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A Study on Copyright for the Development of Digital Information Resources

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Jae-Hyun Hong

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(Professor, Library & Information Science Dept., Joongbu University, jhhong@joongbu.ac.kr)

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ABSTRACT

Digital library in knowledge-information-based society of the 21st century should develop legally various digital information resources in order to provide information services to users. This study analyzes and examines in detail the related provisions of copyright law relating to the development of digital information resources(digitalized works, electronic books, electronic journals, electronic reserve materials etc.). This study also points out the problems of the current Copyright Act and proposed Copyright Act of Korea. And it suggests necessary measures and improved plans to promote the development of digital information resources.

KEYWORDS

Database, Digital Information Resource Development, Digitalization, Copyright Law, Electronic Book, Electronic Journal, Electronic Reserve Material

1. 가 . ,
21
. 가
가.
가
(electronic book) (electronic
journal)
(license agreement)
가.
가 (archiving)
가.

(electronic
reserve materials)
가.

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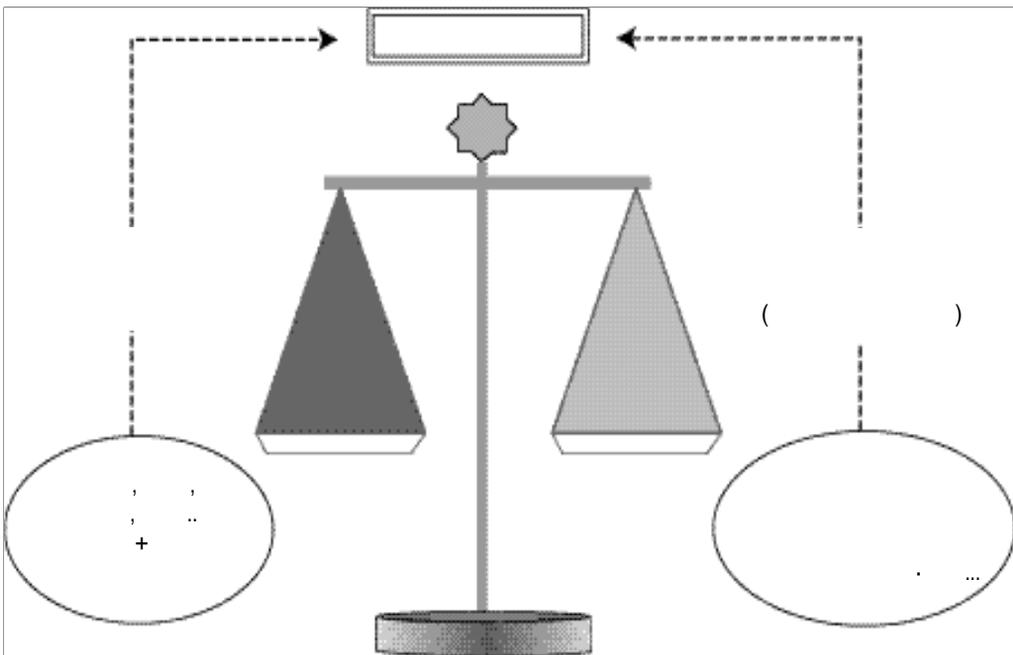
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(copyright infringement)가

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가
가

가
(exclusive)

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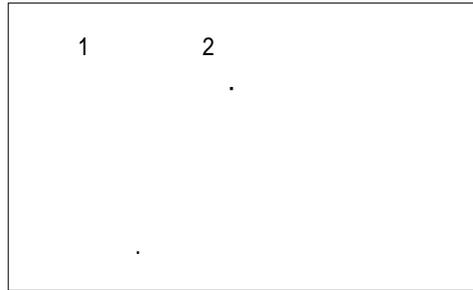
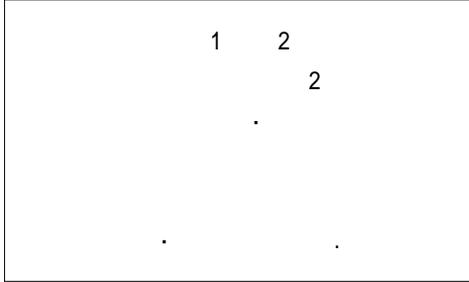
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(1998),

