

**Abstract**

**A Study on Problems and Overseas Cases of the  
Amendment to the Copyright Act on the Additional  
Remuneration Rights of Audio Visual Authors  
- Focusing on Commercial, Economic and Legal Perspectives -**

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Recently, a number of Korean content, such as 〈Squid Game〉 and 〈Extraordinary Attorney Woo〉, are not only loved in Korea but also around the world. Behind this remarkable growth is the deep dedication and efforts of domestic and international industry stakeholders. As number of domestic content garner success around the world, domestic and global production companies are strengthening their investment in Korean content. It means that a virtuous cycle structure in which the success of one content leads to another investment has been established. Currently, Korea's content industry is cruising toward its golden age beyond the growth period.

On the other hand, as the number of successful content increase, there is growing voice among audiovisual creators, including directors and screenwriters, that they are not adequately compensated for the profits generated by their success. In response to these concerns, several amendments to the Copyright Act were proposed to grant additional remuneration rights to Authors, and discussions are still ongoing. However, there are doubts about whether this amendment focuses only on the enhancing the benefits of the Authors and lacks consideration for commercial, economic,

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and legal aspects. First, from the commercial and economic point of view, it seems that the factors that must be considered essential for institutional change, such as disharmony with industrial characteristics, infringement on freedom of contract, and reduction in investment, have not been reviewed. Second, from a legal point of view, it seems that foreign cases and constitutional and legislative considerations were not properly reviewed.

The audiovisual industry involves multiple stakeholders, and our Copyright Act has established Special Cases Concerning Cinematographic Works provision to achieve the ultimate goal of 'creating culture' and to organize the complicated relationship between stakeholders. It took decades for the industry ecosystem to settle into a virtuous cycle system. For these reasons, many stakeholders are concerned that Korean content industry will not reach its golden ages due to the amendment to the Copyright Act. currently pending in the National Assembly.

Therefore, this aims to examine the commercial, economic, and legal considerations of the amendment to the Copyright Act. Like any other business, the content industry may experience growing pains as the market grows. While it is important to establish a reasonable system that may coexist with all stakeholders, legislation may not be the means and will present a reasonable alternative to the amendment to the Copyright Act.

### **Keywords**

Copyright Act, Copyright Act Amendment, Cinematographic Works Author, Cinematographic Works, Additional Remuneration Right, Special Cases Concerning Cinematographic Works

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