

### OPENAI'S PLAGIARISM AGAINST STUDIO GHIBLI IN A COPYRIGHT LAW PERSPECTIVE

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<u>Article History</u>	:	
Submission	:	23 November 2025
Last Revisions	:	07 Desember 2025
Accepted	:	22 Desember 2025
Copyedits Approved	:	27 Desember 2025

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#### Abstract

*This study examines OpenAI's alleged Plagiarism of Studio Ghibli from the perspective of copyright law. This problem leads to a more fundamental question: whether Studio Ghibli, which is currently widely used by humans and easily generated by OpenAI, deserves copyright protection, given that, under Law No. 28 of 2014 concerning Copyright, the so-called Creator is a person (or several people), not a computer program. The purpose of this study is to find out whether the use of Studio Ghibli's works by OpenAI without permission from the copyright holder falls into the category of plagiarism and copyright infringement, as well as to analyze the form of protection, certainty, and urgency of legal regulations in Indonesia through comparison with copyright regulations in other countries. The research method used is a normative legal method with a regulatory approach, a conceptual approach, and a comparative study. The survey results show that OpenAI is considered to have plagiarized Studio Ghibli's work because it lacked the copyright holder's official permission. In Indonesia, there is no legal certainty regarding copyright protection for Studio Ghibli works produced by OpenAI, as there are no specific rules governing them. In the ITE Law, OpenAI is only categorized as an electronic agent and is not recognized as a legal subject who can own copyrights. Comparison with other countries: The United States rejects copyrights for works that are not from humans, while the United Kingdom grants copyrights to OpenAI's developers. This research emphasizes the importance of the Indonesian government immediately formulating regulations that regulate the work produced by OpenAI, in order to have clear certainty and legal force.*

*Keywords: Plagiarism; OpenAI; Copyright.*

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## A. INTRODUCTION

OpenAI is part of technological advances in the eras of Society 4.0 and 5.0 that leverage Artificial Intelligence (AI) to improve system efficiency. AI enables devices to become smarter and support human activities, including in business<sup>1</sup>. There are two types of AI: Artificial General Intelligence (AGI), which is human-equivalent but has not been realized, and Artificial Narrow Intelligence (ANI), which is limited. One form of ANI is ChatGPT, developed since 2018 by OpenAI, a non-profit company founded in 2015 by figures such as Elon Musk and Sam Altman. ChatGPT can understand natural language and has reached 100 million users in just 2 months since launch. ChatGPT is a generative artificial intelligence model that uses deep learning to understand and generate human-language text. The model was first introduced as a prototype on November 30, 2022, and became publicly accessible on January 30, 2023.<sup>2</sup>

ChatGPT's latest model, GPT-4o, can create Studio Ghibli-style digital art from photo uploads and simple text commands. Based on GPT (*Generative Pretrained Transformer*), *ChatGPT not only builds on the capabilities of previous versions but also opens new directions for future research in the field of artificial intelligence*.<sup>3</sup> Users can upload a photo of themselves and provide instructions or commands through simple text such as “*Convert this picture into a Studio Ghibli version, Create a Studio Ghibli rendition of this picture. Make this picture appear like a scan of a Ghibli movie*” to Chat-GPT so that later the photos that we have uploaded will automatically change the image to be typical of Studio Ghibli in the form of animated images.<sup>4</sup> This technology allows anyone to instantly create animation-style illustrations without drawing skills, making them viral on social media. This feature uses generative AI to combine text and images to produce eye-catching visual works. However, full access to this feature is generally limited to paid users, although a free version is available

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<sup>1</sup> Marsella Marsella et al., “Analisis Implementasi Artificial Intelligence Untuk Bisnis: Systematic Literature Review,” *Device : Journal of Information System, Computer Science and Information Technology* 4, no. 2 (2023): 133–45, <https://doi.org/10.46576/device.v4i2.4037>.

<sup>2</sup> Konstantinos I. Roumeliotis and Nikolaos D. Tselikas, “ChatGPT and Open-AI Models: A Preliminary Review,” *Future Internet* 15, no. 6 (2023): 1, <https://doi.org/10.3390/fi15060192>.

<sup>3</sup> Wanwei He et al., “GALAXY: A Generative Pre-Trained Model for Task-Oriented Dialog with Semi-Supervised Learning and Explicit Policy Injection,” *Proceedings of the 36th AAAI Conference on Artificial Intelligence, AAAI 2022* 36 (2022): 10749–57, <https://doi.org/10.1609/aaai.v36i10.21320>.

<sup>4</sup> Aisyah Lutfi, “Cara Ubah Foto Jadi Ilustrasi Gaya Ghibli Dengan ChatGPT, Yuk Cobain!,” 29 Maret 2025, 2025, <https://www.detik.com/sumut/berita/d-7847385/cara-ubah-foto-jadi-ilustrasi-gaya-ghibli-dengan-chatgpt-yuk-cobain>.

with certain limitations. Behind this convenience, the development of AI also raises legal issues, especially related to Copyright.<sup>5</sup>

Plagiarism is the practice of using someone else's work without giving proper credit. Based on Permendiknas Number 17 of 2010, quoting the work of others without properly mentioning the source is known as Plagiarism, and it can be done intentionally or unintentionally. In this context, the topic in the spotlight is the alleged Plagiarism by OpenAI against Studio Ghibli's work, which emerged in 2025 and remains a topic of debate to this day. Studio Ghibli co-founder Hayao Miyazaki has openly criticized AI-generated works, particularly those that resemble his animation style. In an interview, he called AI animation an "insult to life itself" and strongly rejected integrating such technology into his work. The criticism reflects ethical and aesthetic concerns about AI-generated art, especially in the wake of GPT-4's launch.<sup>6</sup> While some consider AI to be a helpful tool when used ethically, such as paying for licenses, the majority of artists demand respect and approval before their work is used.

