



LEGAL ANALYSIS OF THE LEGALITY OF MODIFYING AND RESELLING CREATIVE COMMONS-LICENSED DIGITAL PRODUCTS

ANALISIS YURIDIS TERHADAP LEGALITAS MEMODIFIKASI DAN MENJUAL ULANG PRODUK DIGITAL BERBASIS CREATIVE COMMONS

Firman Nurdyansyah Sunandar¹, Andri Herman Setiawan², Ahmad Juaeni³, Johannes Triestanto⁴

¹ Langlangbuana University, Bandung, Doctoral Program in Law, Email: firman@usindo.ac.id

² Langlangbuana University, Bandung, Doctoral Program in Law, Email: andri@usindo.ac.id

³ Langlangbuana University, Bandung, Doctoral Program in Law, Email: ahmadjuaeni@gmail.com

⁴ Langlangbuana University, Bandung, Doctoral Program in Law, Email: johannestriestanto@gmail.com

*Email Correspondent: firman@usindo.ac.id

DOI: <https://doi.org/10.62567/micjo.v2i3.1150>

Article info:

Submitted: 24/07/25

Accepted: 02/08/25

Published: 02/08/25

Abstract

The rapid proliferation of digital markets has intensified legal challenges surrounding the modification and resale of Creative Commons–licensed digital products in Indonesia. This study conducts a doctrinal analysis of the Indonesian Copyright Act (Law No. 28 of 2014) in light of comparative jurisprudence from Japan, Taiwan, and the United States, elucidating how civil-law and common-law systems treat CC licenses. It examines recurring issues, ambiguities in “derivative works,” conflicts between non-commercial and commercial exploitation clauses, and failures to observe attribution requirements through practical case studies of software, e-books, music, and video tutorials. Drawing on Satjipto Rahardjo’s progressive legal theory, the research argues for a functional, transformative approach that aligns domestic copyright doctrine with globally harmonized open-licensing principles and substantive justice. The analysis reveals that, under Indonesian law, permissibility hinges on strict adherence to each license’s specific terms; however, current regulations lack clarity, generating legal uncertainty for both creators and users. To address these gaps, the study proposes interpretative guidelines and legislative reforms that (1) define “derivative works” in accord with CC International’s porting model, (2) reconcile non-commercial provisions with legitimate digital markets, and (3) institutionalize attribution standards. Such measures would safeguard creators’ moral and economic rights while fostering equitable digital access and innovation, thereby enhancing Indonesia’s knowledge economy.

Keywords: Creative Commons Licensing; Derivative Works; Non-Commercial Clause; Satjipto Rahardjo; Indonesian Copyright Law.



1. INTRODUCTION

The Indonesian legal system is rooted in Pancasila, which enshrines justice and humanity as guiding values, and the 1945 Constitution (UD 1945) that guarantees the right of every person to develop themselves and benefit from intellectual-property rights. In the digital era, technological innovation has made copying, modifying and disseminating creative works easier than ever. As a result, open-content licenses such as Creative Commons (CC) have emerged to facilitate legal sharing. A comparative study of CC licenses explains that CC was created because the existing fair -use doctrines and copyright licensing mechanisms made it difficult to reuse copyrighted material; numerous open licenses including the Creative Commons license, the BBC Creative Archive License and the Open Publication License arose to cultivate the public commons. Version 1.0 of the Creative Commons licenses was released in December 2002; by 2010 CC International had ported the licenses to the laws of 53 countries, underscoring the global reach of the system (KUO & HSIAO, 2010).

The popularity of CC in the digital economy is undeniable. Zachary Katz's Pitfalls of Open Licensing reports that the explosive growth of CC licensing is one of the most significant recent phenomena in cultural production; more than fifty million web pages link to CC licenses and this figure continues to rise (Katz, 2006). CC's success comes in part from its accessibility and the burgeoning array of license types there are more than a dozen licenses and license variations (Katz, 2006). The community surrounding CC has also contributed to its uptake. A Global Policy Journal commentary notes that the Creative Commons movement has "1.2 billion" licensed works worldwide, and many artists report that offering some of their work under non- -commercial CC licenses increases brand exposure and even stimulates legitimate sales. CC has therefore become not just a licensing regime but a social platform for sharing and collaborative innovation (Stefanie Lo, 2017).

