



SIGn Jurnal Hukum

E-ISSN: 2685 – 8606 || P-ISSN: 2685 – 8614

<https://jurnal.penerbitsign.com/index.php/sjh/article/view/v7n2-44>

Vol. 7 No. 2: October 2025 - March 2026

Published Online: March 25, 2026

Article Title

Transplanting the Right of Publicity as a Property Right over AI Voice Cloning: A Comparative Analysis of Indonesia, Thailand, the US, and the EU

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How to cite:

Hariyanto, R. L., Weley, N. C., & Hutauruk, R. H. (2026). Transplanting the Right of Publicity as a Property Right over AI Voice Cloning: A Comparative Analysis of Indonesia, Thailand, the US, and the EU. *SIGn Jurnal Hukum*, 7(2), 1358-1374. <https://doi.org/10.37276/sjh.v7i2.649>



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ABSTRACT

*The exploitation of voice identity by artificial intelligence development and user companies through voice cloning technology has caused tangible economic losses. The fundamental issue lies within the positive legal systems in Indonesia and Thailand, which experience qualification barriers. Civil instruments such as torts become paralyzed because cyber law, intellectual property, and data protection regimes fail to classify voice as a commercial property right object. Therefore, this research aims to comparatively analyze these civil law qualification barriers using the United States and the European Union as benchmarks, while simultaneously formulating a prescriptive transplantation of the right of publicity doctrine. This normative legal research utilizes the statute approach, comparative approach, and conceptual approach to comprehensively dissect domestic instruments and foreign case law. The results of the comparative analysis affirm the United States' supremacy in recognising voice as a property right. This protection standard is refined by an ethical restriction layer in the form of an absolute prohibition as a default prohibition from the European Union. Overcoming domestic paralysis requires reconceptualizing property boundaries within the Civil Code. Recognizing voice as an intangible property will directly activate the tort lawsuit instrument. This activation aims to demand the disgorgement of profits from entities that develop artificial intelligence without authorisation and train algorithms without authorisation. This lawsuit also applies to commercial user entities conducting advertising through voice cloning. This research concludes that the adoption of the right of publicity requires the formulation of specific regulations (*lex specialis*) to protect personality rights. These regulations must explicitly separate corporate liability and adopt a layered consent standard. These rules must also contain a fair use exception to maintain a balance between economic property protection and freedom of expression in society.*

Keywords: *Artificial Intelligence; Qualification Barriers; Right of Publicity; Tort; Voice Cloning.*

INTRODUCTION

The rapid development of artificial intelligence technology in the form of voice cloning poses a severe threat to the protection of human identity. This threat involves two corporate entities with distinct liability structures: artificial intelligence development companies and commercial user companies. Development companies conduct unauthorized data extraction to train their algorithmic systems, whereas commercial users use the generated voice cloning for advertising without paying licensing fees. [Wibowo \(2025\)](#) argues that the commercialisation by these two entities disrupts conventional intellectual property concepts because the system can replicate human characteristics identically. The absence of strict legal boundaries for these entities triggers the spread of disinformation, which economically disadvantages the public ([Laza & Karo, 2023](#); [Fadillah & Setiawan, 2025](#)).

The Indonesian legal system inherently provides for civil litigation. However, these instruments face qualification barriers in responding to voice cloning. Law Number 11 of 2008¹ provides a scope for material compensation for victims of electronic system operations. Nevertheless, the primary articles within this Law are more oriented toward conventional cybercrimes, such as defamation. [Dewi \(2025\)](#)

¹Law Number 11 of 2008, as amended several times, lastly by Law Number 1 of 2024.

asserts that this cyber law instrument is inapplicable for adjudicating identity misuse packaged as positive promotion. Consequently, voice owners cannot claim restitution for the economic value lost to their identities (Alfitri et al., 2024).

The legal object qualification barrier also paralyzes the recovery mechanism within the intellectual property regime. Law Number 28 of 2014 stipulates valid civil compensation provisions, but these cannot be activated because the Law requires an absolute material fixation obligation (Widodo & Bakir, 2024). Voice characteristics abstracted by artificial intelligence development companies lack a permanent physical recording form. This condition places voices outside the definition of a legally recognized creation. The lack of recognition allows voice cloning perpetrators on digital platforms to evade the obligation to pay economic right compensation (Sari & Sulistiyono, 2024).

A similar deadlock is found in the implementation of Law Number 27 of 2022, which classifies voice as biometric data and explicitly grants the right to compensation for data processing violations. However, this qualification focuses purely on administrative privacy protection and database system security. Development companies often synthesize voices from legal public videos. Such actions are not categorized as hacking or data breaches. This Law evidently lacks the doctrinal capacity to calculate financial losses resulting from persona commercialization (Respati, 2024; Kurniawan & Kurniawan, 2025).

The limitation in legal object qualification in responding to voice cloning also occurs in Southeast Asian countries. The legal system in Thailand faces identical structural constraints in implementing the Personal Data Protection Act (PDPA). A comparative analysis indicates that regulations in Thailand and Indonesia are both constrained by an administrative governance paradigm (Chuenpukdee, 2020; Sudirman et al., 2023). Historically, fines and civil remedies in Thailand have been imposed only on companies found negligent in securing consumer data from third-party breaches (Masagee & Boonnark, 2024). These instruments are irrelevant to commercial user entities that intentionally exploit voice cloning for advertising purposes.

