

LEGAL RECONSTRUCTION OF INTELLECTUAL PROPERTY RIGHTS PROTECTION BASED ON DIGITAL JUSTICE TOWARDS PLATFORM ECONOMIC INEQUALITY IN INDONESIA

Muhibuddin¹, Zulkifli², Teuku Yudi Afrizal³, Nasrianti⁴, Sofyan Jafar⁵

Universitas Malikussaleh

muhibuddin@unimal.ac.id, zulkifli@unimal.ac.id, teukuyudiafrizal@unimal.ac.id, nasrianti@unimal.ac.id,
sofyan.jafar@unimal.ac.id

Received: 22/08/2025 | Revised: 01/09/2025 | Accepted: 20/09/2025 | Published: 28/09/2025

Abstract

Indonesia's digital economy exceeded USD 82 billion in transaction value in 2023 and is projected to become the largest digital market in Southeast Asia by 2030. Despite this rapid growth, the expansion of platform-based digital markets has generated significant economic inequality between digital platforms and intellectual property rights (IPR) holders, particularly local creators and small digital enterprises. This study analyzes the legal reconstruction of intellectual property protection based on the principle of digital justice in addressing platform economic inequality in Indonesia. Employing a normative juridical method, the research applies statutory, conceptual, and comparative approaches. The study finds that Indonesia's existing IPR framework remains largely conventional and has not adequately responded to challenges arising from algorithmic control, data monopolization, unequal royalty distribution, and the dominance of digital platforms within the digital economy ecosystem. Furthermore, the lack of algorithmic transparency and limited legal accountability of digital platforms contribute to structural imbalances in the distribution of digital economic benefits. This study proposes a legal reconstruction model through strengthening platform accountability, reforming digital royalty mechanisms, enhancing protection of creators' digital rights, and harmonizing IPR regulations with digital economy and data protection laws. The study concludes that intellectual property protection in the digital era should not solely emphasize legal certainty, but must also ensure distributive digital justice and equitable economic participation in Indonesia's platform economy.

Keywords: Intellectual Property Rights, Digital Justice, Platform Economy, Legal Reconstruction, Economic Inequality.

INTRODUCTION

The rapid advancement of digital technology has fundamentally transformed global economic structures, particularly through the emergence of platform economies as dominant mechanisms of economic interaction in the digital era. Digital platforms such as e-commerce marketplaces, streaming services, social media networks, and algorithm-based applications have reshaped systems of production, distribution, and commercialization of intellectual property on a global scale. In Indonesia, this transformation has accelerated alongside the significant growth of internet penetration and digital transactions. Indonesia's digital economy surpassed USD 82 billion in 2023 and is projected to become the largest digital market in Southeast Asia by 2030 (Google, Temasek, & Bain, 2023). The rapid growth of digital platforms consequently increases the strategic importance of Intellectual Property Rights (IPR) within contemporary digital ecosystems. Despite their contribution to economic growth, platform-based digital economies simultaneously generate structural inequalities, particularly concerning the protection and commercialization of intellectual property. Digital platforms increasingly function not merely as intermediaries connecting producers and consumers, but also as dominant economic actors controlling data circulation, content visibility, algorithmic recommendation systems, and digital monetization structures (Van Dijck et al., 2023). This condition creates asymmetrical economic relations in which platform corporations accumulate disproportionate economic benefits compared to creators, artists, digital workers, and intellectual property owners who produce digital content and innovation. Consequently, the contemporary platform economy reflects a new form of digital capitalism characterized by algorithmic governance, data monopolization, and unequal economic distribution within digital ecosystems (Taylor, 2023).

