

**Abstract**

## Enactment of the First Copyright Law in Korea

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This paper is looking at the legislative process for the first copyright law in Korea, and examining the main characteristics of the law in terms of the system and organization.

For 12 years after the liberation, Japanese copyright law had been effective in Korea. It was in 1957 when the first copyright law of Korea was enacted and enforced. This paper examined various preparatory documents made by the legislature and the provisions of the law and found a series of strenuous efforts to overcome Japanese copyright law at that time. First, the legislative body understood exactly the nature of copyright law and the principle of automatic protection and reflected those elements in the law. Second, in accordance with underlying structure of the Berne Convention, the articles were organized and the contents composed. The work of authorship is defined in an indirect manner by presenting a list of works, and the creator of the work is defined as an author, and the author has exclusive rights for a bundle of rights. This structure and organization of the law was ground-breaking at that time. Third, the legislators adopted the dualism by dividing the copyright into moral rights and property rights.

Summing up, the National Assembly, as proclaimed in the draft, enacted the Copyright Act of 1957 “based on the system of the Berne Convention, not on the colonial Japanese copyright system.”

**Keywords**

Enactment of Copyright Law, Copyright Act 1957, Old Law, Japanese Copyright

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Law, dualism, Berne Convention, Summary of the Draft Copyright Act

### 주요참고문헌

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