Overcoming the civil qualification barriers in Southeast Asia requires doctrinal benchmarks from international jurisdictions. The legal tradition in the United States provides legal certainty by establishing the right of publicity as a commercial property right. Vile (2024) defines this recognition as granting voice owners the legitimacy to demand the disgorgement of profits from both developers and commercial users. Simultaneously, data protection instruments in the European Union prioritise the consent of data subjects. Baris (2024) notes that the European Union rejects applying the copyright regime to artificial intelligence cases and imposes strict prohibitions on biometric data processing.

A review of previous studies reveals a fundamental academic gap in diagnosing this issue. The current legal discourse is predominantly trapped in the assumption that Indonesia lacks compensation instruments. Consequently, such analyses focus solely on the weaknesses of conventional criminal law (Rama et al., 2023; Arleta et al., 2024). The existing literature overlooks the fact that compensation mechanisms are available but paralysed by regulatory failures in qualifying voice as civil property. Ihsan (2024) demonstrates that national legislation has not systematically protected the right of publicity. Much earlier, Ramadhan (2018) emphasized that domestic civil law doctrine requires legal convergence theory to adopt principles from the common law tradition. The novelty of this research is reconstructing property qualification in domestic civil law instruments so that the tort mechanism can be activated to hold artificial intelligence developers and users liable.

Based on the problem formulation and the identified academic gap above, this research establishes two integrated objectives. First, to comparatively analyse the civil law qualification barriers in Indonesia and Thailand regarding the protection of voice identity against exploitation by voice cloning technology. This analysis utilizes United States and European Union instruments as ideal benchmarks. Second, to formulate a legal prescription in the form of a transplantation model for the right of publicity doctrine to reconstruct persona regulations into the domestic civil law framework. Theoretically, this research provides benefits in expanding the doctrinal understanding of intangible property rights in responding to technological advancements. In practice, this article provides precise guidance for lawmakers and the judiciary on establishing strict civil liability for artificial intelligence developers and users.

METHOD

This research is normative legal research that examines legal norms, principles, and doctrines (Qamar & Rezah, 2020). The selection of this research type is based on the need to bridge the analytical gap between actual legal events and the availability of ideal legal rules (Disemadi, 2022). This article integrates three systematically intersecting primary approaches. These approaches comprise the statute, comparative, and conceptual approaches. The integration of these three approaches is designed to ensure a sharp and structured analysis.

The statute approach is utilized to dissect the anatomy of prevailing positive regulations. This approach serves as a diagnostic tool to precisely identify the locations of legal vacuums within the domestic system. Furthermore, the conceptual approach is applied to reformulate the doctrinal boundaries of the examined legal object. This approach specifically serves to construct the human voice and persona as a pure property entity with tangible commercial value.

The comparative approach acts as the primary instrument in formulating prescriptive solutions. This approach juxtaposes reactive protection frameworks in Southeast Asia with established protection models in other jurisdictions. This article establishes the United States and European Union legal systems as definitive comparative benchmarks. The comparative results are subsequently filtered using the values of the civil law system to be transplanted into national domestic instruments.

The analyzed domestic primary legal materials encompass legislative instruments from Indonesia and Thailand. Indonesian regulations include the Civil Code, Law Number 11 of 2008, Law Number 28 of 2014, and Law Number 27 of 2022. Meanwhile, Thailand's primary legal materials focus on the PDPA. Other comparative primary legal materials include legislative instruments and case law from the United States and the European Union. United States instruments comprise the California Civil Code and the Lanham Act. The binding and deeply analyzed United States case law includes the *Midler v. Ford Motor Co. (1988)* decision and the recent *Lehrman v. Lovo, Inc. (2025)* decision. These decisions elaborate on the courts' rejection of copyright claims over voices, diverting them to the right of publicity regime. The European Union instrument derives from Regulation (EU) 2016/679, the General Data Protection Regulation (GDPR).

This research also utilizes secondary and tertiary legal materials to strengthen the construction of comparative argumentation ([Sampara & Husen, 2016](#)). Secondary legal materials are drawn from contemporary academic journals, textbooks, and other relevant literature on the right of publicity and the threat of voice cloning technology. The utilization of these secondary legal materials adheres to international academic legal language standards to support the evidentiary basis of the civil comparison. Tertiary legal materials, in the form of legal dictionaries and encyclopedias, are employed to provide definitive explanations for various foreign lexicons appearing in the regulatory texts.

The legal materials collection technique is conducted through a comprehensive literature review. All inventoried legal materials are subsequently systematised according to their hierarchy and relevance to the persona's commercialisation issue. The applied analytical technique is comparative-prescriptive analysis. This method moves beyond mere problem description to formulate a concrete operational foundation ([Irwansyah, 2020](#)). The analytical stage concludes with the preparation of a transplantation blueprint for the right of publicity doctrine as a voice protection instrument within the Indonesian and Thai civil law systems.

RESULTS AND DISCUSSION

A. Normative Vacuums in Voice Identity Protection in Indonesia and Thailand: A Comparative Review of the United States and European Union Regimes

The exploitation of voice identity through voice cloning technology presents structural challenges within the positive legal systems of Indonesia and Thailand. The utilization of generative artificial intelligence technology enables the extraction of human voice characteristics for identical replication. [Laza and Karo \(2023\)](#) and [Fadillah and Setiawan \(2025\)](#) assert that the absence of regulations to prevent the spread of voice-cloning-based disinformation results in tangible economic losses to society. A diagnostic analysis of cyber law, intellectual property, and data protection regimes indicates that the legal systems in both countries face qualification barriers in civilly responding to the commercialization of human personas.

