


## Juridical Review of the Right to Royalty Payments For Songwriters Based on Law Number 28 Of 2014 Concerning Copyright (Case Study of Ari Bias Vs Agnes Monica)

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Article Info	ABSTRACT
<p><b>Keywords:</b> Royalty, Songwriter, Copyright</p>	<p>Royalty payments for songwriters are very important to protect economic rights and maintain the ecosystem of the Indonesian Music Industry. But in its implementation, payment of song royalties is often ignored by Singers and Event Organizers. For example, in the case of copyright infringement experienced by Ari Bias who claimed to have never received royalty payments for the use of the song “Bilang Saja” sung by Agnes Monica for 20 years. This case reflects the weak legal protection of the economic rights of songwriters in Indonesia, especially in the distribution of royalties from Performers and National Collective Management Institutions (LMKN). This research uses a normative juridical method with a statutory approach and literature study, and uses secondary data as material for analysis. The results showed that although Law Number 28 of 2014 concerning Copyright has clearly regulated the payment of royalties to songwriters, its implementation has not been running optimally. Lack of awareness from Singers and Concert Organizers, not allocated budget for Performers to pay royalties to Songwriters and weak law enforcement are the main challenges. It is necessary to strengthen the royalty distribution mechanism, the active role of the state and the awareness of the Performers in guaranteeing the economic rights of Songwriters. This study is expected to contribute to the renewal of the copyright protection system in Indonesia.</p>
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### INTRODUCTION

Copyright is part of Intellectual Property that provides protection to a person's copyrighted works, including in the form of songs in accordance with Article 40 paragraph (1) letter d of Law Number 28 of 2014 concerning Copyright.[ Boy Brian E.S, Legal Protection Against Forms of Fixation in Musical Works Based on the Development of Copyright Law, Dharmasisya: Journal of the University of Indonesia Master of Law Program, Vol. 2, No. 1, March 2022, pp. 41 ] In the music industry, copyright plays an important role because it protects the interests of creators for the works they create. This protection includes moral rights and economic rights attached to songwriters. One of the most important economic rights that should not be ignored is the right to royalty payments. Royalties in accordance

with the provisions of Article 1 number 21 of Law Number 28 of 2014 concerning Copyright are compensation for the utilization of the economic rights of a work or related rights product in the form of use of the work, both in performances, digital media, and other commercialization received by the creator or owner of related rights (Yaman, Kiren, Marlina, & Handiriono, 2024).

Law Number 28 Year 2014 on Copyright is present as a legal umbrella that regulates in detail the rights of creators. This law provides a legal basis for songwriters to obtain protection for their moral and economic rights, including royalty collection. In practice, the collection and distribution of royalties should be carried out by the National Collective Management Institution (LMKN) which is authorized to represent the interests of the Creator in the management of royalties for commercial use of copyright. [Asma Karim, Legal Certainty of LMKN as a One Stop Integrated Institution for Collecting and Distributing Copyright Royalties and Related Rights in the Field of Music and Songs, *Legality: Journal of Law*, Vol. 13, No. 1, June 2021, pp. 64-79] However, its implementation in the field shows that there are various obstacles in this protection. One of the obstacles that is often encountered is the neglect of the creator's rights in the practice of commercialization of songs by singers, concert organizers and other parties.

One concrete example of a song royalty issue is the case between musician Ari Bias and Agnes Monica. Ari Bias is the creator of the song "Bilang Saja" which became a hit and popular in the early 2000s. The song was later sung by Agnes Monica and officially released in 2004 as part of the first studio album "And The Story Goes". However, Ari Bias stated that for almost 2 (two) decades he has never received royalties for the use of the song (Sari, 2025). Even until 2024, no royalty payments were recorded in the LMKN report in various concerts and other public appearances. Finally, on September 11, 2024, Agnes Monica was sued civilly at the Central Jakarta Commercial Court by Ari Bias for violating Article 9 paragraph (2) and paragraph (3) of the Copyright Law by performing the song "Bilang Saja" commercially without permission at a concert in Surabaya on May 25, 2023, a concert in Jakarta on May 26, 2023, and a concert in Bandung on May 27, 2023. Agnes Monica was found guilty and required to pay a fine of Rp 1.5 billion (Setyaningrum, 2025).

