



Legal Protection of Consumer Rights in Transactions at TikTok Shop: Unraveling New Legal Insights

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Abstract

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Tiktok is one of the choices for social media that has many users today. The use of the Tiktok Shop feature is able to increase consumer interest with practical reasons for purchasing, with an easy payment system and a faster time spent. The purpose of this research is to find out the legal rights and obligations of product owners in transactions at the Tiktok Shop, the legal rights and obligations of consumers in international social media marketplace transactions, to know the laws governing the protection of intellectual property rights and consumers in transactions at the Tiktok Shop, to find out legal issues which often appear in transactions at the Tiktok Shop related to Intellectual Property Rights and consumer protection. The research method used is normative juridical. The results and suggestions of this study explain that consumers and owners of capital must both have their rights protected, especially consumers who are the most vulnerable in transactions at the Tiktok Shop. The need for good faith and implementation of obligations from both parties so that there is no conflict during transactions. Various forms of action taken by consumers and product owners themselves without good faith, means that they are not included in online buying and selling transactions because they are not bona fide.

Keywords: Legal Protection, consumer rights, product owner, tiktok shop

Abstrak

Tiktok menjadi salah satu pilihan sosial yang memiliki banyak pengguna saat ini. Penggunaan fitur Tiktok Shop mampu meningkatkan minat konsumen dengan alasan pembelian yang praktis dengan sistem pembayaran yang mudah dan waktu yang digunakan lebih cepat. Tujuan dari penelitian ini adalah guna mengetahui hak dan kewajiban hukum pemilik produk dalam transaksi di Tiktok Shop, hak dan kewajiban konsumen dalam transaksi marketplace media sosial Internasional, mengetahui hukum mengatur perlindungan hak kekayaan intelektual dan konsumen dalam transaksi di Tiktok Shop, dan guna mengetahui permasalahan hukum yang sering muncul dalam transaksi di Tiktok Shop terkait dengan hak kekayaan intelektual dan perlindungan konsumen. Metode penelitian yang digunakan adalah yuridis normatif. Hasil dan saran dari penelitian ini dijelaskan bahwa konsumen dan pemilik modal harus sama-sama melindungi haknya terutama konsumen yang paling rentan dalam transaksi di Tiktok Shop. Perlunya iktikad baik dan pelaksanaan kewajiban dari kedua belah pihak sehingga tidak terjadi konflik saat bertransaksi. Berbagai bentuk tindakan yang dilakukan oleh konsumen dan pemilik produk itu sendiri tanpa itikad baik, berarti bukan termasuk transaksi jual beli online karena tidak bonafid

Kata kunci: Perlindungan Hukum, hak-hak konsumen, pemilik produk, toko tiktok

I. Introduction

In the current era of technological advancement, it is possible to support a variety of professions with a variety of conveniences. The purpose of social media is to facilitate communication with family and acquaintances. Not only intended for communication, but social media are also becoming more modern and incorporating functions for online purchasing. Previously, transactions involving social media could only be conducted face-to-face if this is

known. Regarding this, consumers must tour the location where their products are sold¹. However, none of this is required. Because online purchasing is possible via social media. This development can encourage capital proprietors to utilize social media as a digital business opportunity or E-commerce platform. Using social media as a digital business can provide capital owners with advantageous business opportunities for the promotion of their products accompanied by conforming product information². The purpose of the activity is to pique the interest of the larger community and raise awareness of the products it offers. This naturally encourages product owners to utilize social media and implement a variety of marketing strategies to increase product sales and compete equitably with other similar products. Capital owners obtain substantial profits through business promotions, allowing them to increase their sales results. Meanwhile, without promotions, consumers will be unaware of the products being sold by the capital's proprietor.

TikTok is one of the most popular social networking platforms nowadays. So that the capital owner can utilize it to manage his online business. The country of Indonesia is home to the vast majority of TikTok users. With the use of video material, it has lately been expanded by introducing an online shopping option known as the TikTok Shop. With the presence of the TikTok store, TikTok merchants are competing to use TikTok Shop as an intermediary for online buying and selling. Because TikTok has a substantial market share and is a well-liked application among the general population³. By viewing uploaded videos accompanied by background music uploaded by business persons, TikTok can make it easier for consumers to receive product information. TikTok Shop users can make online purchases directly from the TikTok Shop application, eliminating the need to go to another application to complete the transaction.