The first qualification barrier lies within the architecture of the Electronic Information and Transactions Law. In fact, Article 38 of Law Number 11 of 2008 provides a remedy for civil lawsuits for anyone who suffers losses due to the operation of electronic systems. However, this compensation instrument becomes inapplicable because the material scope of the law focuses more on cybercrimes ([Setiawan et al., 2020](#)). Furthermore, Article 27A of Law Number 1 of 2024 limits criminal offenses to attacks on dignity. This condition becomes problematic because commercial voice exploitation often utilizes promotional narratives that, at first glance, do not degrade the victim's dignity.

This limitation in the reach of cyber law is also evident in the regulation of the spread of false information. Article 28 section (1) of Law Number 1 of 2024 regulates the prohibition of distributing misleading information. However, this article specifically requires material loss to consumers in electronic transactions. [Rumondor et al. \(2024\)](#) and [Dewi \(2025\)](#) explain that the formulation of the article fails to accommodate the economic losses experienced by the original voice owners due to the loss of commercial value of their identities. The penal focus, limited to end-consumer losses, often results in legal applications that are irrelevant to identity misappropriation ([Jahriyah et al., 2021](#); [Alhakim, 2022](#)).

Further limitations on economic recovery are found in the intellectual property law regime. Article 96 of Law Number 28 of 2014 actually contains a civil compensation mechanism. Nevertheless, this recovery mechanism cannot be activated because the fixation requirement has not been met. Article 1 points 12, 13, and 14 of this Law definitively require that a voice is only recognized as a legal protection object if it has been recorded in the form of a phonogram. [Jannah \(2018\)](#)

asserts that the fixation requirement is an absolute qualification in the Indonesian copyright regime. This regulation is reinforced by Article 23 of the Law, which limits the economic rights of performers to physically tangible creations.

The fixation requirement renders copyright compensation instruments irrelevant in cases involving artificial intelligence. Voice cloning technology does not directly reproduce physical recordings. This technology studies intonation and voice characteristics to generate new speech. [Sari and Sulistiyono \(2024\)](#) and [Widodo and Bakir \(2024\)](#) confirm that persona characteristics abstracted by algorithmic systems are not included in the definition of a creation. The absence of this legal object qualification is complicated by digital platform governance mechanisms that are not obligated to detect identity characteristic violations ([Agustina et al., 2024](#); [Wibowo, 2025](#)). Doctrinally, the right to voice identity demands a distinct and independent legal qualification from both copyright and trademark law regimes ([Dewi et al., 2020](#); [Gultom, 2024](#)).

The subsequent analysis focuses on the Personal Data Protection law regime. Article 4 section (2) of Law Number 27 of 2022 has provided a specific qualification for voice as biometric data. Article 12 section (1) of this Law also explicitly contains a compensation clause. This clause grants data subjects the right to sue for violations of their personal data processing ([Vania et al., 2023](#)). In addition to civil instruments, Articles 66 and 68 of this Law also stipulate criminal sanctions and administrative fines.

Despite containing a compensation mechanism, Law Number 27 of 2022 fails to provide recovery in the context of identity commercialization. This failure is caused by the qualification of voice solely as a privacy object rather than as a commercial economic right ([Alfitri et al., 2024](#)). [Kurniawan and Kurniawan \(2025\)](#) assert that this Law cannot be activated if artificial intelligence development entities synthesize voices from legal public sources. Such actions are not categorized as database system breaches. This Law is not intended to calculate economic losses arising from the exploitation of public personas in commercial advertising activities.

This limitation in legal object qualification is also recognised in the Thai legal system. A comparative analysis demonstrates that Thailand follows a similar approach to regulating its citizens' biometric data ([Sudirman et al., 2023](#)). Provisions prohibiting the processing of biometric data without the data subject's consent are set out in Section 26 of the Thai PDPA. Similar to Indonesia, this regulation provides civil lawsuit instruments and administrative sanctions regulated in Sections 77 and 84 of the Thai PDPA ([Chuenpukdee, 2020](#)).

Law enforcement under the Thai PDPA indicates that both civil compensation instruments and administrative sanctions focus on technical liability. The first sanction enforcement case in Thailand demonstrates that penalties were imposed on companies for technical negligence that allowed third parties to hack consumer data (Chitranukroh et al., 2024; Masagee & Boonnark, 2024). This instrument does not apply to commercial user corporate entities that deliberately use voice cloning technology for marketing activities. The focal point of the violation in such cases lies within the realm of commercial value exploitation, not merely a privacy data security failure.

Qualification barriers in Indonesia and Thailand necessitate a systematic comparison with the United States and the European Union. The normative vacuums in both Southeast Asian countries do not lie in the absence of judicial mechanisms. These vacuums stem from doctrinal reluctance to categorize voice identity as part of civil property rights. Table 1 outlines the differences in protection parameters to identify the exact legal object qualification and appropriate recovery efforts.