This situation is a very ironic thing about the fate of songwriters in the midst of the popularity of their songs that are enjoyed by the wider community. In an interview circulating on social media, Ari Bias said that although his songs provide economic benefits to many parties, including singers, concert organizers and other music industry players, he himself did not get anything in return. Ari Bias even chose to surrender and consider this condition as the "fate" of a songwriter (Rachmawati, 2025).

The case of copyright infringement also opens a space for discussion about the role of the National Collective Management Institution (LMKN) in channeling royalty rights to creators. LMKN should function as an official intermediary between Performers and Copyright Owners. In the case of Ari Bias's copyright infringement, for 20 years there is no report on the distribution of royalties for the song "Bilang Saja" even though its use in concerts, social media and electronic media continues.

Problems like this not only affect songwriters, but also threaten the sustainability of the music industry as a whole. When creators do not get their economic rights, it can affect the spirit of creativity and productivity in creating new works. In fact, Songwriters are the foundation of the music ecosystem, because without them there would be no material that can be sung or traded by Performers. The absence of protection for royalty rights is tantamount to killing the creative resources of Songwriters in Indonesia. Therefore, the fulfillment of royalty rights is an urgent necessity.

Through the case study of Ari Bias vs Agnes Monica, this paper will examine how the implementation of the right to royalty payment for Songwriters according to Law Number 28 Year 2014. This study will explore the legal aspects that should protect creators, including the role of the Collective Management Institution and the challenges in implementing the law. It is hoped that this study can provide a real picture of the gap between legal norms and practices in the field. In addition, this paper is expected to contribute ideas for the improvement of the copyright legal system in Indonesia.

The payment of royalties to song creators is not merely to protect the economic rights of the creators, but is also oriented towards justice and respect for intellectual works. Every work that is used commercially must also be accompanied by proper appreciation to its creator. The existence of Law No. 28 of 2014 on Copyright is not only a symbol of protection for the creativity of songwriters, but it must also be implemented concretely. If the royalty management system runs properly, there will be no more stories like Ari Bias who must be willing to see his work enjoyed by many people without obtaining his own rights.

## METHOD

This type of research is normative legal research, which focuses on analyzing applicable legal regulations or norms. This research is a library research where data collection techniques are carried out by collecting secondary data derived from laws and regulations, books, journals, and documents related to the research (Marzuki, 2014). The method of approach used is a statutory approach by understanding and conducting a study of existing laws and analyzing reading sources related to the issue.

## RESULTS AND DISCUSSION

Copyright is an exclusive right granted to creators of their works, including songs and music (rhythm, melody and harmony). In the context of Indonesian law, this right is regulated in Article 40 paragraph (1) letter d of Law Number 28 of 2014 concerning Copyright. The provision emphasizes that creations in the field of art, including songs and/or music with or without text, are included in the object of copyright protection. This protection includes moral rights and economic rights owned by the creator since the work is realized in real form (fixation), without having to be registered first. That is, once the song or music is created and performed and published in the wider community in the form of recordings or performances, then from that moment the song or music is protected (automatic protection).

Law No. 28/2014 on Copyright also guarantees the moral and economic rights of the

creator, where moral rights include the right of the creator to keep his/her name included in every copy, announcement, and public use of the work. This right is permanently attached to the creator and cannot be transferred to other parties during the life of the creator and after his death until it is continued by his heirs. Meanwhile, economic rights include the right to benefit from the use of the work, such as through licensing, performance, distribution, and royalty payments.

Copyright infringement arises when the creator's economic rights are not recognized or ignored by someone who uses someone else's work without permission and without providing compensation in the form of royalty payments. This often happens in the Indonesian music industry which still has weaknesses in the implementation of copyright protection. One case that is currently underway is a dispute over copyright infringement between Ari Bias and Agnes Monica. The chronology of the case can be seen in the Commercial Court Decision Number 92/Pdt.Sus-HKI/Hak Cipta/2024/PN Niaga Jkt.Pst which basically Ari Bias as the Plaintiff state (Thalib, 2025):

