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## Legal Status of AI-Generated Logos/Brands in Indonesian Intellectual Property Law

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**Abstract:** Artificial Intelligence (AI) has significantly transformed creative industries by enabling machines to generate artistic works such as images, designs, and logos used in commercial activities. The increasing use of AI-generated content raises important legal questions concerning authorship, ownership, and legal protection under intellectual property law. This study aims to analyze the legal status of AI-generated logos within the Indonesian intellectual property framework and to identify the most appropriate legal mechanism for protecting such works. This research applies a normative legal research method using statutory, conceptual, and comparative approach. The study examines Indonesian copyright law under Law No. 28 Of 2014 Concerning Copyright and Trademark Protection under Law No. 20 Of 2016 Concerning Trademarks and Geographical Indications. The results indicate that Indonesia copyright law remain human-centered, meaning that works generated autonomously by artificial intelligence do not fully meet the legal requirements for copyright law. However, AI-generated logos may still obtain legal protection through trademark registration under the first-to-file principle. This study concludes that trademark law currently provides the most effective legal mechanism for protecting AI-generated logos in Indonesia. The research also highlights the need for future legal reform to address the growing role of artificial intelligence in creative industries.

**Keyword:** Artificial Intelligence, Copyright, Trademark, Intellectual Property, AI-generated works.

### INTRODUCTION

The rapid development of digital technology has significantly transformed many aspects of modern society, including business activities, communication systems, and creative industries. One of the most influential technological innovations in recent decades is artificial intelligence (AI). AI refers to computer system capable of performing tasks that typically

require human intelligence, such as learning, reasoning, problem-solving, and creative production.

Artificial intelligence has increasingly been used in creative industries, particularly in the field of graphic design. AI-based design tools allow users to generate images, visual illustrations, and logos automatically through machine learning algorithms. These technologies enable business and individuals to create visual content efficiently and at a lower cost compared to traditional design processes.

Logos play an essential role in commercial activities because they function as visual identifiers that distinguish goods or services produced by one company from those produced by other companies. A distinctive logo contributes significantly to brand recognition and marketing strategies. Traditionally, logos are created by human designers who apply creativity and artistic skills to develop unique visual identities. In the legal context, logos can be protected under the intellectual property system. Intellectual property rights provide legal protection for intellectual creations in the fields of science, art, and technology (Riswandi, 2016).

However, the increasing use of artificial intelligence in generating logos has raised important legal questions in the field of intellectual property law. Intellectual property law traditionally recognizes human creativity as the foundation for legal protection. Copyright protection is generally granted to works created through human intellectual effort.

The emergence of AI-generated works challenges this traditional concept because AI systems can produce creative outputs without direct human authorship. This situation raises questions regarding whether AI-generated logos can obtain copyright protection and who should be recognized as the legal owner of such works.

In Indonesia, intellectual property protection is governed by several statutory regulations. Copyright protection is regulated under Law No. 28 Of 2014 Concerning Copyright, while trademark protection is regulated under Law No. 20 Of 2016 Concerning Trademarks and Geographical Indications.

Based on these considerations, the research questions are:

- 1) How does Indonesian copyright law regulate the legal status of AI-generated logos/brands?
- 2) What legal protection mechanism can be applied to AI-generated logos/brands within the Indonesian intellectual property system?

## **METHOD**

This study uses a normative juridical research method. Normative juridical research examines legal norms contained in statutory regulations, legal doctrines, and scholarly literature. This method focuses on analyzing legal principles and rules governing a particular legal issue in order to understand the legal framework and its application in practice.

Normative juridical research emphasizes the study of law as a normative system. Therefore, the research analyzes legal provisions related to intellectual property law and the legal status of works generated by artificial intelligence within the Indonesian legal system. The research applies several approaches, including:

### **Statutory Approach**

The statutory approach is conducted by examining relevant legislation related to intellectual property rights in Indonesia. This research particularly analyzes Law No. 28 Of 2014 Concerning Copyright and Law No. 20 Of 2016 Concerning Trademarks and Geographical Indications. These regulations are examined to understand the legal framework governing the protection of creative works and trademarks in Indonesia.

### **Conceptual Approach**

The conceptual approach analyzes legal concepts and doctrines related to intellectual property law, authorship, and legal protection. This approach is used to understand theoretical perspectives regarding copyright protection, trademark rights, and the legal implications of technological developments such as artificial intelligence.