Within the context of intellectual property protection, these developments present increasingly complex legal challenges. The digital environment enables rapid reproduction, dissemination, modification, and commercialization of creative works without effective territorial limitations. Digital piracy, unauthorized distribution of copyrighted content, algorithmic exploitation, and misuse of creators' digital assets have become persistent issues in the platform economy era (Siagian, 2025). Recent studies indicate that conventional intellectual property frameworks remain insufficient to address the multidimensional characteristics of digital ecosystems, particularly regarding platform accountability, algorithmic transparency, digital royalty distribution, and cross-border enforcement mechanisms (Nainggolan et al., 2025). Indonesia has enacted several legal instruments related to intellectual property and digital governance, including Law Number 28 of 2014 concerning Copyright, Law Number 27 of 2022 concerning Personal Data Protection, and Law Number 1 of 2024 concerning Electronic Information and Transactions. Nevertheless, these regulations have not comprehensively addressed the structural inequalities generated by digital platform dominance. Existing legal frameworks primarily focus on formal ownership protection and copyright enforcement while insufficiently regulating platform accountability, algorithmic transparency, equitable remuneration systems, and fair economic participation within digital ecosystems (Manurung, 2025).

Recent academic discourse demonstrates that digital platforms increasingly operate as economic gatekeepers controlling market access, audience visibility, and monetization opportunities through opaque algorithmic infrastructures (Kusady, 2025). Algorithms embedded within digital platforms determine content circulation, recommendation systems, and user engagement, thereby significantly influencing the economic value of intellectual property. As a result, creators often become dependent upon platform-controlled infrastructures without possessing adequate bargaining power or transparent legal protection regarding digital remuneration and economic participation (Heeks, 2022). The issue becomes increasingly significant when viewed through the framework of digital justice. Digital justice emphasizes fairness in technological access, accountability in algorithmic governance, protection of digital rights, and equitable distribution of economic benefits within digital ecosystems (Taylor, 2023). In the context of intellectual property protection, digital justice requires legal systems not only to guarantee exclusive ownership rights, but also to ensure proportional economic participation for creators whose works generate value within platform-based economies. This perspective challenges the traditional orientation of intellectual property law that primarily prioritizes exclusivity and ownership while often neglecting structural inequalities within digital markets. Furthermore, technological developments such as artificial intelligence, blockchain systems, decentralized finance, and non-fungible tokens (NFTs) have further complicated the legal landscape of intellectual property protection. These technologies create new opportunities for ownership verification and digital commercialization while simultaneously generating legal uncertainty concerning jurisdiction, ownership status, enforcement mechanisms, and accountability structures in borderless digital environments (Lee, 2024). Traditional intellectual property doctrines are increasingly challenged by decentralized digital ecosystems that transcend conventional territorial legal frameworks.

Global legal developments also demonstrate increasing international concern regarding platform dominance and digital market concentration. The European Union has introduced the Digital Markets Act (DMA) and Digital Services Act (DSA) to strengthen platform accountability, algorithmic transparency, fair competition, and consumer protection within digital markets (European Commission, 2023). These developments indicate growing recognition that platform economies require new legal paradigms capable of balancing technological innovation, economic efficiency, public interest protection, and distributive justice. Nevertheless, scholarly discourse concerning the reconstruction of intellectual property protection based on digital justice principles in Indonesia remains relatively limited. Existing studies generally examine copyright enforcement, cyber law, or digital governance independently without comprehensively analyzing the structural relationship between intellectual property protection, platform economic inequality, and digital justice frameworks. Consequently, there remains a significant research gap regarding how Indonesia's intellectual property law should be reconstructed to address structural inequalities generated by platform-based digital economies.

Therefore, this study aims to analyze the reconstruction of intellectual property protection law based on digital justice principles in addressing platform economic inequality in Indonesia. This research specifically examines the limitations of Indonesia's existing intellectual property framework in responding to platform-based economic structures and proposes a legal reconstruction model emphasizing distributive justice, platform accountability, algorithmic transparency, and equitable economic participation within Indonesia's digital ecosystem. This study argues that intellectual property protection in the digital era should no longer focus solely on legal certainty and exclusive ownership rights, but must also ensure fair distribution of economic benefits and sustainable digital justice within rapidly expanding platform economies. Intellectual Property Rights (IPR) constitute a legal

framework designed to provide exclusive rights and economic protection for creators, inventors, and rights holders over intellectual creations generated through human innovation and creativity. Traditionally, intellectual property law has focused on protecting tangible manifestations of creative works, including literary works, artistic expressions, patents, trademarks, and industrial designs. However, the rapid expansion of digital technologies and platform-based economies has fundamentally transformed the character, distribution, and commercialization of intellectual property within contemporary digital ecosystems (Nainggolan et al., 2025).