- a. That the Plaintiff is a composer or songwriter in Indonesia, one of whose songs entitled "Bilang Saja" was created by the Plaintiff in 2003 and included as one of the songs on the Defendant's album list released in the same year on the album "And The Stories Goes", and among musicians the Plaintiff is also known as Ari Bias;
- b. That the Defendant (Agnes Monica) is an Artist and/or Performer (Singer) who performed and performed a Creation, namely a song created by the Plaintiff entitled "Bilang Saja" which was performed without permission from the Plaintiff at 3 (three) concerts in Jakarta, Bandung, and Surabaya organized by the Defendant;
- c. That PT Aneka Bintang Gading (Co-Defendant) is a business group with a business focus on lifestyle and has a business network spread across various regions in Indonesia and its entertainment business covers restaurants, pubs, nightclubs, and music events. The Defendant is a business group with a business focus on lifestyle and as an organizer of concerts that have been held in Jakarta, Bandung and Surabaya;
- d. The Plaintiff has discovered that his song "Bilang Saja" was commercially used by the Defendant without permission at a performance (concert) on 25 May 2023 at W Superclub Surabaya, 26 May 2023 at The H Club Jakarta, and 27 May 2023 at W Superclub Bandung where the Defendant was the organizer of the concerts;
- e. Knowing that his song had been used commercially without permission, the Plaintiff as the creator of the song "Bilang Saja" contacted the Defendant's manager on June 21, 2023 and asked via Whatsapp message whether to perform the song "Bilang Saja" the Defendant had obtained permission (license) from the Plaintiff as well as emphasizing that the Plaintiff had implemented a direct license system (direct license) asking permission to (the Plaintiff directly) as the creator in using the song commercially in a live performance (concert), and on June 30, 2023. The Plaintiff also sent a letter to the Defendant's manager regarding a Notice of License for songs that had been used commercially by the Defendant at the concert;
- f. That in addition to what the Plaintiff has said, it has also been regulated in the Copyright

Law, that a license is a written permission granted by a Copyright holder or owner of related rights to another party to exercise economic rights over his creation or related rights product under certain conditions so that performers can use songs from creators commercially, but the Defendant as a performer did not obtain a license from the Copyright Holder to sing his song commercially at the concert. Therefore, the Defendant is proven to have committed Copyright infringement for commercially singing the Plaintiff's song without permission at the concert in accordance with the provisions of Article 9 Paragraph (2) of Copyright Law Number 28 of 2014;

- g. For performers who sing a song created by a songwriter commercially, they must first ask permission from the songwriter so that the songwriter who has economic rights does not lose his rights;
- h. It was discovered that the Defendant also did not obtain permission from the National Collective Management Institute (LMKN) as the institution that manages the economic rights of creators;
- i. Therefore, the Plaintiff considers that the Defendant has committed copyright infringement on the song "Bilang Saja", and the Plaintiff summoned the Defendant and the Co-Defendant (PT Aneka Bintang Gading). Where according to the Defendant, all payments and including the use of licenses or requesting the Plaintiff's permission to create commercially in the three performances have been submitted to the Defendant;
- j. As a result of this incident the Plaintiff felt aggrieved by the Defendant.

From the chronology of copyright infringement committed by Agnes Monica, it can be analyzed that the copyright infringement occurred because the performer (artist / singer) and the concert organizer (event organizer) did not ask for written permission from the creator of the song used for commercial purposes. This is regulated in Law Number 28 of 2014 concerning Copyright where Article 9 paragraph (2) states that everyone who exercises economic rights (performs/concerts), must obtain permission from the Creator or Copyright Holder. These violations reflect the lack of awareness and compliance with legal provisions governing the economic rights of songwriters, especially in the practice of music performances or concerts in Indonesia.

Law No. 28/2014 on Copyright has expressly provided legal protection for the economic rights of the Creator, including the right to grant permission for the commercial use of song creations in musical performances or concerts. In this case, Agnes Monica as the singer and PT Aneka Bintang Gading as the concert organizer should have made a license agreement in advance to Ari Bias as the songwriter. The license agreement is very important as a form of legality for the use of songs by Performers in commercial activities, as well as a form of appreciation or appreciation for the hard work of the Creator in creating works in the form of songs.

In the provisions of Article 1 number 20 of Law Number 28 of 2014 concerning Copyright, a license is a written permission granted by the Creator or Copyright Holder to other parties to use his work, including providing compensation for the use of a copyrighted work. The absence of a license agreement between Ari Bias, Agnes Monica and PT Aneka

Bintang Gading as the concert organizer shows the neglect and indifference to the economic rights of Ari Bias as a songwriter who has contributed to the popularity of Agnes Monica as a famous singer.

