



The Challenges of Copyright Protection in the Digital Age: Between Innovation and Piracy

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<p>Article History Received: 2026-04-05 Revised: 2026-04-15 Published: 2026-05-10</p> <p>Keywords: <i>Copyright; Digital Age; Piracy; Legal Protection</i></p>	<p>The development of digital technology has brought significant changes in the pattern of creation, distribution, and consumption of copyrights. On the one hand, the digital era encourages innovation and ease of access to intellectual works, but on the other hand it also increases the practice of copyright infringement such as digital piracy. This condition poses a serious challenge to the copyright law protection system, especially in maintaining a balance between the protection of the interests of creators and the public interest. This research aims to analyze the challenges of copyright protection in the digital era and examine legal remedies that can be taken in dealing with piracy practices. The research method used is normative juridical research with a legislative approach and a conceptual approach, through the study of laws and regulations related to copyright and relevant legal literature. The research stages include the collection of primary and secondary legal materials, normative analysis, and deductive conclusions. The results of the study show that weak law enforcement, low public legal awareness, and faster technological developments than regulations are the main factors for the rise of digital piracy. Therefore, it is necessary to strengthen regulations, increase public legal literacy, and synergy between the government, creative industry players, and digital platforms to create an effective and fair copyright protection system in the digital era.</p>

I. INTRODUCTION

Copyright is a form of legal protection for intellectual works that have economic and moral value for their creators. In the development of modern society, copyrighted works are not only seen as the result of individual creativity, but also as a strategic asset in economic and cultural development. Along with the rapid development of digital technology, especially the internet and digital media, the pattern of using copyrighted works has undergone very significant changes.

The digital era provides convenience in accessing, duplicating, and disseminating copyrighted works in a short time and at a relatively low cost. However, this condition also opens up opportunities for copyright infringement in the form of digital piracy, such as illegal downloading, distribution without permission, and the use of copyrighted works without including the moral rights of the creator.

This practice not only harms creators economically, but also weakens the copyright legal protection system itself.

Previous research relevant to this study is research conducted by Khairil Fahmi, Muhammad Akbar, and Daud (2025) which discusses legal protection of digital copyright in the creative economy era. The research confirms that digital copyright has a very strategic position in supporting the development of the creative economy based on innovation and creativity. Copyright as an exclusive right that automatically arises provides protection for various forms of digital works, such as music, movies, software, and other digital content. However, the study also revealed that the rapid development of digital technology actually poses serious challenges in the form of increasing copyright infringement, especially through piracy and the dissemination of unlicensed works on the internet, including those

involving the use of cutting-edge technologies such as artificial intelligence. The findings of this study show that existing copyright regulations are not fully adaptive to the dynamics of digital technology, so it is necessary to strengthen a legal framework that is able to accommodate technological innovation without neglecting the protection of moral rights and economic rights of creators. In addition, the study emphasizes the importance of the application of digital security technology and effective law enforcement as a supporting instrument for copyright protection. Copyright protection is not only seen as a legal protection effort, but also as a strategic instrument to increase the economic value of copyrighted works so that they can be optimally monetized in the creative economy ecosystem. Thus, Fahmi et al.'s research provides a strong conceptual foundation that digital copyright protection must be comprehensively understood, including legal, technological, and economic aspects, which is in line with the focus of this research in examining the challenges and efforts of copyright protection in the digital era. (Fahmi et al., 2025)

Previous research relevant to this study is research conducted by Fenny Wulandari (2024) in the *Journal of Contemporary Law Studies* which discusses the problem of copyright infringement in the digital era. The study aims to examine the increasing number of copyright infringements related to digital content in Indonesia and identify concrete steps that can be taken to strengthen supervision and law enforcement. The method used is normative juridical research by analyzing secondary data in the form of laws and regulations, court decisions, journals, and related legal literature. The results of the study show that copyright infringement in the digital era continues to increase along with the ease of distribution and use of copyrighted works without permission, which demands the role of the legal system not only as a collection of norms, but also as a system of social behavior involving various stakeholders. This study emphasizes the importance of strengthening copyright protection institutions, such as Collective Management Institutions (LMK), the implementation of an effective royalty

management system, and the use of technical protection measures and information management in accordance with the provisions of WCT/WPPT to control access and utilization of copyrighted works. These findings make an important contribution to this research, especially in understanding the urgency of more effective supervision and law enforcement to create a sense of security for creators and encourage the growth of the creative industry in the digital era.

