

Legal Protection for TikTok Creators Against Unauthorized Content Re-uploads

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Abstract

The rapid growth of TikTok presents new challenges in copyright protection, particularly regarding unauthorized content re-uploads. This study aims to analyze the effectiveness of copyright protection for TikTok creators in Batam City using an empirical juridical approach through interviews and literature studies. The findings indicate that while Law No. 28 of 2014 on Copyright provides a strong legal foundation, its implementation faces challenges such as regulatory gaps, low legal awareness among creators, and weak enforcement on digital platforms. TikTok has copyright protection policies, but its reporting system remains ineffective in addressing violations. The Directorate General of Intellectual Property (DJKI) of the Riau Islands has conducted awareness campaigns; however, these efforts need to be reinforced with clearer regulations and stronger collaboration between the government, digital platforms, and creators. Therefore, increasing legal awareness and strengthening policies are necessary to optimize copyright protection for digital content creators.

[Pertumbuhan pesat TikTok menghadirkan tantangan baru dalam perlindungan hak cipta, khususnya terkait dengan pengunggahan ulang konten tanpa izin. Studi ini bertujuan untuk menganalisis efektivitas perlindungan hak cipta bagi para kreator TikTok di Kota Batam dengan menggunakan pendekatan yuridis empiris melalui wawancara dan studi literatur. Temuan menunjukkan bahwa meskipun Undang-Undang No. 28 Tahun 2014 tentang Hak Cipta memberikan dasar hukum yang kuat, implementasinya menghadapi sejumlah tantangan seperti celah regulasi, rendahnya kesadaran hukum di kalangan kreator, dan lemahnya penegakan hukum di platform digital. TikTok memiliki kebijakan perlindungan hak cipta, namun sistem pelaporannya masih belum efektif dalam menangani pelanggaran. Direktorat Jenderal Kekayaan Intelektual (DJKI) Provinsi Kepulauan Riau telah melakukan kampanye penyuluhan, namun upaya tersebut perlu diperkuat dengan regulasi yang lebih jelas serta kolaborasi yang lebih solid antara pemerintah, platform digital, dan para kreator. Oleh karena itu, peningkatan kesadaran hukum dan penguatan kebijakan menjadi hal yang penting untuk mengoptimalkan perlindungan hak cipta bagi para kreator konten digital.]

Keywords: Copyright, TikTok, Content Creators, Legal Protection, Digital Era.

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INTRODUCTION

TikTok has become a global phenomenon with remarkable user growth, reaching 1.8 billion users worldwide and 157.6 million users in Indonesia by 2024 (Zulaikha & Khotimah, 2024). This platform serves not only as a source of entertainment but also as a crucial medium for digital creators to express their creativity, build personal branding, and generate income. Interactive features such as duet, stitch, and live streaming facilitate dynamic collaboration among users, fostering a rapidly growing creative ecosystem (Mazidatus Sa'adah et al., 2024). However, behind this promising growth lies a serious challenge regarding the protection of intellectual property rights, particularly copyright over uploaded content. This issue requires special attention given the significant economic and social impact generated by the platform (Saputri, 2022).

The practice of re-uploading TikTok content without the original creator's permission has become an increasingly concerning issue, causing both moral and economic losses for creators (Saputri, 2022). TikTok's transparency data indicates a sharp increase in requests for the removal of content violating copyright and trademarks, peaking in 2023 (Marlyn & Zulham, 2024). This phenomenon is often exacerbated by platform features such as duet and stitch, which, while designed to foster creativity, are frequently misused to violate copyright. As a result, many creators lose control over their work, while infringers rarely face significant legal consequences. This situation creates a clear injustice within the digital ecosystem.

