



Copyright Infringement in Online Media: Corporate Legal Liability

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ABSTRACT

This study examines the legal responsibilities of online media companies in addressing copyright violations, focusing on regulatory frameworks, technological implementations, and enforcement challenges. Using a normative juridical approach, this research analyzes Indonesia's Copyright Law No. 28 of 2014, the DMCA, and the EU Copyright Directive. It also includes comparative case studies such as Viacom vs. YouTube (2007), Google Books Litigation (2015), and TikTok Copyright Infringement (2021) to assess evolving legal frameworks and platform liability in managing user-generated content (UGC). Findings reveal that while platforms employ AI-powered Content ID, automated filtering, and blockchain copyright management, these technologies face false positives, jurisdictional enforcement difficulties, and takedown notice transparency issues. The cross-border nature of the internet complicates legal enforcement, necessitating global cooperation and harmonized copyright policies. A multifaceted approach is needed, integrating technological innovation, stronger regulations, and stakeholder collaboration. Enhancing cross-border legal cooperation and content moderation policies is vital to balancing copyright enforcement with freedom of expression. Collaboration among digital platforms, governments, and industry stakeholders is key to ensuring a sustainable and legally balanced digital ecosystem for copyright protection and creative industry growth

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1. Introduction

The development of digital technology and the internet has fundamentally transformed the ecosystem of production, distribution, and consumption of creative works across various industrial sectors.¹ Before the digital era, content distribution, such as music, films, and literature, relied on physical media with stricter copyright control mechanisms. However, with the advent of digitalization, these boundaries have become increasingly blurred.² Content can now be instantly disseminated through online platforms, often without adequate supervision. This phenomenon creates significant opportunities for creators to reach a wider audience but, at the same time, increases the risk of copyright infringement.³

The exponential growth of internet and social media users drives the rapid expansion of digitalization. According to the latest data from *We Are Social*, as of early 2025, approximately 5.56 billion individuals worldwide have accessed the Internet, accounting for 67.9% of the global population.⁴ Meanwhile, around 5.24 billion active social media accounts highlight the central role of digitalization in the global information flow.⁵ Additionally, 70.5% of the world's population now uses mobile devices, accelerating digital content consumption across various internet-based platforms.⁶ Platforms such as YouTube, Spotify, and TikTok have become primary ecosystems for creative content distribution, offering economic opportunities for creators across various creative industries.⁷ However, this ease of distribution also presents significant challenges in protecting Intellectual Property Rights (IPR), particularly copyright.

¹ João Reis dan Nuno Melão, "Digital transformation: A meta-review and guidelines for future research," *Heliyon* 9, no. 1 (2023): 12834, <https://doi.org/10.1016/j.heliyon.2023.e12834>.

² Amit Gadekar et al., "Protecting Intellectual Property Rights in the Digital Age: Implementing Cyber Security Measures and Strategies," in *Journal of Advanced Pharmaceutical Technology and Research*, vol. 2, 2024, 359–68, https://doi.org/10.1007/978-3-031-50887-5_36.

³ Debojoyti Chakraborty, "Copyright Challenges in the Digital Age: Balancing Intellectual Property Rights and Data Privacy in India's Online Ecosystem," *SSRN Electronic Journal* 30, no. 5 (2023): 866–98, <https://doi.org/10.2139/ssrn.4647960>.

⁴ "Digital 2025: The essential guide to the global state of digital," <https://wearesocial.com>, 2025, <https://wearesocial.com/id/blog/2025/02/digital-2025-the-essential-guide-to-the-global-state-of-digital/>.

⁵ "Digital 2025: The essential guide to the global state of digital."

⁶ "Digital 2025: The essential guide to the global state of digital."

⁷ Patrick Vonderau, "The Spotify Effect: Digital Distribution and Financial Growth," *Television and New Media* 20, no. 1 (2019): 3–19, <https://doi.org/10.1177/1527476417741200>.

