Copyright Protection of Digital Films from the Perspectives of ASEAN and WIPO: Analysis of Verdict No. 762/Pid.Sus/2020/PN Jmb

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Abstract
The rapid advancement of digital technology has led to a significant increase in copyright infringement involving digital films, posing substantial challenges to the effectiveness of copyright protection in Indonesia within the framework of ASEAN cooperation and the international standards established by the World Intellectual Property Organization (WIPO). The widespread distribution of copyrighted films through digital platforms has intensified cross-border infringements, thereby requiring stronger legal harmonization and more effective enforcement mechanisms. This study aims to analyze the legal reasoning in Verdict No. 762/Pid.Sus/2020/PN Jmb and evaluate its conformity with the principles of copyright protection from the perspectives of ASEAN and WIPO. This research employs a normative legal research method using statutory, case, and comparative approaches through the analysis of national legislation, international legal instruments, and judicial decisions. The findings indicate that the application of Indonesia's national copyright laws in the decision provides a legal basis for imposing criminal liability on copyright infringers. However, the decision has not fully accommodated the principles of legal harmonization and cross-border cooperation promoted within the ASEAN and WIPO frameworks. This study underscores the importance of strengthening regulatory harmonization, enhancing institutional cooperation, and improving law enforcement mechanisms to reinforce the protection of digital film copyrights, ensure greater legal certainty, promote consistency in judicial decisions, and support comprehensive efforts to combat cross-border digital piracy.

Keywords: digital film copyright; copyright protection; ASEAN; WIPO; digital piracy.

Introduction

Copyright protection constitutes a fundamental component of the intellectual property rights (IPR) regime, serving to recognize, protect, and provide legal certainty for intellectual works created through human creativity. Beyond safeguarding artistic, literary, and scientific works, copyright also plays a strategic role in promoting the growth of the creative economy, facilitating international trade, and supporting technological advancement. In the era of globalization, intellectual creations possess significant economic value and therefore require an effective legal protection system to safeguard the rights of authors while simultaneously encouraging innovation. Consequently, the effectiveness of copyright protection has become one of the key indicators of the quality of a country's legal system, including that of Indonesia.

The rapid development of information technology and digitalization has fundamentally transformed the distribution and utilization of copyrighted works, particularly cinematographic works. The Internet enables users to access, disseminate, and exploit creative works quickly and on a global scale. On the one hand, these technological developments have stimulated creativity and expanded public access to information and entertainment. On the other hand, they have also facilitated various forms of copyright infringement, including digital piracy, unauthorized reproduction, unauthorized distribution, and the use of copyrighted works without the consent of authors or copyright holders. This phenomenon demonstrates that technological progress has not been fully accompanied by an equally effective legal framework for protecting intellectual property rights.

Within the film industry, copyright grants authors or copyright holders' exclusive rights to control the use of their works, including the rights to reproduce, communicate, distribute, and derive economic benefits from cinematographic productions. In Indonesia, these protections are governed by Law Number 28 of 2014 on Copyright, which safeguards both the moral rights and the economic rights of authors. The Copyright Law also adopts the principle of automatic protection, whereby copyright arises immediately upon the creation of a work in tangible form without requiring registration as a prerequisite for legal protection.

Nevertheless, the rapid evolution of digital technology has often outpaced the effectiveness of law enforcement, resulting in the continued prevalence of digital film piracy. Copyright infringement in the digital environment is inherently transnational in nature, as the dissemination of works through the Internet enables films to be accessed by users across multiple jurisdictions within a very short period of time. Consequently, copyright protection can no longer rely solely on domestic legislation but requires harmonization with regional and international legal instruments to ensure more effective enforcement.

At the regional level, ASEAN Member States have committed to strengthening intellectual property protection through the ASEAN Intellectual Property Rights Action Plan. This regional framework seeks to establish a harmonized and effective intellectual property protection system capable of supporting the growth of the creative economy throughout Southeast Asia. As both a member of ASEAN and the World Intellectual

Property Organization (WIPO), Indonesia is obliged to align its copyright protection system with regional and international standards. Such harmonization is expected to enhance legal certainty, strengthen cross-border cooperation, and provide more effective protection for intellectual creations, particularly cinematographic works.

