent infringement in the duplication of e-books, a license agreement can be made to appreciate copyrighted works, in which the copyright holder will receive royalties, per Article 80 Paragraph (3) of the Copyright Act. This license agreement must follow the provisions of Article 1320 of the Civil Code regarding the contract's validity.

Legal protection for creators of electronic books is conventionally equivalent to printed books in the context of Intellectual Property Rights, especially Copyright. Copyright law was born to protect intellectual property rights. The creator has certain Moral Rights after transferring his creation through a license to another party. The Copyright Act regulates protected creations.[19] The growth and development of HaKi elerating along with the progress of society. One type of IPR that contributes to improving the quality of human resources is scientific work, especially in the form of books. This scientific work can be in printed books or e-books in file formats such as PDF,

[19] Destiara Meisita Fafitrasari; et all, "Perlindungan Hukum Karya Cipta Lagu Yang Di Aransemen Ulang Tanpa Izin Pencipta, , Universitas Jember, 2014, Hlm.L18," *NOTARIUS* 14, no. 2 (2021): 772–89, doi:https://doi.org/10.14710/nts.v14i2.43748.

doc, or txt, which can be downloaded and read through electronic devices. Each form of book has its advantages and disadvantages.

Book piracy is an increasingly prevalent form of infringement, especially in big cities in Indonesia, such as Jakarta, Surabaya, and Yogyakarta. Factors causing this piracy include lack of law enforcement, public ignorance about copyright protection, and economic conditions. Books often targeted for piracy include reference books, dictionaries, and popular textbooks. Both printed books and electronic books are protected by copyright. According to the Copyright Act, infringement occurs when a person commits an act against a copyrighted work whose copyright is exclusively owned by another person without the permission of the owner of the right.

Book copyright can be registered at the Directorate General of Intellectual Property Rights, Ministry of Law and Human Rights of the Republic of Indonesia, with several stages and fees required. The cost of registering a copyright license is Rp.75,000, and the cost of registering one creation is Rp.200,000. The Directorate General of IPR also provides a complaint service for publishers or book authors who wish to sue for illegally using their works. Copyright can be divided into two types : moral and economic rights.

Copyright holders can also grant licenses or permits to use their photographic works to other parties in various scenarios, for example :[20]

1) Exclusive rights, meaning that once the photo is sold to one party, it cannot be resold to another party.
2) Non-exclusive rights allow a single photograph to be sold to multiple parties (the buyer must also know that others can also use the photograph they are buying).
3) License fee, which is a sum of money or other form of compensation paid to the copyright holder.
4) Limited use, which is a license that is granted on a limited basis. For example, a photographer allows his photo to be printed on a poster but not on a t-shirt, or his photo can be used on the internet but not printed.

The low level of legal literacy in society leads to a lack of interest in taking care of legal aspects, including intellectual property rights. Publishers and book authors should register their works with the Directorate of HaKi the Ministry of Law and Human Rights to obtain legality, avoid plagiarism, and ensure that they do not infringe on other people's copyrights. Registering written works, such as books, is reasonably quick. In case of infringement, the rights owner can immediately file a subpoena or report to the police if the subpoena is ignored. It is essential to stop copyright infringement from being

[20] Henry Soelistyo, *Hak Cipta Tanpa Hak Moral* (Jakarta: Rajawali Pers, 2011).

utilized by others without the rights owner's permission.

The Copyright Act generally regulates the infringement of copyrighted works but does not explicitly regulate the infringement of books or their indicators. There is also a discrepancy between the provisions of the law and practices in the field, especially regarding the Moral Rights of the creator, which prohibits unauthorized alteration of the work. In practice, many violations occur, such as the duplication and piracy of books for resale. According to Article 1 point 23 of the Copyright Law, piracy is the unauthorized duplication and distribution of works for economic gain. Piracy methods have evolved from retyping and photocopying to using scanners and OCR (Optical Character Recognition) programs, with the results sold as e-books or printed books.[21]

Actions not considered copyright infringement are regulated in Article 43 Letter d of the Copyright Law, which states that creating and disseminating copyright content through information and communication technology media can be done non-commercially or with the creator's permission. However, unauthorized use of works in the context of digital literacy can violate the rights of the work owner. Economic utilization, such as the duplication and distribution of e-books for profit, is considered copyright piracy if it harms the creator's or copyright holder's financial interests, following the Explanation of Article 4 paragraph (1) of the Copyright Act.