Miyazaki insists that "the main problem lies not in technological progress itself, but in the act of using someone else's work without permission, which is seen as unethical and infringing on copyright". Indonesia implements legal guidelines on information and communication technology based on the IP Law, especially Law No. 28 of 2014, which explicitly covers copyright protection. Basically, intellectual property rights include a set of prerogatives arising from human creative abilities, leading to the creation of products and services applicable to the public. The exclusive or privileged rights that the government grants to creators, inventors, or designers over their original concepts and artworks are generally referred to as intellectual property.<sup>7</sup> Intellectual property rights are intended to recognize and protect the results of individual innovation, whether in works of art, inventions, or other creative endeavors.<sup>8</sup> Law No. 28 of 2014 highlights the protection of copyrighted works and

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<sup>5</sup> Rafly Nauval Fadillah, "Perlindungan Hak Atas Kekayaan Intelektual Artificial Intelligence (AI) Dari Perspektif Hak Cipta Dan Paten," *Das Sollen: Jurnal Kajian Kontemporer Hukum Dan Masyarakat* (2023), 2, no. 2 (2023): 7, <https://doi.org/10.11111/dassollen.xxxxxxx>.

<sup>6</sup> Hailey Quach, "My Experience with Studio Ghibli Style AI Art: Ethical Debates in the GPT-4o Era," 2025, <https://medium.com/@haileyq/my-experience-with-studio-ghibli-style-ai-art-ethical-debates-in-the-gpt-4o-era-b84e5a24cb60>.

<sup>7</sup> Ismail Koto, "Perkembangan Hak Kekayaan Intelektual Komunal," *Sanksi*, 2023, 167–73.

<sup>8</sup> Regent Regent et al., "Pelanggaran Hak Cipta Sinematografi Di Indonesia: Kajian Hukum Perspektif Bern Convention Dan Undang-Undang Hak Cipta," *Indonesia Law Reform Journal* 1, no. 1 (2021): 111–21, <https://doi.org/10.22219/ilrej.v1i1.16129>.

creators' rights over their original works. In Article 4, the scope of Copyright outlined in Article 3 includes certain rights, such as moral rights and financial rights.

With economic rights, creators have the right to extract monetary benefits from their work, while moral rights are inherent and cannot be abolished by any party.<sup>9</sup> Furthermore, the law states that “when an original work is created, copyright protection is automatically granted, and offers legal protection for the sharing of inventive results derived from imaginative concepts expressed in concrete media, all while complying with the limits set by the law”.<sup>10</sup> Until now, Indonesian regulations have not explicitly addressed the security and protection of OpenAI's content. This platform is considered only digital media under the ITE Law, not a legal copyright holder. As a result, works created by AI systems, including those by Studio Ghibli, lack explicit legal protections. This is in contrast to the United States, which prohibits Copyright for non-human works. Whereas, the UK's AI licensing regulations refer to Section 9, Verse (3), of the Copyright, Designs and Patents Act 1988.<sup>11</sup>

The issue of OpenAI's Plagiarism of Studio Ghibli's works warrants further study, as there are no specific rules governing the use of AI in the creation of artworks in Indonesia. The research aims to examine the Indonesian legal establishment's efforts to maintain the originality of works and eradicate Plagiarism, as well as the potential for AI to commit copyright infringement. The legal basis of Law No. 28 of 2014 emphasizes that “Copyright is a privilege that is given solely to the owners of works. This right applies to works that they create with good intentions and can be enjoyed in a tangible form. This all became the basis for theoretical studies”.<sup>12</sup> This theory emphasizes that legal protection arises automatically from the moment the work is realized, including in the fields of art and art, as long as it meets the elements of originality, concrete form, and economic value. In addition, this study refers to the theory of Plagiarism, which defines Plagiarism as the act of taking works belonging to others without providing adequate attribution, whether intentional or unintentional, in accordance with the guidelines outlined in Permendiknas No. 17 of 2010. This theory reinforces the view that OpenAI's use of Studio Ghibli's distinctive

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<sup>9</sup> Regent et al.

<sup>10</sup> Muhammad Febriyan Saputra, “Konstruksi Pengaturan Produk Artificial Intelligence Sebagai Hasil Karya Intelektual Berdasarkan Rezim TRIPS (Tesis),” 2024, 25–26.

<sup>11</sup> Nadya Dewi Chrisanti dan Hariyo Sulistiyantoro, “Analisis Perlindungan Hukum Hak Cipta Karya Seni Buatan Artificial Intelligence Ditinjau Pada Negara Indonesia, Inggris, Dan Kanada (Studi Komparatif Di Indonesia, Inggris, Dan Kanada),” *Kabilah: Journal of Social Community* 9, no. 2503–3603 (2024): 135–36.

<sup>12</sup> Febriyan Saputra, “Konstruksi Pengaturan Produk Artificial Intelligence Sebagai Hasil Karya Intelektual Berdasarkan Rezim TRIPS (Tesis).”

visual style without permission can constitute an ethical violation and potentially a legal one.

