

Legal Dynamics in the Vidi Aldiano Case: A Review of Conflict of Interest and Intellectual Property Rights

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Abstract

The copyright infringement case involving the singer Vidi Aldiano has drawn significant attention within the study of intellectual property law in Indonesia, particularly regarding conflicts of interest between creators, rights holders, and actors in the music industry. This study aims to analyze the legal dynamics that arise in the context of copyright disputes and conflicts of interest based on the prevailing laws and regulations in Indonesia. The research employs a doctrinal or normative legal approach with qualitative analysis of secondary data, including legislation, legal documents, news reports, and relevant public statements. The findings indicate that weaknesses in collective management systems and the lack of transparency in royalty administration constitute major triggers of conflict. Moreover, the blurred boundaries between personal, professional, and institutional interests within the music industry further complicate dispute resolution. This study recommends strengthening regulatory frameworks, enhancing legal protection for copyright holders, and increasing transparency within collective management organizations in the collection and distribution of royalties. These insights are expected to serve as a reference for policymaking and for future reform of Indonesia's intellectual property law.

Keywords: Copyright, Intellectual Property Rights, Conflict of Interest

INTRODUCTION

Copyright disputes constitute legal conflicts arising between two or more parties concerning a copyrighted work such as songs, written texts, photographs, films, and other creative



outputs. The rapid development of the creative industry is accompanied by increasing legal conflicts related to infringements of works that are, in fact, already protected under statutory provisions. Article 1 paragraph (1) of Law of the Republic of Indonesia Number 28 of 2024 on Copyright (hereinafter referred to as the Copyright Law) stipulates that copyright is an exclusive right of the creator that arises automatically based on the declarative principle once a work is realized in tangible form, without prejudice to statutory limitations.

The case involving Vidi Aldiano serves as concrete evidence of the weaknesses in the legal protection afforded to copyright holders. In early 2025, a legal controversy emerged concerning unpaid royalties allegedly owed to the composers Keenan Nasution and Rudi Pekerti, creators of the song *Nuansa Bening*. The composers claimed that Vidi had performed the song in more than 300 concerts without formal authorization since 2008. In their official lawsuit, they listed 31 performances as evidence of infringement. The claim for damages reached IDR 24.5 billion, and the plaintiffs also requested the seizure of Vidi's assets as collateral.

Indonesia's copyright regulations provide a solid legal basis for creators and rights holders to obtain and control the benefits derived from their works. Article 9 of the Copyright Law affirms that creators or copyright holders possess economic rights to publish, reproduce, translate, adapt, distribute, announce, communicate, rent, and publicly perform their works. Therefore, the act of re-performing a song and disseminating it through digital media or public concerts—as undertaken by Vidi Aldiano—should require written permission from the creator or copyright holder. This requirement is further reinforced in the elucidation of Article 4, which emphasizes that exclusive rights belong solely to the creator and cannot be exploited by others without permission. Such permission must take the form of a license, meaning written authorization granted by the copyright holder or related rights owner to another party to exercise economic rights under certain conditions. Without such a license or explicit consent, the use of a copyrighted work can be categorized as a legal infringement. This aligns with John Locke's natural rights theory, which posits that copyright is a natural right because intellectual works are the product of the creator's labor and thought; thus, the state has a duty to protect these rights as part of private property.

This case has triggered broader public discourse on fairness in intellectual property protection from a sociological perspective. Some argue that Vidi's actions do not constitute infringement but rather serve as a form of tribute to Indonesian music. However, within the Indonesian legal system, the highest form of tribute to a work is compliance with legal mechanisms such as licensing or royalty payment. Beyond issues of legal protection for copyright



holders, the role of singers as users of copyrighted works intersects with the responsibilities of organizations, agencies, or institutions authorized to address copyright disputes. Against this backdrop, this paper examines forms of legal protection for copyright in the Vidi Aldiano case and explores the dynamics of conflict of interest within the intellectual property dispute.

RESEARCH METHODS

The research method employed in this study is doctrinal or normative legal research, which emphasizes a library-based approach. The type of data collected consists of secondary data, including primary, secondary, and tertiary legal materials. The primary legal materials comprise various statutory regulations applicable in Indonesia, specifically those relevant to the subject matter of this research. The secondary legal materials include books, journals, and expert opinions that provide explanations and analyses of the primary legal materials. Meanwhile, tertiary legal materials serve as complementary sources that help clarify legal terms and concepts used in the study. The analysis conducted is qualitative in nature, involving a thorough and systematic interpretation of the secondary data. This analysis aims to assess the coherence, relevance, and synchronization of legal norms within the context of the issues examined. Conclusions are drawn deductively, beginning with general legal principles or rules and applying them to specific facts or cases to produce precise conclusions.

