

## CONSUMER PROTECTION FOR DIGITAL PRODUCTS AND CONTENT: AN IPR PERSPECTIVE IN INDONESIA

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### Abstract

The development of digital technology has driven the increasingly widespread distribution of digital products and content, ranging from applications, software, music, films, and other virtual products. This situation has given rise to various new challenges in consumer protection, particularly regarding the authenticity, quality, data security, and legality of digital products. Intellectual Property Rights (IPR) play a crucial role in ensuring that consumers obtain legal, safe, and standard-compliant digital products. This article analyzes the relationship between IPR and consumer protection, focusing on how IPR enforcement can prevent the spread of illegal digital products, piracy, and unlicensed content that has the potential to harm consumers. The method used is a literature study with a descriptive qualitative approach, through a review of literature from the last 2–5 years, statutory provisions, and empirical reports on IPR violations in Indonesia. The results of the study indicate that the rise of pirated digital content, modified applications, and counterfeit digital goods on online platforms occurs due to weak supervision, low consumer digital literacy, and limited law enforcement. To improve consumer protection, strengthening technology-based regulations, increasing IPR literacy, optimizing digital platform oversight, and collaboration between the government, industry players, and the public are needed. This effort is expected to create a safer, fairer digital ecosystem, providing legal certainty for both consumers and rights holders.

**Keywords:** *Consumer protection, Intellectual Property Rights (IPR), digital products, digital content, digital era.*

## INTRODUCTION

Consumer protection is a crucial aspect of the modern legal system, playing a role in protecting human creativity, works, and innovation. Consumer protection stems from the belief that a person's ideas, concepts, and work have economic value that deserves to be respected and legally protected. This protection has become increasingly important with the advancement of technology and digitalization, which have opened up both significant opportunities and threats to copyright theft and infringement. According to (Devi & Sudirga, 2024), IPR is a form of state recognition for human works in the fields of science, art, and technology that have commercial value. IPR regulations in Indonesia not only protect individual rights but also support the growth of the national creative economy.

The rapid digital transformation has shifted consumer consumption patterns from physical products to digital products accessible through various online platforms. This change offers convenience, efficiency, and accessibility, but also carries the risk of the circulation of illegal digital content that does not meet quality, security, and legality standards. Pirated digital products, such as modified apps, unlicensed software, and even unauthorized uploads of films and music, often harm not only creators but also consumers through the risk of malware, data theft, and digital fraud. At this point, the relationship between consumer protection and intellectual property rights (IPR) becomes relevant, as the legality of a work is a key security factor for users in the digital age.

In Indonesia, consumer protection and IPR regulations already have a strong legal basis, such as Law Number 8 of 1999 concerning Consumer Protection and various laws related to copyright, patents, and trademarks. However, rapid technological developments have created regulatory gaps and new challenges in their implementation. The digital space allows businesses to operate without geographical boundaries, making copyright infringement and the distribution of illegal content massive and difficult to track. Meanwhile, consumers often lack sufficient digital literacy to distinguish between legal and illegal products, making them easy targets for the distribution of unauthorized digital content.

The rise of e-commerce platforms, marketplaces, and social media platforms has created an increasingly large space for the circulation of illegal digital products, which directly violates the principles of consumer protection. The information imbalance between businesses and consumers exacerbates this situation, as consumers often do not understand the risks inherent in pirated digital content. In this context, IPR enforcement not only aims to protect creators but also serves as a crucial instrument to ensure that consumers obtain safe, high-quality products free from potential legal violations. Effective IPR enforcement can foster a more orderly and transparent digital market.

The Indonesian government, through various institutions such as the Directorate General of Intellectual Property (DJKI), the Ministry of Communication and Information Technology (Kominfo), and the Cyber Agency, has undertaken various efforts to minimize the circulation of illegal digital content, including monitoring digital platforms, blocking pirated sites, and educating the public about the use of legitimate digital products. However, these efforts have not been fully optimized due to high demand for pirated content, a weak culture of respect for intellectual property, and limited monitoring technology that faces the ever-evolving innovation of infringement. Therefore, studying consumer protection for digital products and content from an IPR perspective is crucial to understanding the root causes, implementation

challenges, and relevant legal strengthening strategies in the face of an increasingly complex digital ecosystem

## **LITERATURE REVIEW**

### **“Legal Protection of Intellectual Property in the Digital Era in Indonesia” – Dian Utami Amalia et al.**

This article highlights the significant challenges posed by the development of digital technology for intellectual property protection in Indonesia. The authors demonstrate that although the government has implemented various policy reforms—such as revisions to copyright and patent laws—their implementation and enforcement remain suboptimal amidst the rampant misuse of digital works. The study emphasizes the importance of collaboration between the government, the private sector, and the public in creating protection mechanisms that adapt to technological dynamics. This article provides a comprehensive overview of the need for a flexible, robust, and innovative legal system to anticipate the risk of intellectual property rights infringement in the digital era (Dian Utami Amalia et al., 2024).