The digital economy has created new mechanisms for producing, reproducing, distributing, and monetizing intellectual property through digital platforms, cloud infrastructures, and algorithmic systems. In this environment, intellectual property no longer functions merely as a legal asset protected through exclusive ownership rights, but also as a strategic economic commodity operating within platform-based digital markets. Digital platforms increasingly depend upon user-generated content, digital creativity, and data-driven interactions as primary sources of economic value generation (Van Dijck et al., 2023). Recent studies indicate that the digital environment significantly increases vulnerabilities concerning intellectual property protection. Digital piracy, unauthorized reproduction, illegal content dissemination, and algorithmic exploitation of creators' works have become persistent challenges within platform economies (Siagian, 2025). Moreover, technological developments such as artificial intelligence, blockchain systems, and decentralized digital assets have complicated traditional understandings of ownership, originality, and legal accountability in intellectual property law (Lee, 2024).

In Indonesia, intellectual property protection remains largely regulated through conventional legal frameworks that prioritize formal ownership recognition and infringement enforcement. Although Law Number 28 of 2014 concerning Copyright provides legal recognition for creators' economic rights, the law remains insufficiently adaptive to the complexities of digital platform economies characterized by algorithmic governance, cross-border transactions, and platform monopolization. Consequently, existing intellectual property regulations often fail to ensure equitable economic participation for creators operating within digital ecosystems (Manurung, 2025). Furthermore, scholars argue that intellectual property law in the digital era should no longer focus solely on exclusivity and ownership protection, but must also address broader concerns relating to distributive justice, digital remuneration, and economic sustainability for creators (Taylor, 2023). This perspective reflects a paradigm shift in intellectual property discourse from traditional ownership-oriented approaches toward justice-oriented frameworks emphasizing fairness within digital economies.

LITERATURE REVIEW

The emergence of platform economies has transformed the structure of contemporary capitalism by positioning digital platforms as central intermediaries controlling economic interactions, digital visibility, and market access. Platform economies refer to economic systems in which digital platforms facilitate interactions between producers, consumers, advertisers, and service providers through data-driven technological infrastructures (Van Dijck et al., 2023). Digital platforms such as e-commerce marketplaces, streaming services, and social media applications derive economic power primarily from their control over data, algorithms, and network effects. Algorithms embedded within these platforms regulate content circulation, recommendation systems, audience visibility, and monetization opportunities. Consequently, platforms increasingly function as economic gatekeepers capable of determining market participation and economic access for creators and digital workers (Kusady, 2025). Algorithmic governance has become one of the defining characteristics of platform economies. Algorithms influence which content becomes visible, which creators gain monetization opportunities, and which products receive market exposure.

These systems operate through opaque technological mechanisms that often lack transparency and accountability. As a result, creators become structurally dependent upon platform infrastructures while possessing limited bargaining power concerning digital remuneration and algorithmic decision-making processes (Taylor, 2023). Recent literature highlights that platform economies generate asymmetrical economic relations between digital corporations and creators. While creators produce digital value through content creation and intellectual innovation, platforms frequently accumulate disproportionate economic benefits through advertising systems, subscription models, and data monetization mechanisms (Heeks, 2022). This condition contributes to structural inequalities within digital ecosystems and raises concerns regarding economic concentration, platform monopolization, and unfair distribution of digital economic benefits. In Indonesia, the rapid growth of digital platforms has intensified concerns regarding the dominance of global technology corporations over local digital markets. Digital platforms increasingly influence cultural production, market visibility, and commercial opportunities for local creators and small digital enterprises. Nevertheless, Indonesian legal frameworks remain

limited in regulating platform accountability, algorithmic transparency, and equitable distribution of digital economic value (Manurung, 2025). The concept of digital justice has emerged as an important theoretical framework for evaluating fairness and equality within digital ecosystems. Digital justice refers to the principle that digital technologies and digital economies should operate in ways that ensure equitable access, transparency, accountability, and fair distribution of economic and social benefits (Taylor, 2023). Digital justice expands traditional understandings of justice by addressing structural inequalities generated through digital technologies, algorithmic systems, and platform-based economic structures. The framework emphasizes several fundamental principles, including algorithmic transparency, protection of digital rights, equitable access to digital opportunities, accountability of digital corporations, and distributive fairness within platform economies.

