

**THE RESPONSIBILITY OF PRODUCT ENDORSEMENT BY SOCIAL
MEDIA INFLUENCERS: COMPARATIVE STUDY BETWEEN
INDONESIAN AND UNITED STATES LAW**

Undergraduate Thesis



Written by:

Muhammad Reza Athallah

NIM. 20180610346

Faculty of Law

International Program for Law and Sharia

Civil Law

Universitas Muhammadiyah Yogyakarta

2024

**STATEMENT OF THE AUTHENTICITY OF THE UNDERGRADUATE
THESIS**

I am, the undersigned below:

Name : Muhammad Reza Athallah

NIM : 20180610346

Title of Thesis: **THE RESPONSIBILITY OF PRODUCT ENDORSEMENT
BY SOCIAL MEDIA INFLUENCERS: COMPARATIVE
STUDY BETWEEN INDONESIAN AND UNITED STATES
LAW**

With this declaration the writing of this thesis is based on the results of my research, thoughts, and original presentation. To the best of my knowledge, there are no works or opinions written and published by others except as references or quotations following the usual procedures for writing scientific papers.

I make this statement truthfully, and if in the future there are irregularities and untruths in this statement, then I am willing to accept academic sanctions in the form of revocation of the degree that has been obtained because of this paper and other sanctions by the regulations in force at the University of Muhammadiyah Yogyakarta.

Thus, I make this statement in a conscious state without coercion from Any party.

Yogyakarta, 3 November 2023



Muhammad Reza Athallah
20180610346

DEDICATION PAGE

Alhamdulillahirabbal'alamin

By expressing the greatest gratitude to Allah SWT, thank you for all the blessings in the form of convenience and smoothness in completing this thesis writing, I dedicate it to those whom I really love:

1. Allah SWT
2. My beloved parents, Verry Surya Hendrawan and Irna Fitri Wulandari
3. My dear siblings, Valerie Rafa Vena Athallah and Rafi Keanu Athallah



FOREWORDS

Assalamualaikum Wr. Wb.

Praise and gratitude be to Allah SWT, who continuously bestows His mercy, blessings, and love, enabling the Author to complete this thesis entitled "**THE RESPONSIBILITY OF PRODUCT ENDORSEMENT BY SOCIAL MEDIA INFLUENCERS: COMPARATIVE STUDY BETWEEN INDONESIAN AND UNITED STATES LAW**". This legal writing is prepared to fulfill the requirements for obtaining a Bachelor of Law degree at the Faculty of Law, Universitas Muhammadiyah Yogyakarta. May blessings and peace always be upon the Prophet Muhammad SAW, his family, his companions, and his followers until the end of time.

The Author is fully aware of the shortcomings of this thesis; therefore, any input and suggestions for its improvement are highly appreciated. At this opportunity, the Author would like to express profound gratitude to those who have assisted and guided in completing this thesis. Special thanks are extended to:

1. Prof. Dr. Ir. Gunawan Budiyo, M.P., IPM., ASEAN.Eng., as a Rector of Universitas Muhammadiyah Yogyakarta
2. Prof. Iwan Satriawan, S.H., MCL., Ph.D., as a Dean of Faculty of Law Universitas Muhammadiyah Yogyakarta
3. Sunarno, S.H., M.Hum., Ph.D., as a Head of Law Study Program Universitas Muhammadiyah Yogyakarta
4. Muh. Endriyo Susila, S.H., MCL., Ph.D., as a Secretary of International Program for Law and Sharia, Faculty of Law Universitas Muhammadiyah Yogyakarta
5. My beloved parents, Verry Surya Hendrawan and Irna Fitri Wulandari.
6. My dear siblings, Valerie Rafa Vena Athallah and Rafi Keanu Athallah

In conclusion, may Allah SWT bless this Author's writing, and may it serve as a beneficial reference for younger siblings at the Faculty of Law, especially at Universitas Muhammadiyah Yogyakarta. Thank you.

Wassalamu 'alaikum Wr. Wb.

Yogyakarta, 03 November 2023



Muhammad Reza Athallah
20180610346



TABLE OF CONTENTS

TITLE PAGE	i
APPROVAL PAGE	ii
ENDORSEMENT PAGE	iii
STATEMENT OF THE AUTHENTICITY OF THE UNDERGRADUATE THESIS	iv
MOTTO PAGE	v
DEDICATION PAGE	vi
FOREWORDS	vii
TABLE OF CONTENTS	ix
LIST OF TABLES	xi
LIST OF ABBREVIATION	xii
ABSTRACT	xiii
CHAPTER 1 INTRODUCTION	1
A. Background of Research	1
B. Research problem.....	5
C. Research Objective.....	5
D. Benefit of Research	5
CHAPTER II LITERATURE REVIEW	7
A. Definition of Social Media.....	7
B. Definition of Influencer.....	8
C. Definition of Endorsement.....	9
D. Endorsement Based on Indonesian Law	10
E. Endorsement based on United States law	13
CHAPTER III RESEARCH METHOD	16
A. Type of Research Guides	16

B. Types of Data	16
C. Data Collection Method	17
D. Data Analysis Methods	17
CHAPTER IV RESULT AND DISCUSSION.....	19
A. The social media influencer's obligation in doing endorsements according to Indonesia.	19
B. The social media influencer's obligation in doing endorsements according to United States Law	32
C. Comparison between Indonesian Law and United States Law regarding The Responsibilities of Social Media Influencers in Doing Endorsements	45
CHAPTER V CONCLUSION	63
BIBLIOGRAPHY	
ATTACHMENT	



LIST OF TABLES

Table 4.1 Regulation	46
Table 4.2 Social Media Influencer Legal Position	49
Table 4.3 Social Media Influencer’s Responsibilities	50
Table 4.4 Legal liability of Endorsement	58

LIST OF ABBREVIATION

- EPI : Etika Pariwara Indonesia (Indonesian Advertising Ethic)
FTC : Federal Trade Comission
KUHPER: Kitab Undang Undang Hukum Perdata (Civil Code)
PP : Peraturan Pemerintah (Government Regulation)
UUITE : Undang Undang Informasi Elektronik dan Transaksi Elektronik
(Electronic Information and Transaction.)
UUPK : Undang Undang Perlindungan Konsumen (The Consumer Protection
Act)