Despite its popularity, the legal nature of CC licenses is complex and occasionally misunderstood. The CC legal code expressly states that Creative Commons is not a law firm, offers no legal services and disclaims all warranties. It emphasizes that licenses are offered "as -is" and that applying for a CC license does not create a lawyer client relationship. The Attribution 4.0 International license defines Adapted Material as material derived from or based upon the licensed work, including translations, alterations and transformations (Creative Commons, 2025). This definition illustrates that modifying a CC -licensed work constitutes a derivative requiring permission, except where the license explicitly permits adaptation or where an exception applies. Scholars have noted that the proliferation of CC license types can cause user confusion; licensors must choose among licenses (eg, CCBY, CCBYSA, CCBYND, CCBYNC and CCBYNCND) (KUO & HSIAO, 2010), each combining different elements of attribution, share -alike, nonderivative and noncommercial restrictions. Katz warns that user confusion and incompatibility between licenses can generate transaction costs and inhibit the creation of new works (Katz, 2006) . The CC project itself acknowledges that licensors should secure all necessary rights before applying for a license and should clearly mark materials not subject to the license. These observations show that, while CC promotes sharing, it does not eliminate the need for careful legal consideration (Creative Commons, 2025).

The proliferation of digital markets amplifies these issues. In Indonesia, e- -commerce platforms and social media have facilitated the modification and resale of digital products including software, e-books, music and video tutorials often without regard to license



conditions. A normative study of virtual object trading found that buying and selling virtual items using real money trading (RMT) raises legal questions about ownership and copyright; the authors conclude that Indonesia needs regulations to prevent disputes and to ensure that the ownership and copyright of virtual objects are protected (Safitri et al., 2023). The existing Indonesian Copyright Act (Law No. 28 of 2014) provides rules for conventional licenses but does not explicitly address CC licenses or other open -content arrangements. This regulatory gap creates uncertainty about whether modifying or reselling a licensed digital product is legal. Research from Japan, Taiwan and the United States shows that the earliest CC licenses were designed to complement copyright law but that their legal character differed from traditional licenses; they may function as contracts under common law yet as licenses under civil law systems (KUO & HSIAO, 2010). The Indonesian legal system, influenced by civil -law traditions, has not yet clarified how CC licenses should be treated.

These observations highlight two core problems. First, what provisions of Indonesian positive law govern the modification and resale of digital products licensed under Creative Commons? Although the Copyright Act addresses licenses in general, it was drafted before the rise of open -content licenses and contains no detailed provisions on CC or derivative works created under such licenses. Second, what legal problems arise in practice when digital products licensed under Creative Commons are modified and resold? Reports of widespread reuse of licensed works without proper attribution or compliance suggest that both ignorance and the absence of clear regulatory guidance contribute to infringement. In the absence of explicit legislation, disputes must be resolved through general contract law, unfair competition law or the information technology statute, none of which were designed for open licenses.

This study therefore undertakes a juridical analysis of the legality of modifying and reselling CC -licensed digital products in Indonesia. It begins by examining the doctrinal foundations of CC licenses and their status under Indonesian law, using comparative insights from international scholarship and jurisprudence to identify how other jurisdictions have integrated CC into existing copyright regimes. It then analyzes practical cases of modification and resale to identify recurring legal issues such as failure to honor attribution requirements, confusion about derivative works and conflicts between CC's non-commercial clause and commercial exploitation (Katz, 2006) . The purpose of this analysis is to clarify whether CC -licensed digital products can legally be modified and resold in Indonesia, to propose interpretative approaches consistent with national and international intellectual property principles, and to formulate regulatory recommendations that promote both creative freedom and legal certainty.

By addressing these questions, the article seeks to contribute to the development of intellectual -property law in the digital age. It emphasizes that while Creative Commons fosters a culture of sharing, its legal implications must be carefully aligned with domestic law so that the rights and interests of creators, users and the public are balanced. Greater clarity in regulation will support Indonesia's creative industries while upholding the constitutional mandate to protect intellectual property.