The TikTok Shop feature can improve consumer interest by providing practical reasons for shopping, an easier payment mechanism, and faster time consumption. The TikTok Shop's product offers have piqued the interest of many customers. Furthermore, using TikTok for online buying has a negative influence. One of them is the result of the online purchasing system's convenience, which logically does not require face-to-face interactions, which might allow fraud and neglect by the seller/product owner, which is an important feature that must be dealt with strongly⁴. This must be evaluated because it may be harmful to consumers. The quality of the products advertised by sellers that do not match the products acquired by buyers is one type of fraud that frequently occurs in online shopping. Cannon defined quality as a type of competence that must be present in a product to meet consumer needs with the intended product. Because the quality of goods is highly important and must be regarded, the risks associated with product quality must be seriously evaluated when it comes to business media.

This paper specifically discusses several new and important matters in consumer legal protection in TikTok shops, including:

- 1) The Context of TikTok Shop: The article delves into the burgeoning world of TikTok Shop transactions, which is a relatively new and rapidly expanding arena in the online marketplace. While previous studies may have explored consumer behavior on social media, this research narrows its focus to the TikTok Shop, shedding light on the uniqueness of this specific platform and its implications for consumers and product owners alike.
- 2) New Legal Insights: The research adopts a normative juridical approach, which is a distinctive and new perspective applied to the context of TikTok Shop transactions. By utilizing this method, the study unveils new legal perspectives and interpretations, enhancing our

¹ Dinda Ferawati and Faiz Mufidi, "Penerapan Prinsip Etik Baik Oleh Pelaku Usaha Atas Pencantuman Klausula Baku Dalam Jual Beli Online Ditinjau Dari KUH Perdata Dan Undang-Undang Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen," in *Bandung Conference Series: Law Studies*, vol. 2, 2022, 1082-1086.

² Gusti Ayu Sandrina and I Made Dedy Priyanto, "Perlindungan Hukum Bagi Konsumen Terhadap Ketidaksesuaian Kualitas Barang Yang Dibeli Pada Aplikasi Belanja TikTok Shop," *Jurnal Kertha Semaya* 11, no. 3 (2023): 572-582.

³ Saffana Azzahra and Zahry Vandawati Chumaida, "Pertanggungjawaban Hukum Terhadap Kerusakan Barang Dalam Proses Pengangkutan Yang Di Beli Melalui TikTok Shop," *JIP-Jurnal Ilmiah Ilmu Pendidikan* 6, no. 2 (2023): 1092-1099.

⁴ Rai Agustina Dewi and I Nyoman Suyatna, "Implementasi Perlindungan Hukum Terhadap Konsumen Dalam Transaksi Jual Beli Melalui Online," *Jurnal Kertha Semaya* 4, no. 2 (2016): 1-13.

understanding of consumer rights and intellectual property protection within this digital landscape.

- 3) Bridging International Marketplaces: Unlike previous research confined to national borders, this study ventures into the international aspect of social media marketplace transactions, acknowledging the complexities that arise when consumers and product owners engage across different countries and legal jurisdictions. The examination of cross-border issues highlights the uniqueness of TikTok Shop as a global marketplace.
- 4) Emphasis on Consumer Vulnerability: The research places a significant emphasis on protecting consumer rights, particularly their vulnerability in the context of TikTok Shop transactions. This distinct focus sets the article apart from generic studies that may not have prioritized the protection of consumers in online marketplaces.
- 5) Implications of Good Faith and Bad Faith Actions: The study underscores the importance of good faith in transactions and the consequences of acting in bad faith, illustrating how these actions can influence the validity of online buying and selling transactions. This emphasis on ethical behavior adds a unique dimension to the research.
- 6) The intersection of Intellectual Property and Consumer Protection: By analyzing the intersection of intellectual property rights and consumer protection in TikTok Shop transactions, the study unravels new connections between these two important aspects of law, presenting a comprehensive view of the legal landscape in this domain.