The idea of legal accountability for system outputs of *Artificial Intelligence (AI)* further supports this theoretical framework, given that AI has not yet been recognized as a legal subject in Indonesia. Thus, the developer or manager of an AI system, such as OpenAI, can be seen as the party responsible for works that resemble copyrighted works. To further examine how legal protection for works created by *Artificial Intelligence (AI)* is regulated, theoretical comparisons and laws from other countries, such as the US and the UK, are also used as references.<sup>13</sup> Based on these theories, this study aims to examine whether OpenAI's actions constitute plagiarism and copyright infringement, and to assess the importance of establishing special regulations in Indonesia to ensure legal certainty when using content created by *Artificial Intelligence (AI)*. Law No. 28 of 2014 states that "the ownership of legal rights to literary, artistic, and academic creations is exclusive to the creator after the work is realized". However, in reality, this provision does not expressly provide legal protection for works produced by *Artificial Intelligence (AI)*, such as Studio Ghibli-style works produced by OpenAI.

The disparity arises because OpenAI can produce digital works that resemble Studio Ghibli's visual style without the copyright owner's consent. At the same time, Indonesia's legal system lacks specific rules establishing the legal status or responsibility of AI-generated works. Under the ITE Act, OpenAI is not considered a legal entity with rights or responsibilities for copyright infringement, but is recognized only as an electronic agent. This is not the same as in other countries, such as the United States, which is firmly opposed to Copyright for works that are not manufactured. Meanwhile, the UK regulates the granting of licenses for AI developers or users. Therefore, the core problem in this study is the lack of integration between existing regulations and the development of digital technology, especially in protecting intellectual property rights for AI works. This regulatory ambiguity creates legal uncertainty that can harm the original Creator and may constitute an ethical and legal violation. Therefore, it is necessary to formulate new policies to bridge the incompatibility between *das sollen* and *das sein* in an effort to protect Copyright in

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<sup>13</sup> Nadya Dewi Chrisanti dan Hariyo Sulistiyantoro, "Analisis Perlindungan Hukum Hak Cipta Karya Seni Buatan Artificial Intelligence Ditinjau Pada Negara Indonesia, Inggris, Dan Kanada (Studi Komparatif Di Indonesia, Inggris, Dan Kanada)," *Kabilah: Journal of Social Community* 9 (2) (2024): 134.

the digital era. *Sollen* and *sein* cannot be separated, because legal norms (*sollen*) cannot stand without the foundation of social reality (*sein*).

The relationship between the two is monodualistic: different, but absolutely interrelated. *Sollen*, which is not based on the sequel, has the potential to give rise to authoritarian, subjective, and pragmatic laws without regard for validity. According to Hans Kelsen, the effectiveness of a law is determined by its validity, which rests on reality. If this aspect is ignored, the law will be reduced to mere instruments of power, as happened in fascist or communist regimes. In essence, law, as a norm, derives its power from a sense that reflects its ideals, or the idea of law.<sup>14</sup> This research is different from previous national and international studies, including those conducted by:

“Marselina Sutanto, who discussed the legal protection of creations produced by artificial intelligence.<sup>15</sup> Rafly Naufal Fadillah, who discussed the Protection of Intellectual Property Rights *Artificial Intelligence* (AI) from a Copyright and Patent Perspective.<sup>16</sup> Nadya Dewi Chrisanti and Hariyo Sulistiyantoro discussed the analysis of the legal protection of Copyright for artificial artworks in Indonesia, the United Kingdom, and Canada (comparative studies in Indonesia, the United Kingdom, and Canada).<sup>17</sup> Claudio Thadeus, who discusses the protection of Copyright on works of art used as a dataset for *Generative Artificial Intelligence* (Generative AI).<sup>18</sup> Ari Juliano Gema, who discussed the Problem of Using Creations as Input Data in the Development of Artificial Intelligence in Indonesia.<sup>19</sup> Other International Research has also been conducted by Jon McCormack, Toby Gifford, and Patrick Hutchings, which discusses about *Autonomy, Authenticity, Authorship, and Intention in computer-generated art*.”<sup>20</sup>

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<sup>14</sup> Titis Pandan et al., “Ketimpangan Das Sollen Dan Das Sein: Pemberian Hukuman Mati Imbalance between Das Sollen and Das Sein: Administration of the Death Penalty” 0444 (n.d.): 168–76, <https://doi.org/10.58344/jhi.v3i4.1142>.

<sup>15</sup> Marcelina Sutanto, “Perlindungan Hukum Atas Ciptaan Yang Dihasilkan Oleh Kecerdasan Buatan” (Hasanuddin Makassar, 2021).

<sup>16</sup> Nauval Fadillah, “Perlindungan Hak Atas Kekayaan Intelektual Artificial Intelligence (AI) Dari Perspektif Hak Cipta Dan Paten.”

<sup>17</sup> Sulistiyantoro, “Analisis Perlindungan Hukum Hak Cipta Karya Seni Buatan Artificial Intelligence Ditinjau Pada Negara Indonesia, Inggris, Dan Kanada (Studi Komparatif Di Indonesia, Inggris, Dan Kanada).”

<sup>18</sup> Claudio Thadeus, “PELINDUNGAN HAK CIPTA ATAS KARYA-KARYA SENI YANG DIGUNAKAN SEBAGAI DATASET BAGI GENERATIVE ARTIFICIAL INTELLIGENCE (AI GENERATIF)” (UNIVERSITAS KRISTEN INDONESIA JAKARTA, 2024).

<sup>19</sup> Ari Juliano Gema, “Masalah Penggunaan Ciptaan Sebagai Data Masukan Dalam Pengembangan Artificial Intelligence Di Indonesia,” *Jurnal Hukum & Pembangunan* 1, no. 1 (2022), <https://doi.org/10.21143/telj.vol1.no1.1000>.