Despite the existence of comprehensive national and international regulatory frameworks, copyright infringement involving digital films remains widespread in Indonesia. One case that serves as the primary focus of this study is Verdict Number 762/Pid.Sus/2020/PN Jmb, rendered by the Jambi District Court. The case concerned the unauthorized electronic dissemination of cinematographic works, which resulted in economic losses to the copyright holder. This decision merits scholarly examination because it illustrates the judicial application of Indonesia's Copyright Law to infringements occurring in the digital environment while also serving as an indicator of the effectiveness of copyright enforcement in addressing challenges arising from technological development.

The examination of this judicial decision has become increasingly relevant in light of the growing sophistication of copyright infringement methods. Infringement is no longer limited to the unauthorized physical reproduction of copyrighted works but increasingly involves illegal websites, unauthorized streaming services, cloud-based storage systems, and various digital platforms used to distribute films without authorization. These developments present new legal challenges relating to jurisdiction, electronic evidence, and the necessity of international cooperation in copyright enforcement. Accordingly, an analysis of the court's legal reasoning is essential to determine whether the application of copyright law has effectively addressed the challenges of protecting cinematographic works in the digital era.

From an academic perspective, existing studies on the legal protection of digital films have generally focused either on normative analyses of Indonesia's Copyright Law or on digital piracy as a general phenomenon. Comparatively few studies have examined the application of Indonesian copyright law through judicial decisions while simultaneously assessing its conformity with ASEAN and WIPO copyright protection standards. Accordingly, this research offers a novel contribution by not only analyzing the judicial reasoning in Verdict Number 762/Pid.Sus/2020/PN Jmb but also evaluating its consistency with regional and international copyright protection principles. It is expected that this study will enrich the existing body of literature on the legal protection of cinematographic works in the digital era and serve as a valuable reference for the further development of intellectual property law in Indonesia.

Based on the foregoing background, this study aims to analyze the legal framework governing the protection of digital film copyright from the perspectives of ASEAN and WIPO, to examine the legal reasoning adopted by the court in Decision Number 762/Pid.Sus/2020/PN Jmb, and to assess its conformity with regional and international copyright protection standards. The findings of this research are expected to provide recommendations for strengthening copyright policy and enforcement in Indonesia, thereby enhancing the protection of digital cinematographic works, ensuring

greater legal certainty for authors and copyright holders, and supporting the sustainable development of the national creative industry.

Research Method

This study employs a normative legal approach, focusing on an examination of legal norms, legal principles, and legislation related to copyright protection in Indonesia from the perspective of ASEAN and WIPO regulations, which are then linked to the application of legal norms in Verdict No. 762/Pid.Sus/2020/PN Jmb as a case study. Normative legal research was chosen because this study focuses on analyzing the synchronization and harmonization of national legal provisions with international and regional legal provisions without conducting field research. The research approaches used include the statutory approach, the conceptual approach, and the comparative approach. The statutory approach involves examining various regulations related to copyright, specifically Law No. 28 of 2014 on Copyright, the provisions of the ASEAN Intellectual Property Rights Action Plan, the Berne Convention, the TRIPS Agreement, and the WIPO Copyright Treaty (WCT). The conceptual approach is used to examine the concepts of copyright protection, moral rights, economic rights, and the harmonization of international law in the field of intellectual property. Meanwhile, the comparative approach is used to compare Indonesia's copyright protection framework with the protection standards applied in ASEAN and WIPO regulations.

The legal materials used in this study consist of primary, secondary, and tertiary legal materials. Primary legal sources include laws and regulations, international conventions, and various legal instruments related to copyright, as well as Verdict No. 762/Pid.Sus/2020/PN Jmb as a case study. Secondary legal sources consist of books, academic journals, legal articles, and previous research relevant to the research topic. Tertiary legal materials include legal dictionaries, legal encyclopedias, and other supporting sources that help explain legal terms and concepts in the research.

