

**Abstract**

**Changes in the Copyright Law of Korea for the  
Implementation of the International Treaties**

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This paper is focused on the amendments to the Copyright Act of Korea following the accession to the international treaties in respect of copyright and neighboring rights. It introduces background information based on the preparatory documents published by the National Assembly and reviews briefly the salient features of the amendments.

The Korean government concluded in 1986 the "Record of Understanding on Intellectual Property Rights" with the U. S. counterpart. After the conclusion of the historic treaty, Korea enacted the new Copyright Act at the end of the same year and acceded to the Universal Copyright Convention (UCC) and Phonograms Convention in the following year in compliance with the treaty obligations. The new Act drew a line between copyright and neighboring rights in accordance with underlying principles in the Berne Convention and the Rome Convention respectively. Foreign works became protected after the first publication in the Contracting States of the UCC.

The TRIPS Agreement also affected Korea's copyright regime tremendously. Its Copyright Act was amended twice for implementing the TRIPS Agreement by extending the term of protection for performers and phonogram producers from 20 to 50 years and by providing retroactive protection for foreign works and other subject matter already protected in the TRIPS member countries, among others.

Korea amended several times its Copyright Act in order to incorporate the substantive provisions of the WCT and the WPPT.

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The amendments were aimed to grant the right of public transmission to authors and the right of making available to performers and phonogram producers, and to protect technological measures and rights management information.

### **Keywords**

Record of Understanding on Intellectual Property Rights, UCC, Geneva Convention, Phonograms Convention, Berne Convention, Rome Convention, WCT, WPPT, Amendments to Copyright Act