<sup>20</sup> Jon McCormack, Toby Gifford, and Patrick Hutchings, “Autonomy, Authenticity, Authorship and Intention in Computer Generated Art,” *Lecture Notes in Computer Science (Including Subseries Lecture Notes in Artificial Intelligence and Lecture Notes in Bioinformatics)* 11453 LNCS, no. March (2019): 35–50, [https://doi.org/10.1007/978-3-030-16667-0\\_3](https://doi.org/10.1007/978-3-030-16667-0_3).

Previous research cited above is undoubtedly the primary source for this research. However, of course, there is something different and unique about the results of the research that has been done, compared to those of the research just compiled by the author.

Based on the results of national observations and previous studies, although there are similarities in the discussion of Artificial Intelligence (AI) at the national and international levels, no research explicitly highlights the problems addressed in this study. Therefore, this study has novelty and value that make it essential to conduct in-depth research. Based on previous studies and these descriptions, it can be identified that the main problems related to OpenAI's Plagiarism against Studio Ghibli in the Copyright Law View. The two problem formulations are referred to, namely: 1). whether OpenAI's use of Studio Ghibli's work without permission from the copyright holder can be considered a form of plagiarism and copyright infringement; 2). What level of legal certainty applies to the protection of Studio Ghibli Copyright produced by OpenAI under Indonesian Copyright Law, and what is the urgency of legal regulation in Indonesia, with a comparison of copyright regulations in other countries? Based on the formulation of the problem, the focus of this study is to analyze plagiarism and copyright infringement in the works of the Ghibli Studio produced by OpenAI, and focus on the legal protection and certainty of the Copyright of the Ghibli Studio produced by OpenAI, as well as the urgency of legal regulation in Indonesia with the comparison of the rules of other countries.

## B. RESEARCH METHODS

In this study, the researcher used a type of normative research that aims to examine, examine allegations of plagiarism and copyright infringement of Studio Ghibli's works used by OpenAI. In addition, this study is intended to identify the form of legal protection and certainty for the Copyright of Studio Ghibli's works produced using OpenAI technology, as well as to analyze the importance of establishing legal regulations in Indonesia by comparing the rules that apply in other countries. Therefore, several research methods are needed to facilitate data collection and information retrieval. The normative legal approach in this study focuses on the analysis of norms, laws, and regulations relevant to the issue under investigation. This research uses primary, secondary, and non-legal legal materials, which are then analyzed qualitatively and descriptively. Through this method, the researcher systematically compiled legal materials to answer the main issue, namely the alleged Plagiarism committed by OpenAI against Studio Ghibli's work, as well as to examine the legal protection and certainty of

Copyright under the provisions of the Copyright Law. This approach is also intended to assess the urgency of specific regulations regarding the Copyright of artificial intelligence works in Indonesia by comparing rules in other countries.<sup>21</sup>

In addition to a normative approach, this study combines two supporting methods: the statute *approach* and the conceptual *approach*. The law-and-regulations approach is used to examine and compare the provisions of Indonesian copyright law with those of various other countries' legal systems. Meanwhile, a conceptual approach is applied to explore the theory, doctrine, and views of legal experts regarding the protection of works produced by artificial intelligence. The two approaches complement each other, enabling this study to provide a comprehensive overview of the legal aspects of Plagiarism and Copyright. All legal materials are collected through a systematic literature review, then analyzed qualitatively to assess potential copyright infringement by OpenAI and to review legal guarantees for AI-generated works in national and international contexts.

## C. RESULTS AND DISCUSSIONS

### Analysis Of Plagiarism And Copyright Infringement In OpenAI's Utilization Of Studio Ghibli's Work

OpenAI's use of Studio Ghibli content without official permission can result in serious copyright infringement, particularly when the work is used as training material for artificial intelligence models. AI models trained on visual or narrative data from Ghibli's work have the potential to produce content that closely resembles the original work in style and characteristics. From a normative legal perspective, this action is a form of violation of the Creator's exclusive rights as protected by the Copyright Law. Meanwhile, from an ethical standpoint, this act can be categorized as Plagiarism because it involves taking ideas and concepts without mentioning sources or providing attribution. Although plagiarism and copyright infringement are often conflated, they differ fundamentally: Plagiarism involves moral and ethical violations, whereas copyright infringement is legal. However, both forms of infringement can occur simultaneously if a work is used without permission and without credit to its Creator. This condition reflects the importance of applying the principle of responsibility in the use of creative works, both in legal and moral contexts.<sup>22</sup>

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<sup>21</sup> Sutanto, "Perlindungan Hukum Atas Ciptaan Yang Dihasilkan Oleh Kecerdasan Buatan."

<sup>22</sup> Enago, "Understanding the Distinction between Plagiarism and Copyright Infringement," Enago, accessed July 3, 2002, <https://www.enago.com/plagiarism-checker/resources/difference-between-plagiarism-and-copyright-infringement>.



The use of Studio Ghibli's work by generative systems such as the one developed by OpenAI raises the potential for technical Plagiarism when the model significantly mimics typical elements, such as visual styles, conversations, or scenes, reflecting the phenomenon of "*Memorization*" in large-scale models. From a normative perspective, the use of datasets containing copyrighted works without consent can harm creators' economic and moral rights, as they receive neither compensation nor recognition for their contributions. From a legal perspective, assessing whether the model output violates Copyright or falls within fair use/exception depends on the nature of the output, the method of data acquisition, and differences across jurisdictions (US, EU, Japan), which can result in varied decisions.<sup>23</sup> From an ethical and policy perspective, experts suggest openness to the dataset's composition, the implementation of an opt-in or compensation system for rights holders, and proactive data audits to maintain creator motivation and prevent inequality in the distribution of benefits.<sup>24</sup> The implementation of these measures not only suppresses the potential for lawsuits but also strengthens fairer governance between AI developers and owners of original works.