Recent scholarship demonstrates that digital inequalities are increasingly influenced not merely by unequal access to technology, but also by unequal participation in digital economic systems. Heeks (2022) introduced the concept of “adverse digital incorporation,” describing situations where marginalized actors participate in digital economies under conditions that primarily benefit dominant digital corporations. In platform economies, creators frequently become integrated into systems where economic value generated through their intellectual works is disproportionately appropriated by digital platforms. Digital justice also intersects closely with data governance and algorithmic accountability. Algorithms increasingly shape economic opportunities, consumer engagement, and digital visibility, yet these systems often operate without adequate legal oversight. The absence of transparency regarding algorithmic governance mechanisms raises concerns regarding discrimination, economic exclusion, and unfair distribution of digital resources (Taylor, 2023).

Within the context of intellectual property protection, digital justice requires legal systems to ensure not only formal ownership protection, but also fair economic participation for creators within digital markets. This perspective challenges conventional intellectual property regimes that prioritize exclusivity while insufficiently addressing structural inequalities embedded within platform economies. Legal reconstruction refers to the process of reformulating legal principles, regulatory frameworks, and institutional mechanisms to address emerging social, technological, and economic realities. In the context of digital economies, legal reconstruction becomes essential due to the inability of conventional intellectual property frameworks to respond effectively to platform-based economic structures and technological transformation (Siagian, 2025). Recent international developments demonstrate increasing recognition regarding the necessity of reconstructing digital governance frameworks. The European Union introduced the Digital Markets Act (DMA) and Digital Services Act (DSA) to strengthen platform accountability, algorithmic transparency, and fair competition within digital ecosystems (European Commission, 2023). These regulatory reforms indicate a global shift toward legal frameworks emphasizing platform responsibility and public interest protection.

Several scholars argue that the reconstruction of intellectual property law should incorporate broader principles of digital justice, distributive fairness, and platform accountability (Taylor, 2023). Legal protection of intellectual property should not merely emphasize exclusive ownership rights, but also ensure fair remuneration systems, transparent digital monetization, and equitable participation within digital markets. In Indonesia, legal reconstruction is particularly necessary because existing intellectual property regulations remain fragmented and insufficiently integrated with digital governance policies. Current legal instruments have not comprehensively regulated algorithmic accountability, platform liability, digital royalty systems, and protection of creators’ data rights. Consequently, creators operating within digital ecosystems remain vulnerable to economic exploitation and unequal bargaining positions against dominant digital platforms (Nainggolan et al., 2025). Therefore, legal reconstruction based on digital justice principles becomes essential to establish a more equitable digital economy framework in Indonesia. Such reconstruction requires harmonization between intellectual property law, data protection law, competition law, and digital platform regulation to ensure fair economic distribution and sustainable protection for creators in the platform economy era.

Existing studies concerning intellectual property protection in Indonesia generally focus on copyright enforcement, cyber law, or technological adaptation independently. Previous research predominantly examines digital piracy, legal enforcement mechanisms, and protection of creators’ exclusive rights without comprehensively analyzing structural inequalities generated by platform economies (Manurung, 2025). Similarly, studies concerning digital governance and platform economies frequently emphasize competition law, data governance, and algorithmic accountability while providing limited discussion regarding the relationship between intellectual property protection and distributive justice within digital ecosystems (Kusady, 2025). As a result, scholarly discourse integrating intellectual property law, platform economic inequality, and digital justice frameworks remains relatively underdeveloped in Indonesia. This study offers novelty by integrating digital justice principles into the reconstruction

of intellectual property protection law within the context of Indonesia's platform economy. Unlike previous studies focusing solely on legal certainty and ownership protection, this research emphasizes distributive justice, platform accountability, algorithmic transparency, and equitable economic participation as central elements in reconstructing intellectual property law in the digital era.