As digital expansion continues, the risk of copyright infringement is increasing. Technologies that enable instant duplication, downloading and redistribution of content are often misused to distribute works without the rights holder's permission.⁸ The global nature of the internet further complicates legal enforcement across jurisdictions, making copyright protection a complex challenge. Therefore, more adaptive regulatory mechanisms are needed, along with an evaluation of the role and responsibility of media platforms in preventing and addressing copyright violations in the digital era.⁹

In addressing this threat, legal regulations play a crucial role in ensuring protection for creators. As part of the Intellectual Property Rights system, copyright protects creative works and guarantees creators exclusive rights over their creations. In Indonesia, copyright protection is governed by Law No. 28 of 2014 on copyright (hereinafter referred to as the Copyright Law). Article 1, Paragraph (1) of the Copyright Law defines copyright as "an exclusive right automatically granted to the creator based on a declarative principle once the work is embodied in a tangible form, without prejudice to the limitations stipulated by statutory regulations." This regulation covers various works in science, arts, and literature, providing legal protection for creators against unauthorized exploitation.

Despite existing regulations, copyright infringement in the digital realm remains a serious challenge with widespread consequences. This issue is not merely theoretical but a reality that has led to various legal cases. A significant example is the lawsuit against TikTok and its parent company, ByteDance Inc., filed by PT Digital Rantai Maya, accusing the platform of using a song by musician Virgoun Teguh Putra without permission. The case resulted in a compensation claim of Rp13.1 billion.¹⁰ This phenomenon highlights that copyright violations in digital media can have major implications for creators and platforms hosting the content.¹¹

⁸ Ismail Koto et al., "Perlindungan Hukum Atas Kekayaan Intelektual Perspektif Hukum Islam," *Jurnal Yuridis* 10, no. 2 (2023): 66–73, <https://doi.org/10.35586/jyur.v10i2.7142>.

⁹ Jihan Abya et al., "Penegakan Hukum terhadap Pelanggaran Hak Cipta : Studi Kasus Re-Upload Video Konten Kreator Sosial Media untuk Kegiatan Komersial (Studi Putusan Mahkamah Agung Nomor 41 Pk/Pdt.Sus-Hki/2021)," *Jurnal Ilmu Hukum, Humaniora, dan Politik (JIHHP)* 4, no. 6 (2024): 2306–18.

¹⁰ Gregah Nurikhsani, "PT Digital Rantai Maya Menggugat TikTok Rp13,1 Miliar Terkait Dugaan Pelanggaran Hak Cipta Lagu Virgoun," www.bola.com, 2021, <https://www.bola.com/ragam/read/4464995/pt-digital-rantai-maya-menggugat-tiktok-rp131-miliar-terkait-dugaan-pelanggaran-hak-cipta-lagu-virgoun?page=2>.

¹¹ Bagaskara Yudha Yudhistira dan Budi Agus Riswandi, "PERLINDUNGAN HUKUM PEMEGANG HAK CIPTA ATAS LAGU VIRGOUN YANG DIUNGGAH PADA APLIKASI TIKTOK," *Ni Putu Ega Maha Wiryanthi (Copyright Infringement in Online Media: Corporate Legal Liability.)* | 153

The trend of copyright infringement in the digital world extends beyond individual cases. The Criminal Investigation Agency (*Badan Reserse Kriminal* or Bareskrim) of the Indonesian National Police recorded 958 cases of Intellectual Property Rights (IPR) violations between 2016 and 2021, with 658 related to copyright.¹² Additionally, illegal streaming sites, file-sharing applications, and social media platforms have further exacerbated the situation.¹³ The shift in media consumption to digital platforms has increased violations, necessitating stronger and more effective protection mechanisms.