Plagiarism is a serious problem that occurs not only in the academic world but also in the professional and creative industries. This behavior is not limited to copying text directly; it also includes taking ideas, concepts, or intellectual property without giving recognition to their Creator. In today's digital era, the ease of access to information makes many people unknowingly commit acts of Plagiarism due to a lack of ethical awareness. Plagiarism not only violates academic norms, but it can also damage the reputation and authenticity of one's scientific or creative work. Therefore, understanding Plagiarism is very important in maintaining academic integrity and professionalism.<sup>25</sup> Through this awareness, individuals are expected to appreciate the work of others while developing critical thinking and originality in their own work. Thus, the enforcement of integrity values is the key to preventing Plagiarism across various areas of life.

Plagiarism can take many forms, including direct copying of someone else's work or adopting an idea without properly citing the source.<sup>26</sup> This practice can occur due to negligence, ignorance, or intentional use of another party's intellectual work. In the

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<sup>23</sup> Adam Buick, "Copyright and AI Training Data—Transparency to the Rescue?," *Journal of Intellectual Property Law and Practice* 20, no. 3 (2025): 182–92, <https://doi.org/10.1093/jiplp/jpae102>.

<sup>24</sup> "Transparency (in Training Data) Is What We Want," *Nature Machine Intelligence* 7, no. 3 (2025): 329, <https://doi.org/10.1038/s42256-025-01023-9>.

<sup>25</sup> Devia Astry Khairani and Zainarti Zainarti, "Tinjauan Mendalam Tentang Plagiarisme : Pelanggaran Etika Dalam Dunia Akademik Dan Profesional," 2025, 69.

<sup>26</sup> Khairani and Zainarti.

academic world, Plagiarism causes injustice because it assesses a person's abilities and achievements in an unobjective way.<sup>27</sup> This also hinders the development of science because the work produced is not the result of original thinking. Every scientific work should reflect the results of the author's own research and thoughts, accompanied by appreciation for the other sources used. When Plagiarism occurs, scientific value and academic integrity are polluted. Therefore, preventing Plagiarism should be the primary concern to ensure intellectual works retain their originality and credibility.<sup>28</sup>

Technological developments and globalization have made it easier to access the various information available online. However, this convenience also creates greater opportunities for Plagiarism, whether intentional or unintentional. Many individuals can now copy, modify, or use others' works without considering legal or ethical implications. Therefore, educational and professional institutions must have clear, firm policies for dealing with plagiarism violations. In addition, increasing literacy, academic ethics, and moral awareness is essential so that every individual understands their responsibilities at work. Strengthening the value of integrity and respect for originality needs to be instilled from an early age in the world of education.<sup>29</sup> With these steps, it is hoped that the practice of Plagiarism can be minimized, enabling an honest and dignified academic and professional culture to be realized.

Plagiarism and copyright infringement are often equated, as they involve the use of someone else's work without permission or compensation. Even though the two are different, Plagiarism refers to the act of taking someone else's ideas, words, or works and presenting them as one's own without citing the source. The form can be direct copying, paraphrasing without attribution, or reusing personal works without permission (*Self-plagiarism*). This action constitutes a violation of academic and professional ethics, with serious consequences. Meanwhile, copyright infringement involves the unauthorized use of copyrighted creative works, such as literature, music, art, or software. This violation occurs unless the use falls into the category mentioned, such as fair use or other legal provisions.<sup>30</sup> Based on research conducted by Claudio Thadeus (2024), it states that:

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<sup>27</sup> Esli Silalahi et al., "Deteksi Plagiarisme Sebagai Peningkatan Integritas Akademik," *Kaizen : Jurnal Pengabdian Pada Masyarakat* 3 (2024): 28–30.

<sup>28</sup> Putriana Budhi Pinasty et al., "Perlindungan Hak Cipta Atas Plagiarisme Karya Seni Menggunakan Artificial Intelligence (AI) Yang Dikomersilkan," *Gudang Jurnal Multidisiplin Ilmu* 2, no. 6 (2024): 331–36.

<sup>29</sup> Khairani and Zainarti, "Tinjauan Mendalam Tentang Plagiarisme : Pelanggaran Etika Dalam Dunia Akademik Dan Profesional."

<sup>30</sup> Enago, "Understanding the Distinction between Plagiarism and Copyright Infringement."

