

**Abstract**

## **Toward Establishing the Guidelines for Metaverse Copyright: A Preliminary Investigation**

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For some time now, academics have raised the issue of the urgency of establishing 'Guidelines for Metaverse Copyright'. Recently, the government has also considered enacting guidelines as a policy matter. This paper conducts a pilot study that identifies issues, summarizes implications, and suggests directions for future discussions.

The current copyright law does not address the challenges posed by the metaverse environment. Fair use provisions in the form of so-called general or open-ended clauses can fill this gap. This paper analyzed the current state of judicial practice of general fair use clauses and identified important keywords such as transformative use, profitability, market substitution, and credit attribution.

Subsequently, the terms and conditions of major service providers were reviewed, aiming to incorporate their rights handling practices into the guidelines. It was noted that blanket licenses for UGC and excessive exemptions, which have been practiced in the past, may be considered as unfair terms and conditions. Further, this paper analyzes raw data from the Korea Copyright Commission's consultation center to investigate public interests in metaverse copyright and identify issues by subject.

Copyright guidelines don't emerge overnight. Hopefully, this pilot study will lead to in-depth research and suggest a sustainable win-win balance.

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**Keywords**

Metaverse, Guideline, Copyright, Fair use, Article 35-5, Terms and Conditions