The impact of copyright infringement extends beyond legal aspects, carrying significant economic consequences for creators and the creative industry. According to data from the Ministry of Tourism and Creative Economy (*Kementerian Pariwisata dan Ekonomi Kreatif* or Kemenparekraf), in 2019, the creative economy sector contributed approximately 7.3% to Indonesia's Gross Domestic Product (GDP), amounting to Rp1,153.4 trillion.¹⁴ However, without adequate protection, creators risk losing economic incentives due to the illegal exploitation of their works. Digital piracy and unauthorized content distribution can reduce creators' revenue and weaken the creative industry ecosystem,¹⁵ ultimately leading to job losses. Therefore, raising public awareness, enhancing collaboration between the government and digital platforms, and strengthening regulations to enforce copyright protection in the digital landscape is crucial.

In addressing this issue, according to Ahmad M. Ramli, Professor of Cyber Law and Intellectual Property Rights at Padjadjaran University, copyright protection is not solely the government's responsibility but also that of online media companies that serve as intermediaries for digital content distribution.¹⁶ As the complexity of this issue increases,

JIPRO: Journal of Intellectual Property 5, no. 2 (Desember 2022): 169–80, <https://doi.org/10.20885/jipro.vol5.iss2.art3>.

¹² Wibi Pangestu Pratama, "Ada 1.184 Kasus Pelanggaran Haki Ditindak di RI Sejak 2015," <https://ekonomi.bisnis.com>, 2021, https://ekonomi.bisnis.com/read/20211006/9/1451327/ada-1184-kasus-pelanggaran-haki-ditindak-di-ri-sejak-2015?utm_source=desktop&utm_medium=search.

¹³ Winshery Tan, Ampuan Situmeang, dan Kevin Indra Bhaskara, "TV Broadcast Piracy Through Illegal Live Streaming Applications: Challenges and Legal Protection for Copyright Holders," *Al-Adalah: Jurnal Hukum dan Politik Islam* 9, no. 1 (2024): 66–79, <https://doi.org/10.30863/ajmpi.v9i1.5429>.

¹⁴ Nurian Endah Dwi S et al., "Tata Kelola Industri Kreatif di Indonesia dalam Perspektif Sound Governance," *Jurnal Ilmu Administrasi Negara ASIAN (Asosiasi Ilmuwan Administrasi Negara)* 12, no. 1 (19 Juni 2024): 1–10, <https://doi.org/10.47828/jianaasian.v12i1.154>.

¹⁵ Center For Digital Society, "Pembajakan Digital," *Fakultas Ilmu Sosial dan Politik Universitas Gadjah Mada*, 2016.

¹⁶ Utami Argawati, "Ahli: 'Platform Digital' Wajib Deteksi Konten Langgar Hak Cipta," *Mahkamah Konstitusi Republik Indonesia*, 2024, *Ni Putu Ega Maha Wiryanthi (Copyright Infringement in Online Media: Corporate Legal Liability. | 154*

the role of digital platforms in enforcing copyright has become more crucial. Platforms such as YouTube, Facebook, and Instagram have adopted technologies like Content ID, which enables automatic detection of copyright-infringing content.¹⁷ However, the effectiveness of these systems remains limited and has not yet fully prevented copyright violations. Google, for instance, receives over 1 billion takedown requests related to copyright infringement each year,¹⁸ highlighting the vast scale of this issue.

Although various digital platforms have implemented monitoring technologies, their inefficacy has legal consequences for online media companies, especially if they are deemed negligent in overseeing and addressing violations on their platforms. Therefore, the legal responsibility of online media companies extends beyond merely implementing technology; it also includes compliance with copyright regulations and cooperation with rights holders and law enforcement agencies.¹⁹ When platforms fail to monitor and address violations, they may face legal action, as seen in TikTok and ByteDance's case.²⁰

Given that copyright infringement on digital platforms remains a complex issue and online media companies face challenges in balancing the interests of various parties, an in-depth study is needed to examine their legal responsibilities in this context. This research aims to analyze the legal responsibilities of online media companies in addressing copyright violations, focusing on applicable regulations, the technologies employed, and the challenges encountered. This study is expected to contribute to developing a more adaptive legal framework and create a safer and fairer digital environment for both creators and users.

