



# Contribution Poof Trailer as Intellectual Property Rights Issue in Indonesia

## Case Study: Spoof Trailer of Dilan 1991 on YouTube

Edelin Wangsa<sup>1</sup>

<sup>1</sup> Film and Animation Department, Universitas Multimedia Nusantara, Scientia Boulevard Gading, Curug Sangereng, Serpong, Kab. Tangerang, Banten 15810, Indonesia  
edelin.wangsa@umn.ac.id

**Abstract.** This research originated from observations on the tailors at Pasar Mayestik which depicts similar issues of intellectual property rights as the creators of Dilan 1991 spoof trailers on YouTube. In Indonesia, Intellectual Property Rights are protected under the Copyright Law, Law No. 28 of 2014. Within a period of 2 months, a total of 117 Dilan 1991 spoof trailer videos were found on YouTube. This article discusses specifically 44 out of 117 spoof trailer videos which were made with digital artefacts of the original Dilan 1991 trailer, without the consent of the rights holders. The results indicate that copyright holders must take active measures and collaborate with exhibitors to address such matters.

**Keywords:** Intellectual Property Rights, Spoof Trailer, Dilan 1991

## 1 Introduction

As I walk through the third floor of Pasar Mayestik in South Jakarta, Indonesia; I noticed on that specific floor, there are many replications of dresses, kebaya, dan uniform designs. Pasar Mayestik is one of traditional market compounds in Jakarta. In Pasar Mayestik, you can find raw ingredients to cooked foods, groceries, office supplies, and medical supplies. But it is most famous for its many shops of cheap clothes, fabrics, and tailor services. Most of the tailors are located on the third floor. To attracts customers, the tailors display their works on the facades of the shops. I found many designs of displayed clothes are familiar. They look familiar because they are replications of several brocade dresses and kebaya designs by famous Indonesian fashion designers. Some shops even put boards, written “do not take pictures” on the mannequins. It might indicate that they know copyright infringement is involved.

The topic of copyright infringement is a nothing new. As I was on research focusing on the phenomenon of spoof trailers, specifically those related to the Indonesian film Dilan 1991, which can be found on YouTube. The terminology used to describe the concept of "spoof trailers" remains a subject of debate among researchers. Some scholars refer to them as mashups or remix videos [1], while others prefer the term recut trailers [2]. One researcher, who has extensively studied this subject, categorizes them as fake and fan-produced trailers [3]. On YouTube, these videos are also known as

© The Author(s) 2023

Y. S. Martyastiadi et al. (eds.), *Proceedings of the International Conference of Innovation in Media and Visual Design (IMDES 2023)*, Advances in Social Science, Education and Humanities Research 790,

[https://doi.org/10.2991/978-2-38476-136-4\\_27](https://doi.org/10.2991/978-2-38476-136-4_27)

"honest trailers" and are considered a specific form of digital content. However, Indonesian YouTube content creators or YouTubers commonly refer to their spoof trailers as parody trailers. The term "spoof trailer" is chosen for this paper because it accurately represents the subject being discussed. Ortega, in his research, defines spoof trailers as trailers for non-existent films, often created in a parodic manner. Spoof trailers can be produced by using footage from one or more existing films, along with added text and voiceovers. In addition to footage from existing films, spoof trailers can also incorporate digital artifacts such as sound effects, background music, still images, or other forms of moving images [4]. Generally, there are two main types of spoof trailers based on the materials they employ. According to Williams, these two types are categorized as original footage and digital artifact. The original footage type of spoof trailer is created using footage shot by the YouTubers themselves, while the digital artifact type utilizes various visual and audio materials typically sourced from the internet [5]. Spoof trailers, for the most part, adhere to the conventions of trailers, including non-continuous montage, fast-paced editing, voiceovers, and text that imitates real films from established production houses or studios, albeit with different dialogue [1]. Although spoof trailers typically emulate the trailer format, they can exist independently of the actual film and are not considered a direct part of the film itself [4]. These YouTubers who create spoof trailers capitalize on the opportunity to produce digital content in the form of videos when popular films are about to be released. As soon as the original trailer is released, their spoof trailers are uploaded alongside the original on YouTube.