### **“Legal Protection of Copyright in the Digital Era According to Law No. 28 of 2014” – Wandi Arwana et al.**

This research focuses on the effectiveness of Law No. 28 of 2014 in providing legal protection for copyright in the digital era. The article demonstrates that although the Copyright Law accommodates various forms of digital violations—including piracy, illegal duplication, and unauthorized distribution—its implementation still faces challenges in the form of technical constraints, low law enforcement capacity, and weak synergy between institutions. The authors emphasize the need for more detailed derivative regulations, increased capacity of law enforcement officials, and policies responsive to technological developments to ensure effective copyright protection. Thus, this research reinforces the finding that Indonesian positive law has not fully adapted to the characteristics of digital crime (Habibi et al., 2025).

Both articles are highly relevant to the authors' research because they both highlight the challenges of legal protection in the digital ecosystem, particularly regarding IPR enforcement. The article by Dian Utami Amalia et al. provides the basis that IPR protection in the digital era is ineffective due to weak legal coordination and adaptation, while the research by Wandi Arwana et al. clarifies that the Copyright Law framework still faces implementation obstacles. These findings support the authors' research argument that consumer protection for digital products and content is inextricably linked to the effectiveness of IPR enforcement. When copyright infringement remains widespread and legal mechanisms are not functioning optimally, consumers will continue to be exposed to illegal, risky, and unsafe digital content. Therefore, these two articles reinforce the urgency of strengthening regulations, digital literacy, and platform oversight to protect both consumers and rights holders.

## **RESEARCH METHOD**

The method used in writing this article is library research, namely by collecting, reading, and analyzing various written sources relevant to the topic of Intellectual Property Rights (IPR). Data were obtained from law books, scientific articles, national and international journals, and laws and regulations in force in Indonesia. The approach used is descriptive qualitative, in which the author attempts to systematically describe and explain the concept of IPR, the forms of legal protection provided, and the challenges of its implementation in the digital era.

The analysis was carried out by reviewing the content (content analysis) of the obtained literature, then connecting it with the actual conditions of IPR implementation in Indonesia, resulting in a comprehensive and in-depth understanding of the importance of IPR protection in the context of modern law and economics.

## **RESULT AND DISCUSSION**

### **1. Basic Concepts of Consumer Protection in Digital Products and Content**

Consumer protection is a legal remedy aimed at ensuring security, comfort, and certainty for the public when consuming goods or services. In the digital era, the concept of consumer protection has undergone significant development because economic interactions now take place through online platforms, digital applications, and various technology-based services. Consumers no longer only purchase physical products but also access digital services such as e-books, software, digital music, films, games, and various forms of content distributed through the internet ecosystem. This demands regulations capable of protecting against new risks, such as digital fraud, misleading product information, privacy violations, and lack of transparency in transaction mechanisms (Melisa Melisa et al., 2025).

Essentially, digital consumer protection focuses on three aspects: security, transaction continuity, and information transparency. Security encompasses protection against potential losses resulting from counterfeit content, malicious applications, or digital products that do not match claims. Transaction continuity relates to ensuring that consumers can enjoy digital products as agreed without the risk of losing access. Meanwhile, information transparency requires businesses to provide clear, accurate, and honest descriptions of the digital products they market. These three aspects are essential foundations for ensuring consumer protection in a dynamic and uncertain digital environment (Melisa Melisa et al., 2025).

Although this research focuses on consumer protection, Intellectual Property Rights (IPR) remain relevant in the context of digital products and content. IPR plays a role in ensuring that digital products or content distributed on marketplaces, streaming platforms, and social media are legal works and do not violate the rights of creators. For consumers, IPR provides assurance that the digital products they purchase are not illegal, pirated, or pose security risks. Illegal digital products generally lack quality or security standards, which can harm consumers, for example through malware, data breaches, or access failures. In other words, although IPR is not the core of the discussion, its existence contributes to strengthening the digital consumer protection ecosystem through the legality and accountability of business actors.

In practice, digital consumer protection in Indonesia refers to several regulations, particularly Law Number 8 of 1999 concerning Consumer Protection, the Electronic Information and Transactions Law (UU ITE), and regulations related to e-commerce. The regulation emphasizes the responsibility of business actors to provide accurate information, guarantee product quality, and provide an effective complaint mechanism in the event of losses. Furthermore, digital platforms are required to have content moderation and product verification systems in place to prevent consumers from purchasing counterfeit products, illegal content, or substandard digital services.