[https://www.mkri.id/index.php?page=web.Berita&id=19966#:~:text=Aturan tersebut sebagaimana tercantum dalam,Cipta \(UU Hak Cipta\).](https://www.mkri.id/index.php?page=web.Berita&id=19966#:~:text=Aturan%20tersebut%20sebagaimana%20tercantum%20dalam,Cipta%20(UU%20Hak%20Cipta).)

¹⁷ Ruth Frani Bororing, Jemmy Sondakh, dan Grace H Tampongangoy, "PERLINDUNGAN HUKUM TERHADAP USAHA MIKRO KECIL DAN MENENGAH INDONESIA DARI PRAKTEK MONOPOLI TIKTOK SHOP," *Lex Privatum* 13, no. 4 (2024): 693–705.

¹⁸ Khaireza Rafa Anwar dan Imam Haryanto, "Perlindungan Hak Cipta Terhadap Lagu Yang Dijadikan Backsound Tiktok Berdasarkan Undang-Undang Nomor 28 Tahun 2014 Tentang Hak Cipta," *Proceeding: 5TH NATIONAL CONFERENCE on Law Studies*, 2023, 920–34.

¹⁹ Ida Bagus Nyoman Adhi Wiguna, "Pertanggungjawaban Hukum Penyedia Jasa Platform Digital terhadap Pelanggaran Kekayaan Intelektual," *Amandemen: Jurnal Ilmu pertahanan, Politik dan Hukum Indonesia* 1, no. 4 (2024): 01–26, <https://doi.org/10.62383/amandemen.v1i4.472>.

²⁰ Nurikhsani, "PT Digital Rantai Maya Menggugat TikTok Rp13,1 Miliar Terkait Dugaan Pelanggaran Hak Cipta Lagu Virgoun."

2. Materials and Legal Research Methods

This research employs a qualitative approach with a normative juridical method, focusing on analyzing legal copyright regulations, particularly Law No. 28 of 2014 on Copyright in Indonesia. This study aims to evaluate the effectiveness of existing regulations in protecting copyright in the digital space, emphasizing the legal responsibilities of online media companies in addressing copyright infringements occurring on their platforms.

The normative juridical approach is applied to examine the consistency and implementation of copyright regulations in the context of online media, including companies' obligations to monitor and manage user-uploaded content. To achieve a comprehensive understanding, this study adopts a document analysis technique, which includes the study of applicable legal provisions, a review of relevant academic literature, and an analysis of court rulings related to copyright infringement cases in the digital environment. Through this approach, the research aims to identify the extent to which existing regulations effectively protect copyright or whether legal gaps need to be addressed to strengthen copyright enforcement in response to challenges in the digital era.

3. Results and Discussion

3.1. Copyright in the Digital Era: Regulatory Challenges and Implications for the Creative Industry

Copyright is an integral part of Intellectual Property Rights (IPR) that provides legal protection for creative works in art, literature, and science. The purpose of copyright protection is to encourage innovation by ensuring legal certainty for creators. In Indonesia, copyright regulation is stipulated in Law No. 28 of 2014, which establishes that copyright is declarative and automatically applies to works that have been materialized in a tangible form. However, in the context of the digital economy, copyright regulations face complex challenges as technological advancements accelerate the production, distribution, and consumption of digital-based content.

Copyright protection in the digital realm serves not only as a legal instrument but also as a mechanism to ensure that creators receive economic benefits from their works. According to Kansil & Harjanto (2024), copyright consists of two primary rights: moral

rights and economic rights.²¹ Moral rights are personal rights that are inherently attached to the creator, cannot be transferred, and function to protect the creator's reputation and identity. These rights include the right of attribution, which ensures the creator is recognized as the author of the work; the right of integrity, which allows the creator to object to any distortion, mutilation, or modification of the work that could harm their reputation; and the right to disclose or withhold a work from the public.²² Meanwhile, economic rights grant the creator exclusive control to derive financial benefits from their work, enabling its commercial exploitation. These rights encompass the reproduction right, which allows the creator to make copies of their work; the distribution right, which grants control over the dissemination of copies; the public performance and communication right, which enables the presentation or transmission of the work to the public; and the rental right, which permits the leasing of the work. However, the digital era has disrupted traditional copyright protection systems, as works can now be easily reproduced and distributed illegally without the rights holder's consent. As a result, creators face the risk of losing economic incentives, while the creative industry suffers due to the declining commercial value of pirated works.