Table 1. Comparison of Legal Protection Frameworks against Voice Cloning

Comparison Variable	Indonesia	Thailand	United States	European Union
Protection Object	Fixated phonograms and Specific Biometric Data.	Sensitive Information (Biometric).	Whole human identity characteristics (Voice).	Biometric Data for unique biological identity identification.
Nature of Right	Moral privacy right and administrative data security.	Data subject privacy control.	Property right.	Fundamental privacy right with strict hybrid protection.
Scope of Protection	Reactive to defamation, fraud, or data forgery.	Prohibition of unauthorized collection.	Any commercial use in advertising or sales.	Application of default prohibition without explicit consent.
Legal Remedies	Limited compensation claims, criminal sanctions, and governance fines.	Civil lawsuits, administrative fines, and criminal sanctions.	Actual damages, disgorgement of profits, and injunctions.	High-level regulatory sanctions and centralized institutional interventions.

Source: Primary Legal Materials, 2025.

The comparative table above clarifies the United States' status regarding the legality of identity commercialisation. Section 3344(a) of the California Civil Code juridically qualifies voice as a property right. This recognition grants voice owners the legitimacy to demand disgorgement of profits from the violating party. This provision is complemented by business competition regulations in Section 43(a) of the Lanham Act, which prohibits the forgery of commercial consent (Ummah & Palupi, 2024). This protection structure is in strict contrast with the European Union Regulation standards under Article 4(14) of the GDPR, which definitively prohibit all forms of biometric data processing without explicit consent.

B. Reconstruction of the Right to Persona: Transplanting the Right of Publicity Doctrine as a Property Right in Domestic Civil Law

The identification of legal barriers to voice identity protection requires resolution within the realm of civil law. The failure to activate compensation mechanisms in Indonesia and Thailand requires doctrinal adjustments so that positive legal mechanisms can be applied to cases involving voice cloning. [Ramadhan \(2018\)](#) and [Ristawati \(2024\)](#) explain that legal convergence is a recognized method in national legal reform. This approach provides a valid methodological foundation for transplanting the identity protection doctrine from common law jurisdictions into civil law jurisdictions.

This doctrine transplantation process refers to the case law construction in the United States. The federal appellate court decision in *Midler v. Ford Motor Co. (1988)* formulated specific legal qualification boundaries. The court determined that voice is a biological identity element that does not fulfill the physical fixation element, thus falling outside the scope of copyright law. [Baris \(2024\)](#) and [Vile \(2024\)](#) elaborate that the court qualified unauthorized voice cloning for commercial purposes as a tort. This decision legitimizes the application of the right of publicity as a property right protection instrument over personal identity.

The validity of United States case law in addressing artificial intelligence technology was reaffirmed through the *Lehrman v. Lovo, Inc. (2025)* decision. In this case, the federal court rejected a copyright infringement lawsuit filed by a voice owner against an artificial intelligence development entity. The court ruled that intonation characteristics and speaking styles are intangible identity elements not protected by federal copyright. The lawsuit focused on the right of publicity instrument because the development company was proven to have used voice data without commercial consent to train its algorithmic system. This decision confirms that voice cloning disputes must be resolved through persona ownership instruments ([Rama et al., 2023](#); [Ihsan, 2024](#)).

Based on these court decisions, the right of publicity is codified as a measure of civil compensation. Section 3344(a) of the California Civil Code imposes a compensation obligation on commercial user entities that utilise voice cloning for marketing and advertising activities. This provision grants victims the right to demand the disgorgement of profits unilaterally obtained by the violating party. Furthermore, the unlicensed use of voices for sales activities is also federally regulated through Section 43(a) of the Lanham Act. This provision defines such actions as unfair business practices that mislead consumers regarding commercial affiliations.

This doctrine transplantation from the United States jurisdiction functions to reconstruct the interpretation of civil law in Indonesia. The absence of a compensation application in identity commercialization cases stems from voice characteristics not being recognized as a valid legal object. Civil law in Indonesia inherently contains a tort mechanism through Article 1365 of the Civil Code. This compensation mechanism cannot be activated in voice cloning cases because plaintiffs lack a legal basis establishing that voice exploitation constitutes a violation of civil property rights.

The activation of this compensation instrument requires the reconstruction of property qualification. Article 499 of the Civil Code defines property as goods and rights that can become objects of ownership. The recognition of the right of publicity enables the classification of voice and persona as intangible property rights attached to an individual. [Gunawan et al. \(2022\)](#) explain that an extensive interpretation of the definition of property will provide a legal foundation for digital identity ownership. The separation of identity into fundamental moral-right and commercial-economic-right dimensions is a primary prerequisite for the initiation of civil lawsuits.

The validation of voice qualification as civil property resolves the barrier to applying Article 1365 of the Civil Code. Once a voice is recognized as an object of ownership, any use of such identity without a commercial license fulfills the elements of a tort. This legal construction allows victims to file lawsuits for damages. This lawsuit applies to both artificial intelligence development entities that conduct unauthorised algorithm training and commercial user entities that use voice for advertising. [Arleta et al. \(2024\)](#) confirm that using civil lawsuits to recover damages yields more accurate loss-recovery parameters than resolving through pure criminal sanctions.