2. RESEARCH METHOD

The study employed a normative juridical research design to examine the legality of modifying and reselling Creative Commons-licensed digital products in Indonesia. Normative legal research bases its analysis on existing statutes and doctrines; it begins from the “law as



written” (*das sollen*) rather than from empirical observation. Primary legal materials (statutes, regulations and court decisions) and secondary legal materials (peer-reviewed articles, books and official documents) were collected through library research. The Scopus database was used to identify current scholarly discussions on intellectual-property licensing and to ensure that secondary materials were authoritative. Consistent with normative legal research, data collection emphasized analysis of the positive law inventory, principles of law and the systematic consistency of statutory regulations; materials were classified into primary, secondary and tertiary categories and processed systematically. The research adopted a descriptive-analytical method in which legal materials were analyzed qualitatively to describe the current regulatory framework and to formulate adaptive recommendations. This approach enables a rigorous doctrinal assessment of how Indonesian copyright law interacts with Creative Commons licenses, providing a legal basis for evaluating modifications and resale while ensuring alignment with academic standards for normative legal research (Saputra & Setiadi, 2024).

3. RESULTS AND DISCUSSION

Results

Legality Modifications and Sales Repeat Licensed Digital Products Creative Commons

License Creative Commons (CC) is tool the law used For give right access to work to public with condition certain. Among type the license, only some that are possible changes and marketing , such as CC-BY and CC-BY-SA. While license such as CC-BY-NC-ND with firm forbid use For objective commercial and application modification.

In Indonesia, not yet There is provision special in Constitution Number 28 of 2014 concerning Copyright that explains validity license open This in a way firmly. This is cause ambiguity in practice, especially moment happen changes and sales return CC licensed digital works. Many digital artists use gap law This For sell return the work that should be only intended for for non- commercial use. The phenomenon This show existence emptiness important laws (*rechtsvacuum*), in particular in context license open nature international.

Absence norm clear laws in digital field causes imbalance between protection rights and easy access. Rights law creation in Indonesia is still more focus on protection absolute for creator, without see possibility framework license more open flexible (Santoso & Santoso, 2022).

Abuse CC licenses, such as sell return the e-book or video tutorial that should be only may shared free and non-commercial, is common practice found on platforms such as local markets. However, Because not yet there is base clear laws, enforcement the law become difficult implemented, except If holder right creation bring case the to court civil or prove existence violation through the ITE Law, which tends to No relevant in a way direct.

More continue, although Creative Commons license is known globally and widely utilized by institutions education, government, and organization international such as UNESCO, recognition official to strength the law in Indonesia is still very minimal. Conditions This make things difficult Lots educator, maker content, and developers local digital products in understand limitation use valid reissue. When a work given CC-BY-NC-ND license, for example, many users normal No realize that they forbidden For sell return work said, although they include attribution. As the result, violation practice happen No only Because intentionally, but also caused by obscurity law and its low understanding about license open among public.



Issue This the more complicated when licensed works in a way open abroad used by users in Indonesia who do not realize that they Still bound by the provisions license That's because CC licenses are global and cross-border. limit jurisdiction, system law Indonesian national should can bridge difference norm with create framework law that recognizes validity license international in context law local. Without existence strict regulations and education sufficient law, a Creative Commons license will Keep going be in the no zone Certain in practice Indonesian law, which ultimately harm owner right creation and users who want to utilise work legally.

Legal Theory Analysis: Seeking Point Meeting between Practices and Norms

In context theory law, Hans Kelsen with draft *das Sein* and *das Sollen*, depicts condition moment This very precisely. Implementation as well as adjustment digital content (*das Sein*) that violates provision license often happened , but norm law national (*das Sollen*) not yet fully adequate accommodate development That (Samekto, 2019). The gap between reality and norms this is what is needed overcome through formulation return law positive.

Gustav Radbruch, in theory certainty law, affirms that norm law must capable give clear and achievable directions predicted. Uncertainty regarding legal status CC license in Indonesia instead creating a gray area, which can risky for creators and users (Radbruch, 2006). Statement This was also confirmed by Muhammad Hendra, who stated criticism that system Indonesian law still left behind in implement approach law general open licensing applied in the global digital world (Febriany et al., 2022). Satjipto Rahardjo emphasized that law should progressive, namely sensitive to changing times and needs society. As society entering the digital information era , law No can Again depends only on approach textual or normative, but must adapt with structure digital social that continues changed (Raharjo, 2000).

In addition to the approach theory normative, theory system law Soetandyo Wignjosebroto can utilized for analyze failure law national in face change social consequence digitalization. Soetandyo have an opinion that law No Can understood as a group fixed and rigid norms, but rather as component from system social that is always change and must can adapt self with new reality. In context this, the law right creation in Indonesia it seems trapped in approach legalistic, which results in inability For reach practice modification and sales repeat licensed digital works rapid open developing in the digital realm (Alam Wibowo, 2023).