To understand the matter of Intellectual Property protection, I refer to the Law. Indonesian government regulates issues regarding Intellectual Property in Law no. 28 of 2014 concerning Copyright. In Article 1, paragraph 1 of Law no. 28 of 2014 concerning Copyright, states that Copyright is the exclusive right of the creator that arises automatically based on declarative principles after a creation is manifested in a tangible form without prejudice to restrictions according to the provisions of the legislation [6]. Copyright is an exclusive right consisting of Moral Rights and Economic Rights. Moral Rights are the perpetual rights inherent to the creator to be attributed or not attributed to their work, use a pseudonym, modify their work, change the title and titles of derivative works, and uphold their rights in case of distortion, mutilation, modification, or matters concerning the creator's dignity in their work. Moral Rights are regulated in Chapter II, Part Two, Article 5, paragraph 1. Meanwhile, Economic Rights are regulated in Chapter II, Part Three, specifically in Article 4 to Article 19 of the mentioned Law. Economic Rights are the rights of the Creator or Copyright Holder to publish the work, reproduce the work in various forms, translate the work, adapt, arrange, transform, distribute, perform, announce, communicate, and lease their work [6]. Creators automatically obtain copyright and protection for their creations once they are manifested, not when they are in the form of ideas or in the process of creation. Copyright is obtained directly, without the need for registration and associated costs. If there is a violation of Copyright, such as copying a copyrighted work, the creator can file a case.

Discussing the objects that are protected under the Law of intellectual property, the protected objects are creations that manifest an original idea and fall within the fields of science, art, and literature. This includes books, computer programs, pamphlets, published written works with covers, teaching aids for science and education, songs and

music with or without lyrics, drama and musical drama, dance, choreography, Wayang (Indonesian puppetry), pantomime, visual arts in all forms, painting, drawings, carving, calligraphy, sculpture, collage, applied arts, architecture, maps, Batik, photography, cinematography, translations, interpretations, adaptations, anthologies, databases, and derivative works [7]. In this article, spoof trailer of Dilan 1991 on YouTube falls under the category of cinematography, which are also protected by Law no. 28 of 2014. This case will serve as a framework for further discussion on counterfeit videos with the same context, which involves copyright infringement. Going forward, this article will talk about spoof trailer on YouTube as a copyright infringement of the original trailer, with Dilan 1991 as the study case. In this paper, I will discuss about the digital artefact type of spoof trailer, specifically those made from the digital artefacts from the original trailer of Dilan 1991. There are also other digital artefacts added to the spoof trailers.

## 2 Methods

The methodology utilized in this study employs a qualitative analysis approach, incorporating audio-visual documentation and text analysis. The scope of text analysis extends to audio and visual content. Data collection spanned a period of two months and fixated on the spoof trailers of the Indonesian film Dilan 1991 available on YouTube. The collected data was then filtered based on the upload dates, from January 2019 to February 2019. Within this timeframe, there were 117 spoof trailers of Dilan 1991 on YouTube, which were subsequently narrowed down to 44 videos. The 44 videos are chosen based on categories. The categories are 1) videos produced (or reproduced) utilizing recut footage of the original trailer, 2) videos produced (or reproduced) utilizing the audio (such as voice over) of the original trailer, the music and/or the dialogues, and 3) videos produced (or reproduced) utilizing footage from other sources from the internet. All these videos are categorized as the digital artefact type of spoof trailer. Then, by referring to the Law no.28 of 2014, the copyright infringement will be discussed.