“When the Copyright Law began to be implemented, innovation in the field of artificial intelligence was still limited and not massive. With these conditions, the application of creative works as AI training materials is most likely not included in the attention of the legal drafters at that time.”<sup>31</sup>

The use of Studio Ghibli’s work by generative systems such as OpenAI raises the issue of alleged copyright infringement when the model imitates a typical element of the work, a phenomenon called “*Memorization*,” which is of concern in technical and legal studies.<sup>32</sup> Normatively, the use of datasets containing copyrighted works without permission can harm creators’ economic and moral rights by depriving them of compensation or attribution, thereby creating an imbalance in the distribution of benefits. In the legal context, determining whether the model output infringes or falls under an exception (fair use/TDM) depends on the form of the results, the method of data collection, and differences across jurisdictions (US, EU, Japan), which create legal uncertainty.<sup>33</sup> In response, experts and policymakers are pushing for transparency in datasets, opt-in or compensation systems for rights owners, and proactive data audits as mitigation measures.<sup>34</sup> Recent lawsuit trends and policies also underscore the importance of copyright law certainty in reducing AI developers’ liability. Finally, implementing strict copyright audits and legal compliance by AI companies not only reduces legal risks but also maintains a balance between innovation and the protection of original works.<sup>35</sup>

In addition, OpenAI’s use of Studio Ghibli’s work can be viewed from various perspectives, especially regarding Copyright, the ethics of using creative content, and its contribution to the development of artificial intelligence technology. Studio Ghibli is a well-known animation studio from Japan that is famous for works such as *Princess Mononoke*, *Spirited Away*, and *My Neighbor Totoro*. In the legal realm, every work produced by Studio Ghibli automatically obtains copyright protection once it is manifested in real form, whether in the form of films, illustrations, or other visual elements. This means that any use or utilization of their work must comply with the applicable legal provisions regarding Copyright. The use of elements such as visual appearance, cutscenes, or artistic style from Ghibli’s work by others, including OpenAI,

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<sup>31</sup> Claudio Thadeus, “Perlindungan Hak Cipta Atas Karya-Karya Seni Yang Digunakan Sebagai Dataset Bagi Generative Artificial Intelligence (AI Generatif),” 2024.

<sup>32</sup> Tim W. Dornis and Sebastian Stober, “Generative AI Training and Copyright Law,” no. 1 (2025): 1–11, <http://arxiv.org/abs/2502.15858>.

<sup>33</sup> Marcelo Pasetti et al., “Technical, Legal, and Ethical Challenges of Generative Artificial Intelligence: An Analysis of the Governance of Training Data and Copyrights,” *Discover Artificial Intelligence* 5, no. 1 (2025), <https://doi.org/10.1007/s44163-025-00379-6>.

<sup>34</sup> Buick, “Copyright and AI Training Data—Transparency to the Rescue?”

<sup>35</sup> Dornis and Stober, “Generative AI Training and Copyright Law.”

must be accompanied by explicit permission from the copyright owner. Exceptions can only be made if the use falls under fair use. However, these fair use restrictions are stringent and generally apply only to educational, critical, or parody purposes.<sup>36</sup>

If OpenAI uses Studio Ghibli's distinctive imagery or style to train its AI models without permission, it could infringe Copyright, especially if the result resembles the original work and is used commercially or creates a false impression about the source. From an ethical standpoint, Studio Ghibli firmly upholds artistic values and the philosophy of originality in its work. Using AI to mimic their style is seen as undermining the creative spirit the study seeks to maintain, especially given their attitude toward rejecting commercial collaborations that do not align. Meanwhile, OpenAI, as a technology developer, ensures its innovations align with the law and ethics, including data disclosure, proper attribution, and the prevention of copyright infringement. The use of works by Studio Ghibli or others must be handled carefully, prioritizing a balance between innovation and copyright protection. Official cooperation with rights holders is key to avoiding legal conflicts and maintaining the integrity of art and technology.

Artificial intelligence models such as *DALL·E* and *Sora*, developed by OpenAI, can replicate visual styles and story themes that resemble Studio Ghibli's work, including detailed natural landscapes, anime-style characters with big eyes, and magical narratives full of emotional nuance. If the model is trained on visual or narrative elements from Studio Ghibli without consent, even if only based on a style description, the potential for infringement remains if the result shows substantial similarities. OpenAI's lack of transparency about the data sources used in model training has also reinforced concerns about copyright infringement. In addition to being against the law, this practice also undermines the value of originality and the artistic principles that Studio Ghibli upholds. Before the Studio Ghibli case produced by OpenAI, there was also a similar case that occurred at the end of 2023: a lawsuit filed by The New York Times against OpenAI and Microsoft. This case reflects that the issue of copyright infringement in AI training has become a global concern.<sup>37</sup>

Each country has a different legal approach to regulating the use of copyrighted works, especially in the context of artificial intelligence. In the United States, the principle of *fair use* provides leeway for the use of works for specific purposes, such as education

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<sup>36</sup> Rika Ratna Permata et al., "Penerapan Doktrin Fair Use Terhadap Pemanfaatan Hak Cipta Pada Platform Digital Semasa Covid 19 Di Indonesia," *Dialogia Iuridica: Jurnal Hukum Bisnis Dan Investasi* 13, no. 1 (2021): 133, <https://doi.org/10.28932/di.v13i1.3750>.

<sup>37</sup> Thomas C. Carey, "The New York Times v. OpenAI: The Biggest IP Case Ever," 2024, <https://www.sunsteinlaw.com/publications/the-new-york-times-v-openai-the-biggest-ip-case-ever>.

and research. Meanwhile, countries with a *common law* Tradition Apply fair dealing, which has stricter restrictions on the use of copyrighted works. On the other hand, the European Union regulates the practice of *Text and data mining* as a legal policy that allows the use of data for AI training under certain conditions.<sup>38</sup> In Indonesia, copyright protection is regulated by Law Number 28 of 2014, which guarantees the protection of intellectual works. However, the law does not yet have specific provisions regarding the use of copyrighted works to train artificial intelligence systems. This legal vacuum creates the potential for the misuse of works enabled by digital technology, so comprehensive regulatory reform is needed to strike a balance between technological innovation and intellectual property rights protection.

