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## Copyright Registration Accompaniment for the Song "Kanwil Kemenkumham Kepri Menuju Wilayah Bebas Korupsi" created by Mr. Erick Junata

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### Abstract

Intellectual property is the result of human thought in which there are moral rights and economic rights that are specifically attached to the creator and are protected by the state as part of human rights. Intellectual property registration is a process carried out to obtain a creation registration letter as part of the legal protection effort for the rights of the creator. However, this intellectual property registration process is a separate problem for the creators because in its implementation it is considered to still cause various obstacles. This community service program aims to provide facilities and educational facilities for the community in the intellectual property registration process for their work. The method of implementing this community service activity is to use the partner data collection method, discuss the details of the copyright registration fee with partners, and register the copyright for the partner's song.

**Keyword:** *Assistance, Copyright, Legal Protection*

### Introduction.

Songs are part of a person's intellectual property rights which are protected by the state as stipulated in the provisions of Article 58 letter (d) of Law Number 28 of 2014 concerning Copyright (Copyright Law), namely Copyright Protection for Song or Music Creations with or without text. Protected by the Copyright Law, the creator of the song has exclusive rights in the form of economic rights and moral rights over his creations. The exclusive right obtained by the creator for his creation is a form of appreciation for his creation in the form of a song so that it can be enjoyed by the wider community or when listening to the song. For this reason, the creator has the exclusive ownership of the song that is enjoyed by the community. Copyright registration of a work is a measure of legal protection (Kusno, 2017, p. 4). Registration is carried out on copyrights that have materialized, the final product is in the form of a Work Registration Letter, in which the Work Registration Letter that has been issued can be used as strong evidence if a case occurs in the future. So that by registering a copyrighted work in the form of a song, it can be easier to find out who is the copyright holder of a song. (Wardoyo et al., 2021, p. 5). From the problems above, the authors decided to make an agreement with partners in order to assist partners in registering copyrights for their songs to the Directorate General of Intellectual Property or DJKI which can make it easier for partners to register the copyright of their creations and the copyright of the song is not can be taken/same by other parties. Therefore, from the results of the copyright registration

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of the song which will be carried out by the author himself, how it will also have a positive legal impact on the brand owned by the partner with the main aim being to protect the copyright owned by the partner so that it does not plagiarism and sabotage for profit by irresponsible parties. The objectives of implementing this PKM activity are as follows:

1. Assist partners in registering Copyrights for the partner's own songs.
2. Explain to partners how the Copyright registration method is so that partners can later find out about the copyright registration process.
3. As a form of preventive effort in protecting the exclusive rights obtained by partners as creators of their creations in the form of a song entitled "Kanwil Kemenkumham Towards WBK."
4. Increase legal knowledge and awareness to partners of the importance of intellectual property and protect it.
5. In anticipation of disputes with irresponsible parties in the future. (Soemarsono & Dirkareshza, n.d.).

### **Problems faced by partners**

The problems faced by Mr. Erik Junata as a partner lie in the aspect of clarity in the protection of Copyright, where Mr. Erik Junata as a partner has not registered the Copyright for his creations to DJKI. This has resulted in vulnerability to the protection of the exclusive rights obtained by Pak Erik Junata as the creator of the song.

### **Methods**

- 1) In producing outputs, a data collection technique is needed that will assist in the process of achieving project outcomes. Data collection techniques in this project were carried out by interviewing and collecting library data. In line with the data collection technique in this KP project, the data obtained is sourced from primary data, which is the type of data obtained directly from the research subject. The existence of primary data is also supported by secondary data which is a type of data that is not obtained directly from the research subject. Primary data includes data obtained directly through direct interviews with Pak Erik Junata's partner. The interview was conducted to identify and further analyze the legal issues faced by partners. Then, secondary data includes data obtained through literature studies, through laws and regulations, legal journals, and other literature that has relevance to the implementation of this PKM activity. The method of implementing this PKM activity uses the advocacy method where the goal of the activity is achieved by providing integrated assistance to partners in submitting copyright registrations for their creations online. The stages of implementing the activities consist of the first, the preparation/pre-implementation stage which begins with a search for legal problems that occur in the community, specifically in the city of Tanjungpinang. The results of this observation are the determination of partners and the place for this PKM activity to be held. Then the application for permission for the implementation of PKM activities is submitted to partners. The next stage is to collect the various materials and data needed. In addition, an interview was also conducted with Mr. Erik Junata as a partner in order to analyze the legal problems experienced and to design an outcome that is at the same

