

Abstract

**A Study on the Application of the Criminal Procedure Act
and the Criminal Act against the Recent Copyright
Violations***

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Among the copyright act regulations, articles (penelty provisions) 136, 137 and 138 that stipulate criminal punishment, Article 139 of the confiscation, Article 140 of the complaint, and Article 141 of the joint penal provisions will be related to the criminal law and the criminal procedure law system. In the criminal justice system, individual regulations subject to criminal punishment in the copyright act fall under individual provisions to which the general provisions of the criminal law apply. According to Article 8 of the Criminal Law, "The general provisions of this Act shall also apply to such crimes as are provided by other Acts and subordinate statutes unless provided otherwise by such Acts and subordinate statutes." Thus, criminal proceedings are carried out in violation of the provisions of the copyright act, and criminal procedures are carried out in accordance with the criminal procedure act. Therefore, in this paper, I studied on the cases in Specifying the Facts Charged, Inclusive Crime, and Joint Principal Offender who conspired to commit a crime were problematic among the Supreme Court cases related to the Criminal Law and the Criminal Procedure Act.

There may be differences between the criminal and copyright law circles when interpreting the provisions of the penal provisions stipulated in the copyright. However, if you look at the relationship, the interpretation of criminal law and criminal procedure law becomes the basis, and the interpretation is completed by considering the characteristics of copyright law.

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Thus, the value of criminal law to reduce the penalty could be applied equally.

Keywords

Specifying the Facts Charged, Inclusive Crime, Joint Principal Offender (who conspired to commit a crime), Copyright Act, Criminal Procedure Act, Criminal Act