

ABSTRAK

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Program Studi : Pascasarjana Ilmu Hukum, Kekhususan Hukum
Ekonomi
Judul Tesis : Perlindungan Hukum Terhadap Hak Cipta Atas
Karya Sinematografi : Tinjauan Khusus Hak
Penyewaan Karya Sinematografi Dalam Bentuk
VCD

Tesis ini membahas perlindungan hukum hak cipta atas karya sinematografi dengan tinjauan khusus hak penyewaan karya sinematografi dalam bentuk VCD. Dengan pendekatan sosiolegal, dilihat bagaimana bekerjanya hukum di tengah masyarakat serta berinteraksi dengan lingkungan di mana hukum itu diberlakukan. Memakai analisa deskriptif kualitatif yaitu memaparkan dan menggambarkan realita atas permasalahan yang ada di lapangan untuk menunjang hasil penelitian. Hasil penelitian menunjukkan penegakan hukum hak cipta atas hak penyewaan karya sinematografi dalam bentuk VCD belum dapat berjalan, disebabkan: perbedaan konsep kepemilikan pelaku usaha penyewaan dengan konsep rezim hak cipta, kurangnya pemahaman masyarakat dan penegak hukum terhadap hak penyewaan, penegak hukum belum serius, dan belum ada peraturan pelaksana dari ketentuan hak penyewaan. Juga bahwa pemegang hak cipta lebih fokus kepada pemberantasan pembajakan VCD.

Kata kunci: Hak penyewaan, karya sinematografi, VCD

ABSTRACT

Name : Alfared Damanik
Study Program : Postgraduate Program in Economic Law
Judul Tesis : The Legal Protection of Copyright on
Cinematography Work: Special Review on Rental
Right of Cinematography Work in the form of VCD

This thesis to study about legal protection of copy right on cinematografi work with special review on rental right of cinematography in the form of VCD. Using the socio-legal approach, to see how the law works among society and how it interacts on the environment where it prevail. Qualitative descriptive analysis is used to describe and explain the reality of legal problems that has existed to support the result of field research.

The research result show that the copyright law enforcement on rental right of cinematography in the form of VCD hasn't been being realized yet, caused by: difference of the ownership concept between rental entrepreneurs and the copyright concept, the people's and the law enforcement apparatus's knowledge about rental right are still weak, the apparatus have not worked seriously to enforce the copyright provision, and the rental right regulation has not been complemented by implementation regulations. Also found that the copyright holders are more focus to eliminate the copyright pirating of VCD.

Key word: Rental right, cinematography work, VCD