c. Legal Consequences of Electronic Book Copyright Infringement

Legal consequences are the consequences of legal actions carried out by legal subjects against legal objects or the consequences of certain events determined by law. This legal effect is the source of the birth of rights and obligations for the legal subjects involved. Parties who have the risk of loss due to copyright infringement can be mentioned, among others:[22]

1) Creators and performers for not getting the payment of the amount of money they are supposed to get;
2) Publishers and record producers for not benefiting from their financial investors and expertise;
3) Sellers and distributors for not competing fairly with other infringing parties;
4) Consumers and the public are buying low-quality works and being discouraged from creating something new and better;

[21] Etry Mike, "Perlindungan Hukum Hak Kekayaan Intelektual Terhadap Tindakan Pelanggaran Pembajakan Buku Elektronik Melalui Media Online," *Al-Imarah: Jurnal Pemerintahan Dan Politik Islam* 2, no. 2 (2017): 135–44, doi:http://dx.doi.org/10.29300/imr.v2i2.1449.

[22] Bintang Sanusi, *Hukum Hak Cipta* (Bandung: Citra Aditya Bhakti, 1998).

5) The government, because of the violation of tax law by copyright infringers.

Currently, there are many violations of Intellectual Property Rights (IPR), especially plagiarism and piracy of architectural works, which are detrimental to the creator. These violations can be subject to legal sanctions, both civil sanctions in the form of compensation claims and criminal sanctions in the form of imprisonment and fines. Article 1365 BW, which regulates unlawful acts, has an essential role in civil law, so it must fulfill certain conditions or elements as follows :[23]

1) An unlawful act, which is an act that violates the subjective rights of others or that contradicts the legal obligations of the perpetrator himself that have been regulated in the law. In this regard, unlawful acts are interpreted as being against the law.
2) There must be an error. This error requirement can be measured by:
   a) Objectively, namely by proving that in such circumstances, a normal human being can foresee the possibility of consequences, and this possibility will prevent a good human being from doing or not doing.
   b) Subjective, namely by proving whether the maker, based on his expertise, can expect the consequences of his actions.
3) Also, the person who commits the tort must be liable for his actions because a person who does not know what he is doing is not obliged to pay compensation. About this fault there are two possibilities :
   a) The injured person is also at fault for the loss. If the injured person is also at fault for the loss, then part of the loss is charged to him unless the unlawful act was committed intentionally.
   b) Several makers cause the loss. If the act of several persons causes the loss, then each person responsible can be prosecuted.
4) There must be a loss caused. In the sense that the loss caused by an unlawful act can be in the form of :
   a) Material loss, where material loss may consist of losses suffered and profits that should have been obtained. So, it is generally accepted that the perpetrator of the unlawful act must compensate for the losses sustained by profits that should have been received.
   b) Idiary losses, where the tort can also cause idiary losses such as fear, pain, and loss of enjoyment of life.
   c) To determine the extent of the loss to be compensated generally must be done by assessing the loss; for this reason, in principle, the injured must be placed as far as possible in a state like the situation if the

[23] Munir Fuady, *Perbuatan Melawan Hukum Pendekatan Kontemporer* (Bandung: Citra Aditya Bhakti, 2010).

unlawful act occurred. The injured party is entitled to claim compensation for the loss he has suffered when the claim is filed and for what he will suffer in the future.

5) There is a causal relationship between the act and the loss. To resolve the causal relationship between the tort and the loss, there are two theories, namely :
   a) *Condition sine qua non,* where according to this theory, the person who commits the unlawful act is always responsible if his action condition sine qua non causes harm (what is considered as the cause of a change is all the conditions that must exist for the effect to arise).
   b) *Adequate aerobraking,* where, according to this theory, the perpetrator is only liable for damages that can reasonably be expected as a result of the unlawful act.

There are three categories of tort: (1) intentional tort, (2) no-fault tort (no element of intent or negligence), and (3) negligent tort. Unlawful acts (onrechtmatige daad) are regulated in Articles 1365 to 1380 BW. Any act that violates the law and causes harm to others obliges the perpetrator to compensate, following Article 1365 BW. An act is called a tort if it is generally contrary to the law.