RESULT AND DISCUSSION

Forms of Legal Protection for Copyright in the Vidi Aldiano Case

Law serves to recognize and reward the hard work, creativity, and original ideas of creators. Without legal protection, their works could easily be copied or exploited by other parties without permission. Such concerns are commonly discussed within the broader topic of Intellectual Property Rights (IPR), which protects works arising from human intellectual capacity—whether creative, innovative, or symbolic. Generally, IPR is divided into two major categories: copyright protection, which covers scientific, literary, and artistic works such as books, music, and paintings; and industrial property protection, which encompasses innovations, designs, and trade identities. Examples include patents for protecting machines or formulas, trademarks for safeguarding trade identity such as logos, industrial designs for protecting the visual design of products such as bottle shapes, integrated circuit layout designs for protecting semiconductor chips, and geographical indications that protect region-specific products based on their geographical origin.



In 2025, several copyright-related disputes gained public attention, including the case involving singer Vidi Aldiano and the composers Keenan Nasution and Rudi Pekerti, creators of the song *Nuansa Bening*. They filed a lawsuit alleging copyright infringement, accusing Vidi of performing the song in more than 300 concerts without proper authorization since 2008. The formal lawsuit listed 31 performances as evidence of infringement. The damages requested amounted to IDR 24.5 billion, along with a request for the seizure of Vidi's assets as collateral. However, various media sources reported that Vidi Aldiano's management had already paid royalties to the relevant Collective Management Organization (CMO), as mandated by national regulations. CMOs—recognized under Indonesian law—are organizations established by creators, related-rights owners, or copyright holders to manage, protect, and collect royalties on behalf of their members. Article 87 of the Copyright Act specifies that CMOs are legal entities authorized to manage the economic rights of their members and must possess operational licenses issued by the government (via the Directorate General of Intellectual Property DGIP). Further, Article 88 affirms that CMOs have the authority to manage members' economic rights collectively, including royalty collection and distribution, as well as providing licenses to users. Nevertheless, Article 89 states that CMOs may only represent their registered members, and users must obtain permission from the appropriate CMO if the works they use are managed by that organization.

Even if Vidi paid royalties to a CMO, legal challenges may still arise if the CMO does not lawfully represent the composers. For example, if royalties were paid to CMO A (such as WAMI), but Keenan was not a registered member or had revoked his authorization, then royalty payments from CMO A would not apply to *Nuansa Bening*. Creators must be properly registered or grant explicit authorization to the CMO managing their compositions. Users—like Vidi—are also required to verify that the CMO indeed holds legitimate authority. As of now, there is no public information indicating that Keenan Nasution and Rudi Pekerti registered the song with any CMO such as WAMI, KCI, or other organizations. Keenan stated that he only met Vidi Aldiano's management in 2024, approximately 16 years after the song was repopularized. During that meeting, Vidi's team offered IDR 50 million as a form of appreciation, which Keenan rejected on the grounds that the amount was disproportionate to the extent of unauthorized use.

Thus, although no evidence suggests that Keenan and Rudi registered their work with a CMO, the fact that they did not receive any royalties or compensation for many years indicates ineffective copyright management of the composition. CMOs typically collect royalties from various sources, including radio/TV broadcasts, live concerts and performances, karaoke venues and entertainment spaces, digital streaming, as well as restaurants, hotels, malls, and similar



establishments.

For digital platforms such as Spotify, royalties are paid to copyright holders through two principal channels:

1. Royalties to master recording owners, usually paid to record labels or artists who own the sound recording. These payments come from subscription or advertising revenue and are allocated based on stream counts.
2. Royalties to composition copyright holders (publishing rights), paid to songwriters, composers, and music publishers. Spotify typically distributes these royalties via CMOs or directly through music publishers.

This mechanism raises questions when one party claims not to have received royalties for their work. Because royalties may pass through multiple intermediaries publishers or CMOs digital platforms do not always pay creators directly. The general mechanism is: publishers collect royalties, distribute them to creators, while CMOs receive royalties from users and distribute them accordingly. If song data are incomplete or inaccurate for instance, if the composer's name or song code is incorrectly recorded—royalties may not be claimable.

The government body responsible for resolving IPR disputes is the Ministry of Law and Human Rights, specifically the Directorate General of Intellectual Property (DGIP). Its responsibilities include:

1. Ensuring legal certainty by issuing official certificates of ownership for registered IPR, providing legal protection in cases of infringement or piracy, and ensuring creators receive royalties for their works.
2. Law enforcement and dispute resolution, through collaboration with law enforcement agencies in addressing IPR violations, as well as facilitating administrative mediation processes.

