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Research Article

FACTORS AFFECTING LAW ENFORCEMENT ON COPYRIGHT CRIMES ON ILLEGAL MOVIE STREAMING SITES

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Abstract

The internet has enabled widespread access to information but also facilitated unauthorized distribution of copyrighted films through illegal streaming sites in Indonesia, causing economic losses and enforcement challenges. This study examines factors affecting law enforcement against copyright infringement on such sites, considering legal, institutional, technological, social, and cultural aspects. Employing a normative juridical approach and review study method, it analyzes primary legal sources, court decisions, and secondary literature, guided by Soerjono Soekanto's theory of law enforcement and Satjipto Rahardjo's concept of legal values and norms. Findings indicate that while Indonesian law provides comprehensive copyright protection, enforcement is impeded by legal ambiguities, limited institutional capacity, coordination gaps, and low public legal awareness. Effective enforcement requires legal reform, enhanced institutional capacity, technological support, and public education to strengthen respect for intellectual property.

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Introduction

The internet has brought about quite drastic changes in this era of globalization. All aspects of the internet are easily accessible to everyone. The internet can also have a positive impact by facilitating information, education, and business. However, the internet also has negative effects, as many highly intellectual individuals in technology use their information to harm others, such as piracy, counterfeiting, and gambling, which are freely available to the public. This also applies to intellectual property, particularly in the copyright of cinematic works, which are freely available to the public (Indra Wati, 2021).

Piracy is defined as the unauthorized copying of works, the distribution of which is intended to generate profit. One common type of piracy is film piracy. With the advent of technology, film piracy is now carried out through illegal websites that distribute films or series for free. On social media, people can easily find links to sites that

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offer various unlicensed films, known as pirated films. Social media users often use it to inform each other or share sites that allow people to access pirated films for free. Some examples of sites for watching movies for free that are still widely accessed include BioskopKeren.xyz, Lk21, IndoXXI, Idlix.com, Terbit21, and others. Downloading and watching free movies online can certainly harm copyright holders, as people can easily download or watch movies without asking permission (Ernatudera et al., 2023).

Illegal movie streaming sites are online platforms that provide access to watch or download movies, television series, or other audio-visual content without official permission from copyright owners or authorized distributors. One illegal movie streaming site, rajamovie21.xyz, announced its closure, causing a stir online after its administrator was arrested in December 2024. The content piracy carried out by an individual with the initials “NS” a young man from Lampung, had been ongoing since January 11, 2019. He then illegally distributed the content through the rajamovie21.xyz domain. After an investigation, NS was found to have harmed Vidio by allowing users to illegally access and watch copyrighted content without paying for a license. In addition to Vidio, pirated content also originates from other streaming platforms that are members of AVISI, such as CubMu and Vision+. Their sites have reached 7.7 million visitors. Ompol Ikrar Potawari, Head of Sub-Directorate 5 Cyber, Directorate of Special Criminal Investigation, Banten Regional Police, emphasized his commitment to taking firm action against all forms of illegal activity. The actions of site providers are regulated under Article 113 paragraphs (3) and (4) of the Copyright Law (CNN Indonesia).

Recent research shows that copyright infringement in the digital age is increasingly complex and widespread. A study by Anggo Doyoharjo and FX. Hastowo Broto Laksito (2025) analyzed illegal streaming sites in Indonesia, highlighting the challenges in law enforcement and the importance of synergy between government, industry, and society to protect copyright and the sustainability of the creative industry in the digital age. On the other hand, research by Hussein Sheuib (2025) revealed that the proliferation of illegal film streaming services has posed significant challenges for both official streaming services and law enforcement, causing financial losses and complicating law enforcement efforts. Furthermore, a study by Anggo Doyoharjo and FX. Hastowo Broto Laksito highlighted the importance of a comprehensive legal approach in addressing illegal streaming sites, including an analysis of Indonesia's legal framework and the law enforcement challenges faced.