The legal protection of copyright recognizes and protects the rights and interests of creators, allowing them to sue infringers. The creator of the relevant organization may pursue legal remedies through criminal prosecution or civil suits. The legal provisions governing copyright are considered adequate for this protection. The general objective of HaKi, particularly copyright protection, is to encourage creators to continue creating by providing material incentives. Although copyright law aims to promote culture and science, the copyright market also creates a generalized property nature by compensating creators without covering other parties beyond buyers and users who participate in the voluntary exchange.

Copyright protects creators to prevent unauthorized copying and ensures they can utilize their intellectual work, which incentivizes publishing works. Plagiarism of a book's copyrighted work is defined as imitating or claiming someone else's work as one's own. To determine copyright infringement, if two-thirds of the copyrighted work is considered substantial, taking that part can be viewed as an infringement. Thus, two-thirds of a copyrighted work's variety, form, style, or layout is a substantial part that should not be plagiarized.

The Copyright Law is expected to provide legal protection to photographic works, encourage the spirit of innovation and creation in Indonesia, and enable creators to enjoy the economic benefits of their works.

The Act also provides for several exceptions that are not considered copyright infringement, such as using a work by clearly stating the source for non-commercial activities, including education, research, and development, provided that it does not harm the reasonable interests of the creator.

Copyright law in Indonesia gives the government the right to utilize or require certain parties to reproduce copyrighted works in the public interest, as well as prohibit the dissemination of works that can degrade religious values, cause tribal or racial problems, or disturb state security and moral norms. Copyright infringement, especially in books that are pirated and sold cheaply, can be subject to criminal and civil sanctions. Article 113 paragraph (2) stipulates that infringement of economic rights related to the transformation of creation is punishable by imprisonment of up to three years or a maximum fine of five hundred million rupiah. Meanwhile, Article 113 paragraph (3) regulates violations in terms of duplication and distribution, with imprisonment of up to four years or a maximum fine of one billion rupiah.

1) Electronic Book Copyright Dispute

According to the 2014 Copyright Law, Article 40 Paragraph (1) states that books, including their digital versions (e-books), are protected by copyright. This requires the fulfillment of moral, economic, and other rights owned by the creator or copyright holder. Consequently, downloading illegal e-books from the internet can be considered as unauthorized duplication of work, which is subject to criminal sanctions as per Article 113 paragraph (3) of the Copyright Act 2014, namely imprisonment of up to four years and/or a maximum fine of one billion rupiahs (US$1.5 million).

Any individual exercising economic rights, such as reproduction, must obtain permission from the creator or copyright holder. Any reproduction or commercial use of a work without such consent is prohibited. According to Article 1, paragraph (23) of the Copyright Act 2014, piracy is defined as the unauthorized duplication and distribution of a work for economic gain. This offense may be subject to criminal sanctions under Article 113 paragraph (4), namely imprisonment of up to ten years and/or a maximum fine of four billion rupiah. In addition, the crime of unauthorized distribution, such as the sale or dissemination of the work, is regulated under Article 115 with a maximum fine of five hundred million rupiah.

Here are some of the economic rights that illegal e-book sites can infringe on the rights of e-book creators :

a) Publishing of the work;

b) Reproduction of the work in all its forms;
c) Translation of the work;
d) Adaptation, arrangement, or transportation of the work
e) Distribution of the work or copies thereof
f) Performance of the work
g) Announcement of the work
h) Communication of the work

Although e-books are not explicitly mentioned in the 2014 Copyright Law, theoretically, e-books can be categorized as one type of book based on the definition of a book in the law. The implication of the recognition of e-books in the 2014 Copyright Law is that e-books also get legal protection so that violations against them can be subject to criminal sanctions according to the law. In addition, the moral and economic rights of e-book creators must also be fulfilled.