METHOD

This study employs normative juridical research to examine the reconstruction of intellectual property protection law based on digital justice principles in addressing platform economic inequality in Indonesia. The research applies statutory, conceptual, and comparative approaches. The statutory approach analyzes legal instruments related to intellectual property, digital governance, and electronic transactions, including Law Number 28 of 2014 concerning Copyright, Law Number 27 of 2022 concerning Personal Data Protection, and Law Number 1 of 2024 concerning Electronic Information and Transactions. In addition, this study examines international regulatory frameworks, particularly the European Union's Digital Markets Act (DMA) and Digital Services Act (DSA), as comparative legal references.

The conceptual approach is utilized to analyze theories and concepts concerning digital justice, platform economy, algorithmic governance, and distributive justice within digital ecosystems. Meanwhile, the comparative approach is employed to evaluate similarities and differences between Indonesia's legal framework and international digital governance models concerning platform accountability and intellectual property protection. The legal materials used in this study consist of primary, secondary, and tertiary legal materials. Primary legal materials include statutory regulations and official legal documents. Secondary legal materials comprise scientific journals, academic books, and scholarly publications published after 2022 related to intellectual property law, digital governance, and platform economies. Tertiary legal materials include legal dictionaries and supporting references relevant to the research topic.

Data collection is conducted through library research, while data analysis is carried out qualitatively using descriptive-analytical methods to identify weaknesses in Indonesia's current intellectual property framework and formulate a digital justice-based legal reconstruction model for platform economies.

RESULTS AND DISCUSSION

A. Platform Economy and Structural Inequality in Indonesia

The rapid expansion of Indonesia's digital economy has significantly transformed economic activities, particularly through the dominance of platform-based business models. Digital platforms such as e-commerce marketplaces, streaming services, social media applications, and digital content-sharing platforms have become central actors within Indonesia's contemporary economic ecosystem. The growth of digital platforms has contributed substantially to economic development, employment opportunities, and digital innovation. However, this transformation has simultaneously generated structural inequalities concerning ownership, control, and distribution of economic benefits within digital markets (Google, Temasek, & Bain, 2023). Digital platforms derive economic power primarily from data accumulation, algorithmic governance, and network effects. Through algorithm-based infrastructures, platforms regulate market visibility, user engagement, content circulation, and monetization opportunities. Consequently, platforms increasingly function as dominant gatekeepers controlling economic access and digital participation (Van Dijck et al., 2023). In this system, creators and intellectual property owners become dependent upon platform-controlled ecosystems to commercialize their creative works and reach digital audiences.

The structural imbalance emerges because platform corporations possess greater control over monetization systems than creators who generate the digital content itself. Digital platforms benefit economically through advertising systems, subscription models, transaction fees, and user data monetization, while creators frequently receive disproportionately limited economic returns from their intellectual works (Taylor, 2023). This condition reflects the emergence of digital capitalism characterized by asymmetrical economic relations between platform corporations and digital creators. In Indonesia, this imbalance is increasingly visible within music streaming services, digital content platforms, e-commerce marketplaces, and social media monetization systems. Many local creators experience unequal bargaining positions regarding royalty distribution, algorithmic visibility, and content monetization mechanisms. Furthermore, the opaque nature of algorithmic governance prevents creators from fully understanding how digital visibility and economic opportunities are determined within platform ecosystems (Kusady, 2025). The dominance of digital platforms also contributes to data monopolization and market concentration. Platforms collect extensive amounts of user data, behavioral information, and consumption patterns, which are subsequently utilized to optimize monetization systems and algorithmic recommendations. This

concentration of digital power enables platforms to strengthen their economic dominance while simultaneously limiting fair competition and equitable participation within digital markets (Heeks, 2022).

B. Weaknesses of Intellectual Property Protection in Indonesia's Digital Ecosystem

Indonesia's intellectual property protection framework remains insufficiently adaptive to the structural transformation generated by platform economies. Existing regulations continue to emphasize conventional legal protection mechanisms focused on ownership recognition and infringement enforcement rather than addressing broader concerns relating to digital justice and economic equality. Law Number 28 of 2014 concerning Copyright primarily regulates exclusive rights and legal remedies for copyright infringement. However, the regulation does not comprehensively address platform accountability, algorithmic governance, digital remuneration systems, and exploitation of creators' data within platform economies. As a result, intellectual property protection remains limited to formal legal ownership without ensuring fair economic participation for creators operating within digital ecosystems (Manurung, 2025).

