

ABSTRAK

Perkembangan ekonomi kreatif mendorong pemanfaatan hak cipta sebagai aset yang bernilai ekonomi yang dapat dijadikan jaminan pembiayaan melalui skema fidusia. Walaupun telah didukung oleh regulasi seperti POJK No. 19 Tahun 2025, penerapannya di Indonesia belum berjalan efektif.

Tujuan penelitian ini untuk mengidentifikasi problematika implementasi penggunaan *economic rights* pada hak cipta sebagai objek jaminan fidusia di Indonesia serta merumuskan solusi yang dapat diterapkan.

Metode penelitian yang digunakan adalah pendekatan doktrinal dengan spesifikasi preskriptif. Data diperoleh dari jenis data sekunder berupa bahan hukum primer, sekunder dan tersier, dikumpulkan melalui studi kepustakaan serta dianalisis menggunakan teknik *content analysis*.

Hasil penelitian menunjukkan bahwa: (1) problematika implementasi penggunaan *economic rights* pada hak cipta sebagai objek jaminan fidusia, yaitu disharmonisasi regulasi, belum adanya standar penilaian aset kekayaan intelektual yang rinci, serta ketidakjelasan mekanisme eksekusi dan lelang jaminan; (2) solusi yang dapat diterapkan meliputi harmonisasi regulasi antara pemerintah dan lembaga keuangan, merumuskan standar penilaian aset kekayaan intelektual serta pengembangan platform pasar kekayaan intelektual.

Kesimpulannya, bahwa hak cipta secara normatif dapat dijadikan objek jaminan fidusia, tetapi implementasinya masih terkendala pada aspek penilaian, kelembagaan, dan mekanisme eksekusi. Oleh karena itu, diperlukan penyusunan standar penilaian yang rinci, peningkatan kapasitas penilai, serta penguatan peran lembaga terkait agar dapat berjalan secara optimal.

Kata Kunci: Hak Cipta; Jaminan Fidusia; Hak Ekonomi.

ABSTRACT

The development of the creative economy has encouraged the utilization of copyright as an economic asset that can be used as collateral in financing schemes, particularly through fiduciary security. Although supported by regulations such as POJK No. 19 of 2025, its implementation in Indonesia remains ineffective. This study aims to identify the problems in implementing economic rights of copyright as an object of fiduciary security and to formulate applicable solutions.

This research adopts a doctrinal approach with a prescriptive specification, using secondary data consisting of primary, secondary, and tertiary legal materials. The data were collected through library research and analyzed using content analysis techniques.

The results show that: (1) the implementation faces several issues, including regulatory disharmony, the absence of detailed valuation standards for intellectual property assets, and unclear mechanisms for execution and auction of collateral; (2) the proposed solutions include regulatory harmonization between the government and financial institutions, the formulation of intellectual property valuation standards, and the development of intellectual property market platforms.

In conclusion, although copyright is normatively recognized as an object of fiduciary security, its implementation is still constrained by valuation, institutional, and execution aspects. Therefore, it is necessary to establish detailed valuation standards, enhance the capacity of appraisers, and strengthen the role of relevant institutions to ensure effective implementation.

Keywords: *Copyrights; Fiduciary; Economic Right.*