Previous research relevant to this study is research conducted by Ujang Badru Jaman, Galuh Ratna Putri, and Tiara Azzahra Anzani which examines the urgency of legal protection for digital copyrights. The research highlights the rapid development of science and technology that causes the transformation of copyrighted works from physical to digital forms, thereby increasing the potential for copyright infringement. Using normative juridical research methods, this study views law as a written norm in laws and regulations that govern community behavior. The results of the study confirm that based on Law Number 28 of 2014 concerning Copyright, copyright is an exclusive right that includes moral rights and economic rights, where any use of economic rights to a work must obtain permission from the creator or copyright holder. This research also emphasizes the importance of the role of the government and law enforcement officials in providing legal protection through the application of strict and appropriate sanctions against copyright infringement, so that legal protection is not only preventive, but also repressive. These findings make an important contribution to this research in emphasizing the urgency of strengthening the legal protection of digital works copyright in the midst of the increasingly rapid development of digital technology (Badru Jaman et al., 2021).

The problem that arises is how effective copyright protection is in the midst of the very dynamic development of digital technology, and the extent to which existing regulations are able to answer these challenges. Therefore, this research is important to examine the challenges of copyright protection in the digital era and formulate legal remedies that can be taken to

suppress piracy practices without hindering innovation and public access to information. (Wulandari, 2024)

II. RESEARCH METHODS

This research uses a normative juridical research method, which is research that focuses on the study of applicable legal norms. The approaches used include a legislative approach and a conceptual approach. The legislative approach is carried out by examining various regulations that regulate copyright, while the conceptual approach is used to understand the concepts of copyright protection and digital piracy from a legal perspective. (Heroic , 2024)

The research stage begins with the collection of primary legal materials in the form of laws and regulations related to copyright, as well as secondary legal materials in the form of books, scientific journals, and legal articles. Furthermore, the legal material is systematically analyzed to identify problems and find answers to the formulation of the problem. The analysis is carried out qualitatively by drawing conclusions deductively.

III. RESULTS AND DISCUSSION

A. Results

The results of the study show that copyright protection in the digital era faces increasingly complex challenges along with the rapid development of information and communication technology. Digitization allows copyrighted works in the form of music, movies, books, software, and visual content to be copied and disseminated instantly via the internet. This condition causes existing regulations to often lag behind technological innovations that develop very quickly. Laws and regulations on copyright are basically drafted to regulate infringement in physical space, so that when applied to infringement in the digital space, there are often legal gaps and inaccuracies in the application of norms. As a result, legal protection for creators becomes less than optimal, especially when violations are committed across regions and even countries. (Dian Utami Amalia et al., 2024)

In addition to regulatory issues, law enforcement against copyright infringement in the digital space also faces various technical and juridical obstacles. In terms of proof, copyright infringement on the internet is often difficult to track because the perpetrator can hide their identity through anonymous accounts, overseas servers, or encryption technology. Law enforcement officials often have difficulty gathering legitimate digital evidence and meeting evidentiary standards in court. From the jurisdictional aspect, many copyright violations are carried out through digital platforms based abroad, thus raising the issue of legal authority between countries. The limitations of international cooperation and differences in the legal system further complicate the law enforcement process against these violations. (Hilman Nur et al., 2025)

Another obstacle is the limited resources of law enforcement officials, both in terms of number, competence, and understanding of digital technology. Handling cases of digital copyright infringement requires special expertise in the field of information technology and digital forensics, which is not fully owned by all law enforcement officials. This condition has an impact on the low effectiveness of law enforcement, so copyright infringement is often not handled optimally or even ignored.

On the other hand, the low legal awareness of the public on the importance of respecting copyright has also exacerbated the rampant practice of digital piracy. Many internet users still view the downloading and use of copyrighted works without permission as natural and not unlawful. The "free" culture that thrives in the digital space creates a false perception that all content available on the internet can be used freely without regard to the economic rights and moral rights of creators. The lack of education and socialization about copyright causes the public to not understand the negative impact of piracy, both on creators and on the sustainability of the creative industry as a whole. (Glory et al., 2025)

The combination of weak regulations, low law enforcement effectiveness, and lack of public legal awareness creates an ecosystem that is not

conducive to copyright protection in the digital era. If this condition continues, it can reduce the motivation of creators to work and hinder the development of the creative economy. Therefore, copyright protection in the digital era not only requires regulatory updates and strengthening law enforcement, but also a preventive approach through increasing people's legal literacy. These efforts must be carried out in an integrated manner to create a balance between copyright protection, technological developments, and the public interest. (Yulianti et al., 2025)

