

## ABSTRACTS

The secondary use of phonograms refers to the use of phonograms for broadcasting or for any communication to the public. Sec. 17 of the Korean Copyright Act provides that an author shall have the right to perform his work publicly. However, Sec. 1 of the Korean Copyright Act states that the goal of the Act is to contribute to the development of culture by providing protection to copyright and by promoting fair exploitation of works of authorship. The interests of the public are secured through various limitations and exceptions set forth in Secs. 23 through 38 of the Korean Copyright Act. Sec. 29 of the Act provides that works may be publicly performed or broadcast for a non-profit purpose and without charging any fees to audience or without receiving any fees from else where commercial phonorecords or videogram may be heard or shown for a non-profit purpose and without charging the audience any fees, Sec. 29(2) of the Korean Copyright Act. Furthermore, one of the key issues is to grant producers the right to remuneration for the secondary use of their phonograms for the future amendment of Korean Copyright Act in perfecting neighboring rights.

In this article, I intend to review whether the Copyright Act balances the conflicting interests of an author and the public in the field of music performance and the possibility of the amendment of the Sec. 29(2) of the Korean Copyright Act.

**keywords** : Phonograms, Secondary Uses, International Copyright Law, Section 29 of the Copyright Act, Amendment of the Copyright Act