Although much research has been conducted on copyright infringement in the digital age, significant gaps remain in the existing literature. Most studies focus on the technical or legal aspects of copyright infringement, with little attention to the social factors and user behaviour that contribute to the spread of pirated content. Furthermore, much existing research fails to consider local contexts, such as in Indonesia, where a culture of free content sharing and a lack of legal awareness contribute to high rates of copyright infringement.

The Ministry of Communication and Information Technology stated that there are still many illegal film sites similar to rajamovie21.xyz. Even the Ministry's blocking of 1,130 piracy sites has not deterred illegal streaming operators. In reality, it is very difficult to apprehend those who operate illegal film streaming sites, who continue to exploit copyright without the creator's permission by pirating films from illegal sites to exploit the economic rights of those films. Therefore, it is important to examine in depth the factors that influence the enforcement of copyright crimes against those who manage illegal film streaming sites. Based on this background, the author chose the title “Factors Affecting Law Enforcement on Copyright Crimes on Illegal Movie Streaming Sites.”

This research offers a novel contribution by examining the factors influencing law enforcement against copyright crimes on illegal film streaming sites in Indonesia, with a focus on social aspects, user behaviour, and law enforcement challenges. With a multidisciplinary approach that combines legal, social, and technological perspectives, this research aims to provide a more holistic understanding of the dynamics of copyright infringement in the digital era. Furthermore, this research will also explore the role of education and public awareness in preventing copyright infringement, as well as identifying more effective law enforcement strategies that are appropriate to the local Indonesian context.

Problem of Study

Based on the background, what factors influence law enforcement on copyright crimes of illegal streaming film sites?

Method

This research uses a normative juridical approach, namely an approach that emphasizes the study of legal norms contained in laws and legal doctrines as primary legal materials. This type of research is a review study, because the analysis is conducted by examining legal literature, doctrines, court decisions, and previous research to examine the enforcement of criminal law against copyright infringement in Indonesia. The technique of collecting legal materials is carried out through library research, namely by reviewing legal literature such as laws, textbooks, scientific journals, court decisions, and opinions of legal experts. In addition, secondary and tertiary legal materials are also used to support the analysis, such as news articles, previous research results, and legal dictionaries. This approach was chosen to obtain a comprehensive and systematic understanding of the legal issues studied, so as to be able to provide logical and scientifically accountable legal arguments. Legal theories that support this research include the theory of law enforcement according to Soekanto and the concept of values, norms, and legal behavior according to Rahardjo, which serve as the basis for analyzing factors that influence the effectiveness of law enforcement (Dahtiar, 2024).

Results and Discussions

Copyright is an exclusive right of the creator that arises automatically based on the ideational principle after a creation is realized in a tangible form without reducing restrictions in accordance with the provisions of laws and regulations, in accordance with Article 1 paragraph 1 (1) of Law Number 28 of 2014 concerning Copyright. The Copyright referred to in the Law consists of moral rights and economic rights (Asril et al., 2023).

Films are intellectual property and are inherent in the creator. Based on Article 1 paragraph 1 of Law Number 33 of 2009 concerning Film, Film is a creative work of art which is a social institution and mass communication media which is made based on the rules of cinematography with or without sound and is shown. Film as an artistic work is an object of copyright that is protected by law, therefore the creator of the film has the exclusive right, namely the party to monopolize his creative work in order to protect his creative work from other parties, such as announcing and reproducing his creative work or giving permission to other people to obtain economic benefits in accordance with his party, namely the economic party (Raharja, 2020). The actions of the website content provider are regulated in the Market 113 paragraph (3) of the Copyright Law.

Every person who without the right and/or permission of the creator or holder of the copyright commits a violation of the economic rights of the creator as intended in Article 9, paragraph (1) letter a, letter b, letter e, and/or letter ig for commercial use shall be criminally punished with a maximum prison sentence of 4 (four) years and/ or a maximum Rp1,000,000,000.00 (one billion rupiah).