The basic concept of digital consumer protection is a series of principles aimed at protecting the public from the risks of economic interactions in the digital space. While IPR is often referred to as merely supporting the legality and security of content, the primary focus remains on ensuring consumers obtain their basic rights, such as convenience, honest

information, and legal certainty in digital transactions. This approach is necessary to ensure a safer, healthier, and more sustainable digital ecosystem in Indonesia for all parties involved (Widyanto & Kholil, 2021).

## **2. Laws and Regulations Governing IPR in Indonesia**

Indonesia has a fairly comprehensive legal system for protecting Intellectual Property Rights. Since the ratification of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) through Law Number 7 of 1994, Indonesia has officially become part of the international legal framework governing intellectual property protection standards. This ratification requires Indonesia to align all national regulations with international provisions set by the World Trade Organization (WTO) and the World Intellectual Property Organization (WIPO) (Yulianti et al., 2025). The main laws and regulations governing IPR in Indonesia include the following:

1. Law Number 28 of 2014 concerning Copyright

This law provides automatic protection to creators from the moment a work is manifested in a tangible form, without requiring a formal registration process. Copyright encompasses moral rights (rights inherent in the creator forever, such as name recognition) and economic rights (the right to receive financial benefits from the work). This law also regulates criminal sanctions for copyright infringement, such as piracy of music, films, books, and digital works (Yanto, 2015).

2. Law Number 13 of 2016 concerning Patents

Patents grant exclusive rights to inventors over technological inventions for a specified period (20 years). This right allows inventors to prohibit others from using, making, or selling their inventions without permission. The Patent Law aims to encourage national technological innovation and strengthen research collaboration between academic institutions and industry (Padin et al., 2024).

3. Law Number 20 of 2016 concerning Trademarks and Geographical Indications

This regulation protects signs used to distinguish the goods or services of one party from those of another. Geographical indications are also protected, namely signs that indicate the origin of a product whose quality or reputation is linked to a specific geographic location, such as Gayo coffee, Sumbanese ikat weaving, or Madurese salt.

4. Law Number 31 of 2000 concerning Industrial Design

This law provides protection for the creation of unique and aesthetically pleasing visual forms for products, such as car designs, packaging, or household furniture.

5. Law Number 30 of 2000 concerning Trade Secrets

Trade secrets include information that has economic value and must be kept confidential, such as formulas, processes, methods, or business data. This protection is essential for maintaining a company's competitive advantage in the market.

6. Law Number 32 of 2000 concerning Integrated Circuit Layout Designs (DTLST)

Protects three-dimensional layout designs of integrated circuit elements in electronic chips. This protection is crucial in the digital era, particularly in the hardware and semiconductor industries.

There is also Government Regulation Number 36 of 2018 concerning the Registration of Trade Secrets, as well as several Regulations of the Minister of Law and Human Rights that govern the technical implementation of online IPR registration and supervision through the DJKI Online system.

According to (Haryati & Ginanjar, 2022), the development of laws and regulations in the field of Intellectual Property Rights (IPR) demonstrates the government's commitment to strengthening legal certainty and encouraging national innovation. However, its implementation still faces various obstacles, such as overlapping regulations, a lack of understanding among law enforcement officials, and weak coordination between agencies. From a public policy perspective, IPR regulation in Indonesia also has a strategic economic dimension. Strong legal protection for intellectual property is believed to improve the investment climate, strengthen exports of creative products, and encourage the growth of the innovation-based industrial sector.

### **3. Challenges to IPR Protection in the Digital Era**

The digital era has brought significant changes to the way people create, distribute, and access intellectual works. On the one hand, advances in information technology facilitate the dissemination of knowledge and creativity. However, on the other hand, these developments pose significant challenges to the protection of Intellectual Property Rights (IPR). The main challenges are the increase in cases of copyright infringement, digital piracy, and weak public awareness of the importance of respecting the creative works of others (Prasetyo, 2019).

One of the most obvious challenges is digital content piracy. In the worlds of music, film, e-books, and even software, copyright infringement is rampant through file-sharing sites, illegal streaming platforms, and social media. Technology, which should be a positive tool for expanding access, is instead exploited by some parties to gain illegitimate profits. Cases such as the distribution of pirated films on torrent sites or the sale of unlicensed software pose a serious threat to the national creative industry.

Anonymity in cyberspace complicates law enforcement. Many violations are committed without clear identities, making it difficult for law enforcement to track perpetrators. Monitoring and enforcement are also hampered by limited human resources and digital technology that continues to evolve faster than the law can adapt.

Another challenge is low digital literacy and legal awareness among the public. Many internet users do not understand that sharing or downloading works without permission is a violation of the law. The culture of "copying and pasting" without citing the source is still considered commonplace, even though this act violates ethics and the law. In the world of education and academia, plagiarism is a serious problem, reflecting a weak understanding of the importance of original work.