Online media has become the primary ecosystem for the distribution of digital content, yet it has also become a space where copyright infringement is increasingly rampant. Previous studies indicate that copyright violations in the digital realm can be categorized into several main forms, including digital piracy,²³ unauthorized use, content reposting without attribution, as well as unlawful duplication and distribution.²⁴ On a global scale, various copyright infringement cases have set important legal precedents, such as Viacom's lawsuit against YouTube over the unauthorized distribution of television

²¹ Christine S.T Kansil dan Devi Yulyana Harjanto, "PERLINDUNGAN HUKUM ATAS HAK MORAL DAN HAK EKONOMI PENCIPTA TERHADAP KARYA CIPTA YANG DIJADIKAN SEBAGAI JAMINAN FIDUSIA," *Jurnal Pendidikan Sejarah dan Riset Sosial Humaniora* 4, no. 3 (2024): 332–34.

²² Sarah Firka Khalistia et al., "Perlindungan Hak Moral Pencipta dalam Hak Cipta terhadap Distorsi Karya Sinematografi di Media Sosial," *Jurnal Padjadjaran Law* 9, no. 1 (2021): 38–55.

²³ Cindyra Rinka dan Kartika Dewi Irianto, "Pembajakan Hak Cipta Vidio Pada Situs Youtube Ditinjau dalam Undang-Undang Nomor 28 Tahun 2014 Tentang Hak Cipta," *INNOVATIVE: Journal Of Social Science Research Volume* 4, no. 5 (2024).

²⁴ Nisrina Zulfa Salsabila dan Kholis Roisah, "Implementasi Pemberian Royalti bagi Pemegang Hak Cipta Terkait Pendistribusian Musik Melalui Platform SoundOn pada Aplikasi TikTok," *UNES Law Review* 6, no. 3 (2024): 9551–60.

content²⁵ and the Google Books case, which faced legal challenges for digitizing books without the consent of copyright holders.²⁶

Copyright infringement in online media has widespread economic and legal implications. Economically, such violations result in financial losses for creators and creative industry players due to lost revenue potential.²⁷ Moreover, the prevalence of piracy diminishes creators' motivation to produce new works, ultimately weakening innovation within the creative economy sector. From a legal perspective, differences in copyright regulations across jurisdictions complicate enforcement, particularly in cross-border cases.²⁸ This situation demands a more adaptive regulatory approach to accommodate the evolving patterns of digital content production and consumption.

According to the provisions of Indonesia's Copyright Law and Constitutional Court Decision No. 84/PUU-XXI/2023, electronic system providers, including digital platforms based on User-Generated Content (UGC), bear significant legal responsibility in managing and monitoring content uploaded by their users.²⁹ Online media companies are legally obligated to prevent disseminating illegal content that infringes copyright. Platforms that fail to take preventive measures or do not promptly remove content after receiving notice may be subject to sanctions. Similar regulations are enforced under the Digital Millennium Copyright Act (DMCA) in the United States and the E-Commerce Directive in the European Union, establishing a takedown notice mechanism to protect copyright holders from digital content misuse on online platforms.

²⁵ Amir Hassanabadi, "Viacom v. YouTube-All Eyes Blind: The Limits of the DMCA in a Web 2.0 World," *Berkeley Tech* 26, no. 1 (2011): 405, <http://www.techdirt.com/articles/20100623/1333269937.shtml>.

²⁶ Matthew Rimmer, "The Foxfire of Fair Use: The Google Books Litigation and the Future of Copyright Laws," in *Oxford Research Encyclopedia of Communication* (Oxford University Press, 2017), 10–11, <https://doi.org/10.1093/acrefore/9780190228613.013.274>.

