

Abstract

Joint Works and Exercise of Copyright Economic Rights
- Focusing on Analysis of the Supreme Court Decision 2012Do16066
Decided December 11, 2014. -

Kim, Byungil*

Recently collaborative creation is often a fruitful and productive way for author to work. Copyright recognize this kind of creation through the notion of joint authorship.

Joint ownership of copyright results either from transfer of partial ownership or from joint works created through the combined efforts of more than one person in which the contribution of each person may not be separately exploited, section 2(21) of Copyright Act. Reflecting the combined efforts by authors, the Copyright Act provides special rules for joint works. Their rights can be exercised only with the unanimous consent of all the joint owners and each co-owner may not transfer or pledge his/her share without consent of the rest, Secs. 15 and 48.

The study aims to analyze the Supreme Court Decision 2012Do16066 Decided December 11, 2014 and examine the concept of joint authorship and to suggest the legal interpretation for 'joint intention' requirement and exercise of copyright rights.

Keywords

collaborative creation; joint authorship, joint works, joint intention, exercise of copyright rights

* Professor, Hanyang University of Law