time a solution to these problems. Second, the implementation stage is by providing explanations to partners regarding the procedure for submitting Copyright registration online, the formal and material requirements that must be met, as well as the burden of submitting Copyright registration fees. In addition, it was also explained to Pak Erik Junata as a partner in this PKM program regarding the period of copyright protection for his creations whose copyright is held by the Regional Office of the Ministry of Law and Human Rights of Riau Islands as a legal entity, namely for 50 years from the time the creation was first announced as regulated in the provisions of the Copyright Law Article 58 paragraph 3. Furthermore, monitoring is carried out on the registration status which is updated regularly to partners. Third, the evaluation stage was carried out together with Mr. Erik Junata's partner to review and recap the implementation of PKM activities and the output in the form of a Creation Registration Certificate. After the output is complete, it will be continued with the preparation of scientific articles and the design of reports in line with the results of the implementation of PKM activities.

- 2) This PKM activity is carried out at the partner's residence, namely Jalan Taman Sari No. 4 RT 001. RW 004., Seijang Village, Bukit Bestari District, Tanjungpinang City, Riau Islands Province. The implementation of the PKM program will be held on August 27, 2021 until November 19, 2021.

## **Result and Discussion**

### **Copyright Registration as a Preventive Effort in Protecting the Exclusive Rights of the Creator**

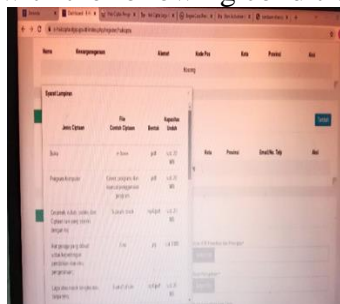
The essence of the formation and application of laws and regulations is to provide certainty and protection in the application of law in society. Legal protection itself is a form of protection for the dignity, and the essential recognition of human rights whose implementation is officially regulated in law. (Tari et al., 2021) the protection provided by this law itself applies to anyone regardless of status and elements of sara. In line with the purpose of the founding of the Indonesian state as stated in Article 3 of the 1945 Constitution which stipulates that Indonesia is a state of law, various activities in all fields in essence must comply with and be guided by the applicable legal rules. The rule of law applied in the community has also regulated and protected intellectual property rights which are part of human rights themselves. One component of intellectual property rights is copyright. Copyright itself is an exclusive right consisting of moral rights and economic rights obtained by the creator of his creation which has been realized in a tangible form without reducing restrictions in accordance with the provisions of the legislation (Pamungkas, 2018). In Indonesia, the rules that specifically regulate copyright are regulated in Law Number 28 of 2014 concerning Copyright (Copyright Law). The song is a component of the copyright that is protected as regulated in Article 58 letter (d) of the Copyright Law. It should be noted that the recording of a work is not a requirement for obtaining a copyright, because the principle of copyright itself arises automatically based on a **declarative principle**, which means that legal protection is obtained after the author is automatically obtained when a work is realized in material form. (Margono, 2012). However, as a form of preventive effort in protecting the exclusive rights of the creators over their creations and as an anticipation of other parties using them without permission

in the future, it is deemed necessary to implement copyright registration immediately. By registering copyright with the DJKI, the resulting product is a Copyright Registration Certificate, which is strong evidence in the event of a dispute in the future so as to avoid worries about other parties committing sabotage in order to take the maximum advantage of the copyrighted work. which have been painstakingly produced (Wardoyo et al., 2021). In addition to the protection function, the next benefit the creator gets from registering his creation to the DJKI is the economic benefit. If there are other parties who use the registered copyrighted work for certain purposes, for example for marketing purposes, that party must first ask permission from the creator. In this case, the creator also has the legal power to refuse or agree with certain collaborations such as a certain amount of money to be paid or so on. As for obtaining the registration of the work, the applicant can register online to the DJKI, the stages are as follows:

### **Assistance in the Implementation of Online Copyright Registration Procedures**

The process of implementing the outputs is carried out by mentoring partners Pak Erik Junata in registering the copyright for his songs online to DJKI. The stages that are passed in the implementation of this PKM program are:

1. Collect the requirements that must be met to apply for copyright registration online. The requirements that must be met in applying for copyright registration of songs online are: 1). Copyright Holder Statement Letter, 2). Declaration of Transfer of Copyright which is optional and used if the copyright holder of the song is to be transferred. (This letter is used because the copyright for the song "Kanwil Kemenkumham Kepri Towards WBK" will be transferred to the Regional Office of the Kemenkumham Riau Islands). 3). ID card of the applicant/creator, 4). Creator's Taxpayer Identification Number, 5). An example of a creation file that must be uploaded to the system with the following conditions.