Overall, this provides a pioneering exploration of the legal and consumer protection aspects within the TikTok Shop platform, presenting new insights that contribute to the existing body of knowledge in both legal studies and the field of digital commerce. Based on Consumer Protection Law No.8/1999, often known as UUPK, which can be utilized as a reference in legal arrangements for online buying. Because the goal of UUPK is to establish legal protection and certainty, information disclosure, and information access. When customers suffer challenges due to a lack of derogation and a balance of rights and obligations between product owners and consumers. However, due to a variety of issues, including substantive changes in Article 19 of the Civil Code, which serves as the foundation for regulations, it is still deemed incapable of providing adequate consumer protection while purchasing online. In this example, the writers reviewed several past research on consumer protection. One of them was a paper titled "Improving Legal Protection for Consumers in Online Buying and Selling Transactions" published by Rai Agustina Dewi and I Nyoman Suyatna. The article focuses on the responsibility of entrepreneurs for customer losses when shopping online and proposes solutions for consumer losses when shopping online. Given that there are parties who have written periodicals on the same issue in legal protection for consumers who feel disadvantaged in digital matters due to discrepancies in consumer goods quality. purchased that does not include what is advertised on Tiktok Shop, given that no one has before explored this topic, the development of scientific journal articles is very new and highly significant for debate.

To further explore the novelty of this paper, it is important to compare it with relevant previous research on consumer protection in the context of online buying and selling transactions. One important study that provides insight into consumer protection in digital trade is an article entitled "Improving Legal Protection for Consumers in Online Buying and Selling Transactions" by Rai Agustina Dewi and I Nyoman Suyatna. This research mainly focuses on the responsibility of entrepreneurs for customer losses when shopping online and proposes solutions to overcome these losses. Although this research sheds light on certain aspects of consumer protection, it does not specifically investigate the intricacies and legal complexities of the TikTok Shop platform. Instead, this research significantly departs from previous studies by narrowing its scope to the TikTok Shop platform, offering a pioneering exploration of the legal and consumer protection aspects unique to this social media market. The novelty of this paper is demonstrated in the evidence examining the legal rights and obligations of product owners and consumers in TikTok Shop transactions, highlighting the intersection of consumer protection law and intellectual property rights in this context. In addition, this study takes an international perspective by exploring market transactions in various countries, recognizing the complexities and implications of cross-border interactions.

As a departure from past study, the researcher in this example addresses legal problems such as what are the legal rights and obligations of product owners in Tiktok transactions? What are consumers' legal rights and obligations in international social media marketplace transactions? How does the law that governs the protection of intellectual property rights and consumers in Tiktok Shop transactions work? What are the common legal difficulties that occur in Tiktok Shop transactions with intellectual property rights and consumer protection? The benefits of research can help and give insight to law students who want to study the protection of product owners and customers in Tiktok Shop transactions.

II. Research Problems

Based on the above introduction, this article focuses on the problem: *First*, What are the legal rights and obligations of product owners in transactions at the Tiktok Shop; *Second*, what are the legal rights and obligations of consumers in international social media marketplace transactions; *Third*, how does the law regulate the protection of intellectual property rights and consumers in transactions at the Tiktok Shop; *Fourth*, what are the legal issues that often arise in transactions at the Tiktok Shop related to Intellectual Property Rights and consumer protection.

III. Research Methods

The normative juridical method was used in this study. The author used a statutory approach (statute approach) to collect useful materials to help primary and secondary research. The Civil Code, the 1945 Constitution, the Consumer Protection Law No 8/1999, the ITE Law No 11/2008, and the Electronic Trade Regulations 80/2019 were the key legal sources used. The secondary legal materials employed were legal documents that were related to the primary legal materials and could aid in the analysis and comprehension of research. As the major legal material, the author collected legal materials through literature and documentary study, notably by reading and storing information and explanations from these legal sources, as well as laws and government regulations that can be further researched connected to this topic. Secondary legal materials included journals, essays, and legal books. After collecting all legal resources, they were analyzed in relation to other legal materials such as statutes and books utilized, as well as literature study, and described the themes discussed to find answers to these studies using deductive reasoning.