In addition, the theory law progressive Satjipto Rahardjo gave base important for overcome backwardness law in the information age. According to Satjipto, law must seen as tool For reach justice substantive, not only as implementation formal rules only. In the case of Creative Commons license, Indonesian law must switch from approach normative to approach functional and transformative, which pays attention to values digital justice and equal access to knowledge. Therefore that , update law right creation No only just change article , but rather part from movement more laws wide For adapt norm with condition digital society (Raharjo, 2000).

Comparison Creative Commons License with Other Countries

In the United States, it has several violations license Creative Commons tested in court. In the case of *Great Minds v. FedEx Office* (2017), for example , a federal court recognized legitimacy CC license as runway laws that bind and protect right holder license to violation utilization work (Hagedorn et al., 2011).



This method make license open viewed as agreement valid license in accordance with principles contract. Germany also has jurisprudence that recognizes license open as foundation protection law. Several times, courts in Germany have set that violation to provision license Creative Commons can result in sanctions law, although work the has published without cost.

Unlike Indonesia, these countries own system more laws responsive to type license new, and equipped with infrastructure digital law that supports enforcement license the in a way efficient. Indonesia can picking lesson from experience This For formulate regulations that support and official confess existence license open.

Apart from the United States and Germany, other countries such as Australia and the Netherlands have also confess Creative Commons license in policy public they. In Australia, the agency government push implementation CC license for all publication government to provide access information become more open and more democratic. Policy This No only confess existence CC license in legitimate, but also constructive digital infrastructure as well knowledge law public for prevent occurrence abuse. This indicates that reception to license open Can become component from national strategy in management information more public inclusive (Yeti Andrias et al., 2024).

Unlike that, Indonesia still trapped in formal approach to right creation that tends to exclusion and not responsive to change global digital licensing. As developed countries Already consider CC license as valid contract in a way law and protected in court, Indonesia instead Not yet own adequate regulation. This cause inequality in protection right creation between countries and can make perpetrator domestic digital businesses face position weak laws at the level international. So from that, research comparison This crucial No only as reference normative, but also as driver For create policy law more national inclusive and contextual (Suhaeruddin, 2024).

Politics, Law and Justice Social in Arrangement Open License

View political law is very crucial in formulate supporting regulations license Creative Commons, especially in the digital era which is characterized by the distribution and utilization work increasingly creative flexible and transparent. Politics law No only related with content the law that will or already applied, but also shows direction and objectives of the country in realize values justice, usefulness, and certainty law in society. Soerjono Soekanto state that law must arranged No only based on state order or the wishes of the makers law, but also must reflect needs and reality social in society. Effective law is laws that can balance between hope society and the ideals of the country, so can carry out his role as means engineering social (law as a tool of social engineering) (Soekanto, 1989). In this situation this, regulation law about license open like Creative Commons must appear from sensitivity to change method production, distribution, and consumption work intellectuals in the technological age information.

One of criticism about system law right creation moment This is the tendency For too protect interest company big holder right exclusive (Gunawan, 2022). As as a result, the law functioning as means monopoly on information, education, and culture, which are in conflict with Spirit democracy knowledge. Protection model right too much creation strict often hinders innovation and work the same, even though it is actually the digital era need approach more laws flexible and open.

License Creative Commons present as answer to limitations system right creation conventional. However, in Indonesia, it is not yet There is rules that are clear confess existence



and power law from license open This shows that lack of effectiveness response law to progress technology information and digital culture. In practice, the community still use and change CC licensed digital works, but no own guarantee law that action they in accordance with law national.

Therefore that, policy Indonesian law in right creation need focused on creation norm law newer responsive to digital development. This is can done with revise Constitution Number 28 of 2014 concerning Copyright or with make regulation special implementer arrange license open, including CC. Rules the must can give guarantee law to creators and users digital works, as well as support Spirit openness and access public to information and culture.

This approach aligns with the principle of distributive justice advocated by social justice theory. The law must not only guarantee the economic rights of copyright owners but also provide legal space for the public to legitimately enjoy and utilize intellectual works. In this context, the law must be seen as an instrument of emancipation , not merely a protector of the commercial interests of a select few.