### **Comparative Approach**

The comparative approach compares Indonesian legal regulations with intellectual property frameworks in other jurisdictions in order to identify how different legal systems regulate AI-generated works. This approach helps provide broader legal perspectives and evaluate whether existing Indonesian regulations are adequate to address technological developments.

The legal materials used in this research consist of three categories:

#### **Primary Legal Materials**

Primary legal materials include statutory regulations related to intellectual property law, particularly Law No. 28 Of 2014 Concerning Copyright and Law No. 20 Of 2016 Concerning Trademarks and Geographical Indications.

#### **Secondary Legal Materials**

Secondary legal materials include books, academic journals, and legal commentaries discussing intellectual property law, copyright protection, and artificial intelligence.

#### **Tertiary Legal Materials**

Tertiary legal materials include legal dictionaries, encyclopedias, and official publications that provide additional explanations of legal terms and concepts.

The collection of legal materials in this research is conducted through library research, which involves reviewing relevant legal literature, journal articles, and legal documents.

The legal materials are then analyzed using qualitative legal analysis to interpret legal norms and evaluate their application to the issue of AI-generated logos or brands within the Indonesian intellectual property framework.

## **RESULT AND DISCUSSION**

### **Legal Regulation of AI-Generated Works under Indonesian Copyright Law.**

The development of artificial intelligence has significantly influenced the creation process of intellectual works. Artificial intelligence systems are now capable of producing visual designs, digital artworks, and logos through machine learning algorithms and large datasets. These technological advancements have introduced new challenges to traditional legal concepts within intellectual property law.

In Indonesia, copyright protection is regulated under Law No. 28 Of 2014 Concerning Copyright. According to Article 1 of the law, copyright is defined as an exclusive right granted to the creator that arises automatically based on declarative principles once a work is realized in tangible form. The law also defines a creator as a person or several persons who individually or jointly produce a work that has distinctive and personal characteristics.

This definition clearly indicates that Indonesian copyright law is based on the concept of human authorship. The notion of authorship assumes that a creative work originates from human intellectual activity and personal creativity. Therefore, copyright protection traditionally applies only to works created by human beings.

Artificial intelligence systems, however, operate differently from human creators. AI systems generate outputs through computational processes that analyze patterns within large

datasets. These systems do not possess consciousness, personal intention, or legal personality. Instead, they function as technological tools designed to assist or automate certain tasks (Russel & Novig, 2016).

Because of this fundamental difference, the legal status of AI-generated works remains uncertain within copyright law. If a creative work is produced entirely by AI without significant human intervention, it becomes difficult to identify a human author who can claim copyright ownership.

Several scholars have argued that copyright law should adapt to technological developments. According to Abbott (2020), AI challenges the traditional understanding of creativity because machines are increasingly capable of producing works that appear similar to human creations. However, other scholars maintain that copyright protection should remain limited to works created by humans because intellectual property law is fundamentally designed to reward human creativity (Samuelson, 2020).

Within the Indonesian legal framework, the requirement of human authorship creates limitations for recognizing AI-generated works as copyrightable creations. Since AI cannot be recognized as a legal subject, it cannot hold copyright or exercise legal rights. As a result, works generated entirely by AI may fall outside the scope of copyright protection.

Nevertheless, copyright protection may still be possible when AI functions merely as a tool used by human creators. In many practical situations, human users interact with AI systems by providing prompts, selecting outputs, and modifying generated results. These activities involve human intellectual judgment and creative decisions.

In such circumstances, the resulting work may still qualify as a human creation because AI serves only as a supporting tool in the creative process. Therefore, the determination of authorship depends largely on the degree of human involvement in the creation process.

From a legal perspective, this issue reflects a broader challenge faced by intellectual property law in the digital era. The rapid development of AI requires legal systems to reconsider traditional concepts of creativity and authorship in order to maintain legal certainty while supporting technological innovation.

### **Legal Protection of AI-Generated Logos/Brands and Its Implications for Copyright Ownership in Indonesia**

Although copyright law presents limitations in protecting AI-generated works, other intellectual property regimes may provide alternative mechanisms for legal protection. One such regime is trademark law, which plays an important role in protecting commercial identifiers such as logos.