Moreover, legal enforcement mechanisms remain ineffective in responding to cross-border digital infringement and algorithm-based exploitation. Digital piracy, unauthorized content dissemination, and illegal commercial use of intellectual works continue to increase due to the borderless nature of digital platforms and limitations of territorial legal jurisdiction. Existing legal mechanisms frequently encounter difficulties in identifying responsible actors and enforcing sanctions against transnational digital violations (Nainggolan et al., 2025). Another significant weakness concerns the absence of transparency obligations for digital platforms regarding algorithmic governance and royalty distribution systems. Platforms possess substantial authority in determining content visibility and monetization opportunities through algorithms that operate without adequate public accountability. Consequently, creators remain vulnerable to hidden algorithmic discrimination, unequal remuneration, and economic exclusion within digital markets (Taylor, 2023). Indonesia's intellectual property framework also remains fragmented and insufficiently integrated with broader digital governance policies. Regulations concerning data protection, electronic transactions, competition law, and digital governance often operate independently without establishing comprehensive mechanisms for protecting creators' economic rights within platform ecosystems. This regulatory fragmentation weakens legal certainty and limits the effectiveness of intellectual property protection in the digital era.

C. Digital Justice as the Foundation for Legal Reconstruction

The concept of digital justice provides an important theoretical foundation for reconstructing intellectual property protection within platform economies. Digital justice emphasizes fairness in access to digital opportunities, accountability in algorithmic governance, equitable distribution of digital economic benefits, and protection of digital rights within contemporary technological systems (Taylor, 2023). Within the context of platform economies, digital justice requires legal systems to address structural inequalities generated through data monopolization and platform dominance. Intellectual property protection should no longer focus solely on exclusive ownership rights, but must also ensure proportional economic participation for creators whose works generate economic value within digital ecosystems. The principle of distributive justice becomes particularly relevant in addressing unequal digital remuneration systems. Digital platforms should not merely function as private technological infrastructures maximizing corporate profits, but also bear social and legal responsibilities to ensure fair distribution of economic benefits among creators, users, and digital workers. This approach challenges traditional market-oriented perspectives that prioritize efficiency and platform autonomy without considering structural inequalities embedded within digital economies (Heeks, 2022).

Digital justice also emphasizes the importance of algorithmic transparency and accountability. Algorithms significantly influence digital visibility, market access, and monetization opportunities, yet these systems frequently operate without sufficient public oversight. Consequently, legal reconstruction should incorporate obligations requiring platforms to disclose essential aspects of algorithmic governance affecting creators' economic rights and digital participation (Kusady, 2025). Furthermore, digital justice intersects with human rights principles concerning economic participation, equality, and protection against economic exploitation. Within this framework, creators should be recognized not merely as content producers, but as rights-bearing actors entitled to equitable economic participation and transparent digital governance structures.

D. Reconstruction of Intellectual Property Protection Based on Digital Justice

The reconstruction of intellectual property protection in Indonesia requires a comprehensive legal framework integrating intellectual property law with broader digital governance principles. Such reconstruction should prioritize platform accountability, algorithmic transparency, fair remuneration systems, and protection of creators' digital rights. First, Indonesia needs to establish clearer legal obligations concerning platform accountability. Digital platforms should bear legal responsibility for protecting intellectual property rights, ensuring fair royalty distribution, and preventing unauthorized exploitation of digital content. Legal obligations concerning content moderation, transparency reporting, and dispute resolution mechanisms should also be strengthened within Indonesia's digital governance framework.

Second, legal reconstruction should incorporate algorithmic transparency principles. Platforms should be required to provide transparent information regarding algorithmic systems influencing content visibility, monetization opportunities, and economic participation within digital ecosystems. Transparency obligations are essential to prevent hidden discrimination and unequal treatment against creators operating within platform economies. Third, Indonesia requires comprehensive reform concerning digital royalty systems. Existing remuneration mechanisms frequently lack transparency and fail to guarantee proportional economic benefits for creators. Consequently, legal frameworks should regulate fair remuneration standards, transparent royalty calculations, and independent oversight mechanisms concerning digital monetization systems.