IV. Result And Discussion

1. Legal Rights and Obligations of Product Owners in Transactions at the Tiktok Shop

In Article 6 UUPK, business actors regulations include: The right to receive payment in accordance with the terms and exchange rates for goods and/or services traded; the right to sue consumers who want to cheat; the right to defend oneself must be tied to a judicial settlement of consumer disputes; and the right to recover one's good name if it is proven through legal action that the losses suffered by consumers are not caused by the goods and/or services.

In this regard, article 7 UUPK states the obligations of the owner of capital, namely:

- a. The obligation of business actors to have good faith.
- b. The obligation of business actors to provide clear, correct and honest information regarding terms and guarantees for goods and/or services through notification of their use, repair and maintenance.
- c. Treat or serve consumers fairly and honestly and without discrimination.
- d. Ensure the condition of goods and/or services produced and sold according to the applicable quality standards of goods or services.
- e. Business actors offer opportunities to consumers to test or try certain goods and/or services and provide guarantees and/or guarantees for the goods produced and/or sold.
- f. Business actors provide compensation, reimbursement and/or compensation for losses arising from the use, exploitation, and use of goods and/or services exchanged.
- g. Make offers of replacement, compensation and/or refunds if the goods and/or services received or used are not in accordance with the contract.

As a result, business actors must conduct themselves properly in order not to commit fraud and deceive their consumers by selling products that do not meet the specifications listed on the platform where business actors market their wares, to notify and treat consumers equally/balanced, to guarantee their products, and to offer consumers the opportunity to test and compensate. So that business actors/product owners are required or required to provide correct, clear, and honest information about the conditions and guarantees of goods or services, and to make statements in good faith in carrying out their activities, including using, repairing, and maintaining, treating or serving consumers correctly and without discrimination, and guaranteeing the quality of goods or services produced or sold in accordance with quality standards provisions.

In this case, business actors are forbidden from manufacturing and/or trading items or services that do not satisfy the criteria or meet the requisite requirements, do not meet the net weight, net content, or net quantity. Labels or labels attached to products and other things described in Article 8 UUPK.

When a product owner sells goods and/or services, he is also forbidden from using coercion or other techniques that could cause bodily or emotional distress to customers. Prohibited activities are committed by product owners, as detailed in Chapter IV UUPK.⁵ Any disparity between the specifications of goods obtained by consumers and the goods described in the listing image/item offer is a form of violation/prohibition of initial trade transactions. Some rights are granted to the product owner, while others are withheld. Provisions on the rights, obligations, and prohibitions of the owner of products, provisions on rights, obligations, and prohibitions, and provisions on rights, obligations, and prohibitions aim to foster healthy relationships between actors in trade and economic activity in general. Entrepreneurs have rights and obligations as a subject of consumer protection in UUPK.⁶

Whereas Article 7 UUPK explains business actors' need to offer correct, clear, and honest information about the condition and guarantee of goods and/or services, as well as explanations about usage, maintenance, and others. When the goods and/or services are received according to the agreement or are not used, which is a need set by the product owner if the goods sent or exchanged do not match the photographs or specifications published on the Tiktok Shop, reimbursement and/or compensation for losses is made.⁷

Article 8 UUPK is still in effect. Business actors/product owners are prohibited from trading goods/services if they do not match the requirements mentioned in the labeling, description, advertisement, or promotion connected to the sale of these goods and/or services.⁸ According to this article, deviations from the specifications of the items received in comparison to the commodities in the advertisement/offer image were originally a type of trade violation/prohibition.⁹ Then, according to Article 4 UUPK, consumers have the right to compensation, compensation, and/or exchange if the goods and/or services they receive are not or should not be in accordance with the agreement, while the owner of the capital itself is in a realm that is in accordance with legislation and can determine standard clauses that are illegal. Therefore, the owner of capital is obligated to compensate customers who utilize their goods or services if the commodity sold to them is contaminated.¹⁰

⁵ Shiefti Dyah Alyusi, *Media Sosial: Interaksi, Identitas Dan Modal Sosial*, 1st ed. (Jakarta: Prenada Media, 2019).

⁶ Albi Anggito and Johan Setiawan, *Metodologi Penelitian Kualitatif*, ed. Ella Deffa Lestari (Sukabumi: CV Jejak (Jejak Publisher), 2018).