Although Law No. 28 of 2014 on Copyright provides a clear legal framework, its implementation still faces significant challenges, particularly due to low legal awareness among creators and the slow enforcement process (Sutra Disemadi & Kang, 2021). A recent survey revealed that 67% of TikTok creators have experienced copyright infringement, yet only 23% have taken legal action to protect their work (Saputri, 2022). This is due to several factors, including a lack of understanding of the reporting procedures, the complexity of legal processes, and uncertainty about the outcomes. Additionally, TikTok's policy, which relies on a notice-and-takedown system, often proves ineffective in addressing violations promptly and fairly, leaving many creators feeling unprotected.

The current copyright regulations are considered insufficient to fully keep up with the rapid evolution of digital platforms like TikTok (Mayana et al., 2024). The Copyright Law has yet to provide detailed regulations on handling re-uploaded content cases, while platform policies are more oriented toward compliance with international regulations such as the DMCA rather than local laws (Sutisna & Dirkareshza, 2022). This challenge is further complicated by TikTok's transnational nature, making cross-jurisdictional law enforcement difficult. As a result, creators often struggle to protect their work, while copyright violations continue to occur with minimal barriers. This situation highlights the need for more adaptive and comprehensive regulatory updates.

Previous studies by Sutisna & Dirkareshza, 2022 have examined the copyright protection of TikTok content in general but have not specifically focused on the practice of re-uploading as the main issue. Research by Putu & Pradina (2021) analyzed copyright infringement against TikTok creators (Putu & Pradina, 2021), but were limited to cinematographic works without discussing law enforcement at the local level. Meanwhile (Medina & Anggriyeni, 2022) explored legal issues on social media more broadly but did not specifically address TikTok's platform mechanisms (Medina & Anggriyeni, 2022). On the other hand (Nurhayati & Islam, 2022) and (Maharani & Nugrahani, 2025) each focused

on YouTube and Instagram, leaving a research gap regarding TikTok, particularly in a regional context like Batam City. Unlike these studies, this research comprehensively integrates regulatory analysis, local creators' perceptions, and the role of legal institutions in addressing TikTok content re-uploads. This study offers a new perspective by focusing on the legal protection analysis of TikTok content re-upload practices in Batam City, a topic that remains underexplored in academic literature (Nyoman et al., 2021). Unlike previous studies that primarily focused on platforms like YouTube or Instagram, this research fills the knowledge gap through an empirical juridical approach that integrates legal analysis, creators' perceptions, and the role of institutions such as the Directorate General of Intellectual Property (DJKI) of the Riau Islands. The findings of this study are expected to serve as a foundation for developing more responsive regulations to address challenges in the digital era while providing better protection for content creators.

This study holds significant value in providing practical recommendations to strengthen the copyright protection system for TikTok creators, covering aspects of education, legal reform, and collaboration among stakeholders (Pangestu et al., 2023). However, this study also has certain limitations, particularly in its geographic scope, which is restricted to Batam City, and its qualitative approach, which does not quantify the impact of copyright violations. Nevertheless, the findings of this research can serve as a strong foundation for future studies with broader scopes and more diverse methodologies, providing a more comprehensive understanding of copyright protection in the digital world.

METHOD

This study employs an empirical legal research method with a qualitative approach to analyze the effectiveness of copyright protection for TikTok content creators in Batam City. This method was chosen as it allows for an in-depth examination of the practical application of legal norms. (Disemadi, 2022). Primary data were obtained through in-depth interviews with several TikTok creators and representatives from the Directorate General of Intellectual Property (DJKI) of the Riau Islands. Meanwhile, secondary data included primary legal materials (Law No. 28 of 2014 on Copyright, Government Regulation No. 56 of 2021 on Copyright Management, and court rulings related to digital copyright cases) as well as secondary legal materials (scientific journals, reference books, and DJKI annual reports from 2020 to 2023). Data collection was conducted through literature studies, structured interviews, and legal document analysis. The data were then analyzed using a qualitative descriptive approach with techniques such as data reduction, data presentation, and conclusion verification to address the research questions.