B. Discussion

The discussion of the results of this study emphasizes that copyright protection in the digital era cannot depend only on formal legal instruments in the form of laws and regulations and criminal sanctions alone. Although regulation is the main foundation in providing legal certainty for creators, the reality is that the dynamics of digital technology are evolving much faster than the ability of the law to adapt. Therefore, the copyright protection approach must be comprehensive and involve a wide range of stakeholders, including the state, society, creative industry players, and digital platform providers. This multidimensional approach is needed to answer the complexity of copyright infringement that occurs in the digital space, which is not only legal, but also social, economic, and technological (Syukri, Azhari et al., 2025).

Improving public legal literacy is one of the crucial aspects in efforts to protect copyright. The low public understanding of the economic rights and moral rights of creators has led to the practice of copyright infringement, such as downloading and distributing illegal content, to still be considered normal behavior. Adequate legal literacy can form an awareness that every copyrighted work has value and rights that must be respected. Thus, preventive efforts through legal education and socialization are just as important as law enforcement. Strong public legal awareness will encourage the formation of a legal culture that values creativity and prevents violations from an early age. (Feby et al., 2025)

In addition to society, digital platforms have a strategic role in preventing and tackling copyright infringement. As a party that provides content distribution space, digital platforms have the technical capacity to supervise, filter, and remove illegal content. The implementation of a notice and takedown system, the use of content recognition technology, and a strict internal policy against copyright infringement are forms of platform responsibility in supporting copyright protection. Without the active involvement of digital platforms, it will be difficult for law enforcement by the state to run effectively given the vastness of the digital space and the high volume of content circulating.

The state continues to play a central role in creating an effective copyright protection system through strengthening regulations and law enforcement. The state must ensure that existing regulations are able to accommodate the development of digital technology without causing legal uncertainty. In addition, increasing the capacity of law enforcement officials in understanding digital crime and digital forensics is a must. Consistent and fair law enforcement will provide a deterrent effect for offenders and increase the creator's trust in the legal system. (Mulyani et al., 2024)

On the other hand, the balance between copyright protection and freedom of expression must be maintained so that regulations do not become a tool to restrict creativity and innovation. Copyright protection that is too repressive has the potential to hinder public access to information and curb the development of the creative industry. Therefore, copyright protection policies must be designed proportionately, while still providing space for fair use and encouraging copyright-based innovation. This balance is key in creating a healthy, fair, and sustainable digital ecosystem for all parties involved. (Vocabulary & Sariyudin, 2023)

IV. CONCLUSION AND SUGGESTIONS

A. Conclusion

Copyright protection in the digital era faces various main challenges that are increasingly complex, especially the rampant practice of digital

plagiarism that is carried out massively and cross-regionally through the internet. Weak law enforcement is a serious problem, both due to regulatory limitations that are not fully adaptive to the development of digital technology, as well as technical and juridical obstacles in the process of proving and prosecuting copyright infringement in cyberspace. In addition, the low legal awareness of the public on the importance of respecting the moral and economic rights of creators also exacerbates this condition, because the use and distribution of copyrighted works without permission is still often considered a natural thing. The development of technology that is much faster than regulatory updates causes a legal gap that is taken advantage of by violators. Therefore, integrated strategic steps are needed through strengthening regulations, increasing the capacity of law enforcement officials, utilizing digital security technology, and increasing public legal literacy to create an effective, fair, and sustainable copyright protection system in the digital era.

B. Suggestion

It is recommended that the government not only strengthen copyright regulations and law enforcement in the digital space, but also conduct periodic evaluations of existing regulations to remain relevant to technological developments. Increasing people's legal literacy is important to foster awareness and responsibility in appreciating the works of others. In addition, closer cooperation between the government, creative industry players, and digital platforms must be improved, for example through the development of digital content monitoring systems, the application of copyright security technology, as well as educational programs and anti-piracy campaigns. It is also necessary to build incentives for creators to register copyright and utilize legal mechanisms to protect their works. With this integrated approach, it is hoped that copyright protection can be effective, piracy can be minimized, and innovation in the creative industry continues to develop sustainably, along with the creation of a safe and fair digital ecosystem for all parties.

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