The Indonesian Copyright Act (Law No. 28 of 2014) regulates the protection of copyrighted works, including songs and music. Article 9(1)-(2) grants creators exclusive rights to authorize or prohibit others from using their works, including reproduction, distribution, performance, and public communication. Thus, performing a song at a concert legally requires permission from the copyright holder. Articles 122 and 123 provide civil remedies allowing creators to file claims for damages. Based on this legal foundation, if exclusive rights are not granted or are explicitly withheld, the work cannot be lawfully performed, and civil liability may arise. Conversely, if Vidi proves that he fulfilled his royalty obligations, or holds a legitimate contract or written license from the copyright owner, he may file a counter-claim such as defamation.



Dynamics of Conflicts of Interest in the Vidi Aldiano Intellectual Property Dispute

The dispute involving Vidi Aldiano's performance of *Nuansa Bening* without authorization from the composers, Keenan Nasution and Rudi Pekerti, illustrates the complexity of conflicts of interest within Indonesia's IPR framework. Besides creators and users, the case also implicates industry players and CMOs, as well as state actors such as the DGIP. Although copyright law is intended to protect creators, enforcement becomes contentious when inconsistencies arise between legal norms, industry practices, and institutional performance.

Royalty payment mechanisms in Indonesia are governed by CMOs under Articles 87–90 of the Copyright Act. Furthermore, Article 18(3) of Government Regulation No. 56 of 2021 reinforces the authority of CMOs to collect, manage, and distribute royalties for commercial uses. Studies indicate that users often struggle to navigate licensing systems, especially for older works that circulate widely but lack clear CMO management.

Copyright law provides strong legal grounding for creators to control and benefit from their works. Actions such as performing or distributing rearranged versions of songs like those performed by Vidi require written permission from the copyright holder. Without explicit licensing, such use constitutes infringement. Even if Vidi acted without malicious intent, intent does not negate liability in copyright law, as strict liability applies to exclusive rights violations.

From a legal standpoint, the core issue is the absence of explicit authorization from the copyright owners. Licenses are legally required when reproducing or publicly communicating copyrighted works. Many industry practitioners mistakenly assume that crediting the original composer suffices as authorization. However, under Indonesian law, moral rights—such as naming the creator—do not substitute the need for obtaining economic rights licenses.

In other jurisdictions, more efficient licensing structures exist. In Japan, the Japanese Society for Rights of Authors, Composers and Publishers (JASRAC), in collaboration with the Ministry of Culture, manages real-time usage data, making it unnecessary for users to track individual creators. Similarly, the United States employs a compulsory licensing system allowing anyone to cover another person's song as long as royalties are paid through ASCAP or BMI. Indonesia, however, requires a more burdensome and opaque individual licensing process. Thus, the Vidi Aldiano case reflects not only a specific dispute but also systemic stagnation in Indonesia's licensing policies amid an increasingly complex digital music ecosystem.

The case has also sparked public discourse on fairness in IPR protection. Some view Vidi's actions as a tribute to Indonesian music. Yet, under Indonesian law, the highest form of respect is through legal mechanisms such as licensing and royalty payments. The alleged failure of royalty



distribution further highlights weaknesses in the creative ecosystem. Economically, unfulfilled royalties reduce incentives for creators to continue producing works. Simultaneously, users face legal uncertainty when creators do not receive proper payments, creating a dual-sided conflict that undermines the integrity of the IPR system.

Currently, mediation is ongoing between Vidi and the composers. If no agreement is reached, Article 95 of the Copyright Act allows creators to file civil lawsuits in the Commercial Court—either for unauthorized use or against CMOs for failing in their duties. Courts may order compensation, cessation of use, or public apologies. Criminal proceedings are also possible under Articles 112–120, though rarely pursued because they constitute *delik aduan* and require proof of intent.

Going forward, similar conflicts will persist unless systemic reforms simplify licensing, integrate creator databases, and clarify CMO roles. Effective legal protection must be supported by robust management systems and institutional trust. Without such measures, the IPR system risks becoming a continual source of conflict rather than a framework for creativity and fairness.

CONCLUSION

The dispute between Vidi Aldiano as the user of the work and Keenan Nasution and Rudi Pekerti as the creators of the song *Nuansa Bening* underscores the importance of legal protection for copyright in an increasingly complex digital music industry. Juridically, creators are granted exclusive rights to control the use of their works, including public performances and digital distribution. Although Indonesia's legal framework provides the basis for such protection under the Copyright Act, its implementation continues to face structural challenges, particularly regarding licensing transparency, accuracy of work registration, and clarity in royalty distribution by Collective Management Organizations (CMOs). The conflict in this case reveals disparities between legal norms, institutional governance, and industry practice. Ambiguities in the relationship between creators and CMOs, as well as unclear ownership status within the system, create opportunities for disputes and undermine the effectiveness of copyright protection. Moreover, from an economic perspective, failures in royalty distribution reduce creators' incentives to produce new works and generate legal uncertainty for users. This condition leads to overlapping conflicts of interest that weaken the integrity of the intellectual property rights system.



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