

ABSTRAK

Penelitian ini adalah mengenai sengketa Hak Cipta antara Label Nagaswara selaku pemegang Hak Cipta atas lagu ‘Lagi Syantik’, dengan keluarga Gen Nagaswara. Label Nagaswara telah menggunakan ketiga cara dalam Undang-Undang Hak Cipta untuk mempertahankan haknya. Didasarkan pada analisis yang dilakukan, dapat disimpulkan bahwa, cara penyelesaian sengketa melalui proses *restorative justice* merupakan penyelesaian sengketa Hak Cipta yang paling baik daripada penyelesaian sengketa Hak Cipta melalui pengadilan. Penyelesaian sengketa melalui proses *restorative justice* memberikan hasil *win-win*, yang memperhatikan kepentingan kedua belah pihak yang kebetulan adalah para musisi, dan kepentingan masyarakat. Pembuat undang-undang seyogyanya mencantumkan proses *restorative justice* melalui Undang-Undang Hak Cipta.

Kata kunci : sengketa Hak Cipta, proses *restorative justice*, hasil *win-win*.



ABSTRACT

This research is about the Copyright dispute between Label Nagaswara as the copyright holder of the song "Lagi Syantik", and the Gen Nagaswara family. The Label Nagaswara has used all three methods in the Copyright Law to defend its rights. Based on the analysis carried out, it can be concluded that, how to resolve disputes through the restorative justice process is the best Copyright dispute resolution than Copyright dispute resolution through courts. Dispute resolution through the restorative justice process provides a win-win result, which takes into account the interests of both parties who happen to be musicians, and the interests of the community. Lawmakers should include the restorative justice process through the Copyright Law.

Keywords : *Copyright disputes, restorative justice process, win-win results.*