⁷ M Arsyad Sanusi, *E-Commerce: Hukum Dan Solusinya* (Bandung: Mizan Grafika Sarana, 2001).

⁸ Jonaedi Efendi and Prasetyo Rijadi, *Metode Penelitian Hukum: Normatif Dan Empiris*, 2nd ed. (Jakarta: Prenada Media Group, 2016).

⁹ Elisabeth Nurhaini Butarbutar, "Arti Pentingnya Pembuktian Dalam Proses Penemuan Hukum Di Peradilan Perdata," *Mimbar Hukum-Fakultas Hukum Universitas Gadjah Mada* 22, no. 2 (2010): 347-359.

¹⁰ Ahmad M Ramli, "Perlindungan Hub Terhadap Konsumen Dalam Transaksi E-Commerce," *Jurnal Hukum Bisnis* 18, no. 1 (2002).

2. Legal Rights and Obligations of Consumers in International Social Media Marketplace Transactions

Consumer rights are regulated in Article 4 of the Civil Code as follows:

- a. The right to get comfort in choosing the desired object.
- b. The right to choose goods and adjust them to the exchange rate and the guarantee.
- c. The right to obtain clear, correct, and honest information regarding the condition of goods.
- d. The right to have complaints or opinions heard.
- e. The right to receive advice and protection in solving consumer problems.
- f. The consumer's right to receive advice and information.
- g. The right to be served and treated well and equally with other consumers.
- h. The right to receive compensation for mistakes committed by owners of capital or business actors.

Consumer obligations are regulated in Article 5 UUPK, namely:

- a. For security reasons, read or follow the instructions and procedures regarding the use or enjoyment of the Goods and/or Services.
- b. Buy goods and/or services in good faith.
- c. Pay according to the agreed exchange rate; And
- d. Follow-up efforts to resolve consumer disputes appropriately.
- e. Consumer rights are regulated not only by national regulations but also by international law.¹¹

John F. Kennedy stated that at least 4 (four) consumer rights must be protected, which consist of:

- a. The right to feel safe and comfortable to protect consumers in the dissemination of items that are circulated to consumers in order to injure and harm consumers. This is also the government's obligation, so that customers may continue to feel safe when consuming or using products from merchants.
- b. The freedom to choose can be defined as customers being free to choose the things they require and which, in the consumer's opinion, are extremely important, but this right does not contravene the stipulations of the applicable standards.
- c. The right to receive information, in conjunction with the right to receive information. This right requires that information regarding items acquired by consumers be complete and honest so that consumers are not misled.
- d. The right to be heard. This right is meant to provide consumers a voice in government policies, including policy consultations. Furthermore, companies must pay attention to consumer concerns and expectations.¹²

In addition, capital owners must also listen to consumer complaints and expectations, namely:

- a. The right to obtain basic needs.
- b. Rights with compensation.
- c. The right to consumers information.
- d. The right to a clean and healthy environment.¹³

In addition, the European Economic Community also requires basic consumer rights to be protected, such as:

- a. The right to be protected as a consumer.
- b. The right to receive compensation.
- c. The right to financial principal.
- d. The right to obtain information from the seller.
- e. The right to be heard.¹⁴

¹¹ Bachtiar and Tono Sumarna, "Pembebanan Tanggung Jawab Perdata Kepada Kepala Daerah Akibat Wanprestasi Oleh Kepala Dinas," *Jurnal Yudisial* 11, no. 2 (2018): 209–225.

¹² Agus Yudha Hernoko, *Hukum Perjanjian: Asas Proporsionalitas Dalam Kontrak Komersial* (Jakarta: Kencana Prenada Media Group, 2010).

¹³ Sophar Maru Hutagalung, *Praktik Peradilan Perdata, Kepailitan Dan Alternatif Penyelesaian Sengketa*, ed. Tarmizi, 2nd ed. (Jakarta Timur: Sinar Grafika, 2022).

¹⁴ John Alder, *Constitutions and Administrative Law* (London: The Macmillan Press LTD, 1989).