This civil syllogistic structure is relevant to transplantation into the Thai legal system. The limited application of administrative fines under the Thai PDPA requires strengthening commercial civil instruments. [Muttaqin et al. \(2021\)](#) and [Lalitkomon and Chanpanich \(2022\)](#) explain that regulatory adjustments in the technology sector must accommodate the resolution of commercial disputes that disadvantage individuals. The integration of recognition of the right to personal ownership into Thailand's civil and commercial law will grant data subjects authority. This authority enables victims to directly claim compensation from artificial intelligence providers and user companies.

Granting economic rights over individual identities must be balanced with precise regulations governing consent mechanisms. The operational standards of the GDPR in the European Union are adopted to formulate a framework of

safeguards. Article 9(1) of the GDPR establishes an absolute prohibition as a default prohibition standard for processing biometric data for unique identification purposes. [Tasya \(2023\)](#) and [Sahoo \(2024\)](#) explain that applying this prohibition principle obligates every corporate entity to obtain explicit written consent before extracting or synthesising human voices.

The refinement of this identity protection system is recommended to be formalized through specific regulations (*lex specialis*). These personality rights protection rules can be realized through the enactment of a new law or the addition of a specific chapter to the prevailing legislation on civil matters. Formulating specific regulations is necessary to distinguish the degree of liability between technology developers and commercial users ([Disemadi, 2021](#); [Saputra et al., 2025](#)). This personal rights regulation must focus on resolving civil compensation ([Respati, 2024](#)).

An additional provision that must be included in personal rights regulations is a limitation on rights through the fair use doctrine. The recognition of voice as a commercial property right cannot apply if the voice is used for journalistic reporting or academic research. [Sako et al. \(2021\)](#) argue that this regulatory exception is necessary. This exception ensures that the protection of the individual right of publicity does not conflict with the principles of freedom of expression and freedom of the press within a democratic state.

CONCLUSIONS AND SUGGESTIONS

The exploitation of voice identity by artificial intelligence development companies and commercial user companies reveals systematic qualification barriers within the legal systems of Indonesia and Thailand. The positive law in both countries inherently provides for civil lawsuits to recover damages. The paralysis of law enforcement stems from the failure of cyberlaw, intellectual property, and data protection regimes to recognize voice as a commercial property right. This qualification failure renders existing civil recovery mechanisms ineffective and prevents them from being activated to calculate victims' financial losses.

Comparisons with international jurisdictions confirm that resolving voice cloning disputes demands an ownership approach. The legal system in the United States provides certainty by recognizing the right of publicity as a civil property right. This recognition grants voice owners legal legitimacy to directly demand disgorgement of profits from violators. This economic rights protection standard is subsequently refined by ethical restrictions mechanisms of the European Union. The default prohibition on biometric data processing without explicit consent provides a protection layer that safeguards the integrity of individual biological identities.

The primary conclusion of this research establishes the necessity of transplanting the right of publicity doctrine into the domestic civil law framework. This transplantation necessitates a reconceptualization of property boundaries within the Civil Code. Recognizing the human voice as an intangible property directly resolves the legal qualification barriers. This recognition automatically activates the tort instrument to hold liable artificial intelligence development entities that train algorithms without authorization. This lawsuit can also hold liable commercial user entities utilizing voice cloning for advertising activities.

The policy implications of this conclusion require the legislature to formulate a *lex specialis* to protect personality rights. It is recommended that this regulation be formulated solely for commercial civil disputes. This regulation must explicitly detail the separation of liability forms between artificial intelligence development companies and commercial user companies. This liability separation ensures that compensation prosecution instruments are applied precisely in accordance with the proportion of exploitation violations committed by each legal entity.

The tangible follow-up to the formulation of this regulation must include a mechanism to balance human rights. Lawmakers are obligated to adopt a layered consent standard to prevent the unilateral extraction of identity characteristics. Simultaneously, this regulation must explicitly contain a fair use clause. This exception ensures that right of publicity protection cannot be enforced against journalistic reporting, academic research, and public criticism purposes. This balance ensures that the protection of commercial property rights does not suppress freedom of expression in a democratic society.

REFERENCES

- Agustina, S., Bonde, E., Salsabila, D. L., Hutabarat, S. M. D., & Wahyuni, R. (2024). Perlindungan Hak Cipta Karya Musik di Dalam Digital Service Platform Berbasis User Generated Content Berdasarkan Undang-undang Hak Cipta. *Unes Journal of Swara Justisia*, 8(2), 427-440. <https://doi.org/10.31933/d9fgww19>
- Alfitri, N. A., Rahmawati, R., & Firmansyah, F. (2024). Perlindungan Terhadap Data Pribadi di Era Digital Berdasarkan Undang-Undang Nomor 27 Tahun 2022. *Journal Social Society*, 4(2), 92-111. <https://doi.org/10.54065/jss.4.2.2024.511>
- Alhakim, A. (2022). Urgensi Perlindungan Hukum terhadap Jurnalis dari Risiko Kriminalisasi UU Informasi dan Transaksi Elektronik di Indonesia. *Jurnal Pembangunan Hukum Indonesia*, 4(1), 89-106. <https://doi.org/10.14710/jphi.v4i1.89-106>