The method used to collect legal materials involved library research, which consisted of gathering and reviewing various legal literature, regulations, journals, and documents related to the research topic. Furthermore, the research analysis in this study was conducted qualitatively using a descriptive-analytical method, which involves explaining and analyzing the applicable legal provisions and then relating the application of legal norms in Verdict No. 762/Pid.Sus/2020/PN Jmb used as a case study to ASEAN and WIPO regulations in order to draw conclusions regarding the harmonization of copyright protection in Indonesia from an international and regional legal perspective.

Results and Discussions

Regulation of Copyright Protection for Cinematographic Works under Law of the Republic of Indonesia Number 28 of 2014 on Copyright

Copyright constitutes an integral component of Intellectual Property Rights (IPR), providing legal protection for works that originate from human intellectual creativity. Such protection is intended to ensure legal certainty, recognize creative achievement, and

safeguard the rights of authors and copyright holders. Within the creative industry, cinematographic works possess substantial economic value because their production involves extensive creative processes, advanced technology, skilled human resources, and significant financial investment. Consequently, legal protection of cinematographic works is essential to prevent unauthorized use and exploitation that may prejudice the legitimate interests of authors and copyright holders.

In Indonesia, copyright protection is governed by Law Number 28 of 2014 on Copyright, which was enacted to improve the previous regulatory framework while adapting to developments in information and communication technology. Article 40 paragraph (1) letter (m) expressly recognizes cinematographic works as one of the categories of works protected under copyright law. Cinematographic works include feature films, documentary films, animated films, advertising films, news reports, and other audiovisual creations that may be exhibited to the public through various forms of media. This statutory recognition reflects the State's commitment to protecting not only the economic value of cinematographic works but also the creativity embodied therein.

Copyright protection for cinematographic works is based on the declaratory principle, under which copyright arises automatically upon the creation of a work in a tangible form without the necessity of prior registration. Accordingly, authors acquire legal protection as soon as their works have been completed and their existence can be demonstrated. Copyright recordation with the Directorate General of Intellectual Property is not a prerequisite for the existence of copyright but merely serves as evidentiary support in the event of future disputes concerning ownership or infringement. This principle facilitates access to legal protection by relieving authors of burdensome administrative procedures.

Law Number 28 of 2014 recognizes two principal categories of rights attached to authors, namely moral rights and economic rights. Moral rights are inherent and perpetual rights that remain vested in the author even where the economic rights have been assigned to another party. Pursuant to Article 5 of the Copyright Law, moral rights include the right to have the author's name acknowledged, to use a pseudonym, to modify the work in accordance with propriety, to alter the title of the work, and to object to any distortion or modification that may prejudice the author's honor or reputation. In the context of cinematographic works, moral rights are particularly significant because films embody not only commercial value but also the identity, creativity, and artistic integrity of their creators. Accordingly, any use of cinematographic works must respect the moral rights of authors as an integral component of the legal protection afforded by the State.

In addition to moral rights, the protection of economic rights represents the most significant aspect of copyright in cinematographic works. Economic rights are the exclusive rights of authors or copyright holders to obtain financial benefits from the exploitation of their works. Under Article 9 paragraph (1) of the Copyright Law, these rights include the exclusive authority to publish, reproduce, translate, adapt, distribute, perform, announce, communicate, and rent copyrighted works. These exclusive rights empower authors to determine the manner in which their cinematographic works may be

utilized by third parties. Consequently, any commercial exploitation of such works requires prior authorization from the copyright holder.

The rapid advancement of digital technology has created both opportunities and challenges for copyright protection. The Internet enables cinematographic works to be distributed widely at relatively low cost, thereby expanding public access to films. At the same time, however, technological developments have facilitated various forms of copyright infringement, including illegal streaming, unauthorized downloading, and the dissemination of films through unlicensed digital platforms. Such infringements deprive authors and copyright holders of the economic benefits to which they are entitled and may ultimately hinder the sustainable development of the film industry.