3. The Law Regulates the Protection of Intellectual Property Rights and Consumers in Transactions at the Tiktok Shop

Intangible objects are closely related to Intellectual Property Rights (IPR) in Indonesia, in the form of content and protection of works originating from the creativity of everyone. Intellectual property rights can provide protection/protect creative companies in long-term financial investments.¹⁵ With rights arising from human reason in intellectual property. The core or regulatory objects in IPR are science, technology, art and literature. ¹⁶ Known as Intellectual Property Rights in Anglo-Saxon literature, in the form of an Indonesian translation of the word as "Intellectual Property Rights", which would actually be more correct if translated as IPR. In the future, intellectual property rights actually own things, that is, things that are intangible. ¹⁷ The material limitations mentioned in 499 of the Civil Code, namely objects are everything and every right that is determined by ownership.¹⁸ This is in accordance with the classification of objects into tangible and intangible objects.¹⁹ Intellectual property rights are governed by a number of laws and regulations, include:

- a. Copyright Law No. 28/2014
- b. Patent Law No. 13/ 2016.
- c. Law on Trademarks and Geographical Indications No 20/2016
- d. Trade Secret Law No. 30/2000
- e. Plant Variety Protection Law.9/ 2000
- f. Industrial Design Law 31/2000.²⁰

Regarding the existing bilateral agreements, there are several decisions regarding intellectual property rights as follows:

- a. Decree of the President of the Republic of Indonesia concerning Ratification of the Agreement on Copyright Joint Action between the Republic of Indonesia and the United States of America No. 25/1989
- b. Ratification of Decree No. 56 of 1994 by the President of the Republic of Indonesia
- c. Reciprocal Compensation Agreement between the Republic of Indonesia and the United Kingdom on copyright
- d. Decree of the President of the Republic of Indonesia No. 74 of 2004 concerning Ratification of WIPO Performance Contracts and Phonograms (WPPT). Basically, IPR regulation is considered appropriate because many international agreements have been ratified in the field of intellectual property rights, which are very closely related to basic needs, namely: regulations or laws, both at the national and international levels, must be harmonious in all respects.²¹

Munaf is of the opinion that the role of IPR is currently quite important, including:

- a. As a means of competitive trade, especially for developed countries to maintain its position in controlling the international market for its goods
- b. As a means to encourage the development of science and technology with new innovations that can be industrialized, as a means of increasing the economic welfare of society, especially researchers with industrial inventions, namely by receiving compensation in the form of royalties.

¹⁵ Marwah M Diah and Joni Emirzon, "Aspek-Aspek Hukum Persaingan Bisnis Indonesia (Perjanjian Yang Dilarang, Perbuatan Bisnis Yang Dilarang Dan Posisi Dominan Yang Dilarang)" (Palembang: Unsri Press, 2003).

¹⁶ Ishaq Ishaq, *Metode Penelitian Hukum Dan Penulisan Skripsi, Tesis, Serta Disertasi* (Bandung: Alfabeta, 2017).

¹⁷ UU RI, "Undang-Undang Nomor 8 Tahun 1999 Tentang Perlindungan Konsumen," *Lembaran Negara Republik Indonesia*, 1999.

¹⁸ Sadikin, *Aspek Hukum Hak Kekayaan Intelektual: (Intellectual Property Rights)* (Depok: PT Raja Grafindo Persada, 2003).

¹⁹ Abdul halim Barkatullah and Teguh Prasetyo, *Bisnis E-Commerce : Studi Sistem Keamanan Dan Hukum Di Indonesia* (Yogyakarta: Pustaka Pelajar, 2005).

²⁰ Abdulkadir Muhammad, "Hukum Dan Penelitian Hukum" (Bandung: Citra Aditya Bakti, 2004).

²¹ Achmad Busro, *Hukum Perikatan Berdasar Buku III KUH Perdata* (Yogyakarta: Pohon Cahaya, 2011).