RESULT AND DISCUSSION

TikTok Content Creators' Perception of Copyright Infringement

TikTok creators' understanding of copyright varies. Some creators recognize that copyright protects their work from unauthorized use, as stipulated in Law No. 28 of 2014 on Copyright (UUHC). However, many creators still lack awareness of the limitations on reusing others' content (Ramadhani & Yayi Tarina, 2023). TikTok has its own copyright policy, but not all creators are aware of how the system works (Kusumaningsih, 2024). The lack of education causes many creators to be unaware of their rights and the legal protections available to them. This highlights the need for broader outreach and awareness efforts to help creators better understand the existing legal protections.

Unauthorized re-uploading of content is a common experience among TikTok creators. Many creators have found their videos reposted without attribution and even used for commercial purposes. According to Article 9, Paragraph 3 of the Copyright Law (UUHC), the use of copyrighted works without permission constitutes a legal violation (Rahmanda & Benuf, 2021). One creator revealed that they only became aware of the infringement after receiving a notification from their followers. Unfortunately, TikTok's reporting mechanism does not always provide a swift and effective response. This indicates that the platform needs to improve its protection system for creators (Hendrayana et al., 2021).

Legal protection for TikTok creators is still considered suboptimal. While the Copyright Law (UUHC) provides a legal foundation for protecting digital copyrights, its implementation remains weak (Rakhmawati et al., 2019). Many creators struggle to take action against copyright infringements due to a lack of information about legal procedures (Sekar & Pratama, 2023). Additionally, existing regulations have yet to specifically accommodate the rapidly evolving social media ecosystem (Raharjo et al., 2010). As a result, many violations are not properly addressed. Therefore, improvements in law enforcement are needed to make it more adaptive to the digital era.

The enforcement mechanism for copyright on TikTok is considered inconsistent. While TikTok provides a copyright reporting feature, many creators complain about the lengthy verification process (Nugroho, 2021). Article 113 of the Copyright Law (UUHC) stipulates criminal sanctions for copyright violators. However, in practice, legal action is rarely taken (Mazidatus Sa'adah et al., 2024). Some creators have mentioned that accounts frequently engaging in re-uploading remain active despite being reported multiple times (Mazidatus Sa'adah et al., 2024). The weak enforcement of laws allows violations to persist. Therefore, stricter policies are needed to make the enforcement mechanism more effective (Setiawan & Arista, 2013).

TikTok creators have developed various strategies to combat copyright infringement. One of the most common methods is adding a watermark or a unique logo to their videos (Havinando, 2022). This measure aims to make it more difficult for others to re-upload content without permission (Nyoman et al., 2021). Some creators actively educate their followers on the importance of respecting copyright. Additionally, some choose to contact the infringers directly before reporting them to TikTok. These efforts demonstrate that creators must take a more proactive role in protecting their work.

TikTok creators have high expectations for copyright protection in the future. They seek a more efficient reporting mechanism and stricter penalties for violators. Additionally, they hope for broader education on digital copyright to increase awareness among creators about the legal protections available. More specific regulations for social media platforms are also an urgent necessity (Komuna & Wirawan, 2021). With stricter policies and better education, copyright protection can be more effective. These efforts will help create a fairer digital ecosystem for creators.

Legal Provisions Regulating Copyright Protection for TikTok Creators Against Unauthorized Content Reuploads in Indonesia

Copyright is an exclusive right granted to creators over their works in the fields of science, arts, and literature, as stipulated in Law No. 28 of 2014 on Copyright (Copyright Law). This right includes moral and economic rights, allowing creators to benefit from their works (Article 4 of the Copyright Law). In the digital era, copyright protection has become increasingly crucial due to the rise of infringements, such as unauthorized

reuploads on social media platforms like TikTok (Kusumaningsih, 2024). Such violations can economically harm creators and strip them of their attribution rights over their works (Directorate General of Intellectual Property, 2021). Therefore, understanding copyright and its protections is essential for creators to safeguard their rights more effectively (Putri, Disemadi & Hutaaruk, 2025).