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CD-ROM, DVD

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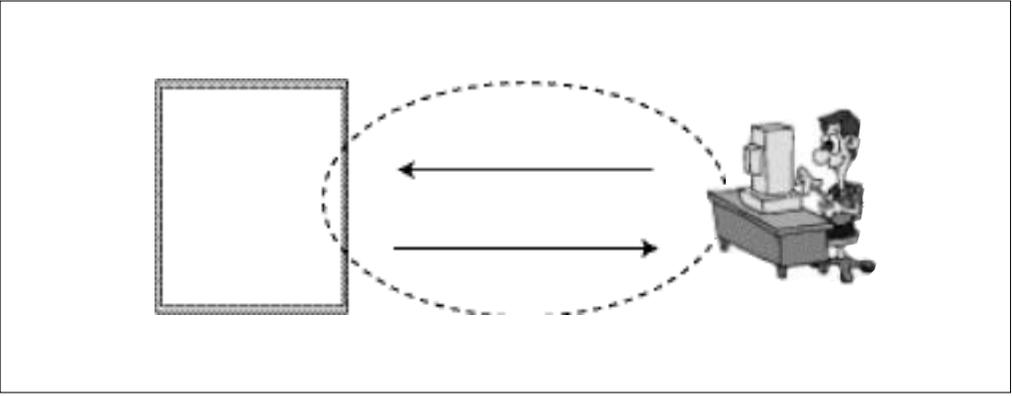
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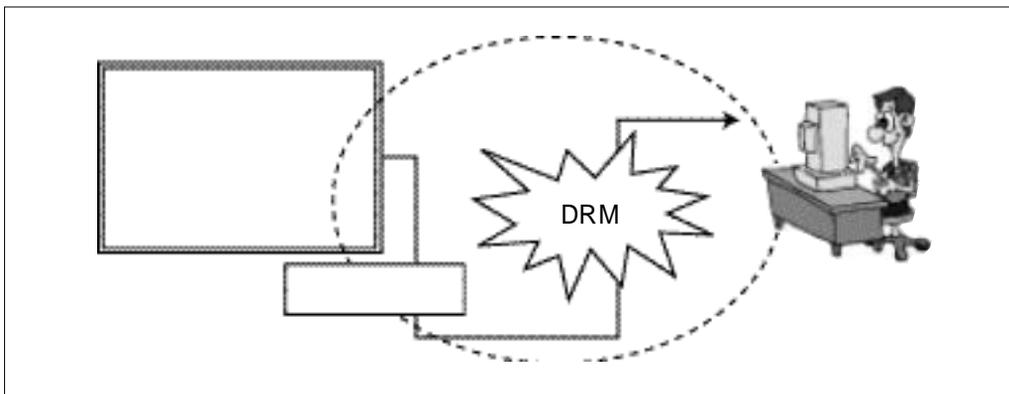
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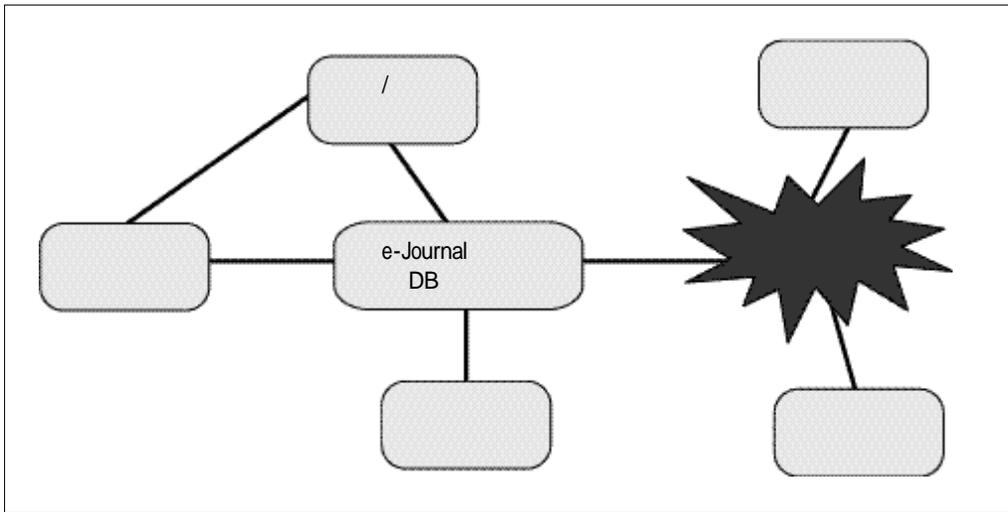
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DBPIA
(KSI)
(Riding the Bullet)가 , (KERIS)
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(site license)
(consortium license)
CD-ROM
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(licensor) (licensee)

(<http://www.arl.org/scomm/licensing/principles.html>).

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(distance
education, distance learning)

(ongoing access)
(back data)

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(back file)

(electronic
reserve service)가
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2000).

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(a) (Register of Copyrights)

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(b) : (a)

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(Copyright and Digital Distance Education)

가 (<http://www.ala.org/washoff/distanceeducation.pdf>).