- Arleta, A., Pranoto, A. A., Christine, G., & Junardi, J. (2024). Analisis Komparatif Pengaturan Perbuatan Melawan Hukum Terkait Pencemaran Nama Baik di Indonesia dan Thailand. *Jurnal Syntax Admiration*, 5(12), 5825-5836. <https://doi.org/10.46799/jsa.v5i12.1895>
- Baris, A. (2024). AI Covers: Legal Notes on Audio Mining and Voice Cloning. *Journal of Intellectual Property Law & Practice*, 19(7), 571-576. <https://doi.org/10.1093/jiplp/jpae029>
- Chitranukroh, A. N., Lalitkomon, N., Mahakunkitchareon, G., & Lertussavavivat, N. (2024, August 22). *Landmark Fine Imposed under Thailand's Personal Data Protection Act*. Tilleke & Gibbins. Retrieved December 7, 2025, from <https://www.tilleke.com/insights/landmark-fine-imposed-under-thailands-personal-data-protection-act>
- Chuenpukdee, P. (2020). Some Legal Issues of Biometric Data Protection in Thailand. *Thammasat Business Law Journal*, 10, 119-133. Retrieved from <https://so05.tci-thaijo.org/index.php/tblj/article/view/247294>
- The Civil Code of the State of California. <https://leginfo.legislature.ca.gov/faces/codesTOCSelected.xhtml?tocCode=CIV>
- Colonial Regulations, *Staatsblad* Number 23 of 1847 on the *Burgerlijk Wetboek voor Indonesie*/the Civil Code. <https://jdih.mahkamahagung.go.id/legal-product/kitab-undang-undang-hukum-perdata/detail>
- Dewi, I. C., Palar, M. R. A., & Amirulloh, M. (2020). Harmonisasi Pengaturan Perlindungan Logo Menurut Hukum Merek dan Hak Cipta dalam Perspektif Perbandingan di Indonesia dan Thailand. *Rechtidee*, 15(2), 154-192. <https://doi.org/10.21107/ri.v15i2.8257>
- Dewi, P. R. P. (2025). Pengaturan Hukum Penyalahgunaan AI (Artificial Intelligence) dalam Peniruan Suara atau Voice Cloning terhadap Tindakan Penipuan. *Politika Progresif: Jurnal Hukum, Politik dan Humaniora*, 2(2), 114-122. <https://doi.org/10.62383/progres.v2i2.1677>
- Disemadi, H. S. (2021). Urgensi Regulasi Khusus dan Pemanfaatan Artificial Intelligence dalam Mewujudkan Perlindungan Data Pribadi di Indonesia. *Jurnal Wawasan Yuridika*, 5(2), 177-199. <https://doi.org/10.25072/jwy.v5i2.460>
- Disemadi, H. S. (2022). Lenses of Legal Research: A Descriptive Essay on Legal Research Methodologies. *Journal of Judicial Review*, 24(2), 289-304. <https://doi.org/10.37253/jjr.v24i2.7280>
- Fadillah, N. M. F., & Setiawan, H. (2025, January). *Dampak Teknologi Deepfake Terhadap Kepercayaan Publik dan Penyebaran Informasi di Media Sosial*. ResearchGate. Retrieved December 7, 2025, from <https://www.researchgate.net/publication/388412074>

- Gultom, L. N. R. (2024). *Perlindungan Hukum bagi Pemegang Merek Suara di Indonesia* [Master Thesis, Universitas Lampung]. Digital Repository Unila. <https://digilib.unila.ac.id/79298>
- Gunawan, B. T., Rajagukguk, Z., Nasution, F. A., Muhyiddin, M., & Al-Ayubbi, S. A. (2022). Identitas Digital Ketenagakerjaan pada Sistem Informasi Pasar Kerja di Indonesia: Sebuah Konsep. *Jurnal Ketenagakerjaan*, 17(1), 40-54. <https://doi.org/10.47198/naker.v17i1.123>
- Ihsan, A. T. (2024). *Urgensi Pengaturan Hak Publisitas (Right of Publicity) Sebagai Perlindungan Persona Individu* [Bachelor Thesis, Universitas Brawijaya]. Repository BKG. <https://repository.ub.ac.id/id/eprint/224046>
- Irwansyah. (2020). *Penelitian Hukum: Pilihan Metode & Praktik Penulisan Artikel*. Mirra Buana Media.
- Jahriyah, V. F., Kusuma, M. T., Qonitazzakiah, K., & Fathomi, M. A. (2021). Kebebasan Berekspressi di Media Elektronik dalam Perspektif Pasal 27 Ayat (3) Undang-Undang Nomor 19 Tahun 2016 Perubahan Atas Undang-Undang Nomor 11 Tahun 2008 tentang Informasi dan Pelayanan Transaksi Elektronik (UU ITE). *Sosio Yustisia: Jurnal Hukum dan Perubahan Sosial*, 1(2), 65-87. Retrieved from <https://jurnalpps.uinsa.ac.id/index.php/sosioyustisia/article/view/96>
- Jannah, M. (2018). Perlindungan Hukum Hak Kekayaan Intelektual (HaKI) dalam Hak Cipta di Indonesia. *Jurnal Ilmiah Advokasi*, 6(2), 55-72. <https://doi.org/10.36987/jiad.v6i2.250>
- Kurniawan, K. S., & Kurniawan, I. G. A. (2025). The Limitations of Lex Generalis: Analyzing the Readiness of the GDPR and PDP Law for AI-Based Facial Recognition Technology. *SIGn Jurnal Hukum*, 7(2), 838-852. <https://doi.org/10.37276/sjh.v7i2.533>
- Lalitkomon, N., & Chanpanich, T. (2022, November 1). *Thailand: Operationalising PDPA – Lawful Basis, Sensitive Personal Data, and Data Processing Safeguards*. Tilleke & Gibbins. Retrieved December 7, 2025, from <https://www.tilleke.com/insights/thailand-operationalising-pdpa-lawful-basis-sensitive-personal-data-and-data-processing-safeguards>
- Law of the Republic of Indonesia Number 11 of 2008 on Electronic Information and Transactions (State Gazette of the Republic of Indonesia of 2008 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 4843). <https://www.dpr.go.id/dokumen/jdih/undang-undang/detail/138>
- Law of the Republic of Indonesia Number 28 of 2014 on Copyrights (State Gazette of the Republic of Indonesia of 2014 Number 266, Supplement to the State Gazette of the Republic of Indonesia Number 5599). <https://www.dpr.go.id/dokumen/jdih/undang-undang/detail/1610>

