

**Abstract**

## **Study on the 'Filtration' Process of Computer Program Copyright**

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In Korea, the number of copyright infringement cases is increasing in computer programs. It is necessary in computer program infringement cases to decide the substantial similarity of non-literal component. But courts seem to focus on the similarity of literal components such as source or object code. Moreover, they pay less attention to the 'filtration' process which is applied in judging the scope of program copyright protection. While it is necessary to decide whether components are protectable or not in judging substantial similarity, it is not easy to determine whether they may be protected by copyright. Most of copyright infringement cases on computer programs in the United States seem to focus on substantial similarity of non-literal components and the 'filtration' process.

This paper analyzes foreign cases and categorizes them into i) Application Program Interface (including taxonomy of API, interface specification, data file format, emulator), ii) User Interface (including command menu organization, command code, input output format, editor, GUI), and iii) others (including data model, file structure, constant, etc.). And this paper suggests some proposals which will be used in deciding copyright infringement in computer programs.

**Keywords**

computer program copyright, substantial similarity, Abstraction-Filtration-Comparison test, filtration process, application program interface, user interface

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