4) TEACH Act

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가 가

2001 (Technology, Education, and Copyright Harmonization Act of 2001) 2001 7 가 (reasonable and limited) 5 2002 (TEACH Act : Technology, Education, and Copyright Harmonization Act) 2002 11 2

(http://www.copyright.iupui.edu/dist_learning.htm).

TEACH Act 가

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TEACH Act (<http://www.ala.org/washoff/teach.pdf>).

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TEACH Act가

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University of South Dakota I.D. Weeks
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(<http://www.usd.edu/library/ereserve.shtml>).

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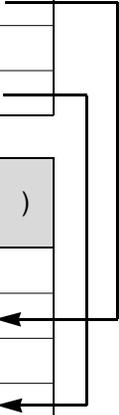
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TEACH Act

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- IDEAL 『 』 33(3) : 327-357.
- 』 32(4) : 419-447. 許煥成. 2000. 『2000 新著作權法 逐條解說』
- . 2001. 上』 : .
- 『 』 18(3) : <<http://www.barobook.com>>
- 139-157. com>
- . 2001. . <<http://www.booktopia.com>>
- 『國會圖書 館報』 38(2) : 19-33. . <<http://www.ebk.or.kr>>
- 李京胤. 1998. 『 圖書館 著作權法上 American Library Association(ALA). 1997.
- 問題點 活性化 方案 研 Principles for Licensing Electronic
- 究 : 著作物 化 Resources. [last modified : October 6,
- 形式 著作物 利用 中心 』 1997] <<http://www.arl.org/scomm/licensing/principles.html>>
- . 2002. 『 』 가 』 Bebbington, L. W. 2001. " Managing
- . 2002. 『 』 Content: Licensing, Copyright and
- 』 () Privacy Issues in Managing
- <<http://www.korla.or.kr>> Electronic Resources." Legal
- . 2002. Information Management, 1(2) : 4-12.
- 『 』 39-55. Copyright Management Center. 2002.
- . 2001. Overview of Copyright and Distance
- 『情報管理 Learning <<http://www.copyright.iupui.edu/distlearning.htm>>
- 學會誌』 18(4) : 127-141. Crews, Kenneth D. [June 3, 1999].
- . 1999. Summary of U.S. Copyright Office
- Report on Distance Education.
- 『 』 11(14) : 1-13. <<http://www.copyright.iupui.edu/dist-edsum.htm>>
- . 2000. Crews, Kenneth D. [Revision: September 30, 2002] New Copyright Law for

-
- Distance Education : The Meaning and Importance of the TEACH Act. <<http://www.ala.org/washoff/teachsummary.pdf>>
- Croft, J. B. 2001. " Model licences and interlibrary loan/document delivery from electronic resources." *Interlending & Document Supply*, 29(4) : 165-168.
- Distance Education Exemption. [January 2001]. <<http://www.ala.org/washoff/distanceeducation.pdf>>
- Fair-Use Guidelines For Electronic Reserve Systems. [Revised March 5, 1996] <<http://www.utsystem.edu/ogc/intellectualproperty/rsrvguid.htm>>
- Gasaway, L. N. Balancing Copyright Concerns : The TEACH Act of 2001. <<http://www.educause.edu/ir/library/pdf/erm01610.pdf>>
- Hatfield, Amy. 2001. " Content Analysis of Restrictive Publisher Copyright Policies for Electronic Reserves." *Journal of Interlibrary Loan, Document Delivery & Information Supply*, 11(3) : 81-101.
- I.D. Weeks Library Electronic Reserves. [Last Modified : January 09, 2002] <<http://www.usd.edu/library/weeksres.html>>
- Klinefelter, Anne. 2001. " Copyright and Electronic Library Resources : An Overview of How the Law Is Affecting Traditional Library Services." *Legal Reference Service Quarterly* 19(3/4) : 175-193.
- McGinnis, L. G. 2000. " Bringing Order Out of Chaos : The Challenge of Managing E-Reserves Copyright Permissions." *Journal of Interlibrary Loan, Document Delivery & Information Supply*, 11(2) : 39-49.
- Technology Education and Copyright Harmonization Act (the TEACH Act) <<http://www.ala.org/washoff/teach.pdf>>
- The TEACH Act : Finally Becomes Law. [last updated : October 18, 2002]. <<http://www.edu/ogc/intellectualproperty/teachact.htm>>
- University of California Libraries Collection Development Committee. 1996. *Principles for Acquiring and Licensing Information in Digital Formats*. [last update : 6/12/96]. <<http://sunsite.berkeley.edu/Info/principles.html>>