The song "Bilang Saja" created by Ari Bias has a very fundamental role in shaping the image and popularity of Agnes Monica, who at that time was in the transition period from a child artist to a teenage singer. Therefore, Ari Bias should be properly rewarded for his contribution in raising Agnes Monica's name in the Indonesian Music Industry. When his economic rights as a songwriter are ignored, this not only harms Ari Bias financially, but also undermines the value and dignity of his profession as a songwriter where Ari Bias creates songs as his main livelihood because he has no other skills to make a living.

This action has the potential to create a bad example in the world of music performance in Indonesia, where the use of copyrighted works without permission can be considered a commonplace practice. If there is no firm effort to enforce the law and build a culture of respect for the copyrighted works of songs that have been produced by the Creator through his hard work, it will be difficult to create a fair, professional and sustainable music industry ecosystem. Therefore, awareness is needed from Indonesian music industry players, including performers (artists and concert organizers), to respect and comply with the moral rights and economic rights of song creators in order to create a mutually beneficial and dignified work climate.

From the Copyright infringement cases that have occurred so far regarding the non-payment of song royalties to the Creator, Dharma Oeratmangun as Chairman of the National Collective Management Institute (LMKN) and Chadra Darusman who already have professional experience working at the Collective Management Institute (LMK) said that one of the difficulties faced by LMK is collecting royalties from Concert Organizers (promoters/event organizers). The main reason is that the production costs for live performance events are so high that the concert organizers do not have the ability and budget to pay royalties to songwriters. Sometimes the money from music concert ticket sales is also used to cover operational costs and provide other facilities during the concert (Anggraini, 2025). This becomes a dilemma in the practice of collecting royalties because on the one hand, concert organizers feel financially burdened. While on the other hand, songwriters also have the right to the use of their copyrighted works used in musical performances.

From the beginning, concert organizers should plan concert financing by including a royalty component as part of the fixed budget as a form of appreciation for songwriters, not as an additional burden. By including a royalty component, concert organizers help create a healthy industrial culture and respect the copyright of songwriters. In addition, transparent and structured budget management allows for better cooperation between the Concert Organizer and the LMK, so that later the LMK can provide guidance on the amount of royalties that must be paid to songwriters according to the scale of the event, the number of songs used, and the capacity of the concert performance audience.

If Agnes Monica and PT Aneka Bintang Gading had previously made a license agreement and asked for permission to use Ari Bias' song, then this problem should not have

occurred. If there was a license agreement for the song "Bilang Saja" to be used commercially in Agnes Monica's three concerts, it must also be accompanied by the payment of royalties to Ari Bias as stipulated in Article 80 paragraph (3) of Law No. 28/2014 on Copyright. With the non-payment of song royalties to Ari Bias, this is a form of violation of copyright where Ari Bias is considered the most disadvantaged party in the case.

In the implementation of management, collection and distribution of royalties from Performers to Songwriters in Indonesia, there are 2 (two) commonly used systems. First, the Direct Licensing System in Article 81 of Law Number 28 of 2014 concerning Copyright where the royalty payment system is given directly from the Creator or Copyright Holder to the Performer (singer, concert organizer) "without going through the intermediary of another party". The system used can be through a "license agreement" by means of which the two parties bind themselves to a written agreement and are registered in the General Register of Copyright License Agreements as stipulated in Article 83 paragraph (1) of Law Number 28 of 2014 concerning Copyright, or through an oral agreement (gentlemen's agreement) in writing where the two parties mutually agree on the agreement based on good faith and mutual benefit.

Second, the Blanket Licensing System through the National Collective Management Agency (LMKN). LMKN is a non-APBN institution established under the Copyright Law that has the responsibility to collect and distribute royalties from the use of songs and music in Indonesia. This is regulated in Article 89 of Law Number 28 of 2014 concerning Copyright which in this provision requires the establishment of 2 (two) national collective management organizing bodies to pay royalties in the field of music, namely the Collective Management Institution (LMK) and the National Collective Management Institution (LMKN) (Maharani & Tarina, 2024). LMK is a non-profit legal entity authorized by the creator to collect and distribute royalties. Meanwhile, LMKN was formed based on Law Number 28 of 2014 concerning Copyright with the main task of making regulations, determining rates, and overseeing royalty management.