4. Legal issues that often arise in transactions at the Tiktok Shop are related to intellectual property rights and consumer protection

Internet users are of all ages, including adults, and use social media as a form of online contact. TikTok has outperformed Facebook and Instagram on all iOS and Android platforms. Facebook is in second place with 50.5 million downloads, with 11% coming from India and Indonesia. According to studies undertaken by the Association of Indonesian Internet Service Providers (APJII), Indonesia has one of the world's largest internet users. With the final population of the world at 64.8%, it is anticipated that as many as 171.17 million people will enter this phase in 2020. The overall number of internet users among current Indonesians will increase by 25.5 million.²² with popular online retail platforms like as Instagram, Tiktokshoo, Facebook, and others. Tiktok allows you to see which social media hits you have. Tiktok, a Chinese social networking and music video website, was created in September 2016 by Toutiao creator Zhang Yiming. According to mobile data firm Sensor Tower, Tiktok was the most popular social media network in the globe in September 2019, with 60 million app downloads.²³ Based on that, the offer includes free shipping with every order. This is one of the most common consumer concerns regarding high delivery charges while shopping in marketplaces or online. One of the causes for the emergence of these products is, of course, the distinct space. On the Tiktok platform, purchase selections are made. Functional decision making, often known as customization, is a method that can be used to facilitate collaboration. Consider two or more choices before deciding on one.²⁴ Consumers examine various variables before making a purchase decision through an online platform, including the simplicity of use, perceived benefits, and information security risks presented; when these aspects are satisfied, users will battle for it.

By having the expertise to build and produce something with creative worth and usability, these diverse applications can be created.²⁵ This is known as Intellectual Property Rights (IPR), and it refers to the riches of all intelligence-produced things such as technology, knowledge, art, literature, melodies, written works, cartoons, and so on. Copyright is one aspect of intellectual property rights that is governed by the Copyright Law 28/2014.²⁶ The availability of a guide or the uploading of Tiktok films to other applications demonstrates that this activity has become mainstream among netizens, however some users are still aware that re-uploading an activity without the author's consent is a copyright violation.²⁷ However, many Internet users, particularly those who use the Tiktok app, see it as a risk for TikTok content providers to upload their work.

Buying and selling transactions via electronic commerce have increased quickly in recent years, particularly in the jurisdiction of Indonesia. Indonesia already has a legal framework for consumer protection in the form of UUPK 8/1999.²⁸ The Tiktok Shop application's usefulness has increased customers for a variety of practical reasons, including an easy-to-use payment mechanism, more efficient time management, and the application's availability to a large number of users. Furthermore, consumers are negatively impacted by the usage of internet technology in online buying. Because online buying, which obviously does not require face-to-face contacts, can allow for fraud and neglect, which are serious issues that must be addressed aggressively. It should be taken into account because it has the potential to harm consumers. One of the most common types of fraud is when the quality of the products sold does not match the quality of the

²² Tetanoe Bernada, "Upaya Perlindungan Hukum Pada Konsumen Dalam Transaksi E-Commerce Untuk Mendukung Pertumbuhan Ekonomi Digital Di Indonesia," *Jurnal Hukum dan Peradilan* 6, no. 1 (2017): 1-24.

²³ Bachtiar and Sumarna, "Pembebanan Tanggung Jawab Perdata Kepada Kepala Daerah Akibat Wanprestasi Oleh Kepala Dinas."

²⁴ Aulia Muthiah, *Hukum Perlindungan Konsumen Dimensi Hukum Positif Dan Ekonomi Syariah* (Yogyakarta: Pustaka Baru Press, 2018).

²⁵ Rustam Magun Pikhulan, *Hukum Perikatan* (IAIN Parepare Nusantara Press, 2019).

²⁶ Janus Sidabalok, *Hukum Perlindungan Konsumen Di Indonesia* (Bandung: Citra Aditya Bakti, 2014).

²⁷ Mohammad Zamroni, *Penafsiran Hakim Dalam Sengketa Kontrak: Kajian Teori Dan Praktik Pengadilan*, ed. M. Khoirul Huda (Surabaya: Scopindo Media Pustaka, 2020).

