

Copyright Protection Against Plagiarism

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Abstract

Forms of repressive protection of copyright law authors can make a prosecution against the person on the paper. Preventively, the author who publish written works through electronic media also get protection laws of the government aimed at preventing before a violation occurs. Then, legal consequences if there is a violation of written works through electronic media, namely, repressively, the person who commits a violation of a copyrighted work in this case paper, it will be sanctioned in the form of fines, imprisonment, and additional penalties given the government when the authors are harmed prosecution. In Law- Basic Law No. 28 of 2014 on copyright also explained that "copyright is exclusive rights of the creator arising automatically on the basis of the declarative principle after a creation is realized in tangible form without prejudice to the restrictions in accordance with the provisions legislation".

Keywords: Paper, Plagiarism, Protection

1. INTRODUCTION

As technology develops, of course, the publication of a work there are terms and conditions apply. Wrong one example is the protection law on written works that have been published in electronic media. Legal protection is every effort is made to ensure there is a rule of law, so can provide legal protection to the concerned parties or who performs the action law".

In the publication of written works via the internet or electronic media preventive legal protection and repressive measures were put in place. Examples in-app writing platform Wattpad, authors earn per- copyright protection for melin- do the writing. Based on false one electronic media is Wattpad, written works are automatically protected by copyright law when individuals add your original work to in a fixed format. All shapes this kind of legal protection it's also available on all platforms other writing that can be accessed by each individual.

The publication of a paper through the platform or electronic media which aims to promote a work certainly has a level plagiarism is quite high. For example, in an application or Wattpad platform, many writers who complain his work is imitated without to his knowledge therefore, electronic media such as Wattpad facilitating legal protection that happened in

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Indonesia. Based on UU No. 8 Of 2014 On Rights Cipta Article 42 states : "Copyright is an exclusive right auto-arising creator based on the declarative principle after the creation takes place in the form real without reducing restrictions in accordance with regulatory provisions legislation".

Importance of this research done is for the writing of works published through the media Electronics is becoming increasingly clear and copyright legal protection system for written works through me-dia electronic devices can be used by individuals who wants to be a pioneer in the media electronics, therefore researchers want discuss more about Copyright Law Protection Papers Published Through Electronic Media for perma-fault on copyright will increasingly widespread. This paper will describe about how it's shaped protection of copyright law against works written through electronic media and what are the legal consequences if it happens violation of written works.

2. RESEARCH METHOD

The type of research chosen is normative legal research that is research establish the law as a system of norms. The system of norms in question is about the principles, norms, rules and regulations. Peter Mahmud Marzuki that: 'normative legal research is a process of finding a rule of law, principles of law, as well as legal doctrines to answer legal problems faced. Normative legal research conducted to produce argumentation, theory or a new concept as a prescription in solving the problem at hand. research normative law is also called doctrinal legal research, namely research aimed at to provide a detailed systematic explanation of the rule of law governing the field of specific legal rules, analyze the relationship between the rules of law one denhan the other, explaining the elusive parts of a rule of law and it also includes predictions of the future development of a particular rule of law. Doctrinal legal research is library-based research whose focus is analysis of primary legal materials. This type of research is based on the thought that this study to analyze a system of norms or rules.

3. RESULT AND ANALYSIS

According to Soeroso, legal consequences is : "As a result of an action done to obtain a the desired result perpetrators and those regulated by law. His actions is a legal action that is done in order to get something as a result of wanted by law".

It is even clearer that the consequences law is everything that happens of all legal acts conducted by the subjects of law against object of law or other consequences caused by events- certain events by law has been determined, or considered as a legal consequence. Aftermath law as a result of which occurs from all legal acts are reflected in the sanctions in the

regulations legislation. Protection repressive laws in a law is a deterrent effect for legal subjects who do an offense.

Man has Sense in think therefore formed an idea that makes our minds in creating something, for example that is, writing. The definition of writing is a work of individual creation based on pure ideas and reason from the creator himself.

The paper is one intellectual property material that can easily hijacked or copied anyone who can access the internet. Considering how easily people upload or commonly called Upload a paper to the media on the internet, so it's easy people Download (Download) works write the.

Writing is a way in the development of thinking techniques, skills, and fostering creativity in thinking. In the presence of a in the art of writing, people can expand and remove all the contents of the idea in making the story romance, horror, and other so on.