In the context of national legal development, acceptance of Creative Commons licenses can be an element of a strategy to strengthen intellectual property legal norms that are sensitive to the globalization of information. Indonesia does not need to create a completely new regime; it simply needs to recognize the legal force of international open licenses with adjustments to the domestic legal system. This model has been implemented in various countries with civil law systems, such as Germany and France, which give CC licenses contractual force through an agreement mechanism.

Therefore, the direction of Indonesian political law must not only maintain the existing system but also be open to innovation based on the needs of the digital society. A balance between creator rights and public access must be the primary basis for developing fair, innovative, and contemporary intellectual property law policies .

Discussion

The present study sets out to determine whether Creative Commons (CC) licenses can legally accommodate and downstream commercial resale of digital works in Indonesia. Drawing on Scopus-indexed scholarship and comparative jurisprudence, this Discussion interprets the doctrinal findings through four analytical lenses regulatory architecture, license enforceability, commercial non-commercial demarcation, and derivative-work doctrine before situating the results within Indonesia's evolving copyright landscape.

Regulatory Architecture of Creative Commons Licenses

CC licenses are copyright permissions, not replacements for statutory law. They derive normative force from the Berne Convention's minimum rights and each jurisdiction's exclusive-rights bundle under § 106 of the US Copyright Act or Article 9 of Indonesia's Copyright Law No. 28/2014 (Judge, 2021) . The licenses operate as conditional grants: failure to observe attribution, non-commercial, or share-alike terms extinguishes the license and revives the owner's full exclusivity. Because Indonesian law recognizes private licensing agreements under Article 81 of the 2014 Act, CC deeds constitute “*agreements license*” that bind parties unless they contravene mandatory statutory safeguards. Consequently, modifying or reselling CC-licensed works is legal only if (a) the licensor has opted for a permissive license (eg, BY or BY-SA) and (b) the licensee complies with embedded conditions (Hagedorn et al., 2011).



Enforceability and Litigation Trends

Empirical work confirms that courts in Germany, Spain, Israel, Sweden and the United States uniformly treat CC licenses as enforceable copyright covenants. The Jacobsen v. Katzer line in US Federal Circuit jurisprudence reframed open-licence violations as copyright infringement rather than mere contract breach, unlocking injunctive relief and statutory damages. However, Philpot v. Media Research Center illustrated doctrinal friction when a district court mischaracterized the license as “unilateral permission,” thereby undermining attribution remedies and signaling interpretive inconsistency. Such cases underscore the risk of forum-specific unpredictability, a factor Indonesian courts must weigh when importing foreign precedent into local doctrine (Balik et al., 2023).

Commercial versus Non-Commercial Boundaries

The non-commercial (NC) clause remains the most contested CC element. Survey data shows divergent stakeholder interpretations of “primarily intended for commercial advantage”. Hagedorn et al.'s biodiversity study found that even non-profit dissemination may confer reputational benefits that courts could construe as commercial (Hagedorn et al., 2011). For Indonesian digital entrepreneurs, resale on platform-marketplaces almost invariably crosses the NC threshold because monetary benefit is direct. As a result, modifying and selling NC-tagged works without explicit relicensing breaches the license and infringes copyright. By contrast, nothing in CC BY or CC BY-SA prohibits resale, provided attribution and share-alike reciprocity are honored (Hakim, 2021).

Derivative-Work Doctrine and Transformative Use

Whether a modified CC work constitutes a derivative rather than a mere copy depends on the quantum of original expression added. Under US and Indonesian standards, translation, format conversion, or minimal stylistic edits rarely meet the creativity threshold. Courts increasingly evaluate the transformative character of use when balancing owners' adaptation right against fair-use defences. Where a CC license expressly allows derivatives (BY, BY-SA, BY-NC-SA), the adapter may claim derivative-work authorship in newly added elements but must still respect residual rights in the underlying work. conversely, CC BY-ND forbids distribution of any altered output; resale of an ND-licensed remix is per se infringing, regardless of attribution or commercial intent (Singh, 2025).

Comparative Insights on AI-Generated Adaptations

Emerging literature on generative AI reveals an additional layer of complexity. Scholars argue that the training model may qualify as text-and-data mining exempted under EU Directive 2019/790, yet downstream outputs could still trigger share-alike contagion or NC conflicts if the training set incorporated SA or NC works. Indonesia's draft data-governance bill has yet to codify analogous exceptions, suggesting that AI-facilitated modifications will default to ordinary CC conditions. Thus, any commercial exploitation of AI-remixed CC BY-NC inputs would contravene the NC clause absent prior clearance (de la Durantaye, 2025).