The subject of copyright in the context of digital content includes individuals or groups who create works (Disemadi & Silviani, 2025), including TikTok creators. The object of copyright encompasses videos, music, dances, and various other forms of creative expression published on the platform (Article 40 of the Copyright Law). As TikTok's popularity continues to rise, many users exploit others' works without permission, often under the pretext of appreciation or trends (Khoirunisa et al., 2023). In fact, such actions can be categorized as copyright infringement if permission is not obtained from the original creator (Andanni et al., 2025). Therefore, understanding the subjects and objects of copyright is essential to foster greater public appreciation for the creative works of digital creators.

Copyright infringement occurs when an individual uses, reproduces, or distributes a copyrighted work without the creator's permission, as stipulated in Article 9 of the Copyright Law. In the context of TikTok, unauthorized reuploads can be categorized as infringements if they are conducted without attribution and for commercial purposes (Khoirunisa et al., 2023). Some users frequently reupload popular videos to gain advertising revenue or increase their follower count. This practice undeniably harms the original creators, as it violates their economic rights and diminishes the exclusivity of their works (Rinjani et al., 2023). Therefore, strict regulations and platform oversight are necessary to minimize these infringements.

TikTok has implemented a copyright policy that allows creators to report infringements through a content removal or takedown mechanism (TikTok Community Guidelines, 2023). This system aligns with the principles outlined in Article 99 of the Copyright Law, which guarantees the exclusive rights of creators. However, numerous cases indicate that the effectiveness of this policy remains limited, as users can easily create new accounts to reupload removed content. Additionally, some infringing content continues to circulate despite being reported, as TikTok's moderation system does not always accurately detect violations. Therefore, enhancing the effectiveness of TikTok's internal policies is necessary to align with Indonesian legal regulations and provide maximum protection for creators.

The Copyright Law stipulates both criminal and civil sanctions for copyright infringers who engage in violations for commercial purposes, as outlined in Article 113 of the Copyright Law. Criminal sanctions include imprisonment of up to 10 years and fines of up to IDR 4 billion (Ministry of Law and Human Rights, 2021). Additionally, creators have the right to file civil lawsuits to seek compensation for damages incurred due to copyright infringements (Saputra, 2021). However, many violations remain legally unaddressed due to low awareness of copyright and the challenges of providing evidence in the digital domain (Prameswati et al., 2022). Therefore, enhancing public awareness of legal sanctions and enforcing stricter regulations are necessary to reduce the incidence of copyright violations.

Preventive protection against copyright infringement can be achieved through copyright registration with the Directorate General of Intellectual Property (DJKI) of the Ministry of Law and Human Rights of the Republic of Indonesia, as stipulated in Article 64 of the Copyright Law. This registration provides legal certainty for creators and facilitates the enforcement of rights in the event of an infringement (Karim, 2021). Additionally,

creators can utilize TikTok's takedown mechanism to remove reuploaded content that has been shared without permission. By combining copyright registration with content removal mechanisms, copyright infringements can be minimized, and creators' rights can be better protected. Therefore, education on these preventive measures should be further promoted among digital creators.

From the perspective of legal protection theory, the state has an obligation to provide legal certainty for creators through clear regulations and effective enforcement mechanisms (Apriani & Bur, 2020). The Copyright Law serves as a positive legal instrument that protects the rights of TikTok creators from unauthorized reuploads (Directorate General of Intellectual Property, 2021). However, challenges in legal implementation, such as low public awareness and limitations in law enforcement in the digital sphere, remain significant obstacles to effective copyright protection (Rahmanda & Benuf, 2021). Therefore, collaboration between the government, digital platforms, and creators is essential to establishing a more conducive environment for copyright protection (Sabijanto, 2024). With comprehensive regulations and effective policy implementation, copyright protection for TikTok creators in Indonesia can be better ensured, fostering a fair and sustainable digital ecosystem.