The creator of the work has the right to fight for his rights, especially in the event of infringement. According to the Explanation of Article 95 paragraph (1) of the Copyright Act, there are three forms of copyright-related disputes: tort, license agreement, and dispute over the rate of remuneration or royalties. The creator or copyright holder can choose how to resolve the dispute, which can be done through alternative dispute resolution, arbitration, or the Commercial Court. Such alternatives include mediation, negotiation, or conciliation. Creators can also use the Intellectual Property Rights Arbitration and Mediation Board (BAM HKI), which has specialized in handling intellectual property rights disputes since 2012 and cooperated with the Indonesian National Arbitration Board and the National Mediation Center since 2019. BAM HKI generally handles disputes related to license agreements and transfer of rights.[24]

2) Electronic Book Copyright Dispute Resolution

In the event of infringement of the copyright of electronic books (ebooks), the Copyright Act 2014 has protected by providing access to dispute resolution as described in Article 95 of the Copyright Act 2014 as follows :

a) Copyright dispute resolution can be done through alternative dispute resolution, arbitration, or court.
b) The authorized court, referred to in paragraph (1), is the Commercial Court.
c) Courts other than the Commercial Court, as referred to in paragraph (2), are not authorized to handle the settlement of Copyright disputes.

[24] Kementerian Hukum dan Hak Asasi Manusia Direktorat Jenderal Kekayaan Intelektual, "Modul Kekayaan Intelektual Tingkat Dasar Bidang Hak Cipta" (Jakarta, 2020).

d) In addition to infringement of Copyright and/or Related Rights in the form of Piracy, as long as the parties to the dispute are known to exist and/or are located in the territory of the Unitary State of the Republic of Indonesia must first pursue dispute resolution through mediation before bringing criminal charges.

Article 96 of the Copyright Act states that creators, copyright holders, holders of related rights, or heirs who suffer losses of economic rights are entitled to compensation. This compensation is included in the court's verdict on criminal copyright and/or related rights cases. Payment of compensation to the rightful party must be made within a maximum period of 6 (six) months after the court decision is legally binding.

Article 99 of the Copyright Law explains that the creator, copyright holder, or owner of related rights has the right to file a lawsuit for compensation with the Commercial Court for infringement of copyright or related rights products. A suit for damages may include a request to forfeit all or part of the income from the copyright-infringing activity. In addition, they may seek a provisional injunction to confiscate the infringing work, means of duplication, and cessation of infringing activities. An available remedy is cassation against the Commercial Court's judgment regarding the claim for damages. The right to file a civil suit does not prejudice the right of the creator or owner of the relevant rights to prosecute criminally.

If there is a criminal offense of Copyright and Related Rights, the investigator is authorized to conduct :

a) Examination of the truth of reports or information regarding criminal offenses in the field of Copyright and Related Rights;
b) Examination of parties or legal entities suspected of committing criminal offenses in the field of Copyright and Related Rights;
c) Request for information and evidence from parties or legal entities in connection with criminal offenses in the field of Copyright and Related Rights;
d) Examination of books, records, and other documents relating to criminal offenses in the field of Copyright and Related Rights;
e) Searches and examinations at places where evidence, books, records, and other documents relating to criminal offenses in the field of Copyright and Related Rights are suspected to exist;
f) Confiscation and cessation of circulation with the permission of the court against materials and goods resulting from violations that can be

used as evidence in the case of criminal acts in the field of Copyright and Related Rights following the Criminal Procedure Code

g) Request for expert testimony in carrying out the task of investigating criminal offenses in the field of Copyright and Related Rights;
h) Requests for assistance to relevant agencies to carry out the arrest, detention, determination of the wanted list, prevention, and deterrence of perpetrators of criminal acts in the field of Copyright and Related Rights; and
i) Termination of investigation if there is insufficient evidence of a criminal offense in Copyright and Related Rights.

Meskipun *e-book* tidak disebutkan secara eksplisit dalam Undang-Undang Hak Cipta 2014, secara teoritis, *e-book* dapat dikategorikan sebagai salah satu jenis buku. Hal ini mengakibatkan *e-book* juga mendapatkan perlindungan hukum, dan pelanggaran terhadapnya dapat dikenakan sanksi pidana. Undang-Undang Hak Cipta menempatkan pelanggaran hak cipta sebagai tindak pidana biasa, bukan delik aduan seperti dalam undang-undang sebelumnya. Ini memberikan pencipta dan pemilik hak cipta kesempatan untuk mempertahankan hak mereka melalui gugatan perdata atau tuntutan pidana, sebagaimana tertuang dalam Pasal 1 angka 1 Undang-Undang Hak Cipta.