²⁷ A I Fitriadina, K Rahayu, dan ..., "Pelanggaran Hak Ekonomi Dan Hak Moral Terhadap Cuplikan Film Yang Diunggah Di Media Sosial," *Pancasakti Law Journal* ..., 2023, 13–22, <https://plj.fh.upstegal.ac.id/index.php/plj/article/view/3%0Ahttps://plj.fh.upstegal.ac.id/index.php/plj/article/download/3/2>.

²⁸ Ferry Gunawan C, "Tantangan profesi hukum dalam melindungi hak cipta sebagai jaminan kredit perbankan di era digital," *Rechts Vinding, Media Pembinaan Hukum Nasional* 13, no. 2 (2024): 165–87.

²⁹ "Putusan Mahkamah Konstitusi Nomor 84/PUU-XXI/2023" (2023). The Constitutional Court's ruling expands the scope of Article 10 of the Copyright Law by imposing liability on digital platforms based on User-Generated Content (UGC), such as marketplaces and social media, to prevent copyright infringement. In addition to prohibiting the sale and reproduction, the restriction also extends to the display of copyright-infringing materials

In practice, copyright enforcement in the digital realm continues to face significant challenges, particularly in the context of cross-border legal enforcement.³⁰ The global nature of the Internet allows copyright-infringing content to spread rapidly across countries without geographical restrictions. This creates difficulties in monitoring and enforcement, as copyright regulations in one country may not have jurisdiction in another. Furthermore, the effectiveness of the takedown notice mechanism remains debatable, as infringers can often easily re-upload removed content, making enforcement efforts increasingly complex.³¹

To address these challenges, several technological innovations have been proposed as alternative solutions to enhance copyright protection in the digital realm. One of the technologies currently being implemented is AI-powered automatic detection systems, such as YouTube's Content ID, which enables real-time identification and removal of copyright-infringing content. Additionally, blockchain technology is being developed as a more transparent and secure copyright registration mechanism, allowing creators to record their ownership in an immutable and globally verifiable system.³²

At the international level, efforts to harmonize copyright regulations have become a strategic step in enhancing the effectiveness of copyright protection in the digital era. International agreements, such as the Berne Convention, must be updated to be more responsive to digitalization and cross-border content distribution challenges. Several countries have begun implementing stricter regulations on digital copyright, including imposing harsher penalties on violators and fostering closer cooperation between governments, digital platforms, and copyright holders to monitor and address violations occurring in cyberspace. Regulatory challenges in digital copyright protection have led to increased responsibility for online media companies in managing the content produced and distributed on their platforms. Therefore, the following section will delve deeper into the

³⁰ Christophe Geiger, "Challenges for the enforcement of copyright in the online world: Time for a new approach," *Research Handbook on Cross-border Enforcement of Intellectual Property*, no. 14 (2014): 704–30, <https://doi.org/10.4337/9781781955802.00027>.

³¹ Jennifer M Urban dan Joe Karaganis, "Notice and Takedown in Everyday Practice," *SSRN Electronic Journal*, 2016, 1–170, <https://doi.org/10.2139/ssrn.2755628>.

³² Ningthoujam Chidananda Singh, Prof Thoudam, dan Basanta Singh, "Blockchain-Based Digital Copyright Management Systems : Design , Implementation , and Evaluation" 30, no. 1 (2024): 1106–13, <https://doi.org/10.53555/kuey.v30i1.5983>.

role and legal obligations of digital media companies in preventing and addressing copyright infringement in the digital era.

3.2. Legal Responsibility of Online Media Companies in Preventing and Addressing Copyright Infringement in the Digital Era

In the digital era, online media companies play a strategic role in preventing and addressing copyright infringement on their platforms. As internet-based service providers, these companies operate within a complex ecosystem where compliance with copyright regulations is a crucial aspect of maintaining a balance between innovation, freedom of information sharing, and the protection of creators' rights. With the rapid distribution of digital content, digital platforms not only serve as communication mediums but also as key facilitators in the dissemination of intellectual works. Therefore, online media companies face increasingly strict legal responsibilities to ensure that their digital ecosystems are not used as a means of copyright infringement.