## 3 Discussion

There are 3 categories of spoof trailer (of Dilan 1991) discussed here: 1) spoof trailer made of part or full footage of the original trailer, 2) spoof trailer made of the voiceover, dialogues, and/or background music from the original trailer, 3) spoof trailer made of other digital artefacts with the narrative of the original trailer. Included in other digital artefacts are footage from reality show, video games trailer or documentation video, Korean Drama, interview footage of the original film casts, or footage from the original film itself. Beside the 3 categories, also available combination the 2 or all those 3. The data can be seen on this table below, the video link and name of the channel will be hidden to protect the Youtubers who made them.

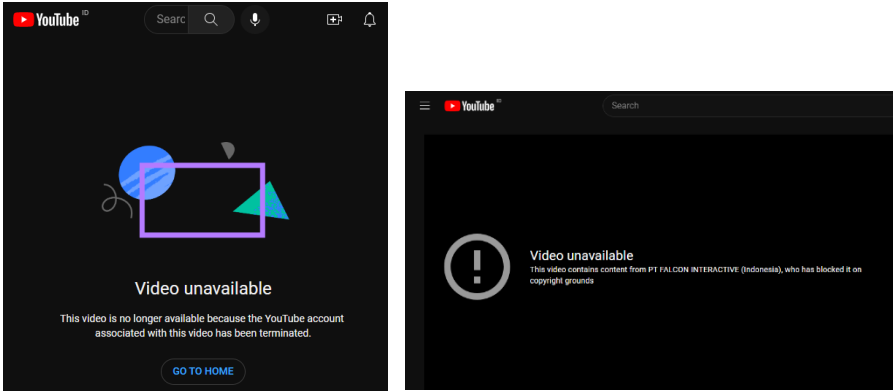
**Table 1.** Spoof Trailer Dilan 1991 with Copyright Infringement

| <b>Title of Spoof Trailer</b>   | <b>Category 1</b> | <b>Category 2</b> | <b>Category 3</b> | <b>Availability per June 1<sup>st</sup>, 2023</b> |
|---|-------------------|-------------------|-------------------|---|
| (Komedi)Trailer-nya Dilan '91: Ketika dilan parodi    Versi ngakak (dota 2 player inside) | v                 |                   | v                 | v   |
| DILAN 1991   PUBG Parody Trailer   Dilan 1991 versi PUBG                                  |                   | v                 | v                 | v   |
| Dilan 1991 parody (V bts x Tzuyu twice)   | v                 | v                 | v                 | v   |
| Dilan 1991 Parody Eunkook [Eunha & Jungkook]  | v                 | v                 | v                 | x   |
| Dilan 1991 Trailer Parody (Yukook)  | v                 | v                 | v                 | v   |
| Dilan 1991 Trailer Parody #LIZKOOK  | v                 | v                 | v                 | v   |
| Dilan 1991 Trailer PUBG Version Indonesia w/ subtitle                                     | v                 |                   |                   | x   |
| DILAN 1991 Versi PUBG   Parody Trailer DILAN 1991   | v                 |                   |                   | x   |
| Dilan 1991 versi pubg kocak!!!  | v                 |                   |                   | v   |
| Dubbing Jawa Parodi trailer DILAN 1991 lurr - Dubbing jawa official                       | v                 |                   |                   | v   |
| dubbing SANGE milea 1992 (parody trailer) milea 1992 iqbal ramadhan vanesha prescilla     | v                 |                   | v                 | x   |
| Kata baba parodi dilan 1991 ngakak asli 🤔🤔  | v                 |                   |                   | x   |
| Official Parodi Dilan 1991   Bedugal Nyantri " Maaf Dilan! Rambutmu Bau "                 | v                 | v                 | v                 | v   |
| OFFICIAL PARODY TRAILER DILAN 1991  | v                 |                   |                   | x   |
| Official Trailer Dilan 1991 - Eunwoo ASTRO (아스트로) jadi Dilan (PARODY KOREA VER)           |                   | v                 | v                 | x   |

