

Abstract

The Legitimacy of Section 54 of the Korean Copyright Act:

Argument against the paper "Problems of the Copyright Registration System on the Copyright Transfer"

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This paper is for arguing against a paper published in the previous volume of the Copyright Quarterly which has dealt with the applicability of section 54 of the Copyright Act to the double transfer of copyright. It analyzes the provisions of the Civil Law, the Copyright Act, the Trust Act, and Japan's Copyright Management Act. It also deals with the French and German system on copyright transfer, and international norms such as the Berne Convention and the WIPO Copyright Treaty to argue against the theory proposed in the previous paper. This paper intends to correct the misunderstanding on the legitimacy and the applicability of the section 54.

Keywords: Copyright registration, Trust, Copyright transfer, Berne Convention, Formality, Trust law