**Table 1.** Difference Between LMK and LMKN

No.	Aspects	LMK	LMKN
1.	Legal Status	Legal organization (private/professional).	Non-budgetary institutions established by the Government.
2.	Duties and Functions	Collecting, managing and distributing royalties from creators, copyright holders and related rights owners who are members of LMK. (Royalty Distribution)	Make regulations, determine tariffs, and oversee royalty management nationwide. (Royalty Regulation)
3.	Legal Subject	Creator, Copyright Holder, Related Rights Owner.	All LMKs and users of copyrighted works nationwide.

No.	Aspects	LMK	LMKN
4.	Royalty Receipt	From the direct use of the members' copyrighted works.	From general use, then distributed to LMK
5.	Responsibility	Internal to the organization and its members	Minister of Law and Human Rights (now Minister of Law)

Especially for the closed license system in collecting royalties for songs through the Collective Management Institution, then in accordance with the provisions of Article 87 paragraph (1) of Law Number 28 of 2014 concerning Copyright Ari Bias as a songwriter must become a member of the LMK in order to collect royalties from Singers and Concert Organizers who will make commercial use of the song "Bilang Saja". This is because, in a closed license system, the right to collect royalties for commercial use of songs can only be done by LMK on behalf of its members. Therefore, Ari Bias as the songwriter must first become a member of LMK so that his song can be included in SILM (Song and Music Information System) managed by LMK. Without being a member, LMK has no legal basis to represent Ari Bias in collecting royalties from parties who use the song.

In addition, Ari Bias' membership in LMK is also administrative and legal evidence that he has "authorized" LMK to manage the economic rights to his song in accordance with the provisions of Article 1 number 22 of Law Number 28 of 2014 concerning Copyright. This is important to ensure protection and legal certainty for Songwriters and users of the work, because every license transaction and royalty collection must be officially recorded. If Ari Bias is not a member of LMK, then he cannot claim royalties through the closed license system.

Another advantage if Ari Bias has been registered as a member of LMK as stipulated in the provisions of Article 23 paragraph (5) of Law Number 28 of 2014 concerning Copyright, then everyone, both Singers and Concert Organizers, can use any song that has been created by Ari Bias in a commercial performance without asking permission first by paying a royalty directly through LMK. This provides convenience for Singers and Concert Organizers because they do not need to negotiate or request permission individually to the songwriter for each commercial use of the song in the performance. Simply by paying royalties through LMK, users have been considered legally authorized to utilize the song for commercial purposes.

Other provisions in terms of royalty management of songs and/or music by LMK and LMKN are regulated in Government Regulation Number 56 of 2021 concerning Royalty Management of Copyright Songs and/or Music. The provisions of Article 3 paragraph (1) state that "everyone can make commercial use of songs and / or music in the form of commercial public services by paying royalties to the Creator, Copyright Holder, and / or owner of Related Rights through LMKN. It is further explained in Article 3 paragraph (2) which states that commercial forms of public services include seminars and commercial conferences; restaurants, cafes, pubs, bars, bistros, nightclubs and discotheques; music concerts; airplanes, buses, trains, and ships; exhibitions and fairs; cinemas; telephone waiting tones; banks and offices; shops; recreation centers; television broadcasting institutions; radio broadcasting

institutions; hotels, hotel rooms, and hotel facilities as well as karaoke businesses.

Analysis of the provisions of Article 3 paragraph (1) and paragraph (2) of Government Regulation No. 56 of 2021 concerning Management of Royalties for Copyright of Songs and/or Music shows the expansion and affirmation of the scope of commercial use of songs and/or music that must be subject to royalties. This regulation is an important legal basis that strengthens the position of Creators, Copyright Holders, and Related Rights Owners in obtaining their economic rights over the commercial use of their copyrighted works in the entertainment industry.

The provisions of Article 3 paragraph (1) confirm that every form of utilization of songs and music in commercial public services no longer requires direct permission from the creator, but simply by paying royalties through LMKN. This strengthens the licensing system in LMKN which facilitates the licensing process in the entertainment industry, as well as ensuring that creators and rights owners are properly compensated for the use of their copyrighted works.

Furthermore, Article 3 paragraph (2) explicitly details the types of commercial public services that fall under royalty payment obligations. The wide coverage ranging from entertainment venues (such as bars, karaoke, and nightclubs), public transportation (such as planes and ships), to broadcasting institutions and offices shows that music has become an integral part in supporting the atmosphere and services in various industrial sectors. Therefore, the use of songs and/or music in various fields of public facility services should not be separated from the legal obligation to pay royalties, because it clearly provides added economic value to business actors.