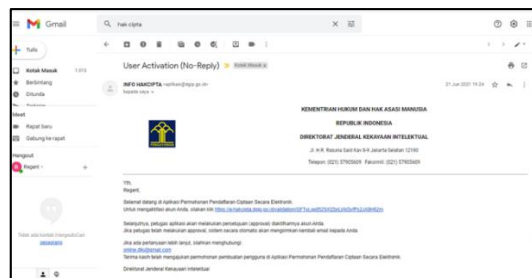
**Picture 1.** Screenshot Example of a created file that must be uploaded to the system.

2. register a copyright user account on the <https://hakcipta.dgip.go.id/index.php/register> page. At the time of registration, the applicant will be asked to enter a number of complete data such as full name, identity card number, address electronic mail which will be the username, password (password), date of birth, address, city, postal code, province, nationality, type of applicant, gender, telephone number, and tick the statement that the account was created with correct data.



**Picture 2.** Screenshot of copyright user account registration on the <https://hakcipta.dgip.go.id/index.php/register> page.

3. After registering, you will receive an email notification from COPYRIGHT INFO for User Activation on the account.



**Picture 3.** Screenshot of notification email from COPYRIGHT INFO for User Activation on account

4. After receiving an email notification of User Activation from COPYRIGHT INFO, the next step is to log back in as an applicant on the website <https://e-hakcipta.dgip.go.id/>



**Picture 4.** display of active accounts on the <https://e-hakcipta.dgip.go.id> page

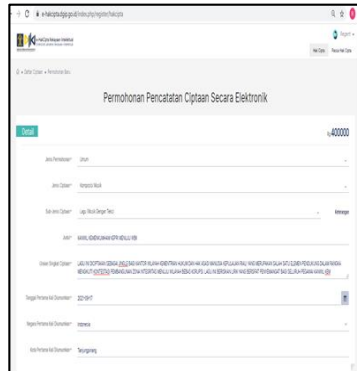
5. To apply for copyright registration, click the “Hak Cipta” icon listed on the website then click “new application” to make a new application for copyright registration.



**Picture 5.** display of active accounts on the <https://e-hakcipta.dgip.go.id> page

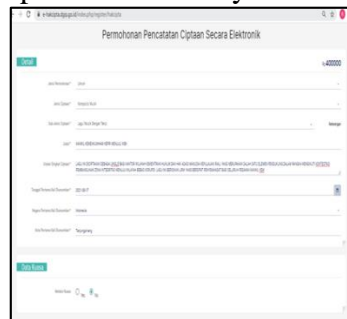
6. After the applicant clicks on the “Permohonan Baru” icon on the website <https://e-hakcipta.dgip.go.id/> then the applicant will then be directed to the

“Application for Electronic Creation Registration” page on the website to then fill in the “Details” section which contains creation data on the website.



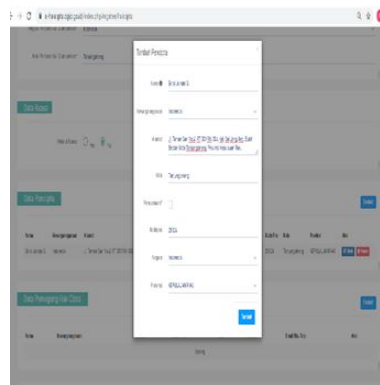
**Picture 6.** display of the "DETAIL" section filled in regarding creation data on the <https://e-hakcipta.dgip.go.id/> page.

7. The applicant then fills in the “Data Kuasa” section on the website. If the copyright holder/creator asks someone else to register their copyright then select "yes" on "through power of attorney" or select "no" otherwise



**Picture 7.** display of the “Data Kuasa” section which is located under the “Details” section on the <https://e-hakcipta.dgip.go.id/> page

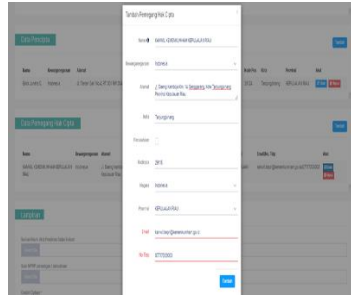
8. Next, the applicant fills out the “Data Pencipta” section completely on the website. The data that must be filled in is as follows: 1). Creator's name, 2). Citizenship 3). Address, 4). City, 5). Postal Code, 6).Country, and 7).Province. then click "Add".