In Indonesia, trademark protection is regulated under Law No. 20 Of 2016 Concerning Trademarks and Geographical Indications. According to this law, a trademark is defined as a sign that can be represented graphically and used to distinguish goods or services produced by one party from those produced by other parties.

Logos commonly function as trademarks because they serve as visual symbols that identify a particular brand. Through trademark protection, businesses obtain exclusive right to use certain symbols or signs in relation to their goods or services.

Unlike copyright protection, trademark protection does not depend on the originality or authorship of a work. Instead, trademark law focuses on the distinctive function of a sign in commercial activities. The primary purpose of trademark law is to prevent consumer confusion and ensure fair competition in the marketplace.

Trademark protection in Indonesia follows the first-to-file principles, which means that exclusive rights are granted to the party who first registers the trademark with the Directorate General of Intellectual Property. This system emphasizes registration as the basis for obtaining legal protection (Gautama, 2015).

Because trademark protection does not depend on the identity of the creator, AI-generated logos can still obtain legal protection through trademark registration. As long as the logo meets the requirements for registration and does not conflict with previously registered marks, it can be legally protected under trademark law.

This legal mechanism provides a practical solution for business that use AI to create logos and branding materials. Companies may utilize AI technology to generate visual designs and subsequently register those designs as trademarks.

From a legal standpoint, this approach ensures that businesses retain exclusive rights to use their logos or brands even when the design process involves artificial intelligence. The protection provided by trademark law therefore serves as an effective mechanism for safeguarding commercial interests in the digital economy.

However, the growing use of artificial intelligence also raises broader legal implications. The increasing ability of machines to produce creative works may eventually require legal reforms in intellectual property law. Policymakers may need to consider new regulatory frameworks that address the unique characteristics of AI-generated works.

International organizations such as the World Intellectual Property Organization (WIPO) have already begun exploring the relationship between artificial intelligence and intellectual property systems. These discussions emphasize the importance of balancing technological innovation with legal certainty in order to ensure that intellectual property law remains relevant in the digital age (WIPO, 2021).

For Indonesia, the challenge lies in adapting existing legal frameworks to accommodate technological developments without undermining the fundamental principles of intellectual property protection. While copyright law continues to emphasize human creativity, trademark law currently provides a more flexible mechanism for protecting AI-generated logos in commercial practice.

Therefore, the interaction between copyright law and trademark law becomes increasingly important in addressing the legal status of AI-generated works. Through this interaction, intellectual property law can continue to provide protection while adapting to the evolving landscape of digital technology.

## CONCLUSION

The rapid development of artificial intelligence has significantly transformed creative processes within the digital economy, including the production of visual works such as logos or brands used for commercial purposes. These technological developments raise important legal questions concerning authorship, ownership, and legal protection within the intellectual property system.

Based on the results of this research, it can be concluded that Indonesian copyright law remains fundamentally based on the principle of human authorship. Under Law No. 28 Of 2014 Concerning Copyright, a creator is defined as a person or group of persons who produce a work with distinctive and personal characteristics. Because artificial intelligence does not possess legal personality, consciousness, or creative intention, it cannot be recognized as a legal subject under copyright law. Consequently, works generated entirely by artificial intelligence may not fully meet the legal requirements for copyright protection within the Indonesian legal framework.

However, copyright protection may still apply when artificial intelligence is used merely as a technological tool in the creative process. In situations where human users provide instructions, select outputs, and modify the results generated by artificial intelligence systems, the resulting work may still be considered a product of human intellectual activity.

Despite the limitations of copyright protection, AI-generated logos may still obtain legal protection through trademark law. Under Law No. 20 Of 2016 Concerning Trademarks and

Geographical Indications, trademark protection is granted to signs used to distinguish goods or services in commercial activities. Trademark protection in Indonesia is based on the first-to-file principle, meaning that exclusive rights are granted to the party who first registers the trademark.

Because trademark protection focuses on the commercial function of a mark rather than the authorship of a work, AI-generated logos can still be legally protected through trademark registration as long as they meet the requirements of distinctiveness and do not conflict with previously registered trademarks.

Therefore, within the current Indonesian legal framework, trademark law provides the most practical and effective legal mechanism for protecting AI-generated logos in commercial activities. Nevertheless, the rapid development of artificial intelligence suggests that future legal reforms may be necessary to provide clearer regulations regarding AI-generated works in the intellectual property system.

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