In response to these developments, Law Number 28 of 2014 has extended copyright protection to the digital environment. Any use of cinematographic works through electronic media continues to require the authorization of the copyright holder. Accordingly, copyright protection applies not only to the physical embodiment of a work but also to every form of its digital exploitation. Uploading, streaming, reproducing, or distributing films through unauthorized streaming websites without the consent of the copyright holder constitutes an infringement of economic rights and may result in legal sanctions in accordance with applicable legislation.

To ensure the effectiveness of legal protection, Law Number 28 of 2014 also establishes enforcement mechanisms through both criminal and civil remedies. Article 113 provides that any person who intentionally and unlawfully infringes the economic rights of an author for commercial purposes may be subject to imprisonment and monetary fines. Furthermore, copyright holders are entitled to institute civil proceedings to recover damages arising from copyright infringement. These provisions demonstrate the State's commitment to providing comprehensive legal protection through both punitive measures and remedial mechanisms designed to restore the rights of authors and copyright holders.

When analyzed through Lawrence M. Friedman's Legal System Theory, the protection of copyright in cinematographic works under Law Number 28 of 2014 satisfies the three essential elements of a legal system. From the perspective of legal substance, the Copyright Law clearly regulates the subject matter of protection, moral rights, economic rights, protection in the digital environment, and sanctions for copyright infringement. Regarding legal structure, copyright enforcement is supported by several competent institutions, including the Directorate General of Intellectual Property, the National Police, the Public Prosecution Service, and the courts, each of which possesses authority to resolve disputes and enforce copyright law. The existence of these institutions demonstrates that Indonesia has established an adequate institutional framework for copyright protection.

Nevertheless, considerable challenges remain with respect to legal culture. Public awareness of the importance of respecting copyright has not yet developed to an optimal level, as evidenced by the widespread use of illegal streaming websites and the consumption of pirated content. Many members of the public continue to perceive access to films through unauthorized platforms as a harmless activity. In reality, such conduct

directly deprives authors of their economic rights, reduces revenue within the creative industries, and undermines the protection of intellectual works. These circumstances indicate that the effectiveness of copyright protection depends not only on the quality of legal regulations and institutional arrangements but also on the degree of public legal awareness and respect for intellectual property rights.

Based on the foregoing discussion, it may be concluded that Law Number 28 of 2014 provides a comprehensive legal framework for the protection of cinematographic works through the recognition of automatic copyright protection, moral rights, economic rights, protection in the digital environment, and enforcement mechanisms incorporating both criminal and civil sanctions. Nevertheless, the continuing evolution of information technology has generated new forms of copyright infringement that require further strengthening of the copyright protection system. Such efforts should include the optimization of law enforcement, the enhancement of institutional capacity among competent authorities, and greater public education concerning the importance of respecting copyright. Through these measures, the fundamental objectives of law mnamely legal certainty, justice, and legal utility for both authors and copyright holders can be more effectively realized in the digital era.

Copyright Protection of Cinematographic Works from the Perspectives of ASEAN and WIPO

Copyright protection in the digital era can no longer be regarded solely as a matter of domestic law. The borderless nature of the Internet enables copyright infringement to be committed in one jurisdiction while its detrimental effects are experienced by copyright holders in another. In the context of cinematographic works, infringements frequently occur through illegal streaming websites, content-sharing platforms, and other digital media involving perpetrators, servers, and users located across multiple jurisdictions. Consequently, effective copyright protection requires synergy between national legislation, regional cooperation, and international legal standards. In this regard, the Association of Southeast Asian Nations (ASEAN) and the World Intellectual Property Organization (WIPO) play significant roles in developing a copyright protection framework capable of addressing the challenges posed by rapid technological advancement.