#### Protection and Legal Certainty of Studio Ghibli's Copyright in the Context of OpenAI's Utilization in Indonesia, as well as a Comparison of International Copyright Regulations in Other Countries Against OpenAI

Law Number 28 of 2014 provides a strong legal basis for protecting copyrights in works of art, literature, and science. This regulation ensures that every work created in Indonesia is protected by law. In addition, this law also explains the subject and object of Copyright, the principle of exclusive rights, and the licensing mechanism. The creator or rights holder is given full rights to reproduce, publish, and prohibit others from using their work without permission. Licenses may be granted by written agreement, either exclusively or non-exclusively. The law also protects digital works by regulating technology security systems and digital rights management. The copyright protection period is valid for the lifetime of the Creator. It continues for 70 years after his death.

In contrast, for the work of a legal entity or certain creations, such as cinematography and computer programs, the protection period is 50 years from the first publication. Economic rights allow the author to earn monetary benefits from his work, while moral rights include recognition of the author and protection of the integrity of the work. This second right is protected by law and can only be transferred by formal agreement or by inheritance.<sup>39</sup>

All Studio Ghibli animation productions are owned by the studio, which means each work is protected by the Copyright Law Number 28 of 2014. In the provisions of Article 9 of the law, every copyright holder has the right to reproduce, distribute, and rent their

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<sup>38</sup> Copyright.gov, "U.S. Copyright Office Fair Use Index," copyright.gov, 2025, <https://www.copyright.gov/fair-use/>.

<sup>39</sup> Sulistiyantoro, "Analisis Perlindungan Hukum Hak Cipta Karya Seni Buatan Artificial Intelligence Ditinjau Pada Negara Indonesia, Inggris, Dan Kanada (Studi Komparatif Di Indonesia, Inggris, Dan Kanada)."

work. Thus, if Studio Ghibli's visual works, characters, storylines, or other creative elements are used as training materials by artificial intelligence systems such as OpenAI without official permission, the activity may violate copyright regulations. The rules governing the security of digital works are set out in Articles 25 and 56 to 61 of the Copyright Law. These provisions include the protection of technological protection measures and the prohibition of all forms of destruction of digital rights management. If an intelligence system generates artificial content that resembles, imitates, or illegally extracts elements from Studio Ghibli's work, it may constitute a violation of the economic and moral rights of the copyright owner. Until now, there are no regulations specifically governing the use of copyrighted works for training AI systems in Indonesia, although Article 3 still guarantees the protection of copyright rights. Therefore, in the Indonesian legal context, Studio Ghibli has a strong legal basis to demand legal protection or file a lawsuit in the event of infringement of its Copyright, whether committed within Indonesia or by parties carrying out its activities in Indonesia. From the perspective of Copyright, Works created by AI developers are considered the creative property of the developers. Under Law No. 28 of 2014, they are fully responsible for any violation, although some experts argue that responsibility can also be imposed on AI users. Copyright restrictions aim to maintain a balance between creators and users, with each country having the right to regulate them in accordance with its laws, either with permission or compensation.<sup>40</sup>

Each country has a different approach to regulating the Copyright of works generated by artificial intelligence. In the UK, the law recognizes AI works and assigns Copyright to developers under the Copyright, Designs and Patents Act (CDPA) 1988, with a protection period of 50 years from the date the work was created. This is evident in the case of *Getty Images vs Stability Diffusion AI*, where Stability AI uses copyrighted content without permission for AI model training, making it unlawful.<sup>41</sup> In contrast, in the United States, the case *Stephen Thaler vs the US Copyright Office* affirms that only manufactured works can obtain copyright protection. Works generated entirely by AI are considered in the public domain and are not legally protected.<sup>42</sup> As such, the United States has not yet recognized AI work as a standalone legal subject.

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<sup>40</sup> Gema, "Masalah Penggunaan Ciptaan Sebagai Data Masukan Dalam Pengembangan Artificial Intelligence Di Indonesia."

<sup>41</sup> Sulistiyantoro, "Analisis Perlindungan Hukum Hak Cipta Karya Seni Buatan Artificial Intelligence Ditinjau Pada Negara Indonesia, Inggris, Dan Kanada (Studi Komparatif Di Indonesia, Inggris, Dan Kanada)."

<sup>42</sup> Dechert, "U.S. District Court Rules That AI-Generated Artwork Is Not Eligible for Copyright Registration," Dechert, 2023, <https://www.dechert.com/knowledge/onpoint/2023/8/u-s--district-court-rules-that-ai-generated-artwork-is-not-elig.html#:~:text=District Judge Beryl A.,copyright in the United States.>

Meanwhile, the situation in Indonesia remains similar to that in the United States, as there is no specific regulation governing Copyright for AI-generated works. For example, AI-generated Studio Ghibli-style visual works still don't have a clear legal status. This ambiguity has the potential to lead to copyright infringement and disputes between human creators and AI developers. For this reason, Indonesia needs to draft regulations governing the ownership, liability immediately, and legal protection of AI works. As a reference, the UK legal system can serve as a model for the formulation of these regulations. This arrangement is essential to ensure a balance between copyright protection and freedom to innovate in the field of artificial intelligence.