**Picture 8.** display of the “Data Pencipta” section which is located under the “Authorized Data” section on the <https://e-hakcipta.dgip.go.id/> page

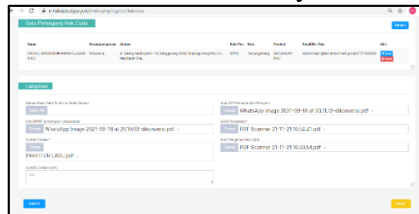
9. Next, the applicant fills in the “Data Pemegang Hak Cipta” section. The fields are the same as in the previous section, namely the “Data Pencipta.” This section is filled with “same” if the creator and copyright holder are the same person. And filled differently if the other way around. Because the

song "Kanwil Kemenkumham Kepri Towards WBK" the creator and copyright holder are different, in this case the copyright holder for the song is the Regional Office of the Ministry of Law and Human Rights of Riau Islands, the section "Data Pemegang Hak Cipta." Filled differently and then click "add" on the website



**Picture 9.** display of the “Data Pemegang Hak Cipta” section which is located under the “Data Pencipta” section on the [https://e-hakcipta.dgip.go.id/ page](https://e-hakcipta.dgip.go.id/page)

10. Next, the applicant fills out the “Lampiran” section. The documents that must be filled out and uploaded by the applicant for online copyright registration are: 1). Copyright Holder Statement Letter, 2). Declaration of Transfer of Copyright which is optional and used if the copyright holder of the song is to be transferred. (This letter is used because the copyright for the song "Kanwil Kemenkumham Kepri Towards WBK" will be transferred to the Regional Office of the Kemenkumham Riau Islands). 3). ID card of the applicant/creator, 4). Creator's Taxpayer Identification Number, 5). Example of a creation file that must be uploaded to the system. Then the applicant clicks the submit button on the system.



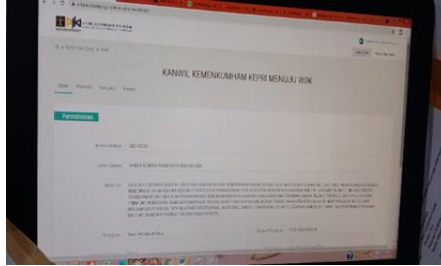
**Picture 10.** display of the “Lampiran” section for uploading the required documents on the [https://e-hakcipta.dgip.go.id/ page](https://e-hakcipta.dgip.go.id/page)

11. Next, the applicant will receive a payment code and make the payment. If, based on the examination, the required documents are declared complete, a payment code will be issued. The validity period of the payment code is valid for a period of 2 days since the payment code is issued. If the User does not make a payment until the validity period expires, the Payment Code will be forfeited and the User must re-register.



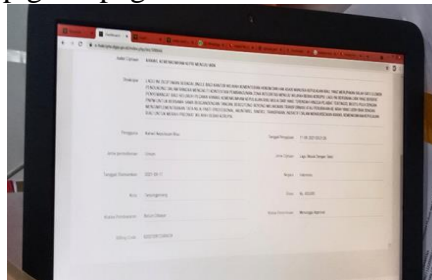
**Picture 11.** display of the display sample payment code received by the applicant

12. Furthermore, the applicant can monitor the status of the copyright application in the copyright section. The trick is to point the cursor to the "Hak Cipta" menu, and click "Daftar Ciptaan".



**Picture 12.** display example of monitoring the status of copyright submissions on the <https://e-hakcipta.dgip.go.id> page

An example display of monitoring the status of copyright submissions on the <https://e-hakcipta.dgip.go.id> page



13. In the event that the application is accepted, a letter of registration of the work is issued and it is recorded in the general register of creation



**Picture 13.** display of the Song Creation Recording Letter "Kemenkumham Kepri Towards WBK.

14. Group photo with Mr. Erick Junata's partner



**Picture 14.** Photo session with Mr Erik Junata



## Conclusions

The methods used in the implementation of PKM activities include observation, interviews, and using literature studies to achieve success in implementing the results and outputs of PKM activities. The manifestation of the success of the implementation of this project is evidence of the success of assisting the registration of copyright for the song "Kanwil Kemenkumham Menuju Wilayah Bebas Korupsi" to DJKI. In addition, partners have also gained knowledge and understanding of the importance of copyright registration in order to provide certainty and protect the exclusive rights of creators over their creations. And also after the implementation of the PKM program in the form of assistance for copyright registration, the partners also gain knowledge of the online copyright registration procedure itself. It should be noted that the recording of copyrighted works which include songs is not an absolute requirement to obtain copyright because basically the copyright principle arises automatically based on declarative principles after a work is realized in a tangible form. However, as a form of preventive effort in protecting the exclusive rights of the creators over their creations and as an anticipation of other parties using them without permission in the future, it is deemed necessary to implement copyright registration immediately.

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