

**Abstract**

## Vitalizing the Right to Make Derivative Works

Roh, Hyeon Sook\*

The right to integrity, in communion with a creator, is one of the most important rights regarding copyright and needs to be integrally protected. However, the excessive focus on the right to integrity would deprive the reason for existence of the right to make derivative works.

The right to make derivative works lets derivative works created on the basis of original works, and, therefore, plays a critical role in revitalizing cultural creation. The right to make derivative works could foster an appreciation of original works and influence the artistic values of original works and moral rights of original creators, and can endow existing works with new values. Thus, the revitalization of derivative works can promote a cultural environment and positively influence creators of original works. That is, the right to integrity and the right to produce derivative works are interconnected in an inseparable way, and the right to integrity seems to have the characteristics of an economic right as well as a moral right.

Therefore, in order to foster a cultural environment, encouraging creation of derivative works, the right to integrity would be claimed only before the right to produce derivative works is not permitted and should not be claimed against the permitted thirty who is permitted to obtain the right to produce derivative works.

**Keywords**

right to integrity, right to produce derivative works, derivative works, moral right, economic right, complement goods, substitute goods

---

\* Ph.D. in Law, Research Professor at Korea University