

**Creative Content Korea:  
South Korea's Copyright  
Policies and Enforcement  
Methods  
in the Age of  
Technological Convergence**

**Atty. Joan P. Serrano**

# Background of Study

- Training program for Copyright Law sponsored by the Korean Copyright Commission for Deliberation and Conciliation (CCDC), 2006
- “Culture Industry” - TV series, movies, music, games, animation, etc.
- “Korean wave”

# The Problem

- Advances in Technology is bringing about advances in copyright infringement also
  - Online piracy
  - New players: internet providers
  - Immediate solution: strike a deal with internet providers
  - Long-term solution?

# Strong Administrative Arm (CCDC)

- Central agency in charge of copyright registration, crackdown on piracy, etc.
- Use of online system for registration of works
  - Application form available online
  - Fees published online, pay online via credit/debit cards
  - Sign documents using digital signatures
- “Works” refer to original intellectual creations such as books, articles, musical compositions, drawings, paintings, sculptures, ornamental designs, illustrations, photographic works, audiovisual and cinematographic works, or computer programs.

# Collecting Societies

- Trust Management system (authors assign copyright to Collecting Societies)
  - Right of reproduction; dramatization, translation, adaptation, abridgment, arrangement or other transformation; first public distribution; public display; public performance; and other communication to the public such as broadcasting and electronic transmission.

- KOMCA (Korea Music Copyright Association) – public performance rights, mechanical reproduction rights, synchronization rights
- KAPP (Korea Association of Phonogram Producers) - sound recording rights of music producers
- FOKAPO (Federation of Traditional Korean Art Performers' Organizations) - neighboring rights of performers
- KOCCA (Korea Culture & Content Agency) – traditional designs (in digital form)
- KOSA (Korean Society of Authors) – literary works

- Hence, general public go to Collecting Societies to apply for license to use copyrighted work, not to the authors
- Available online - download the forms, pay online and use digital signatures
- Convenient for both parties
- Collecting Society has advantage of economies of scale; efficient collection

# War with Online Piracy

- Filing of actions in court
- Creation of illegal contents tracking system

# Creating New Business Models

- Online legal market
- competitive prices

# Conclusion

- use technology to make it easy for the public to observe and respect copyright