In its development, dispute resolution can be through alternative dispute resolution channels, following Law Number 30 of 1999 Arbitration and Alternative Dispute Resolution (AAPS Law).[25] Alternative dispute resolution institutions are of several types: consultation, negotiation, mediation, conciliation, and arbitration. As a lawmaker, the government has regulated copyright protection by the Copyright Act. However, understanding of copyright protection is still low among both law enforcement officials and the public. This can be seen from the many photocopy businesses, especially around college campuses in Indonesia, such as in Surabaya, which quickly offer photocopies of whole books, as well as the tendency of students to be reluctant to buy original books.

d. Implementation of Mediation Efforts Based on Law Number 28 of 2014 concerning Copyright

1) Implementation of Article 95 of Law Number 28 of 2014 in the Practice of Electronic Book Copyright Disputes

Article 40, paragraph (1) letter N of the 2014 Copyright Law implicitly states that e-books are included in adapted works that are protected. Therefore, copyright owners of e-books who experience

[25] Nurul Khoiriyah, *Lembaga Alternatif Penyelesaian Sengketa ; Teori Dan Praktek* (Jakarta: Bina Ilmu Nusantara, 2002).

violations have the right to receive protection and assistance related to their rights. Article 95 states that creators who experience e-book copyright disputes can seek resolution through alternative dispute resolution, arbitration, or through the Commercial Court. However, in practice, a backlog of copyright dispute cases is submitted to the Supreme Court for cassation. This shows the need for a fast, effective, and fair dispute resolution approach, which can touch on the humanitarian aspects of the disputing parties. The presence of alternative dispute resolution is expected to support the creation of a peaceful and orderly society and reduce tension and conflict.[26]

Alternative dispute resolution is an institution for resolving disputes or differences of opinion through procedures agreed upon by the parties, namely settlement outside the court using consultation, negotiation, mediation, conciliation, or expert assessment.[27] Article 95, paragraph (4) states that in copyright disputes, except related to piracy, the parties must undergo mediation before filing a criminal lawsuit. The large number of unregistered and unregistered e-books increases the potential for copyright disputes, especially for these books. Registered copyrights still have the potential to cause conflicts, let alone those that are not. Resolution of copyright disputes can be done through two channels: out-of-court settlement and settlement in court.

Settlement of disputes outside the court can be done using alternative dispute resolution, namely mediation, negotiation, conciliation, and arbitration. Disputes that can be resolved are disputes explained in the Explanation of the provisions of Article 95 paragraph (1) of the 2014 Copyright Law, namely :

a) Arbitration

The Procedural Provisions in the arbitration process are regulated in Articles 27, 28, 29, and 30 of Law Number 30 of 1999 concerning Arbitration and Alternative Dispute Resolution. The arbitration result is a decision, as regulated in Article 54 paragraph (1) of Law Number 30 of 1999, concerning Arbitration and Alternative Dispute Resolution.

b) Mediation

In Article 1, paragraph (6) of Supreme Court Regulation Number 2 of 2003 concerning Mediation Procedures in Court, mediation is defined as follows: "Mediation is the resolution of disputes through a negotiation process between the parties assisted by

[26] Suyud Margono, "ADR &Arbitrase, Proses Pelembagaan Dan Aspek Hukum.", 13.
[27] Nugroho, "Manfaat Mediasi Sebagai Alternatif Penyelesaian Sengketa.", 4.

a mediator."

c) Negotiation

Negotiation is part of the dispute resolution mechanism between parties through peaceful means, namely through negotiations.

d) Conciliation

The definition of conciliation can be found in Article 1, paragraph (10), and Paragraph 9 of the General Explanation of the AAPS Law, namely that conciliation is an alternative institution for resolving disputes. Thus, conciliation is an alternative dispute resolution process that involves a third party in resolving the conflict.

The result of the dispute resolution process through consultation, negotiation, mediation, conciliation, or expert assessment is an agreement. The implementation of alternative dispute resolution follows the provisions in Article 6 of the AAPS Law. Negotiation is a simple and effective form of resolving disputes based on the principle of deliberation for consensus, where both parties communicate without involving a third party. The primary basis of copyright is the protection of creative works as expressions of ideas introduced to the public. Copyright protects works from unauthorized copying and ensures that creators benefit from the results of their intellectual work, serving as an incentive to publish the work.

Without copyright protection, creators may be reluctant to publish their works, thus denying the public the benefits of those works. Copyright protection benefits creators but often conflicts with the public interest in social, political, educational, and cultural aspects. While creators have the right to control access to works before publication, publishers can also regulate access after publication. Historically, copyright has been viewed as a monopoly that should be interpreted to serve the public interest over the interests of the copyright holder.