|   |   |   |   |   |
|---|---|---|---|---|
| Official Trailer Dilan 1991 (Parody)   Sekarang di Youtube                      |   | v |   | v |
| Official Trailer Dilan 1991 [Parody] 29 Februari 2019 di Bioskop                |   | v | v | x |
| Official video Trailer Dilan 1991 Versi (jungkook) K pop Parody                 | v | v | v | x |
| Paling kocak Parody Trailer dilan 1991- speed drifters                          | v |   |   | x |
| Parodi DILAN 1991 FREE FIRE BATTLEGROUN   |   | v | v | v |
| Parodi dilan 1991 versi mobile legend   | v |   |   | x |
| Parodi DILAN 1991 Versi PUBG  | v |   |   | x |
| PARODI FILM DILAN 1991    Versi Anak Medan!!                                    | v |   |   | x |
| PARODI TRAILER DILAN 1991 FREE FIRE INDONESIA -KECE GAMING #freefire            |   | v | v | x |
| PARODY DILAN 1991 - ANIMASI KOLOR CEPLOK  |   | v | v | v |
| PARODY DILAN 1991 GARENA FREE FIRE  | v |   |   | v |
| PARODY DILAN 1991 TRAILER VERSI FREE FIRE •  • Bagas twinku                     | v |   |   | x |
| PARODY DILAN 1991 VERSI MOBILE LEGENDS  | v |   |   | x |
| Parody Dubing DILAN 1991 (NEW)  | v |   |   | x |
| Parody Official trailler Dilan 1991 versi mobile legend (dubbing radika gilang) | v |   |   | x |
| Parody Trailer DILAN 1991 - Versi Banjar 01 - Gazali Rumi                       | v |   |   | x |
| Parody trailer dilan 1991   bikin baper parody bocah 2019                       | v |   |   | v |
| Parody Trailer Dilan 1991 Versi PUBG  | v |   |   | x |
| Parody Trailer Dilan 1991 Versi PUBG Mobile Iya Bloon ya                        | v |   |   | x |

|   |   |   |   |   |
|---|---|---|---|---|
| Sinkook 1991 [Parody Trailer Dilan 1991] - Sinb GFRIEND Jungkook BTS              |   | v | v | v |
| Trailer Dilan 1991  | v | v |   | x |
| Trailer Dilan 1991 (Parody Pre-Production)  | v | v |   | x |
| Trailer Dilan 1991    Puisi Dari Dilan Untuk Milea                                |   | v | v | v |
| Trailer Dilan 1991 jika Diproduksi oleh Marvel Studio (Parody Trailer Dilan 1991) | v | v |   | v |
| Trailer Dilan 1991 PARODY - Free Fire   |   | v | v | x |
| TRAILER DILAN 1991 VERSI BTS (JUGKOOK)  |   | v | v | v |
| TRAILER DILAN 1991 versi hutang /parody/lipsing kocak                             | v | v |   | x |
| Trailer Dilan 1991 versi pubg mobile   pubg mobile indonesia                      |   | v | v | x |
| Trailer Gacha Life Film Dilan 1991 [Gacha Life Indonesia]                         |   | v | v | x |

Seen above in table 1, there are 31 videos fall in Category 1, which is spoof trailer made of part or full footage of the original trailer. 20 videos fall in Category 2, which is spoof trailer made of the voiceover, dialogues, and/or background music from the original trailer. 23 videos fall in Category 3, which is spoof trailer made of other digital artefacts with the narrative of the original trailer. There are also combinations of Category 1 & 2 with 2 videos, combination of Category 1 & 3 with 4 videos, combination of Category 2 & 3 with 12 videos, and combinations of all 3 Categories with 6 videos. In the rightmost column, named "Availability per June 1st, 2023", you can also find notations of "x" and "v." The notation "x" indicates that it is no longer available on YouTube, while the notation "v" indicates that it is still available on YouTube. Out of 44 spoof trailer Dilan 1991, 27 videos have been taken down. Two reasons of these videos being taken down are; either the YouTube channel had been terminated or the videos have been removed by YouTube because of the copyright holder reported the case.



**Fig. 1.** Example of notion “x”; channels of the videos being terminated (left) and videos of spoof trailer *Dilan 1991* removed by YouTube (right).