From a regulatory perspective, although Indonesia has various regulations regarding intellectual property rights (IPR), law enforcement still faces various obstacles, such as slow judicial processes, a lack of valid digital evidence, and minimal inter-agency cooperation. Furthermore, not all institutions and industry players understand the protection procedures.

#### **4. Efforts and Strategies to Strengthen Intellectual Property Rights (IPR) Protection in Indonesia**

To address these challenges, a comprehensive and sustainable strategy is needed to strengthen the protection of Intellectual Property Rights (IPR) in Indonesia. The government, through the Directorate General of Intellectual Property (DJKI) of the Ministry of Law and Human Rights, has taken various strategic steps to increase awareness, services, and law enforcement in the IPR sector (Umra, 2024).

First, in terms of regulations and policies, the government continues to update laws and regulations to align with global dynamics. One example is the ratification of various international agreements such as the TRIPS Agreement (Trade-Related Aspects of Intellectual Property Rights) and Indonesia's membership in the World Intellectual Property Organization (WIPO). This aims to align national IPR protection standards with the international system. Furthermore, updates to laws such as Law No. 28 of 2014 concerning Copyright and Law No. Law No. 20 of 2016 concerning Trademarks and Geographical Indications strengthens the legal basis for the protection and prosecution of violations (Siregar & Sinurat, 2019).

Second, from a law enforcement perspective, the government is collaborating across sectors including the Directorate General of Intellectual Property Rights (DJKI), the National Police, the Ministry of Communication and Information Technology (Kominfo), and the National Cyber and Crypto Agency (BSSN). This collaboration aims to monitor and prosecute IPR violations in the digital realm, including shutting down illegal websites that distribute pirated content. Strengthening the cybercrime unit is also crucial for detecting and removing copyright-infringing content on online platforms.

Third, in terms of education and outreach, various programs are being implemented to raise public awareness about the importance of respecting IPR. The DJKI is actively holding seminars, workshops, and public campaigns with the theme "Love Your Own Products and Works." On campus, activities such as "Intellectual Property Clinics" are being developed to help students and researchers understand the copyright, trademark, and patent registration processes.

Fourth, the digitalization of IPR services is a crucial strategy. The government has provided an online IPR registration system through the platform <https://dgip.go.id/>, making it easier for the public to apply for protection for their works efficiently and transparently. This step is expected to expand access, expedite administrative processes, and reduce cumbersome bureaucratic practices.

Fifth, strengthening is also needed through empowering creative economy actors. Collaboration between the Directorate General of Intellectual Property Rights (DJKI) and the Creative Economy Agency (Bekraf) or similar institutions to help MSMEs understand the importance of registering trademarks and industrial designs so that their products have added value and legal protection. With IPR protection, local products can compete in the global market without fear of theft or imitation by others. The development of technology-based protection systems is needed, such as the use of blockchain for digital copyright registration, artificial intelligence for automatic infringement detection, and digital watermarking systems for artwork or documents (Dhaeyu Wildan Syafira & Santoso, 2025).

## CONCLUSION

Consumer protection for digital products and content has become a new legal urgency amidst the rapid development of information technology. The expanding digital ecosystem opens up opportunities for the circulation of applications, software, music, films, and other digital content that does not always meet security, legality, and quality standards. In this context, IPR serves as a supporting instrument to ensure that digital products consumed by the public are legitimate works, free from copyright infringement, and do not pose a risk of loss. Thus, the relationship between consumer protection and IPR is actually complementary, as the legality of a product not only protects creators but also provides security and legal certainty for consumers.

The study shows that Indonesia still faces several serious challenges in implementing IPR-based digital consumer protection. The rise of pirated content, modified applications, and counterfeit digital goods on online platforms demonstrates weak oversight and low digital literacy among the public. This phenomenon is exacerbated by rapid technological developments, the inability of the law to adapt optimally, and obstacles to law enforcement, such as the anonymity of perpetrators in the digital space and a lack of coordination between agencies. These conditions place consumers at high risk of exposure to illegal content, malware, data leaks, and even financial loss. This fact underscores the need for regulatory updates and strengthening legal protection mechanisms relevant to the characteristics of digital transactions.

The strategy for strengthening digital consumer protection must be carried out in an integrated manner through several steps. The main priorities are technology-based policy updates, increasing public intellectual property rights (IPR) and digital literacy, optimizing digital platform oversight, and enhancing law enforcement capacity that adapts to digital dynamics. Collaboration between the government, academics, industry players, and the public is also a key factor in building a safe and equitable digital ecosystem. If these efforts are implemented consistently, Indonesia can create a more orderly, transparent, and sustainable digital space, thus providing optimal protection for both creators and consumers as end users.

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