2) Authority of the Commercial Court in Handling Electronic Book Copyright Disputes

Settlement of disputes in court for compensation for the injured party is regulated in Article 96 of the Copyright Law. Filing a lawsuit follows the stages set out in Article 100, with a maximum settlement within 90 days, extendable up to 30 days, according to Article 101. Copyright infringement disputes must be filed to the competent Commercial Court as civil lawsuits.

In copyright infringement lawsuits, a temporary injunction is regulated in Article 106 of the Copyright Law. The Commercial Court

issues it at the request of the party whose rights have been violated. This injunction aims to prevent further violations and the entry of goods suspected of infringing into trade channels, including exports and imports. Legal protection is regulated by law to avoid copyright infringement, especially in e-books pirated or distributed illegally. The violator will be prosecuted and punished according to applicable provisions if a violation occurs.

Creators or related organizations can sue copyright infringers through criminal charges or civil lawsuits. In resolving disputes in court, the injured party can request a temporary injunction per Article 106 of the Copyright Law. However, there are legal problems related to the requirements that must be met, such as attaching proof of copyright ownership as regulated in Article 107. Difficulties arise because the injured party needs a copy of the rights holder and clear evidence of ownership. At the same time, the regulations do not provide a solution for proving copyright ownership in e-books that cannot be registered.

Based on the Joint Regulation of the Minister of Law and Human Rights and the Minister of Communication and Information Number 14 of 2015 and Number 26 of 2015, copyright owners who feel their rights violated can submit a complaint report to the Directorate General of Intellectual Property. The report will be verified and become the basis for recommendations for the Ministry of Communication and Information to close internet sites or block content that violates copyright and/or related rights, either in part or whole.

According to the Copyright Directorate of the Directorate General of Intellectual Property, around 800 reports of content violations have been followed up with blocking. Several e-commerce platforms, such as BukaLapak and Tokopedia, use the notice and takedown method to handle violations. Publisher Grafindo, for example, has filed a direct complaint to marketplaces such as Tokopedia. However, the Ministry of Communication and Informatics stated that it is difficult for marketplaces to prevent violations automatically because sales accounts only display a catalog of goods without additional information to filter violations.

Although copyright is automatically protected from the time of publication of the work, a copyright certificate is required in the complaint. Only a few e-commerce platforms provide proactive copyright protection, with Lazada being one with an Intellectual Property Protection Platform (IPP Platform). According to Article 22, paragraph (1) of Government Regulation Number 80 of 2019, e-commerce is responsible for the content on its system. The platform organizer must be legally responsible for

illegal content unless they immediately delete the content after learning of its existence, according to Article 22 paragraph (2).

The problem of marketplace authority arose due to the Circular Letter of the Minister of Communication and Information Technology Number 5 of 2016, known as the Safe Harbor Policy. In this policy, platform providers are not responsible for errors or negligence of merchants or users, so they can focus more on developing services without worrying about prohibited content uploaded by merchants. Thus, if a problem occurs, the responsibility falls to the merchant, not the platform provider.

Stopping infringement is the main objective of litigation in the field of intellectual property rights, including copyright. Civil procedures are divided into two: pre-trial procedure and provisional measures. Before suing, the aggrieved party can warn the alleged infringer to avoid the return of litigation costs if the trial is held without allowing the infringer to know the lawsuit. Disputes over damages fall under the civil court's jurisdiction, with the local court being the relevant legal place, especially if the dispute relates to breach of contract or tortious acts.[28] The parties who can file a lawsuit for intellectual property infringement are the intellectual property holders and, in the case of joint ownership, one of the rights holders. The exclusive licensee has the right to file a lawsuit, while the ordinary licensee needs to obtain authorization from the rights holder. Defendants in a copyright infringement case can include individuals or companies responsible for the infringement since infringement can occur in various marketing channels, including manufacturers, importers, or parties offering or advertising goods in trade.

In copyright cases, the evidence follows the same rules as in ordinary civil cases, considering that not all creators register their creations to obtain a Creation Registration Certificate. Common defenses in copyright cases include arguments that there is no infringement, that the existing exclusive right is valid but has been maximally implemented (exhaustion right), or, in some cases, there is an issue of copyright abuse by the owner so that the opposing party can question the validity of the copyright. In addition, the issue of no infringement can be raised in a separate procedure to request a determination from the court in response to a summons filed by the plaintiff.

