

ABSTRACTS

This paper is on the recent revised contents of Japanese copyright act and copyright related acts. Japanese professor Saito Hiroshi classified the legislative history of copyright in Japan under 4 periods. The first period is from 1899 to 1939(old act period). The Second period is 1970 when current act was enacted. The third period is from after 1970 to 1994 when WTO treaty was concluded. The fourth period is from 1996 which is Digi-logue era(Analogue-Digital Mixed Era). In spite of afore-mentioned view, this paper surveys from 1992 when "Compensation for Private Recording" system was adopted.

As we know, and like other developed countries do, for the response to rapidly advancing technological innovations, the emergence of new types of business, and development of globalization etc., Japanese legislator revised the copyright act many times from 1992 and has legislated some specific acts which is closely related to the copyright. After the brief survey of japanese copyright revision history from 1992, this paper focuses on ① Reproduction for private use(§30), ② Public transmission right(including right of "making transmittable" to the public)(§23), ③ the Technological protection measures(anti-circumvention clause) and copyright management information(§2①×× and × xi, §113, §120-2), and ④ IP multicast revised clauses(§38②, §94-2, §95①, §97①, §102③~⑤ etc.) in copyright act. This paper also refers to ① Online Service Provider Responsibility Limitation Act which was enacted in 2001, ② the Act for Collective Management of Copyright and Related Rights which was also enacted in 2001, and ③ the Act for Unauthorized Recording of Motion Pictures in a Motion Picture Exhibition Facility which was enacted in 2007.

Depending on this survey, this paper suggests some revising points to the present korean copyright system.

key words : Anti-circumvention clause, Rights Management Information, Compensation for Private Recording, Online Service Provider Responsibility Limitation Act, the Act for Unauthorized Recording of Motion Pictures in a Motion Picture Exhibition Facility, the Act for Collective Management of Copyright and Related Rights, Public transmission right.