Abstract

Copyright Issues and Legislation on TDM for the Analysis and Utilization of Big Data*

Choi, Sang Pil**

The advanced technique of analyzing big data and collecting information that meets certain criteria is called Text and Data Mining (hereinafter referred to as TDM), and individuals or organizations with these technologies perform TDM to obtain data that suits their work purpose.

The emergence of TDM has the advantage of contributing evenly to the development of all fields of our society, but on the other hand, the use of TDM has the disadvantage of causing various legal problems.

Since many of the contents of big data correspond to works or databases created by others, copying occurs in the process of collecting or storing them, and transmission occurs in the process of sharing such analyzed information with others.

Therefore, if the relevant legal system is not clearly reorganized, it can lead to various legal disputes, which will have a great negative effect on the industry as a whole if the use of TDM is reduced.

Basically, in order for TDM to take place without legal problems, it must obtain the consent of the right holder of the data, but this is practically impossible and undesirable, so it must be resolved in a legislative way that introduces regulations on restrictions on rights.

In line with the current global trend of the 4th Industrial Revolution, discussions or legislation in the normative aspect cannot

be delayed any longer, and it is urgent to establish regulations to control the interests of rights holders and users by setting legal acceptance and limits of TDM.

In this paper, a legislative theory suitable for the situation in Korea is presented in the direction of solving various copyright problems that may arise when using TDM and considering the interests of rights holders.