Fourth, intellectual property protection should be harmonized with data protection law, competition law, and digital governance regulations. Platform economies operate through interconnected systems involving data extraction, algorithmic governance, and digital market concentration. Therefore, intellectual property protection cannot operate independently from broader regulatory frameworks governing digital ecosystems. Finally, Indonesia should strengthen institutional capacity concerning digital law enforcement and platform supervision. Government institutions responsible for intellectual property protection and digital governance require technological expertise, regulatory coordination, and cross-border cooperation mechanisms capable of responding effectively to contemporary digital challenges.

The reconstruction of intellectual property protection based on digital justice principles ultimately aims to create a more equitable digital ecosystem in which creators, users, and digital platforms participate under fair and transparent legal structures. Intellectual property protection in the digital era should therefore function not merely as a mechanism of ownership protection, but also as an instrument for promoting economic justice, equitable participation, and sustainable digital development within Indonesia's platform economy.

CONCLUSION

The rapid development of platform-based digital economies in Indonesia has generated structural inequalities concerning the commercialization and protection of intellectual property rights. Although digital platforms contribute significantly to economic growth and innovation, their dominance over data, algorithms, and monetization systems has weakened the bargaining position of creators and intellectual property owners within digital ecosystems. This study demonstrates that Indonesia's current intellectual property framework remains insufficiently responsive to the challenges of platform economies. Existing regulations primarily emphasize formal ownership protection while failing to adequately regulate platform accountability, algorithmic transparency, and equitable digital remuneration. Consequently, distributive justice within Indonesia's digital economy has not been fully realized.

Therefore, this study proposes a legal reconstruction model based on digital justice principles through strengthening platform accountability, enhancing transparency in algorithmic governance, reforming digital royalty systems, and harmonizing intellectual property regulations with broader digital governance frameworks. Such reconstruction is essential to establish a more equitable and sustainable digital ecosystem capable of protecting creators' rights and reducing structural inequality within Indonesia's platform economy. Ultimately, intellectual property protection in the digital era should not merely guarantee legal certainty, but must also ensure fair economic participation and distributive digital justice for all actors within the digital ecosystem.

REFERENCES

- European Commission. (2023). *Digital Markets Act and Digital Services Act Framework*. European Union Publications.
- Google, Temasek, & Bain & Company. (2023). *e-Conomy SEA 2023 Report*. <https://economysea.withgoogle.com/>
- Heeks, R. (2022). *Digital inequality and adverse digital incorporation*. Development Informatics Working Paper Series, University of Manchester.
- Kusady, D. A. (2025). Application of essential facilities doctrine to data and algorithms in digital platforms. *Journal of Law, Politics and Humanities*, 4(2), 112–128.
- Lee, L. (2024). Examining the legal status of digital assets as property: A comparative analysis of jurisdictional approaches. *ArXiv*. <https://doi.org/10.48550/arXiv.2406.15391>
- Manurung, O. P. (2025). Protecting intellectual property rights in the digital revolution: Ministry of Law's role reviewed. *Customary Law Journal*, 2(2), 45–59.
- Nainggolan, B., et al. (2025). Legal protection of intellectual property for digital works by utilizing emerging technologies. *Jurnal Hukum*, 18(1), 77–93.
- Siagian, E. B. (2025). Legal reform of copyright in the digital economy era. *Modern Science Journal*, 5(1), 88–104.
- Taylor, L. (2023). *Data justice and digital rights in platform economies*. Oxford University Press.
- Undang-Undang Nomor 1 Tahun 2024 tentang Informasi dan Transaksi Elektronik.
- Undang-Undang Nomor 27 Tahun 2022 tentang Perlindungan Data Pribadi.
- Undang-Undang Nomor 28 Tahun 2014 tentang Hak Cipta.
- Van Dijck, J., Poell, T., & De Waal, M. (2023). *The platform society: Public values in a connective world*. Oxford University Press.