The urgency of establishing new regulations on AI in the context of Copyright in Indonesia has given rise to various innovations in the field of visual arts, including illustrations that closely resemble Studio Ghibli's typical style. This phenomenon poses new challenges in the field of intellectual property law, especially regarding Copyright. Until now, Law No. 28 of 2014 concerning Copyright in Indonesia still lacks regulations governing creations sourced from non-humans, such as Artificial Intelligence (AI), creating a legal vacuum that could trigger disputes or copyright violations. There is no legal certainty about the ownership of AI works that mimic certain visual styles, such as Studio Ghibli's, or whether the imitation of these styles can be categorized as infringement of the original work. In the Indonesian legal system, because only human-made works are copyrighted, works created by *Artificial Intelligence* (AI) do not yet have a clear legal status as subjects or objects of copyright protection. With the rapid advancement of *Artificial Intelligence* (AI) technology in Indonesia, the need to update the legal framework has become increasingly urgent. Without proper handling, these legal loopholes can pose threats that could hinder technological innovation, including in copyright protection.

Therefore, collaboration among governments, historians, and legal practitioners is needed to design comprehensive regulations that protect creators' rights and advance responsible, moral AI. Also, cross-sectoral cooperation among the government, the technology industry, copyright holders, and academia is needed to formulate regulations that are applicable, easy to implement, and adaptable to technological advances.<sup>43</sup> In its preparation, it is essential to involve various stakeholders, such as the creative community, technology developers, and the general public, to ensure regulations that address the public's needs and aspirations. In addition, international cooperation needs

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<sup>43</sup> Lei Cheng et al., "Multi-Stakeholder Agile Governance Mechanism of AI Based on Credit Entropy," *Sustainability (Switzerland)* 17, no. 20 (2025): 1–24, <https://doi.org/10.3390/su17209196>.

to be strengthened to adopt best practices in legal arrangements for AI technology.<sup>44</sup> Legal reform is needed for two important reasons. First, to protect creators and owners of original visual styles, so that AI productions do not displace their work without adequate legal protection. Second, legal certainty will create a safer environment for developers and users of AI technology to innovate without being overshadowed by concerns about the legality of their work.

For reference, Indonesia can learn from the United Kingdom's practice. Under the *Copyright, Designs and Patents Act 1988*, works created by computers without human intervention can still be protected by Copyright, where the Creator is recognised as the party who makes arrangements or controls the creation process. However, legal protection for such works has a shorter validity period and does not include moral rights. Therefore, copyright law reform in Indonesia is fundamental in response to the emergence of AI-based visual works, especially those that mimic certain styles. Without clear rules, this legal vacuum can harm the original creators and hinder the broader development of technology. Therefore, establishing regulations that accommodate AI's role is a strategic step toward creating an equitable intellectual property ecosystem that drives progress.

In addressing these problems, responsibility is not limited to the government; it also requires the active participation of all stakeholders across sectors. As a policymaker, the government has an essential role in adapting the legal framework to technological developments. The first step is to revise or add an article to the Copyright laws and regulations that explicitly regulate works created by AI, including provisions on ownership of rights, legality, and limits on their use. In addition to rules, the government can also develop ethical and technical guidelines for creative industry players and technology developers to avoid practices that are detrimental to human artists, especially the imitation of visual styles such as those of Studio Ghibli. The government is also expected to serve as a bridge for dialogue among copyright owners, AI developers, academics, and the public, ensuring that the resulting regulations are inclusive and reflect real needs on the ground. Given that the issue of AI is cross-border, international cooperation is also needed to harmonize copyright protection policies in the digital era. Not only the government, but the success of this regulation also depends on the active role of all stakeholders. Artists and creative industry players need to fight to protect their visual characteristics, which are vulnerable to AI mimicry. Nonetheless, AI

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<sup>44</sup> Ni Komang et al., "Urgensi Pengaturan Hak Cipta Di Era Kecerdasan Buatan : Tantangan Dan Solusi Hukum Di Indonesia," *Seminar Nasional & Call for Paper Hubisintek 2024*, 2024, 16–22.



researchers and developers are ethically and legally responsible for ensuring that the technology they develop does not infringe on applicable copyrights. Academics and legal experts can provide critical analysis and normative solutions that align with technological developments and principles of justice. The community as end-users must also be involved in public discussions to help shape fair policies and support improvements in digital literacy regarding intellectual property. Therefore, it can be concluded that copyright regulation in the context of AI requires synergy and cooperation among many sectors, including the government and all stakeholders. Governments play a leading role as adaptive and progressive policymakers, while other actors must demonstrate active participation and ethical responsibility. In the case of AI-generated artwork that resembles Studio Ghibli's style, cross-sector collaboration is key to building a fair, inclusive, and sustainable copyright legal system.

### C. CONCLUSION

Based on the study's results, using Studio Ghibli's work without the copyright holder's permission is not only unethical but also carries the potential for legal consequences under Copyright law. This case shows that Indonesia's legal system, especially the provisions of Law Number 28 of 2014 concerning Copyright, has not kept pace with advances in Artificial Intelligence (AI) technology, which can now produce works that are indistinguishable from those made by humans. The lack of clarity in this regulation makes it difficult to determine who has rights to AI works, both in terms of ownership and legal protection. Therefore, there is a need for concrete steps, in the form of legal updates, to specifically regulate the status or position of works generated by AI, including establishing the legal status, rights, and responsibilities of developers or parties who use the technology.

This research emphasizes the importance of formulating legal policies that are adaptive to the advancement of digital technology. The government needs to work with technology developers, academics, and creative industry players to develop legal and ethical guidelines for the use of copyrighted works. This cross-sectoral collaboration will strengthen public legal awareness of the importance of protecting intellectual property rights, while encouraging a balance between innovation and justice. With clear and progressive regulations, Indonesia can build a legal protection system that accommodates the development of artificial intelligence, maintains the authenticity of human works, creates an ethical, fair legal environment, and supports sustainable technological growth.

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