

## Abstract

### Kinds and characteristics of the remuneration system under the Korean Copyright Act

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Copyright and neighboring right holders may prohibit others from using the copyrighted works without their permission, and they may make profits by exploiting their rights by themselves, or by allowing others to use the works. Accordingly, if users want to avoid the copyright infringement, the need to get permission from the right holders.

On the other hand, the copyright law also has a device to facilitate the exploitation of copyrighted works without making a contract with right holders. That is a remuneration system. The remuneration system is designed to let others use the works without any permission by paying a certain amount, promoting the exploitation of works in a specific case. In a way, the remuneration system substantially limits exclusive rights, facilitating the use of works.

In the digital environments, the comprehensive use of works is required, and an alternative remuneration system needs also be discussed. Before we discuss the new remuneration system, however, it is important to analyze the existing remuneration system because the new system should be incorporated into the existing system. This paper examines the remuneration system of the Korean Copyright Act, with a focus on its characteristics. Then, it provides solutions of how to improve the system.

Keywords : Remuneration system, Three step test, A collecting society for remuneration, Undistributed remuneration, The claim to remuneration, Statutory license, The centralized control system, Extinctive prescription