

**Abstract**

**A Study on Legal Accountability of Hyperlink**

- Exploring for legal and illegal boundaries through case analysis

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A hyperlink is a basic property of the Internet. The sharing of information through hyperlink has also helped greatly a copyright law to achieve its own purpose. Just as with all media technologies, hyperlink can also be exploited for illegal use.

We have seen that the court in Korea can not identify the link as the duplication or the transmission. ‘The End of Ownership’ has come to reality, and legal assessments of links need to be reconsidered. Rather, the Supreme Court denied the link site operator’s responsibility for an accessory to an infringement in the so-called ‘chuing.net’ incident, causing social controversy. Of course, most links are legitimate. However, malicious, massive, continuous pursuit of profit is illegal.

In this article, the possibility of the principal offender has not been ruled out, as well as an aiding or abetting accessory. In addition, the legal criterion is derived from case analysis. It is very difficult and important to define the boundary between legal and illegal. It should be able to not only take judicial consideration into account, but also weigh the industrial wavelength as well as the public sentiment. So as not to bring about a chilling effect, it is necessary to seek the center of gravity between the protection of copyright and the freedom of link.

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## Keywords

Hyperlink, Internet, Freedom of Expression, Copyright, An Accessory to a Crime, Chilling Effect

## 참고문헌

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