

Abstract**A Study on Legal Protection of Audiovisual Performances
- focused on Beijing Treaty on Audiovisual Performances -**

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In the digital era there have been international discussions on the protection of performers, and in consequence, the “WIPO Performances and Phonograms Treaty (WPPT)” was concluded in 1996, and Korea joined the WPPT on 18 December 2008, and put it into force on 18 March 2009. However, the object to be protected according to the WPPT was only visual performers, not audiovisual. On this account, the issue on how to protect audiovisual performers was discussed in the international level, and on 24 June 2012 the Beijing Treaty on Audiovisual Performances was finally concluded, but Korea did not yet sign, and the Treaty has not come into effect. In comparison with the WPPT, the Beijing Treaty even strengthens the protection of audiovisual performances, and gives moral rights as well as proprietary rights as exclusive right to audiovisual performers. The Korea Copyright Act regulates special cases concerning cinematographic works, which gives some exclusive rights to audiovisual performers. However, the Korean Copyright Act does not recognize compensation right as well as commercial right to lease to audiovisual performers. The author makes a comparative study of the Korea Copyright Act with the Beijing Treaty, and analyzes some aspects to be reviewed in case that Korea will sign the Beijing Treaty in future.

Keywords

Audiovisual performers, Beijing Treaty, WPPT, Special cases concerning cinematographic works, Exclusive right, Compensation right