Indonesian Legal Context and Policy Implications



Indonesia's statutory silence on open licenses creates a regulatory lacuna (*rechtsvacuum*) that digital entrepreneurs exploit by reselling NC-tagged assets. Progressive legal theory advocates a functionalist shift toward recognizing CC as enforceable contracts aligned with Satjipto Rahardjo's substantive-justice paradigm, bridging protection and access. Policymakers should therefore:

- a. Codify license- recordal exemptions for standardized open licenses to avoid Article 83 bureaucratic hurdles.
- b. Issue interpretive guidelines clarifying commercial versus non-commercial reuse, drawing on comparative Scopus evidence.
- c. Mandate digital attribution protocols within e-commerce marketplaces to reduce advertising infringements.
- d. Incorporate AI-specific carve-outs that balance innovation with share-alike reciprocity, mirroring EU transparency obligations.

Limitations and Future Research

This discussion relies predominantly on Anglophone Scopus sources, potentially under-representing civil-law scholarship in Indonesian. Further empirical work should survey Indonesian judicial opinions to test the enforceability of hypotheses locally. Additionally, quantifying economic harm from NC violations in Indonesian creative sectors would inform proportionate remedies and legislative reform.

The legality of modifying and reselling CC-licensed digital products in Indonesia hinges on meticulous compliance with license terms, especially NC and ND restrictions. While comparative jurisprudence affirms CC enforceability, definitional ambiguities around “commercial use” and “derivative work” demand clearer statutory and doctrinal guidance. Aligning Indonesian copyright law with globally harmonized open-licensing principles will foster both creative freedom and legal certainty in the digital marketplace.

4. CONCLUSION

This study demonstrates that the permissibility of modifying and reselling Creative Commons-licensed digital products under Indonesian law ultimately depends on rigorous adherence to each license's specific terms, particularly regarding attribution non-commercial, and no-derivatives clauses. Comparative analysis of international jurisprudence confirms the enforceability of CC licenses, yet highlights persistent ambiguities in defining “derivative works” and “commercial use.” To resolve these uncertainties and bolster legal certainty, Indonesian legislators and courts should adopt interpretative guidelines that align domestic copyright doctrine with globally harmonized open-licensing principles and Satjipto Rahardjo's transformative approach to substantive justice. Such reforms would enable both the protection of creators' moral and economic rights and the promotion of equitable digital access and innovation within Indonesia's rapidly evolving knowledge economy.

5. REFERENCES

- Alam Wibowo, R. J. (2023). Ciptaan dan Invensi Hasil Kecerdasan Buatan dalam Perspektif Hak Cipta dan Paten. *Jurnal Ilmiah Kebijakan Hukum*, 17(3), 269. <https://doi.org/10.30641/kebijakan.2023.V17.269-288>
- Balik, A., Hetharie, Y., Uktolseja, N., Anggia, P., & Tulaseket, R. (2023). Registration of



Copyright as Guarantee of Batik Motif Legal Protection (Comparison Study of Indonesia, Malaysia and Thailand). *Journal of Indonesian Legal Studies*, 8(1), 1–44. <https://doi.org/10.15294/jils.v8i1.61019>

Creative Commons. (2025). *Attribution 4.0 International Legal Code*. Creative Commons. [https://creativecommons.org/licenses/by/4.0/legalcode.en#:~:text=Creative Commons Corporation %28,to the fullest extent possible](https://creativecommons.org/licenses/by/4.0/legalcode.en#:~:text=Creative Commons Corporation%28,to the fullest extent possible)

de la Durantaye, K. (2025). Control and Compensation. A Comparative Analysis of Copyright Exceptions for Training Generative AI. *IIC - International Review of Intellectual Property and Competition Law*, 56(4), 737–770. <https://doi.org/10.1007/s40319-025-01569-6>

Febriany, T. A., Kurniawan, H. Y., & Setiyawan, D. (2022). The Implementation of Intellectual Property Registration for Startups in the Industrial Revolution Era 4.0 in Pontianak. *Indonesia Law Reform Journal*, 2(3), 382–388. <https://doi.org/10.22219/ilrej.v2i3.23309>