According to Article 44, paragraph 1 of Law number 28 of 2014, the use of copyrighted works is not considered an infringement if: a. it is used for educational purposes, research, scientific writings, reports, written criticism or reviews of a matter without unduly prejudicing the legitimate interests of the creator or copyright holder; b. it is for the purposes of security and the functioning of government, legislature, and judiciary; c. it is a lecture solely for educational and scientific purposes; d. it is a non-profit performance or exhibition, provided that it does not unduly prejudice the legitimate interests of the creator [6][7]. The utilization of digital artifacts of categories 1, 2, and 3 or combination of the 3 for spoof trailer *Dilan 1991* mentioned above does not fall under the copyright exemption groups of using original works for educational purposes, research, scientific writing, reports, criticism, or reviews related to copyright. It is also not employed during lectures for educational or scientific purposes. Additionally, the digital artifacts utilized in those spoof trailer videos can generate economic benefits from YouTube or advertisements attached to the videos, which means they do not fall under point (d).

To tackle this issues, two out of four parties should be involved. The four parties are the original creators or copyright holders, the exhibitors, the imitation or replication makers, and the government. In specific this case, the copyright holder is PT Falcon Interactive, the exhibitor is YouTube, the imitation makers are the spoof trailer YouTubers, and the government of Indonesia specifically institutions handling intellectual property cases. Yet now, as seen on Figure 1, there are only 2 active parties: PT Falcon Interactive as the copyright holder and YouTube as the exhibitor. YouTube had done termination of some channels posting spoof trailer of *Dilan 1991* and PT Falcon Interactive had reported to YouTube about the copyright infringement of their properties. It is still not enough. For some reason, 17 out of 44 videos of spoof trailer *Dilan 1991* with copyright infringement are still available on YouTube.

Government of Indonesia already has regulations, including penalties, relating to this issue. However, intellectual property is a civil law. Which means, any violation of it must be reported to be handled, unlike criminal law. In simple explanations, criminal law refers to the branch of law that deals with offenses or crimes committed against

society, outlining the punishment and legal procedures for such offenses. Whereas civil law refers to the branch of law that deals with private legal matters between individuals or entities, such as contracts, property rights, and personal disputes. Arguably, the creator is forced to regularly check and report to YouTube about this problem. Also, the exhibitor must have some kind of system to tackle this issue on their platform.

Instances like these are not exempt from the influence of the prevailing circumstances. Loose selection and filtering systems provide opportunities for imitators to continue replicating the works of other artists, despite potentially possessing original creations of their own. Currently, it is the responsibility of the creators or copyrights holders to be more aware and actively address such situations. They must be prepared to continually identify the gaps where counterfeit versions of their original works are exhibited, generating economic gains for the imitators rather than the rightful owners and copyright holders. They must also be willing to act if they wish to challenge these infringements, as demonstrated by the rights holders of the original Dilan 1991 film trailer. Unfortunately, not all creators or rights holders are able to consistently undertake such actions. There are situations beyond the control of the creators or copyrights holders, as exemplified by the circumstances in Pasar Mayestik. Hence, each intellectual property rights violation is typically examined and studied on a case-by-case basis.

On the other hand, without granting consent to the actions of the imitators, they cannot simply be referred to as mere imitator or replicator. As they do make little alterations and adjustments to their spoof trailer videos. Although these changes and adjustments cannot be considered as entirely new creations (given the circumstances they are still using the digital artefacts from original creators), their creativity and ideas are still embedded. According to Munroe, the content showcased on online platforms can serve as a pilot or precursor to the works of its creators. This can contribute to the future careers of these creators, as prospective clients not only consider written resumes but also examine their portfolios [8]. Therefore, these works can serve as a blueprint of their abilities, such as editing. While Munroe specifically discusses the context of films, it can be applied to spoof trailer context as well. I do not justify copyright infringement, but I can only argue that YouTubers create spoof trailers to showcase their abilities. By utilizing well-known content among the public (such as the film Dilan 1991), they can more easily reach and connect with their audience. However, it should be noted that there is another spoof trailer type, namely original footage spoof trailer. The YouTubers have the option to involve their associates or friends in reenacting scenes from the original trailer of Dilan 1991. While maintaining the same plot and mood, they introduce different content and context, all while capitalizing on the buzz surrounding the original Dilan 1991 trailer. For instance, is the Dilan 1991 spoof trailer by the Pudak Niku Project channel, which remains available on YouTube. The Pudak Niku Project team recreates scenes from the original Dilan 1991 trailer while altering the content to focus on a troubled relationship caused by an affair and introducing the context of digital apps and mobile games.



