

Abstract

**The Study on the Protective Provisions of Author's Copyrights
(Economic Rights) and their Legislative Changes since the
Enactment of 1986 Copyright Act**

Park, Seong-Ho *

The Copyright Act of 1957, after 30 years of enforcement, was replaced by the Copyright Act of 1986. The Copyright Act currently in force was enacted in 1986 as Law No. 3916, and became effective on July 1, 1987. The 1986 Act is a comprehensive revision to the 1957 Act, which was designed to protect the rights of authors in their works of authorship and neighboring rights (namely, performers' rights, phonogram producers' rights, and broadcasters' rights), and to reflect subsequent developments. The 1986 Act was amended again in 1994, 1995, 1997, 2000, 2003, 2004, 2006, 2009 and 2011.

The purpose of this paper is to study on the protective provisions of author's copyrights (economic rights) and their legislative changes since the enactment of 1986 Copyright Act. The Copyright Act provides a set of exclusive rights of author's copyrights (economic rights). The lists are as follows : the right of reproduction (Article 16); the right of performance (Article 17); the right of public transmission (Article 18); the right of exhibition (Article 19); the right of distribution (Article 20); the rental right (Article 21); the right of preparation for a derivative work (Article 22). Among various rights listed above, the most fundamental right is reproduction right. The essence of this right granted by the Copyright Act is the right of the author to authorize the making of copies of his work. Among above amendments, the major amendments to the reproduction right were the 2000 and 2011 amendments. The former established a set of in

* Professor, School of Law, Hanyang University

the Copyright Act to make it more suitable to protect digital copyrighted works under the internet circumstances. The latter was the Korea-United States Free Trade Agreement Implementation Act. First of all, this paper discusses the reproduction right focusing on the conceptive changes of the term "reproduction" which is defined by Article 2 (xxii), especially in relation to the meaning of "the reproduction in a tangible form". Besides that, this paper also discusses the legislative changes of author's other copyrights (economic rights) relating to the use of copyrighted works in the digital environment.

Keywords

1986 Copyright Act, Author's copyrights (economic rights), Right of reproduction, Reproduction in a tangible form, Right of performance, Right of public transmission, Right of exhibition, Right of distribution, Rental right, Right of preparation for a derivative work