Digital platforms have a legal obligation to manage user-uploaded content in compliance with copyright regulations. In the European Union, for example, Article 17 of the CDSM Directive has shifted the legal responsibility paradigm for digital platforms by establishing that they are directly liable for user uploads that infringe copyright.³³ Meanwhile, in Indonesia, the obligations of digital platforms are regulated under Copyright Law No. 28 of 2014 and its derivative regulations. These regulations require digital platforms to provide a complaint mechanism for copyright holders and to promptly remove infringing content upon receiving an official notice (notice and takedown). Furthermore, in accordance with the provisions of Minister of Communication and Informatics Regulation No. 5 of 2020 on Private Scope Electronic System Operators, digital platforms are required to ensure that their services are not used to distribute illegal content, including copyright-infringing material, and may face administrative sanctions if they fail to enforce these rules.

To fulfill legal obligations and enhance the effectiveness of copyright protection, online media companies have developed and adopted various advanced technologies to prevent infringements on their platforms. One widely used technological implementation is

³³ Christophe Geiger dan Bernd Justin Jütte, "Platform Liability under Art. 17 of the Copyright in the Digital Single Market Directive, Automated Filtering and Fundamental Rights: An Impossible Match," *GRUR International* 70, no. 6 (2021): 517-43, <https://doi.org/10.1093/grurint/ikab037>.

Content ID, an artificial intelligence-based system developed by YouTube. This technology enables platforms to automatically detect and compare user-uploaded content with a database of registered works, allowing for highly accurate identification of potential copyright violations. Additionally, many media companies implement AI-Based Detection, a machine-learning algorithm capable of recognizing copyright infringements in various formats, including text, images, music, and video. This technology enables early Detection of potentially infringing content before it spreads widely on digital platforms.

Despite their potential, these technologies are not without limitations. Although AI and blockchain technology offer innovative solutions for digital copyright protection, their implementation still faces challenges. Automated systems like Content ID often experience false positives, causing legitimate content (such as criticism and parody, which fall under fair use) to be mistakenly removed. Meanwhile, blockchain systems face obstacles in widespread adoption and high implementation costs. Therefore, a multi-stakeholder approach involving regulators, digital companies, and the creator community is necessary to establish a more balanced and effective system.

In addition to relying on technology to detect copyright infringements, online media companies must also ensure that their internal policies align with regulations across various jurisdictions. One of the primary mechanisms implemented is the DMCA Takedown Notice, which requires platforms to remove infringing content after receiving a report from the rights holder.³⁴ Furthermore, the Notice-and-Staydown policy is increasingly being adopted to prevent previously removed content from being re-uploaded by other users. Some platforms also employ Automated Filtering Systems, such as those used by Facebook and Instagram, to detect and block potentially infringing content before publication.

However, despite these regulations being designed to protect creators' rights, their implementation still faces various challenges. One major issue is the potential misuse of takedown notices by parties who do not have legitimate rights to a work, which can lead to excessive censorship and harm creators who have the right to use the content. Additionally, the limitations of automated detection systems in recognizing the concept of fair use often result in removing content that should be allowed, such as parody, criticism, or educational

³⁴ Courtney Radsch, "Weaponizing Privacy and Copyright Law for Censorship," *SSRN Electronic Journal*, no. 276 (2023), <https://doi.org/10.2139/ssrn.4464300>.

materials. A study by Valentina Moscon (2020) indicates that regulatory shifts tightening the liability of digital platforms may impact the freedom to share information and restrict the safe harbor protections previously granted to these platforms.³⁵ Therefore, a balance is needed between regulatory compliance and the protection of freedom of expression in the digital space to ensure that these policies are not misused or hinder innovation.

