Abstract

Korea's Copyright Law and Internet

Lee, Dae-Hee *

This paper aims to discuss how copyright law has met challenges internet mounted. At first, this paper focuses on the international copyright norm dealing with internet issues such as WCT and WPPT. And it explores the recent international internet issues on limitations to network or website access like SOPA or PIPA in US and the Digital Economy Act in UK. And then it discusses how Korea's copyright law has dealt with internet issues by legislating rights of making available of works to the public, technological measures, ISP safe harbors, rights management information, and filtering technologies. Secondly, this paper deals with case law on internet in detail. Korean courts have played important roles forming internet-related copyright norms. Good examples are decisions on P2P file sharing, music streaming, ISP liability, and webhard. Sometimes courts have difficulty applying copyright norms, like private use exceptions or fair use, on internet. This paper expects that internet-related copyright law will resolve more copyright issues that internet will raise in the future.

Keywords

Internet, Copyright, WCT, WPPT, Electronic transmission right, Rights management information, Filtering technologies, Technological measures, ISP, Circumvention, FTA, Fair use, Thumbnail, Private use, P2P, Webhard

^{*} Professor, Law School, Korea University