There are three forms of copyright disputes: (1) unlawful acts, (2) licensing agreements, and (3) disputes regarding fees or royalties. After identifying the type of dispute, the creator or copyright holder can choose

[28] Rahmi Jened, *Hukum Hak Cipta (Copyright's Law)* (Bandung: PT. Citra Aditya Bakti, 2014).

to resolve it peacefully through alternative dispute resolution (such as mediation, negotiation, or conciliation), arbitration, or courts. The Commercial Court has sole authority to adjudicate copyright disputes. If the court route is chosen, the creator or copyright holder can file a civil lawsuit for damages or criminally. However, the criminal route should be the last resort (ultimum remedium).

In Article 96 of the Copyright Law, creators, copyright holders, and heirs who suffer economic rights losses are entitled to compensation. There are two alternative ways to calculate losses in a lawsuit for compensation:

a) *Damages:* This is a payment of money as compensation for the infringement. These damages cannot be filed against the party who indirectly infringed. The plaintiff must prove that the infringement has caused harm and restore the plaintiff's position as before the violation occurred.
b) *Reasonable Royalty*: This uses a factor determination approach based on the amount of royalties negotiated if the parties have reached a previous license agreement. In situations where infringement cannot be prevented, for example, due to technological advances, it is essential to consider remunerative damages. This aims to provide fair payment to the creator for the use of his creation.

This compensation payment functions as restitution, namely the return of any profits and income obtained by the infringer from the use of the creation.

Creators and copyright or related rights holders can still file criminal charges even though they have filed a civil lawsuit. However, if a civil and criminal lawsuit are filed simultaneously, the civil lawsuit will take precedence. Copyright is a complaint offense, so prosecution can only be carried out if the creator, copyright holder, or their heirs report a criminal act related to their creation. Criminal complaints can be made through the complaint. Dip.go.id site by filling out a complaint form with the reporter's data. After submitting the report, the reporter can check the complaint status through the available menu.

Before making a criminal charge, the creator or copyright holder usually reprimands the party who committed the violation through a warning. Following Article 95, paragraph (4) of the Copyright Law, mediation between the disputing parties must be carried out first. This makes criminal efforts the last step in resolving copyright disputes. If mediation is unsuccessful, the creator or copyright holder can report the crime to investigators at the Police, Civil Servant Investigators (PPNS) at

the Regional Office of the Ministry of Law and Human Rights, or PPNS at the Directorate of Investigation and Dispute Resolution.

During the investigation, investigators conduct various examinations to ensure the truth of reports on criminal acts in copyright and related rights. This process includes examining parties suspected of committing violations, collecting information and evidence, and examining associated documents. Investigators can also conduct searches and confiscate evidence with court permission. Proving copyright infringement, especially those related to digital copyrighted works on the internet, requires a technical approach using technological means. By Article 111 of the Copyright Law, proof in the examination process can utilize information and communication technology, where electronic information and documents are recognized as evidence by applicable laws and regulations.

4. Conclusion

The regulation of copyright of electronic books in the normative method is the provision of Article 40 paragraph (1) letter N of Law Number 28 of 2014 concerning copyright, which states that digital books or electronic books (e-books) are guaranteed or protected transformation works. Therefore, e-books are one type of variation or change from printed books with the aim that e-books must be guaranteed security. Furthermore, Article 40, paragraph (2), confirms that the adjusted mandate also gets protection for ensuring the original work. The behavior of legal culture and dynamics in practice do not follow the expectations and provisions of existing laws because there are still many violations of copyright of electronic books, namely piracy and illegal sales by irresponsible parties.

Mediation is the most effective alternative dispute resolution and is required for copyright disputes because it is regulated in the Copyright Law. In addition, dispute resolution through mediation has other advantages in that it can be completed more quickly, lightly, at a lower cost, and satisfies both parties. Copyright has two exclusive rights, namely economic rights in the form of the right to procure or reproduce a creation and moral rights in the form of rights inherent in the creator that cannot be removed. Based on information data from the Directorate General of Intellectual Property, Ministry of Law and Human Rights, many legal disputes were found related to piracy of electronic book copyrighted works. The Copyright Law states that the creator's economic rights are related to intellectual property that can be valued in money, so it needs to be adequately protected.

