

Abstract

The Reargument on Legal Issues regarding  
'Reproduction' in Copyright Act of Republic of Korea  
- Focused on Supreme Court Decision 2016Do15974 Decided on  
May 10, 2019 -

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This Article contains that it is an elucidation to reconfirm the legal definition and concept of the terminology 'reproduction' through *Supreme Court Decision 2016Do15974 Decided on May 10, 2019*, and also it is to take a close look legal issues which can arise with the legal definition of the reproduction in current Copyright Act of Republic of Korea (ROK). The former shows it is not problematic to apply the reproduction under Article 2 to other copyright case, except the conceptual confusion, while the latter is necessary to demonstrate what the reproduction defines, and what the intrinsic factors are in the definition of reproduction.

The legal terminology of reproduction refers to the fixation in any material form(or a tangible medium) in Copyright Act of United States, Germany, France and Japan. However, the same terminology means the temporary or permanent fixation of works in a tangible medium or a remaking of works in ROK. The difference between ROK and other jurisdictions comes from what the fixation of copyrighted works comprehends. The fixation links to the duration that continues to store or contain the works, and a tangible medium is physical objects which can perceive the works.

In order to prevent the confusion of the legal terminology here, the legal definition of reproduction must be revised into the simple

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fixation without unnecessarily descriptive additions which has already taken intrinsic factors such as 'a remaking of works', 'temporary', 'permanent' of the current definition under Article 2 up. Then they will get throw away undesirable classification of three types of the reproduction.

**Keywords**

reproduction, right of reproduction, ways of reproduction, temporary storage, fixation, storage