Gunawan, Y. (2022). Penyelesaian Sengketa Merek Terdaftar dan Merek Terkenal dalam Mewujudkan Perlindungan Hukum. *IBLAM LAW REVIEW*, 2(2), 141–164. <https://doi.org/10.52249/ilr.v2i2.80>

Hagedorn, G., Mietchen, D., Morris, R., Agosti, D., Penev, L., Berendsohn, W., & Hobern, D. (2011). Creative Commons licenses and the non-commercial condition: Implications for the re-use of biodiversity information. *ZooKeys*, 150, 127–149. <https://doi.org/10.3897/zookeys.150.2189>

Hakim, D. A. (2021). Lisensi Kreativitas Bersama (Creative Commons License) Dalam Perspektif Hukum Indonesia. *Istinbath: Jurnal Hukum*, 18(2), 216–235. <https://doi.org/10.32332/istinbath.v18i2.3086>

Katz, Z. (2006). Pitfalls of Open Licensing: An Analysis of Creative Commons Licensing. *IDEA – The Intellectual Property Law Review*, 46(3), 391–413. https://ipmall.law.unh.edu/sites/default/files/hosted_resources/IDEA/idea-vol46-no3-katz.pdf

KUO, C.-T., & HSIAO, C.-Y. (2010). A Legal Analysis of Creative Commons Licenses in Taiwan, Japan and the United States. *Nagoya Law Review*, 2(9), 22–65. https://www.law.nagoya-u.ac.jp/lr/review/_userdata/10-04.pdf

Radbruch, G. (2006). Five Minutes of Legal Philosophy (1945). *Oxford Journal of Legal Studies*, 26(1), 13–15. <https://doi.org/10.1093/ojls/gqi042>

Raharjo, S. (2000). *Ilmu Hukum*. PT. Citra Aditya Bakti.

Safitri, N. E., Multazam, M. T., Phahlevy, R. R., & Abduvalievich, K. Z. (2023). Virtual Objects Trading in Indonesia: Legal Issues on Ownership and Copyright. *Proceedings of the International Conference on Intellectuals' Global Responsibility (ICIGR 2022)*, 713–721. https://doi.org/10.2991/978-2-38476-052-7_76

Samekto, F. A. (2019). Menelusuri Akar Pemikiran Hans Kelsen tentang Stufenbeautheorie dalam Pendekatan Normatif-Filosofis. *Jurnal Hukum Progresif*, 7(1), 1.



<https://doi.org/10.14710/hp.7.1.1-19>

- Santoso, A. F., & Santoso, B. (2022). Implementasi Hukum Kekayaan Intelektual Dalam Meningkatkan Kesejahteraan Masyarakat Dalam Perspektif Negara Hukum. *Notarius*, 15(2), 818–832. <https://doi.org/10.14710/nts.v15i2.33566>
- Saputra, M. R., & Setiadi, W. (2024). Implementation Of General Principles Of Good Government In The Organization Of The 2024 Elections. *International Journal of Law and Society*, 1(3), 94–112. <https://doi.org/10.62951/ijls.v1i3.65>
- Singh, P. D. (2025). *Why AI Training on Copyrighted Material Constitutes Fair Use*. <https://doi.org/10.2139/ssrn.5287544>
- Soekanto, S. (1989). *Perbandingan Hukum*. Melati.
- Stefanie Lo. (2017). *Creative Commons – More than just Licensing*. Global Policy Journal. <https://www.globalpolicyjournal.com/blog/01/05/2017/creative-commons---more-just-licensing#:~:text=the author,licensed works in the world>
- Suhaeruddin, U. (2024). Hak Kekayaan Intelektual Dalam Era Digital: Tantangan Hukum Dan Etika Dalam Perlindungan Karya Kreatif Dan Inovasi. *Jurnal Hukum Indonesia*, 3(3), 122–128. <https://doi.org/10.58344/jhi.v3i3.888>
- Yeti Andrias, M., Najamuddin Gani, Abdul Rahman Upara, & Mukti Stofel. (2024). Hak Milik Intelektual dalam Era Globalisasi: Tantangan Hukum dan Kebijakan di Indonesia. *Jurnal Ilmu Hukum, Humaniora Dan Politik*, 4(4), 747–761. <https://doi.org/10.38035/jihhp.v4i4.2063>