At the regional level, ASEAN Member States have recognized intellectual property (IP) protection as a fundamental pillar for promoting innovation, attracting investment, and fostering sustainable economic growth. This commitment is reflected in the ASEAN Intellectual Property Rights Action Plan (AIPRAP), which serves as a strategic framework for strengthening intellectual property systems throughout the region. The Action Plan emphasizes policy harmonization, capacity building for law enforcement authorities, and cross-border cooperation in combating intellectual property infringements, including digital piracy. Within the ASEAN framework, copyright protection is viewed not only as a legal mechanism for safeguarding authors' rights but also as a strategic instrument for enhancing the competitiveness of the regional creative economy.

From ASEAN's perspective, cinematographic works constitute valuable creative assets that contribute significantly to economic growth, employment generation, and cultural promotion. Accordingly, film piracy and illegal streaming activities are regarded as serious threats to the sustainability of the film industry. ASEAN encourages its Member States to strengthen the effectiveness of copyright enforcement, improve cross-border institutional coordination, and increase public awareness regarding the importance of accessing digital content through lawful channels. Thus, copyright protection extends beyond safeguarding the economic rights of authors to supporting sustainable regional economic development.

At the international level, WIPO serves as the specialized agency of the United Nations responsible for developing global standards for intellectual property protection. One of its most significant legal instruments is the WIPO Copyright Treaty (WCT) of 1996, which was adopted in response to the rapid expansion of the Internet and digital technologies. The WCT extends copyright protection to the digital environment by recognizing authors' exclusive right of communication to the public through electronic means. This provision establishes a legal basis enabling copyright holders to control the online dissemination of their works, including cinematographic works distributed through digital platforms.

In addition to protecting the economic rights of authors, the WCT provides legal protection for Technological Protection Measures (TPMs) and Rights Management Information (RMI). These provisions are intended to prevent the circumvention or removal of digital security measures employed by copyright holders to protect their works. Such protection is particularly relevant given that digital piracy frequently involves bypassing the security systems of legitimate streaming platforms before unauthorized dissemination occurs. Consequently, the WCT represents an essential international instrument for strengthening copyright protection in the digital environment.

When compared with the provisions of Indonesia's Law Number 28 of 2014 on Copyright, it is evident that Indonesia has substantially incorporated many of the principles embodied in the international copyright regime. The Copyright Law recognizes cinematographic works as protected subject matter, provides legal protection for both the moral and economic rights of authors, and regulates copyright infringements committed through information technology. This demonstrates a considerable degree of harmonization between Indonesia's domestic legal framework and the international standards developed under the auspices of WIPO.

Nevertheless, the implementation of copyright protection continues to encounter significant challenges. Digital copyright infringement differs fundamentally from conventional infringement because it involves transnational networks, servers located outside national jurisdictions, the continuous migration of illegal website domains, and the utilization of sophisticated technologies to evade law enforcement surveillance. These circumstances complicate both the identification of perpetrators and the enforcement of copyright laws. Therefore, effective copyright protection requires stronger international cooperation between ASEAN Member States and WIPO, particularly in information sharing, coordinated enforcement efforts, and regulatory harmonization.

Apart from enforcement challenges, inadequate public awareness remains a major obstacle to effective copyright protection. Many Internet users continue to perceive access to films through illegal streaming websites as a harmless activity. In reality, such practices deprive authors of their economic rights, reduce revenues within the film industry, and impede the growth of the creative economy. Accordingly, in addition to strengthening legal regulations, governments and relevant stakeholders must promote public education initiatives that encourage respect for copyright and the use of legitimate digital services.

From a comparative perspective, Indonesia, ASEAN, and WIPO share broadly consistent principles regarding copyright protection. Indonesia grants automatic copyright protection for cinematographic works under Law Number 28 of 2014 on Copyright. Although ASEAN has not established a binding regional copyright regime, it promotes policy harmonization through the ASEAN Intellectual Property Rights Action Plan. Meanwhile, WIPO, through the Berne Convention for the Protection of Literary and Artistic Works and the WIPO Copyright Treaty, establishes minimum international standards of copyright protection for its Member States. All three systems recognize automatic copyright protection without registration, acknowledge both moral and economic rights, and emphasize the importance of protecting cinematographic works in the digital environment. Their principal distinction lies in the mechanisms of implementation and enforcement, whereby WIPO functions primarily as an international standard-setting institution, while the responsibility for enforcement remains vested in individual states.