The Role of the Directorate General of Intellectual Property (DJKI) in Enforcing Copyright for Digital Content

The Directorate General of Intellectual Property (DJKI) holds the primary responsibility and authority in protecting copyright for digital content, as mandated by the prevailing laws and regulations (Fidhayanti & Yaqin, 2023). DJKI is responsible for copyright registration, public awareness campaigns, and monitoring compliance with existing regulations. Additionally, DJKI plays a crucial role in formulating policies and providing legal protection to copyright holders to prevent the misuse of their works (Saputra, 2021). Through regulations such as Law Number 28 of 2014 on Copyright, DJKI provides legal certainty for creators and users of digital content. The presence of DJKI ensures that creators' exclusive rights are protected while promoting a fair and transparent digital ecosystem. Thus, DJKI serves as a central institution in the prevention and protection of digital content copyright in Indonesia (SAS, 2024).

In addressing the digital era, DJKI adopts various strategies to enforce copyright through awareness programs, education, and collaboration with digital platforms. According to Nurmansyah, a representative of DJKI in Batam, public awareness campaigns are conducted through seminars and outreach initiatives to enhance societal understanding of the importance of copyright protection. DJKI also collaborates with technology companies and content-sharing platforms, such as YouTube and Facebook, to expedite the resolution of copyright infringements. Additionally, technology-based monitoring systems are employed to automatically detect violations. Through these strategies, DJKI aims to enhance the effectiveness of copyright enforcement and reduce infringement cases in the digital sphere. Active collaboration with various stakeholders ensures that copyright protection remains relevant amid rapid technological advancements (Umra et al., 2024).

DJKI also plays a crucial role in handling cases of digital content copyright infringement through established procedures. Copyright holders can file infringement reports through DJKI's official complaint system, ensuring a structured and legal approach to addressing violations (Medina & Anggriyeni, 2022). Upon receiving a report, DJKI conducts a verification process to ensure the validity of the claim before taking further action. Dispute resolution may be carried out through mediation or legal proceedings,

depending on the complexity of the case. Additionally, DJKI collaborates with law enforcement agencies to take firm action against widespread copyright infringements. Through these mechanisms, DJKI ensures effective copyright protection and provides legal certainty for content creators (Diana Lara Kharisma et al., 2024).

However, in enforcing copyright for digital content, DJKI faces various complex challenges. The primary obstacle is that existing regulations have not yet fully accommodated rapid technological advancements, making copyright protection in the digital sphere more challenging (Stefano et al., 2023). Additionally, limitations in monitoring infrastructure and coordination with digital platforms need to be strengthened to ensure that infringements can be addressed swiftly and efficiently. Another significant challenge is the low public awareness of copyright, which contributes to the continued prevalence of digital piracy (Maharani & Nugrahani, 2025). To address these challenges, DJKI must strengthen regulations to be more adaptive to technological advancements and enhance synergy with relevant stakeholders. By doing so, DJKI can enforce copyright more effectively in the digital era.

Efforts to strengthen DJKI's role in enforcing copyright for digital content continue through policy reforms. One strategic measure is updating regulations to be more responsive to digital developments, including stricter enforcement against copyright violations on online platforms. DJKI is also enhancing collaboration with international institutions to adopt best practices in copyright enforcement. Additionally, improving human resource capacity and utilizing artificial intelligence for copyright monitoring have become key focuses of these policy reforms. Through these initiatives, DJKI can further optimize copyright protection for digital content and foster a more equitable digital ecosystem.

CONCLUSION

Copyright protection for TikTok creators in Batam City still faces various challenges. Although Law Number 28 of 2014 provides a clear legal foundation, its implementation remains suboptimal. Regulatory gaps create uncertainty in safeguarding digital content. Additionally, low legal awareness among creators hinders efforts to protect copyright. The reporting system on TikTok is also considered ineffective in addressing unauthorized reuploads. The Directorate General of Intellectual Property (DJKI) of the Riau Islands has conducted awareness campaigns, but these efforts need to be reinforced with concrete measures. Therefore, collaboration between the government, digital platforms, and creators is essential to enhancing the effectiveness of copyright protection in the digital era.

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