The implementation of criminal law in cases of copyright infringement does not cause problems. There are many obstacles faced by law enforcement officers in enforcing Copyright laws. Many accompanying factors can influence the working of the law. If so, it can be said that the main problem of law enforcement actually lies in the factors that may have an influence. Conceptually, disturbances in law enforcement are caused by inconsistencies between values, rules, and behavioral patterns. Values are human views regarding who is good and who is bad. Values are abstract and require more concrete elaboration, which transforms them into rules. Rules are guidelines for humans in behaving in a way that is considered appropriate or proper. This behavior or attitude aims to create, maintain, and preserve peace (Rahardjo, 2019).

According to Soerjono Soekanto, law enforcement is the activity of harmonizing the relationships between values outlined in rules, views, and values, the final stage of creating, maintaining, and preserving peace in social life. The essence of law enforcement is to realize values or rules that contain justice and truth (Soekanto, 2019). Law enforcement according to Soerjono and Soekanto is influenced by several things, namely:

1. Law Factors

Legal factors or legislative regulations in the form of the Copyright Law, the Film Law, and the ITE Law are legal tools that can be used by law enforcement to carry out law enforcement against the creation of pirated streaming sites and films. The Republic of Indonesia Law Number 28 of 2014 concerning Copyright has not yet regulated the obligation of copyright holders to register their creative works with the Directorate General of Copyright, this matter has become an obstacle for law enforcement officers in carrying out the process of investigating copyright crimes, because the process of investigating criminal

acts on reported copyright cases must wait for the court's decision regarding the ownership of the copyright (Doly, 2020).

These various legislative regulations cannot yet be implemented optimally because the Film Law and the ITE Law do not yet regulate how legal violations are formed, namely the establishment of illegal film streaming sites, clearly and definitely along with criminal sanctions. In addition, the new ITE Law regulates formally the existence of content that is protected by intellectual property based on statutory regulations. The presence of law in a society, according to Satjipto Rahardjo, is so that it can organize or coordinate many interests so that in the end there cannot be a collision between one person and another.

Coordination of these interests is carried out by providing certain limitations and protection to these interests. The main point in protecting the rights owned by a film creator from illegal film provider sites is based on the Copyright Law with all provisions contained in the Copyright Law. Apart from the Copyright Law, there is also the Film Law and the Information and Electronic Transactions Law, which are legal tools that can be used by law enforcement in an effort to carry out legal enforcement against the creation of illegal film streaming sites (Nugroho, 2025)

Voidness of law (legal vacuum) or vagueness of norms (vagueness of norms) often becomes an obstacle in ensnaring perpetrators who manage illegal streaming sites. Many legal provisions still use a conventional approach to copyright infringement, so that they do not fully cover the modes of infringement in the world of cyber law. creator, including targeting the site manager, not just the uploader or end user (Stefano & Andro, 2016).

2. Law Enforcement Factors

The law enforcement factors are the tools that carry out the enforcement of the law, namely the police and the Communication and Information. The police and Kominfo need to build synergy in carrying out law enforcement against illegal film streaming website creators. The closure or blocking has already been carried out, but it is also necessary to include the act in the criminal domain (Marzuki, 2021).

Law enforcement is a set of parties who carry out enforcement or implement it based on the law. The parties involved include the police. The current law enforcers are the police who are already trying to protect and enforce the law in the field of intellectual property, especially in relation to copyright. Law enforcement officials determine the effectiveness of laws or regulations (Purba, 2024).

According to Soekanto, the problems that influence the implementation of written law, viewed from the aspect of law enforcement, depend on the following things, including:

- a. To what extent are law enforcement officers related to existing legal regulations.
- b. To what extent are law enforcement officers permitted to provide discretion.
- c. What kind of role model should law enforcement officers set for the community?
- d. The extent to which law enforcement officers are assigned tasks so that they can clearly understand the limits of their authority.