When analyzed through Lawrence M. Friedman's Legal System Theory, the protection of copyright in cinematographic works demonstrates substantial progress in terms of legal substance through the development of national, regional, and international legal instruments that accommodate technological advancements in the digital era. From the perspective of legal structure, both ASEAN and WIPO have promoted stronger institutional cooperation and enhanced the capacity of law enforcement authorities to address transnational copyright infringements. However, the legal culture dimension continues to present challenges, particularly due to insufficient public awareness regarding respect for copyright and the importance of utilizing legitimate digital platforms.

Based on the foregoing analysis, it may be concluded that ASEAN and WIPO have made significant contributions to the development of copyright protection standards capable of addressing the challenges of the digital era. The principles established by these organizations have, to a considerable extent, been incorporated into Indonesia's Law Number 28 of 2014 on Copyright. Nevertheless, effective protection of cinematographic works still requires improvements in law enforcement, cross-border cooperation, and the cultivation of a stronger public legal culture. Harmonization between national legislation, ASEAN regional policies, and WIPO international standards remains essential for establishing an effective copyright protection regime capable of combating illegal streaming and other forms of copyright infringement in the digital age.

The Implementation of Legal Protection against Copyright Infringement of Cinematographic Works: Analysis of Verdict No. 762/Pid.Sus/2020/PN Jmb

During the evidentiary proceedings, the public prosecutor presented various forms of evidence demonstrating the defendant's involvement in managing the illegal website. These included electronic evidence, witness testimony, digital forensic examinations, and documentary evidence establishing the defendant's connection to the operation of the website. The evidence showed that the defendant knowingly provided unauthorized public access to copyrighted cinematographic works through an online platform for commercial purposes. Based on the evidence presented, the panel of judges concluded that the defendant had intentionally infringed the copyright holder's exclusive rights. Accordingly, the court held that the defendant's conduct fulfilled all legal elements of criminal copyright infringement under Law of the Republic of Indonesia Number 28 of 2014 on Copyright.

From a normative perspective, copyright protection for cinematographic works in Indonesia is principally governed by Article 40 paragraph (1) letter (m) of Law Number 28 of 2014 on Copyright, which expressly recognizes cinematographic works as protected creations. Indonesian copyright law adopts the declarative principle; whereby copyright protection arises automatically once a work has been fixed in a tangible form without requiring formal registration. Consequently, the film *Keluarga Cemara*, which formed the subject matter of this case, obtained copyright protection from the moment it was created and published. This protection encompasses both moral rights, which preserve the author's personal connection with the work, and economic rights, which grant exclusive authority to exploit the work for commercial purposes.

The principal issue in this case concerns the infringement of the copyright holder's economic rights. Article 9 of the Copyright Law grants authors and copyright holders exclusive rights to publish, reproduce, distribute, communicate, perform, and commercially exploit their works. Any utilization of these rights by another party requires prior authorization from the copyright holder. In the present case, the defendant distributed and communicated copyrighted cinematographic works through an online platform without obtaining the necessary permission, thereby depriving the copyright holder of legitimate economic benefits. The unauthorized dissemination of films through digital platforms not only causes financial losses to creators and producers but also threatens the sustainability of the creative industry by reducing incentives for future investment in film production.

In its legal reasoning, the panel of judges emphasized that technological advancement cannot justify violations of copyright law. Although the Internet has transformed the distribution and accessibility of creative works, its use must remain consistent with the exclusive rights guaranteed to authors and copyright holders. The court therefore recognized that unauthorized online dissemination of copyrighted films constitutes a modern form of copyright infringement comparable to conventional piracy involving physical media. This interpretation demonstrates that Indonesian copyright law

is capable of addressing technological developments by extending legal protection to infringements committed through digital platforms.