Refrences

Ahmad M. Ramali. *Cyber Law Dan HAKI Dalam Sistem Hukum Indonesia*. Bandung:

Refika Aditama, 2010.

Bintang Sanusi. *Hukum Hak Cipta*. Bandung: Citra Aditya Bhakti, 1998.

Budihardjo, Eko. *Arsitek Bicara Tentang Arsitektur Indonesia*. Bandung: Alumni, 2007.

Destiara Meisita Fafitrasari; et all. "Perlindungan Hukum Karya Cipta Lagu Yang Di Aransemen Ulang Tanpa Izin Pencipta, , Universitas Jember, 2014, Hlm.L18." *NOTARIUS* 14, no. 2 (2021): 772–89. doi:https://doi.org/10.14710/nts.v14i2.43748.

Eddy Damian. *Hukum Hak Cipta*. Bandung: Alumni, 2015.

Etry Mike. "Perlindungan Hukum Hak Kekayaan Intelektual Terhadap Tindakan Pelanggaran Pembajakan Buku Elektronik Melalui Media Online." *Al-Imarah: Jurnal Pemerintahan Dan Politik Islam* 2, no. 2 (2017): 135–44. doi:http://dx.doi.org/10.29300/imr.v2i2.1449.

Fuady, Munir. *Perbuatan Melawan Hukum Pendekatan Kontemporer*. Bandung: Citra Aditya Bhakti, 2010.

Hanafi. *Tindak Pidana Hak Cipta Dalam Problematika Penegakkan Hukumnya (Dalam Insane Budi Maulana, Kapita Selekta Hak Kekayaan Intelektual I)*. Jakarta: UII Yogyakarta dan Yayasan Klinik HAKI, 2005.

Kementerian Hukum dan Hak Asasi Manusia Direktorat Jenderal Kekayaan Intelektual. "Modul Kekayaan Intelektual Tingkat Dasar Bidang Hak Cipta." Jakarta, 2020.

Mustafa, Marni Emmy. *Aneka Penegakan Hak Cipta, Paten Dan Merek*. Badung: P.T. Alumni, 2022.

Nahfidatul Nurlaela Oktavia. "Implementasi Undang-Undang Nomor 28 Tahun 2014 Tentang Hak Cipta Terkait Penggandaan Buku (Studi Kasus Usaha Fotokopi Di Kawasan Universitas Negeri Semarang)." Universitas Negeri Semarang, 2015.

Neni Sri Imaniyati dan Panji Adam Agus Putra. *Hukum Bisnis*. Bandung: PT Refika Aditama, 2017.

Nugroho, Susanti Adi. "Manfaat Mediasi Sebagai Alternatif Penyelesaian Sengketa." In *Cetakan I*, 4. Jakarta: Kencana, 2019.

Nurul Khoiriyah. *Lembaga Alternatif Penyelesaian Sengketa ; Teori Dan Praktek*. Jakarta: Bina Ilmu Nusantara, 2002.

Nuzulia Kumalasari. *Hukum Hak Kekayaan Intelektual ; Dasar Dasar Hukum Hak Kekayaan Intelektual Di Indonesia*. Jakarta: Rajawali, 2011.

Rahmi Jened. *Hukum Hak Cipta (Copyright's Law)*. Bandung: PT. Citra Aditya Bakti,

2014.

Rina Tiya Lestari; et all. "E-Book Interaktif." *Jurnal Kajian Teknologi Pendidikan* 1, no. 1 (2018): 71–76. doi:https://journal2.um.ac.id/index.php/jktp/article/view/3529/2184.

Soelistyo, Henry. *Hak Cipta Tanpa Hak Moral*. Jakarta: Rajawali Pers, 2011.

Suyud Margono. "ADR &Arbitrase, Proses Pelembagaan Dan Aspek Hukum." In *Cetakan I*, 13. Jakarta: Ghalia Indonesia, 2000.

Ujang Badru Jaman; et all. "Urgensi Perlindungan Hukum Terhadap Hak Cipta Karya Digital." *Jurnal Rechten: Riset Hukum Dan Hak Asasi Manusia* 3, no. 1 (2011): 13. doi:https://doi.org/10.52005/rechten.v3i1.22.

Usman, Rachmadi. *Hukum Hak Atas Kekayaan Intelektual*. Bandung: Alumni, 2003.