

Abstract

Judgment of Copyright Infringement of Software Running on Multiuser Systems

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Contrary to the computer program copyright holders wanting to control users even after the software is sold, users, especially the organizations want to minimize the amount of program installation or control the number of server accesses, thereby lowering the cost of software. So in that reason, Multi-user computer system has been created by the user. However, In terms of a copyright holder perspective, a multiuser system that looks like one computer but can be used by multiple users at the same time become a problem. It causes a conflict of interest between the users who want to buy less software and the copyright owners who want to sell the desired quantity. Also, this can be seen as the development of technology provides a new way of use, which could lead to unexpected new violations by the user. This article critically analyzed the Supreme Court verdict on the use of software by multiple users to infringe the copyright holder's exclusive rights. The judgment should have determined that the reproduction by the usual installation and by the installation in a multi-user system would be different. It should also have been judged that there is no misunderstanding about the type of the computer-memory in which the temporary copy and the copying for the private use. If multiple users simultaneously and independently use the same program installed on a single computer through a multi-user system, reproduction by installation, reproduction by temporary use and infringement of transmission rights may occur.

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Keywords

Temporary Reproduction, Temporary Copy, Multiuser System, Multiuser PC, Software Copyright, MEDUSA System

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