Related in the paper published through the media Electronics, the act of plagiarizing a work is an act of violation the law, which leads to as a result of the law itself. As for against the piracy of knowledge books will be subject to compensation. Compensation is a payment amount of money charged to perpetrators of violations of economic rights creator, copyright holder and/or owners of related rights under the ruling Court of civil or criminal cases the power of law remains over losses suffered by creators, copyright holder and / or owner related rights. In accordance with the law 2014 Law On Copyright Chapter 9 (2): "everyone who exercising economic rights as stated in Paragraph (1) must obtain permission of the creator or copyright holders". This means that each people who get economic rights of a creation upon a work of creation included in this paper without obtain permission from PE-ncipta or copyright holders are actions prohibited by the law of Rights Copyright, so it can be subject to sanctions criminal or civil. As a form per-protection of copyright law against the book of knowledge, the government Indonesia imposes fine sanctions criminal and civil. As for criminal provisions related to duplication or piracy of books pengeta-huan regulated in law- Copyright law as follows : Article 113 paragraph (3) and (4) of the Rights Act Cipta explained that: "Everyone with no rights and / or without the permission of the creator or copyright holders do violation of the economic rights of inventors as referred to in Article 9 paragraph (1) letter a, letter b, letter e, and / or the letter g for use commercially convicted with maximum length of imprisonment 4 (four) year and / or the maximum penalty many Rp. 1,000,000,000 .00 (one billion rupiah). Article 9 paragraph (1) letters a: Invention publication, letter b: the art of creation in all the form, the letter e: distribution creation or copy thereof, the letter g: announcement of the invention". Article 113 paragraph (4) of the Copyright Act explains that : "everyone who meet the elements as

referred to in paragraph (3) carried out in the form of piracy, sentenced to imprisonment maximum of 10 (ten) years and/or the most common Rp4, 000, 000, 000.00 (four billion rupiah).

In general, the law The Copyright Act has been trying to tackle crime against good written works violations copyright and plagiarism, but it is not enough to face on the development of technology current information. Development social media in Indonesia along with the rise of plagiarism in social the media. Problems in plagiarism is not just about sanctions in the formulation of legislation, but more inclined to morality somebody. So that the legal consequences which will be obtained by the plagiarist in social media is a moral sanction variegated, ranging from scorn until condemnation and even ostracism, and can be added administrative sanctions when this is done in academic institutions and the press.

Subsequent consequences of sanctions social can lead to closure of plagiarized social media accounts unilaterally by social media server that is wamppad. Legal consequences that have been found in some rules governing rights create a paper on the internet media already very clear. But the development what happened to in-ternet media it should be customizable too with more legal consequences present. On the subject of surveillance against plagiarism and infringement copyright on the internet media is very it's hard to do. 10 as a result of the law of plagiarism own have criminal sanctions or civil, therefore the authors or creators of their writing on the media it will be directly protected by law and applicable law.

4. CONCLUSION

Legal consequences if they occur violation of written works through electronic media is, in repressive, people who do infringement of a copyrighted work in this paper, it will receive sanctions in the form of fines, imprisonment, and additional penalties provided when the author of the harmed by prosecution. Preventively, the platform parties certain will do warning hard before doing happens Plagiarism, through counseling, and the appeal will be a specific cases. Copyright law protection for papers published through electronic media expected understand what forms of plagiarism are and how to deal with it when it comes to acting plagiarism happens. In addition publish papers through electronic media, must also understand risks that may occur in the future. Plagiarism is difficult abolished in the community so that many found cases of plagiarism although there are laws it's clear about copyright.

REFERENCE

C.S.T. Kansil, Pengantar Ilmu Hukum dan Tata Hukum Indonesia, Jakarta: Balai Pustaka, 1989.

Hetty Hasanah, "Perlindungan Konsumen Dalam Perjanjian Pembiayaan Konsumen Atas Kendaraan Bermotor Dengan Fidusia," Jurnal Majalah Ilmiah Fakultas Hukum Universitas Komputer Indonesia Bandung Vol. 3 No.1, 2004.

Soeroso, Pengantar Ilmu Hukum, Jakarta: Sinar Grafika, 1996.

Tedi Sudrajat dan Endra Wijaya:Perlindungan Hukum Terhadap Tindakan Pemerintahan, Jakarta : Sinar Grafika, 2020.