In the work process of law enforcement officers, there are three important elements that influence them, namely:

- a. Law enforcement institutions and their various supporting facilities and infrastructure, and institutional work mechanisms.
- b. Work culture related to the officers, including their welfare, and
- c. The set of regulations that support both the performance of the institution and those that regulate the immaterial laws that make up the standards of work, both the immaterial laws and the laws of the event

In Indonesia's constitutional structure, law enforcement is carried out by the government and judicial bodies. Copyright law enforcement is carried out by the government involving ministries, including:

- a. **Ministry of Law and Human Rights**
 In the Copyright Law, the Ministry of Law and Human Rights is given the authority to regulate all matters in the form of administration and law enforcement in the field of Copyright. The Ministry of Law and Human Rights carries out all matters related to the administration of IP, including copyright and copyright, from the start of the process of registering rights, deleting rights to reporting copyright violations that are known to be committed by someone, being the scope of the organizer of the Ministry of Justice and HAM RI.
- b. **Ministry of Communications and Informatics**
 In Article 56 of the IP Copyright Act, the Ministry of Communication and Information is given the authority to enforce laws in the field of administration in the event that there has been a violation of the IP Rights that exist in the information system by means of closing content and/or user access rights to violations of the IP Rights that exist in the Information System. internet.
- c. **Police**
 Article 120 of the Ciptary Rights Law regulates the non-criminal nature of Cyptaic Rights as a complaint ideal. In the event of a criminal act against copyright, the party who feels aggrieved can report it to the police accompanied by supporting evidence. The creator of the film who feels aggrieved can report it to the police to take action against the shop that sells the pirated CD or in other words does not have permission from the creator to reproduce the creation. Investigations in order to verify the truth of reports of alleged copyright infringement are the authority of the police.
- d. **Prosecutor's Office**
 The results of investigations conducted by the police or civil servants will be prosecuted by the public prosecutor, namely the prosecutor. The prosecutor will prosecute suspects who have gone through the examination process by investigators and become defendants when the prosecutor issues an indictment.
- e. **Judge**
 A judge is a member of a court who adjudicates a case and will grant a lawsuit for damages or a request for provision or an interlocutory decision within the scope of civil matters in this court, and a judge who will decide on the imposition of criminal sanctions and/or fines against the reported complaint.

3. Means and Facilities Factors

The means or facilities factor relates to the equipment owned by law enforcement officers to carry out their functions and duties in enforcing the law against illegal film streaming sites. Law enforcement officers already have technology to enforce the law, but technology also provides a platform for perpetrators to manipulate the creation of sites that provide illegal film streaming. Alfons Tanujaya suggested that the Ministry of Communication and Information Technology (Kominfo) conduct server analysis or movie download traffic, then implement blocking of the type of traffic or characteristics of pirated files, as well as supporting facilities for law enforcement, where currently the government has provided sufficient supporting facilities in providing information services. This has an impact on illegal streaming, so that many people still watch movies from illegal sites because they have not been handled immediately (Stefano & Andro, 2016).

Article 154 of the Copyright Law, Purba (2024) which regulates the prevention of copyright and related party infringements committed through information technology, stipulates that the government is authorized to:

- a. Supervise the creation and distribution of copyright and related party infringing content,
- b. Cooperate and coordinate with various parties, both internally and externally, in preventing the creation and distribution of copyright and related party infringing content,
- c. Supervise the recording of works and products of related parties using any media at performance venues.

Preventive measures by blocking or deleting illegal movie provider sites are not the right solution and the result is that they actually encourage the emergence of more illegal sites that provide free movies after one site is blocked. This is not effective, instead of blocking illegal movie provider sites, the regulation must be improved immediately. The technology owned by law enforcers or law enforcement officials to carry out law enforcement already exists, but technology also allows criminals to carry out their actions in manipulating and creating websites that provide illegal films for viewing.

The use of advanced technology makes it difficult to detect copyright infringement. The effort that can be made is to equip law enforcement agencies with sophisticated equipment so that they can detect copyright violations that occur in society. In reality, our means of law enforcement are still inadequate. Not to mention the low capacity of law enforcement officers in handling copyright infringements, as described above. Given these conditions, we cannot expect much in tackling copyright infringements.