From the perspective of Philipus M. Hadjon's theory of legal protection, this judgment reflects the implementation of repressive legal protection through criminal law enforcement. The prosecution and conviction of the defendant illustrate the State's responsibility to safeguard intellectual property rights after a legal violation has occurred. Criminal sanctions imposed by the court serve not only as punishment for the offender but also as a deterrent against future copyright violations. Furthermore, the judgment reinforces legal certainty by confirming that digital piracy is subject to the same legal consequences as traditional forms of copyright infringement.

The effectiveness of copyright protection in this case may also be analyzed through Lawrence M. Friedman's Legal System Theory, which identifies legal structure, legal substance, and legal culture as the three essential elements of an effective legal system. The legal structure is reflected in the coordinated work of investigators, prosecutors, and judges throughout the criminal proceedings. The legal substance is demonstrated by the application of Law Number 28 of 2014 on Copyright as the primary legal basis for imposing criminal liability. However, legal culture remains a significant challenge because the widespread public acceptance of pirated digital content continues to encourage copyright infringement. Consequently, effective copyright protection requires not only comprehensive legislation and effective law enforcement but also increased public awareness regarding the importance of respecting intellectual property rights.

From the regional perspective, this judgment is consistent with ASEAN's commitment to strengthening intellectual property protection within the digital economy. Through the ASEAN Intellectual Property Rights Action Plan, ASEAN encourages Member States to enhance copyright enforcement, improve institutional capacity, and strengthen cooperation in combating cross-border digital piracy. The prosecution of the operator of the illegal streaming website demonstrates Indonesia's commitment to implementing these regional objectives while contributing to greater harmonization of copyright protection across ASEAN.

Similarly, the court's legal reasoning aligns with international copyright principles developed by the World Intellectual Property Organization (WIPO), particularly those reflected in the WIPO Copyright Treaty. WIPO recognizes the exclusive right of authors to control the communication of their works to the public through digital networks. By imposing criminal liability for the unauthorized online dissemination of cinematographic works, the Indonesian court applied legal principles that are consistent with internationally recognized standards for copyright protection in the digital environment.

Overall, Verdict No. 762/Pid.Sus/2020/PN Jmb represents a significant example of Indonesia's commitment to protecting cinematographic works against digital copyright infringement. The judgment demonstrates that Indonesian copyright law provides an adequate legal framework for prosecuting individuals who exploit copyrighted films through unauthorized online distribution. At the same time, the decision reflects Indonesia's compliance with both ASEAN's regional intellectual property framework and

WIPO's international copyright standards. Nevertheless, the persistence of digital piracy indicates that criminal enforcement alone is insufficient. Sustainable copyright protection requires a comprehensive approach that combines effective law enforcement with preventive measures, including public education, digital literacy, international cooperation, and improved technological mechanisms for combating online copyright infringement.

Conclusion

Based on the findings of this study, copyright protection for cinematographic works in Indonesia is comprehensively regulated under Law of the Republic of Indonesia Number 28 of 2014 on Copyright, which safeguards both the moral rights and economic rights of authors and copyright holders. This legal framework is generally consistent with regional policies established under the ASEAN Intellectual Property Rights Action Plan as well as international standards developed by the World Intellectual Property Organization (WIPO), particularly the WIPO Copyright Treaty (WCT), which emphasizes the protection of copyrighted works in the digital environment. Nevertheless, rapid advancements in information technology necessitate stronger implementation and more effective law enforcement to ensure that copyright protection remains capable of addressing the evolving forms of digital infringement.

An analysis of Decision Number 762/Pid.Sus/2020/PN Jmb demonstrates that criminal law enforcement mechanisms have been effectively applied to protect the economic rights of copyright owners against digital film piracy conducted through illegal websites. The decision reflects the enforcement of Indonesia's Copyright Law while also demonstrating consistency with ASEAN commitments and the principles of digital copyright protection advanced by WIPO. Accordingly, strengthening inter-agency coordination, enhancing the use of technology in law enforcement, and expanding international cooperation are essential to ensuring the effective protection of copyright in cinematographic works and fostering the sustainable growth of the creative industry in the digital era.

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Competing Interest

The authors state that there is no conflict of interest in the publication of this article.

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