From the copyright infringement case, based on the theory of Economic Analysis of Law proposed by Richard A. Posner, there is a connection between legal issues and basic economic concepts. The Economic Analysis of Law theory relates legal issues to basic economic concepts, reasons and economic considerations. Posner uses the application of economic principles as rational choices to analyze legal issues that prioritize an economic science approach based on value, utility, and efficiency (Dirdjosisworo, 2000). According to this theory there are certain problems in the creation of a copyrighted work due to its intangible nature, intellectual property especially copyright faces what is referred to in economics as the problem of "public goods" which means goods or services that are available to all members of society and are usually provided by the Government and funded through taxes.

To produce a copyrighted work requires the sacrifice of large costs and takes a long time, and requires novelty or originality that is different from pre-existing works. However, when the copyrighted work has been embodied in a tangible form (fixation), it becomes relatively cheap and easy to recreate. In addition, there may be no limit to how much a copyrighted work can be copied, with each copy being of equal value to the original work. Therefore, according to this theory, Intellectual Property offers an important incentive for the creation of copyrighted works that have novelty. Without Intellectual Property, individuals and companies will be deterred from making renewal efforts in producing a copyrighted work.

Copyright infringement case without permission between Ari Bias and Agnes Monica,

can be analyzed with Posner's theory from the point of view of economic efficiency. Posner does not judge the violation solely from the moral side, but from how much economic impact it has on the creator and society, especially whether the use of songs without permission is detrimental or has an impact on the economic rights or incentives that the creator receives from his work to create songs in the future.

According to Posner, Copyright must provide economic benefits or create incentives for creators to continue working. When a songwriter like Ari Bias does not get rewarded for his work that is used commercially, the enthusiasm to work and create new songs is reduced. This is considered a failure of the legal system to maintain efficiency in the production of creative works. The use of songs without permission by other parties, especially for commercial purposes, will eliminate the exclusive rights of the creator to economically exploit the work that has been painstakingly created. In this case, the legal system should provide strict protection in order to create a balance in incentivizing creators (Karim, 2021).

In economic analysis, if copyright infringement like this is allowed or not given strict sanctions, it will endanger the music industry in Indonesia. Songwriters and singers who already have big names can easily take the work of lesser-known singers without any compensation or royalty payments which will ultimately reduce the productivity and quality of copyrighted works. In the long run, this causes widespread economic losses because the ecosystem of creative work creation becomes unhealthy (Brian ES, 2022).

Richard Posner's Economic Analysis of Law theory based on the copyright infringement case between Ari Bias and Agnes Monica is more deeply concerned with the function of law in maintaining economic efficiency in the creative industries, especially songs and/or music. The use of a copyrighted work without permission can damage the market conditions of copyrighted works. Therefore, in the settlement of copyright cases should provide proportional compensation to the original creator in any commercial use of copyrighted works in order to create a balance of protection of moral rights and economic rights of the creator. Legal protection in the field of Copyright should be an instrument driving innovation for all songwriters, not just used as an exploitative monopoly tool by Performers without giving proper appreciation for copyrighted works that have been created through effort and hard work.

## CONCLUSION

From the research conducted, it can be concluded that the right to royalty payments for Songwriters is an inseparable part of the moral rights and economic rights owned by the Creator for works that have been created through effort, hard work and hard work. Law No. 28 of 2014 on Copyright has provided strong legal protection for creators to obtain economic rewards for the utilization of their works in the form of royalties on any use of copyrighted works used commercially by Performers. This reflects the basic principle that any use of creation by other parties must obtain permission from the Creator or Copyright Holder and is required to provide adequate compensation in accordance with the provisions of Article 9 paragraph (2) and Article 80 paragraph (3) of Law Number 28 of 2014 concerning Copyright.