The dynamics of copyright regulation enforcement by online media companies are becoming increasingly complex with technological advancements and the growing participation of users in creating and sharing digital content. Digital platforms are not only responsible for providing a space for creators but must also ensure that uploaded content does not infringe copyright. However, the implementation of these policies often faces challenges, particularly in balancing the interests of copyright holders with users' rights to express themselves and access information.

As various regulations are implemented, several legal cases have emerged to test the extent of platform responsibility in managing user-generated content. One prominent case is *Viacom vs. YouTube* (2007), in which Viacom sued YouTube for allegedly allowing users to upload copyrighted content without permission. This case highlighted the debate over how platforms can be held accountable for third-party uploads and how copyright protection systems should be enforced in the digital realm.³⁶

Additionally, cases such as *Google Books Litigation* (2015) and *TikTok Copyright Infringement* (2021) further illustrate digital platforms' legal challenges. In the Google case, the company faced legal action for digitizing books without the rights holder's consent, although it ultimately won under the fair use doctrine. Meanwhile, TikTok was sued for using songs without proper licensing, highlighting the complexities of regulations surrounding User-Generated Content (UGC). These cases demonstrate how copyright policies implemented by online media companies continue to evolve and must adapt to legal dynamics and the needs of the creative industry.³⁷

³⁵ Valentina Moscon, "Free Circulation of Information and Online Intermediaries – Replacing One 'Value Gap' with Another," *IIC International Review of Intellectual Property and Competition Law* 51, no. 8 (2020): 977–82, <https://doi.org/10.1007/s40319-020-00982-3>.

³⁶ Amir Hassanabadi, "Viacom v. YouTube-All Eyes Blind: The Limits of the DMCA in a Web 2.0 World," *Berkeley Tech* 26 (2011): 405, <http://www.techdirt.com/articles/20100623/1333269937.shtml>.

³⁷ Kaitlyn J. Ezell, "Notes Copyright X Tiktok: Sync Rights in the Digital Age," *New York University Law Review* 99, no. 3 (2024): 1045–96.

To ensure more effective copyright protection while maintaining a balance with freedom of expression, online media companies need to implement more comprehensive policies. One crucial step is enhancing automatic detection systems by investing in more accurate artificial intelligence technology, enabling better differentiation between copyright infringement and fair use. Additionally, transparency in the takedown notice process must be strengthened, such as by providing an appeal mechanism that allows users to challenge content removals they deem unfair.

Collaboration with the government and stakeholders is crucial in formulating fair and effective regulations. Through this cooperation, policies can be developed that protect creators' rights and do not hinder innovation or users' rights to share information. Additionally, online media companies should educate their users about copyright, including through digital literacy programs that explain the legal consequences of copyright infringement and how to use content lawfully.

By implementing these measures, online media companies can foster a more responsible digital ecosystem where the interests of all parties—copyright holders, content creators, and users—are fairly protected. Moving forward, a balanced approach that integrates regulation, technology, and education will be key to preventing and addressing copyright infringements in the ever-evolving digital era.

4. Conclusion

Copyright infringement in online media has become a major issue in the digital era, especially with the rapid distribution of content across various digital platforms. Online media companies bear significant legal responsibilities in preventing and addressing these violations by implementing detection technologies such as Content ID, complying with regulations like the Digital Millennium Copyright Act (DMCA), and educating users about respecting copyright. However, challenges remain, including the cross-border nature of the internet, which complicates legal jurisdiction, and the sheer volume of digital content, making manual supervision ineffective.

A multifaceted approach is required to address these challenges. While AI-powered detection systems and blockchain technology offer promising solutions for improving copyright enforcement, their effectiveness depends on widespread adoption, improved accuracy, and alignment with existing legal frameworks. Furthermore, updating international agreements and enhancing cross-border cooperation will ensure copyright enforcement remains effective in the digital landscape.

Ultimately, tackling copyright infringement in the digital era requires a joint effort between online media companies, governments, and creative industry stakeholders. Without proactive measures and collaboration, copyright violations will continue to threaten the sustainability of the creative industry and result in significant financial losses for content creators worldwide.

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