ABSTRAK

Penelitian ini mengkaji dua aspek, yaitu perlindungan bagi korban dan pertanggungjawaban dari pelaku. Tujuan penelitian ini menganalisis perlindungan hukum terhadap ciptaan yang digunakan sebagai sumber data bagi *Artificial Intelligence* untuk menghasilkan ciptaan baru dan menganalisis pertanggungjawaban hukum dari penyedia platform berbasis *Artificial Intelligence* yang melanggar hak cipta orang lain. Metode penelitian ini menggunakan *legal research* (normatif). Hasil penelitian ini menjelaskan bahwa terdapat dua upaya perlindungan hukum. *Pertama*, upaya preventif berupa menyusun peraturan baru atau mengubah Undang-Undang Nomor 28 Tahun 2014 tentang Hak Cipta dengan mengadopsi dan menerapkan doktrin *Work Made For Hire* yang dianut negara bersistem *common law*. *Kedua*, upaya represif berupa proses litigasi sebagaimana regulasi yang diterapkan di Amerika Serikat, Uni Eropa, dan Cina karena persoalan hak cipta yang melibatkan *Artificial Intelligence* di Indonesia belum diatur. Pertanggungjawaban di Amerika Serikat menetapkan bahwa hukuman perdata berupa sanksi denda, sedangkan hukuman pidana berupa ganti rugi atas putusan pengadilan. Uni Eropa menetapkan bahwa hukuman perdata berupa denda administratif, sedangkan hukuman pidana tidak dijelaskan secara rinci. Cina menetapkan bahwa jika perbuatannya belum diatur di dalam peraturan perundang-undangan, maka akan diberikan peringatan dan melakukan penghentian praktik penyediaan layanan, sedangkan hukuman perdata dan pidana tidak dijelaskan secara rinci.

Kata Kunci: *Artificial intelligence*. Perlindungan hak cipta. Pertanggungjawaban hukum.

ABSTRACT

This research examines two aspects, namely protection for victims and liability of perpetrators. The purpose of this study is to analyze the legal protection of creations used as data sources for Artificial Intelligence to produce new creations and analyze the legal liability of Artificial Intelligence-based platform providers who infringe on the copyrights of others. This research method uses legal research (normative). The results of this study explain that there are two legal protection efforts. First, preventive efforts in the form of drafting new regulations or amending Law Number 28 of 2014 concerning Copyright by adopting and applying the Work Made For Hire doctrine adopted by countries with a common law system. Second, repressive efforts in the form of litigation processes as regulations applied in the United States, the European Union, and China because copyright issues involving Artificial Intelligence in Indonesia have not been regulated. Liability in the United States stipulates that civil penalties are in the form of fines, while criminal penalties are in the form of compensation for court decisions. The European Union stipulates that civil penalties are in the form of administrative fines, while criminal penalties are not detailed. China stipulates that if the act has not been regulated in the laws and regulations, it will be given a warning and stop the practice of providing services, while the civil and criminal penalties are not explained.

Keywords: Artificial intelligence. Copyright protection. Legal liability.