## 4 Conclusion

Copyright infringement is a matter that also occurs in the online world. Despite government regulations concerning intellectual property rights, there are still loopholes that allow violation of these rights. This issue is also influenced by the dynamic nature of the platform and the fact that intellectual property rights serve as civil law, meaning they are to be handled after reports with proof from the copyright holder. Therefore, the actions that can be taken by creators or copyright holders are to actively monitor and report such infringements to the exhibitors, as demonstrated by the copyright holders of the Dilan 1991. Which then, the exhibitors, in this case YouTube, responded by promptly removing the infringing videos or terminating the respective channels. Simply put, this scenario necessitates ongoing efforts from original creators and copyright holders to guard their intellectual properties. Conversely, without condoning such actions, spoof trailer creators exploit counterfeit materials to help their popularity among audience.

In the future, it is advisable for makers of spoof trailers to exercise caution and avoid direct imitation or replication of films. They can choose the original footage type of spoof trailer, instead of directly taking materials from the works of others. By treating these original films and works as a source of inspiration, they can generate new and authentic creations. As a strategic approach, YouTubers can produce their original footage type of spoof trailer on the same platform, such as YouTube, synchronizing their release with that of the original trailers. This proactive measure ensures that YouTubers and their channels can still attain significant visibility and recognition, all while obeying to the principles of intellectual property rights and avoiding any potential infringements.

**Acknowledgements.** I would like to thank my brother, Antonius Andika Wangsa, for his help on understanding of the Law, specifically Intellectual Property Regulations in Indonesia.

## References

1. Volans E, *Cross Media Promotion: Entertainment Industries and The Trailer*. Norwich, England: University of East Anglia, 2014.
2. Deaville. Recut and Re-tuned: Fan-produced Parody Trailers. *Journal of Fandom Studies*, vol 4 (2). 2016. DOI: 10.1386/jfs.4.2.209\_1.
3. Williams. K.A. 'Never Coming to a Theatre Near You: Recut Film Trail-ers'. *Journal of Media and Culture*, vol. 12 no.2. 2009
4. Ortega, V.R. Spoof Trailers, Hyperlinked Spectators & The Web. *New Media and Society*, vol 16(1). 149-164. 2014. doi: 10.1177/1461444813479000.
5. Williams, K.A. Fake and Fan Film Trailer as Incarnations of Audience Anticipation and Desire. *Transformative Works and Culture*, vol. 9. 2012. doi:10.3983/twc.2012.0360J.
6. Undang-Undang Republik Indonesia Nomor 28 Tahun 2014 Tentang Hak Cipta retrieved from [www.hukumonline.com](http://www.hukumonline.com). 2023.

7. Sulistyawan, A.Y. *Perlindungan Karya Cipta Kebaya Sebagai Aset Nasional yang Bernilai Tinggi: Studi Kasus Perlindungan Hak Cipta Terhadap Karya Cipta Kebaya Modifikasi Anne Avantie*. 2008. Universitas Diponegoro, Semarang, Indonesia.
8. Munroe, R.M. *How Not to Make a Short Film*. New York, NY: Hyperion. 2009.

**Open Access** This chapter is licensed under the terms of the Creative Commons Attribution-NonCommercial 4.0 International License (<http://creativecommons.org/licenses/by-nc/4.0/>), which permits any noncommercial use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.

