

Abstract

A Study on Ways to Improve the System on Request for Information Provision of the Pirates and Transmitters under the Copyright Act

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Despite the fact that copyright infringers are being distributed in large quantities through the rapidly developed high-speed information and communications network in recent years, there is no system under the current legislation that allows copyright owners to directly request the online service provider (OSP) to disclose the infringer's information. Even if the company voluntarily discloses user identity information, it may violate the Act on Promotion of Information and Communications Network Utilization and Information Protection (Information and Communications Network Act). The copyright holder can obtain effective remedy only when he uses OSP's services to secure the identity information of the person who infringes his copyright.

The purpose of the 'Request System for Requesting Information on Replicators and Transmitters' is to provide a procedure for the copyright holder to obtain the identity information of the infringer from the OSP within the scope necessary for litigation in order to obtain relief for copyright infringement. However, as requests for information provision are made indiscriminately even for minor copyright infringers, concerns about personal information infringement are increasing. This article examines the specific details of the information provision request system regarding the copy/transmitter, and furthermore, reviews the Information and

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Communications Network Act that stipulates the same system and foreign legal systems to solve the problem of abuse of information provision request.

Keywords

Information Provision, subpoena, Pirates and Transmitters, online service provider(OSP)