In the case study between Ari Bias and Agnes Monica, the essence of copyright infringement lies in the absence of permission and royalty payment for the use of Ari Bias' song titled "Bilang Saja" by Agnes Monica and PT Aneka Bintang Gading as the concert organizer. This case shows the weak mechanism of supervision and law enforcement against copyright infringement in Indonesia, as well as the lack of awareness of the music industry players of the importance of respecting the economic rights of creators. Although normatively Law No. 28 of 2014 on Copyright has regulated the rights of creators, the implementation in the field often does not run effectively due to the lack of knowledge about the moral and economic rights of creators, weak supervision from law enforcement officials, and financial management systems from performers that do not accommodate royalty payments for creators. Therefore, it is necessary to strengthen a transparent and accountable royalty management system, including empowering the Collective Management Institution (LMK) and increasing legal awareness among Performers, both Singers and Concert Organizers. The state also needs to strengthen law enforcement against copyright infringement in order to provide a deterrent effect and protect the economic rights of creators as a whole. This Copyright infringement case is expected to be an important reflection for the improvement of policies and mechanisms for legal protection in the field of Copyright, especially related to royalty payments as a form of appreciation for the intellectual work of the Creator.

#### REFERENCE

- Anggraini, P. (2025). Blak-Blakan Chandra Darusman Soal Promotor Sulit Bayar Royalti. Retrieved 15 May 2025, from <https://www.detik.com/pop/music/d-7800589/blak-blakan-candra-darusman-soal-promotor-sulit-bayar-royalti>
- Brian ES, B. (2022). Perlindungan Hukum terhadap Bentuk Fiksasi dalam Karya Musik Berdasarkan Perkembangan Undang-Undang Hak Cipta. *Dharmasiswa: Jurnal Program Magister Hukum FHUI*, 2(1), 4.
- Dirdjosisworo, S. (2000). *Hukum Perusahaan Mengenai Hak atas Kekayaan Intelektual: (Hak Cipta, Hak Paten, Hak Merek)*. Bandung: Mandar Maju.
- Karim, A. (2021). Kepastian Hukum LMKN sebagai Lembaga Terpadu Satu Pintu Penghimpunan dan Pendistribusi Royalti Hak Cipta dan Hak Terkait Bidang Musik dan Lagu. *Legalitas: Jurnal Hukum*, 13(1), 64–79.
- Maharani, V. N., & Tarina, D. D. Y. (2024). Wewenang dan Tanggungjawab Lembaga Manajemen Kolektif Nasional (LMKN) dalam Perlindungan Hak Ekonomi Musisi Indonesia. *Jurnal Interpretasi Hukum*, 5(1), 881–888.
- Marzuki, P. M. (2014). *Penelitian Hukum (Edisi Revisi)*. Jakarta: Kencana Prenada Media Group.
- Rachmawati, A. (2025). Bias Ungkap Lagu Hitsnya yang Dibawakan Penyanyi Lain tak Memberikan Royalti Selama 20 Tahun. Retrieved 5 May 2025, from <https://www.kompas.com/jawa-tengah/read/2025/02/15/113100788/ari-bias-ungkap-lagu-hitsnya-yang-dibawakan-penyanyi-lain-tak>
- Sari, R. P. (2025). Selama 20 Tahun Hanya Dapat Rp 0 dari Royalti Lagu Hits Ciptaannya, Ari

- Bias: Ternyata Tidak Menghidupi Saya. Retrieved 5 May 2025, from <https://www.kompas.com/hype/read/2025/02/14/213733166/selama-20-tahun-hanya-dapat-rp-0-dari-royalti-lagu-hits-ciptaannya-ari-bias>
- Setyaningrum, P. (2025). Apa Judul Lagu Yang Bikin Agnez Mo Harus Bayar Royalti Rp 1,5 Miliar Ke Ari Bias? Retrieved 5 May 2025, from <https://www.kompas.com/kalimantan-timur/read/2025/02/06/152750188/apa-judul-lagu-yang-bikin-agnez-mo-harus-bayar-royalti-rp-15?page=all>
- Thalib, D. (2025). Memahami Kesalahpahaman Kasus Agnes Mo VS Ari Bias (1). Retrieved 8 May 2025, from <https://kumparan.com/djamal-thalib/memahami-kesalahpahaman-kasus-agnez-mo-vs-ari-bias-1-24Y8W9NvZsP/full>
- Yaman, R. Y., Kiren, B. F., Marlina, T., & Handiriono, R. (2024). Pengaturan Hukum Pendistribusian Royalti Hak Cipta dan Pengaruhnya Terhadap Pelarangan Lagu oleh Pencipta. *Jurnal Ilmu Hukum, Humaniora Dan Politik (JIHHP)*, 4(5).