4. Community Factors

Community factors are an important factor in enforcing the law against illegal film streaming sites. Community factors relate to legal awareness within the community. The community has a significant role in ensuring proper law enforcement. The current society is not only lulled by the existence of illegal film streaming sites, but they are already accustomed to not enjoying films originating from official (legal) sites. This will certainly have an impact on the perpetrators of these pirated film sites to continue their illegal activities in order to gain profit only. The society that is lulled by the existence of illegal films needs to get socialization and also knowledge from the government regarding the dangers of accessing illegal film streaming sites. This socialization aims to foster public awareness that films are a copyright of a person protected by laws and regulations (Purba, 2024).

The low level of legal awareness among the majority of people who prefer to watch films illegally can cause the condition of Indonesian films, which are considered high in terms of production and quality, but if the condition of legal awareness in society does not improve, it is very possible that the condition of Indonesian films will decline over time. Social awareness of cinematographic creations that exist (Ningsih, 2019).

5. Cultural Factors

Customs in Indonesian society are essentially guidelines for life that contain noble values, one of which is the prohibition against taking the property of others. This value is reflected in various traditional teachings that emphasize the importance of respecting the work, labor, and ownership of others. In the modern context, this principle aligns with copyright protection, including cinematographic works such as films. Accessing or distributing films through illegal streaming sites is fundamentally contrary to these customary values, because such actions take economic and intellectual benefits from works without the owner's permission. Therefore, consuming pirated content not only violates positive law, but also violates cultural norms that have long been upheld by Indonesian society (Soekanto, 2017).

Cultural factors are also important to implement, because culture has a function so that society can understand how to act, do things, and determine its attitudes. This means that culture is the main principle of a person's behavior regarding what should be done and what is prohibited. In terms of law enforcement against the existence of illegal film sites, provisions can be provided to the public to access illegal sites that provide film content. There are many sites that provide film content illegally, such as viu, Netflix, iflix, and hooq. The existence of these various illegal sites can actually be enjoyed by internet users in Indonesia without worrying about viruses that can damage the user's device. The culture of knowing and appreciating other people's works is also important to know and implement. A film work must be appreciated by paying to enjoy it (Stefano & Andro, 2016).

Based on the review of relevant laws, enforcement practices, and social-cultural contexts, it can be observed that copyright protection for films in Indonesia is theoretically comprehensive but practically limited. While the Copyright Law, Film Law, and Information and Electronic Transactions (ITE) Law provide the legal foundation

to protect creators' moral and economic rights, enforcement faces multiple challenges, including legal ambiguities, insufficient technological capacity, and coordination gaps among law enforcement agencies. Furthermore, societal factors, such as low public legal awareness and cultural acceptance of pirated content, exacerbate the difficulty of curbing illegal streaming. The research highlights that the mere existence of legislation is insufficient; effective enforcement requires not only institutional synergy but also community education and cultural reinforcement to internalize respect for intellectual property. Overall, the study emphasizes that tackling film piracy in Indonesia demands a multidimensional strategy that integrates legal, technological, social, and cultural considerations to ensure that creators' rights are adequately protected while deterring unlawful distribution.

Conclusion and Recommendations

Law enforcement against copyright infringements by managers of illegal streaming film sites in Indonesia faces various interrelated obstacles. These obstacles include factors of legal substance that are not fully responsive to digital crimes, limited capacity of law enforcement officers, lack of supporting facilities and infrastructure, and weak coordination between institutions. Of all these factors, the societal factor is the most dominant obstacle. Low legal awareness, weak understanding of copyright, and permissive culture that considers the act of watching or distributing illegal films not a violation of the law have strengthened the freedom of movement of perpetrators of copyright crimes. This habit has even developed into a social norm that is difficult to change without systematic efforts.

To address copyright infringements on illegal film streaming sites, law enforcement should strengthen legal responsiveness, enhance officer capacity, and improve institutional coordination. Public legal awareness must also be raised to foster respect for intellectual property and reduce social acceptance of piracy.

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