- Law of the Republic of Indonesia Number 19 of 2016 on Amendment to Law Number 11 of 2008 on Electronic Information and Transactions (State Gazette of the Republic of Indonesia of 2016 Number 251, Supplement to the State Gazette of the Republic of Indonesia Number 5952). <https://www.dpr.go.id/dokumen/jdih/undang-undang/detail/1683>
- Law of the Republic of Indonesia Number 27 of 2022 on Personal Data Protection (State Gazette of the Republic of Indonesia of 2022 Number 196, Supplement to the State Gazette of the Republic of Indonesia Number 6820). <https://www.dpr.go.id/dokumen/jdih/undang-undang/detail/1814>
- Law of the Republic of Indonesia Number 1 of 2024 on the Second Amendment to Law Number 11 of 2008 on Electronic Information and Transactions (State Gazette of the Republic of Indonesia of 2024 Number 1, Supplement to the State Gazette of the Republic of Indonesia Number 6905). <https://www.dpr.go.id/dokumen/jdih/undang-undang/detail/1842>
- Laza, J. M., & Karo, R. K. (2023). Perlindungan Hukum Terhadap Artificial Intelligence dalam Aspek Penyalahgunaan Deepfake Technology pada Perspektif UU PDP dan GDPR [Legal Protection of Artificial Intelligence in Misusage of Deepfake Technology in the Perspective of PDP Law and GDPR]. *Lex Prospicit*, 1(2), 136-150. <https://doi.org/10.19166/lp.v1i2.7386>
- Masagee, S., & Boonnark, C. (2024, August 27). *Thailand: First PDPA Enforcement in Thailand: A Landmark Case*. DLA Piper. Retrieved December 7, 2025, from <https://privacymatters.dlapiper.com/2024/08/thailand-first-pdpa-enforcement-in-thailand-a-landmark-case>
- Muttaqin, A. R., Wibawa, A., & Nabila, K. (2021). Inovasi Digital untuk Masyarakat yang Lebih Cerdas 5.0: Analisis Tren Teknologi Informasi dan Prospek Masa Depan. *Jurnal Inovasi Teknologi dan Edukasi Teknik*, 1(12), 880-886. <https://doi.org/10.17977/um068v1i122021p880-886>
- Official Emblem of the Royal Command of Thailand on Personal Data Protection Act, B.E. 2562 (2019). <https://www.pdpc.or.th/en/10455>
- Qamar, N., & Rezah, F. S. (2020). *Metode Penelitian Hukum: Doktrinal dan Non-Doktrinal*. CV. Social Politic Genius (SIGn). <https://books.google.co.id/books?id=TAQHEAAAQBAJ>
- Rama, B. G. A., Prasada, D. K., & Mahadewi, K. J. (2023). Urgensi Pengaturan Artificial Intelligence (AI) dalam Bidang Hukum Hak Cipta di Indonesia. *Jurnal Rechtsens*, 12(2), 209-224. <https://doi.org/10.56013/rechtsens.v12i2.2395>
- Ramadhan, C. (2018). Konvergensi Civil Law dan Common Law di Indonesia dalam Penemuan dan Pembentukan Hukum. *Mimbar Hukum*, 30(2), 213-229. <https://doi.org/10.22146/jmh.31169>

- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the Protection of Natural Persons with Regard to the Processing of Personal Data and on the Free Movement of Such Data, and Repealing Directive 95/46/EC (General Data Protection Regulation). <http://data.europa.eu/eli/reg/2016/679/oj>
- Respati, A. A. (2024). Reformulasi UU ITE terhadap Artificial Intelligence Dibandingkan dengan Uni Eropa dan China AI Act Regulation. *Jurnal Usm Law Review*, 7(3), 1737-1758. <https://doi.org/10.26623/julr.v7i3.10578>
- Ristawati, R. (2024). Perbandingan Hukum: Perkembangan, Tantangan, dan Prospek di Indonesia. In K. Koesrianti et al. (Eds.), *Proceedings of Airlangga Faculty of Law Colloquium* (Vol. 1, pp. 1-19). Fakultas Hukum Universitas Airlangga. <https://fh.unair.ac.id/proceedings/index.php/aicoll/article/view/4>
- Rumondor, A. M. S., Bawole, H. Y. A., & Rompas, D. D. (2024). Analisis Yuridis tentang Pertanggungjawaban Hukum Terhadap Pencemaran Nama Baik Melalui Media Sosial: Perspektif Undang-Undang Nomor 1 Tahun 2024 tentang Informasi dan Transaksi Elektronik. *Lex Privatum*, 13(4), 1-12. Retrieved from <https://ejournal.unsrat.ac.id/v3/index.php/lexprivatum/article/view/57250>
- Sahoo, N. (2024, October 21). *Privacy Implications for GDPR & Biometric Data*. VISTA InfoSec. Retrieved December 7, 2025, from <https://vistainfosec.com/blog/gdpr-biometric-data-ethical-privacy>
- Sako, M., Parnham, R., Armour, J., Rodgers, I., & Qian, M. (2021). *Technology and Innovation in Legal Services: Final Report for the Solicitors Regulation Authority*. University of Oxford. <https://www.sra.org.uk/sra/research-publications/technology-innovation-in-legal-services>
- Sampara, S., & Husen, L. O. (2016). *Metode Penelitian Hukum*. Kretakupa Print.
- Saputra, A. D., Irwanto, H. T., & Nurisnah, N. (2025). Measuring Judicial Accountability in the Algorithmic Era: Juridical Implications of Using Judicial Assistants and Black Box Risks in Constructing Judgment Arguments. *SIGN Jurnal Hukum*, 7(2), 958-973. <https://doi.org/10.37276/sjh.v7i2.570>
- Sari, A. F. P., & Sulistiyono, A. (2024). Perlindungan Hukum Hak Cipta Atas Cover Lagu Menggunakan Deepfake Voice pada Platform Digital. *Hukum Inovatif: Jurnal Ilmu Hukum Sosial dan Humaniora*, 1(2), 97-107. <https://doi.org/10.62383/humif.v1i2.127>
- Setiawan, W. B. M., Churniawan, E., & Faried, F. S. (2020). Upaya Regulasi Teknologi Informasi dalam Menghadapi Serangan Siber (Cyber Attack) guna Menjaga Kedaulatan Negara Kesatuan Republik Indonesia. *Jurnal Usm Law Review*, 3(2), 275-295. <https://doi.org/10.26623/julr.v3i2.2773>
- Sudirman, L., Disemadi, H. S., & Aninda, A. M. (2023). Comparative Analysis of Personal Data Protection Laws in Indonesia and Thailand: A Legal Framework Perspective. *Jurnal Etika Demokrasi*, 8(4), 497-510. <https://doi.org/10.26618/jed.v8i4.12875>

- Tasya, T. (2023, December 11). *Kominfo dan Ahli Hukum UGM Berikan Pandangan Terhadap Isu Perlindungan Data Pribadi dalam Penggunaan AI*. Universitas Gadjah Mada. Retrieved December 7, 2025, from <https://ugm.ac.id/id/berita/kominfo-dan-ahli-hukum-ugm-berikan-pandangan-terhadap-isu-perlindungan-data-pribadi-dalam-penggunaan-ai>
- Ummah, S. R., & Palupi, N. W. I. (2024). Consumer Protection Strategies through Legal and Management Perspectives in the Era of Voice Cloning. *Jurnal Ilmiah Akuntansi Kesatuan*, 12(6), 467-476. <https://doi.org/10.37641/jiakes.v12i6.3048>
- United States Code on Lanham (Trademark) Act, 15 U.S.C. 22 (2024). <https://www.govinfo.gov/app/details/USCODE-2024-title15/USCODE-2024-title15-chap22>
- United States Court of Appeals for the Ninth Circuit. (1988, June 22). *Bette Midler, Plaintiff-Appellant, v. Ford Motor Company, a Delaware Corporation, and Young & Rubicam Inc., a New York Corporation, Defendants-Appellees* (849 F.2d 460. Submitted: February 4, 1988). <https://law.justia.com/cases/federal/appellate-courts/F2/849/460/37485>
- United States District Court for the Southern District of New York. (2025, July 10). *Paul Lehrman, et al., Plaintiffs, v. Lovo, Inc., Defendant* (24-CV-3770. Docket Number: 27). <https://law.justia.com/cases/federal/district-courts/new-york/nysdce/1:2024cv03770/621575/45>
- Vania, C., Markoni, M., Saragih, H., & Widarto, J. (2023). Tinjauan Yuridis terhadap Perlindungan Data Pribadi dari Aspek Pengamanan Data dan Keamanan Siber. *Jurnal Multidisiplin Indonesia*, 2(3), 654-666. <https://doi.org/10.58344/jmi.v2i3.157>
- Vile, J. R. (2024, July 2). *Right of Publicity*. Free Speech Center at Middle Tennessee State University. Retrieved December 7, 2025, from <https://firstamendment.mtsu.edu/article/right-of-publicity>
- Wibowo, A. M. (2025). The Future of Copyright Protection for AI-Generated Art: Lessons from the Ghiblification Phenomenon. *SIGn Journal of Social Science*, 6(1), 1-27. <https://doi.org/10.37276/sjss.v6i1.436>
- Widodo, W., & Bakir, H. (2024). Legal Certainty of Limitations on the Use of Artificial Intelligence (AI) Voice Cloning in Songs and Music as a Form of Protection of Musicians' Copyrights. In F. Santiago et al. (Eds.), *Proceedings of the 4th International Conference on Law, Social Sciences, Economics, and Education* (pp. 769-776). European Alliance for Innovation. <https://doi.org/10.4108/eai.25-5-2024.2349353>