²⁸ Tasya Adelia and Devi Siti Hamzah Marpaung, "Upaya Hukum Penyelesaian Sengketa Jual Beli Melalui E-Commerce," *Jurnal Justitia: Jurnal Ilmu Hukum dan Humaniora* 8, no. 6 (2021): 1440-1448.

products that buyers get. Cannon offers the quality principle, which is the competency that a product must have in order to match the targeted consumer needs. Because the quality of goods is extremely essential and must be taken into account, particularly when it comes to online media, the risks associated with product quality must be thoroughly evaluated. No creator will report individuals or third parties for re-uploading their Tiktok movies for commercial purposes without their permission as of December 2021. Only a few Tiktok app producers have filed complaints against third parties who post content without their permission to the authors' disadvantage.²⁹ They did not report this, however, since they did not understand the reporting system and assumed that the situation could be settled informally without the involvement of a dispute resolution agency. Third-party difficulties relating to commercial streaming are quite likely to develop and constitute a special case for Tiktok, especially if there is a significant loss of content and the owner accuses the move of copyright infringement. Their video maker uploaded a video without first obtaining permission to re-upload it.³⁰

Because the goal of Consumer Protection Law No 8/1999 (UUPK) is to guarantee consumer protection, which includes legal certainty, information disclosure, and access to information, UUPK can be used as a framework for regulating online commerce. When customers have an issue, there is no derogation and there is a balance of rights and obligations between product owners and consumers. However, due to a variety of issues, including fundamental changes in Article 19 of the Civil Code, which serves as the foundation for provisions, it is still seen as ineffective in providing adequate consumer protection in online buying. Tiktok Shop platform Approximately 49% of Tik Tok users purchase things after viewing reviews, adverts, or offers in short videos. When asked why they use the Tiktok Shop platform, respondents gave the following reasons: The first reason is that Tiktok has a large number of active users. Tik tok throughout countries and areas. According to Nofela and Saputri (2022), the benefits of purchasing and selling online for consumers are as follows: There is no need to leave the house (purchasers can shop at home to save time, avoid traffic, and access stores located distant from the consumer's location)³¹. Simple to execute and no special training is necessary for Internet-based purchasing or investing operations. Consumers have numerous options and can compare the products or services they choose to purchase. There will be around 1.5 billion users by the end of 2022, and it will continue to be the most frequented application. With so many visits and users, this platform has become a choice for boosting business and meeting possible goals. Another factor is that respondents regard Tiktok as a secure place for buying and selling. Because Tiktok connects sellers and buyers, the site has implemented filters to reduce the likelihood of fraud. Respondents should exercise caution, though, when purchasing a product of an action. The third reason is that many companies provide free shipping.

Buyers can hunt for things that are not widely available or difficult to purchase in regular markets or venues. On the other side, there are disadvantages to conducting buying and selling transactions online, such as the fact that consumers cannot personally identify, see, or touch the product requested. For example, in the merchant profile in their store, consumers only see photographs of what they want items by mail, not clear understanding of the desired products.³²

V. Conclusion

The use of internet shopping media is continuously increasing. The legal arrangements for product owners and consumers are the same from one regulation to the next. In this case, consumers must be protected as individuals who are extremely vulnerable to the acceptance of

²⁹ Sayyid Muhammad Zein Alydrus, "Perlindungan Hukum Terhadap Konsumen PT. PLN (PERSERO) Balikpapan Terkait Adanya Pemadaman Listrik," *Lex Suprema Jurnal Ilmu hukum* 2, no. 1 (2020): 362-377.

³⁰ Ahliwan Ardhinata, "Keridhaan (Antaradin) Dalam Jual Beli Online (Studi Kasus Ud. Kuntajaya Kabupaten Gresik)" (Universita Airlangga, 2015).

³¹ N P Nofela and M E Saputri, "Pengaruh Social Media Marketing Dan Influencer Endorser Di Tiktok Terhadap Purchase Intention Pada Tiktok Shop," in *E-Proceeding of Management*, vol. 9, 2022, 840-848.

³² Galih Setiyo Budhi, "Analisis Sistem E-Commerce Pada Perusahaan Jual-Beli Online Lazada Indonesia," *Elinvo (Electronics, Informatics, and Vocational Education)* 1, no. 2 (2016): 78-83.

products sold by product owners as a result of several persons who can harm consumers by business actors/product owners themselves via online buying and selling transactions at the Tiktok Shop. Product sales by both corporate players and consumers began with good trust. If consumers and insiders conduct purchasing and selling activities, they can utilize the UUPK facility, which serves as a guide for consumers fighting for their rights and protecting their interests. When product owners encounter dishonest customers, both of them may notice that all of the processes are comparable.

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