

# Statutory License for Education

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Prof. of Law  
Korea University School of Law  
it-law@korea.ac.kr

# □ Limitations of Rights for Education

● Under Korea's Copyright Act, exclusive rights may be limited for **educational purposes**:

**1. Use of works in textbooks**

**2. Classroom use**

**3. Use by students**

# □ Use in Textbooks

## 1. Use of works in textbooks

**Copyright Act Article 25(Use for the Purpose of School Education, etc.)** (1) A work already being made public may be reproduced in **textbooks** to the extent deemed necessary for the purpose of education at **high schools, their equivalents or lower level schools.**

# □ Use in Textbooks

## 1. Use of works in textbooks

● A work may be reproduced in **textbooks necessary for the educational purpose** of **high schools or their lower level schools.**

➡ Applies only to secondary schools or their lower level schools (**elementary schools & kindergarten**)

➡ Not applied to textbooks used at **colleges or universities**:  
license is necessary from copyright owners

➡ Applies **only to textbooks**; in the form of books, phonograms, videos, and electronic books

# □ Use in Textbooks

## 1. Use of works in textbooks

● **Use** of works in textbooks **is not free**

➡ Authors of textbooks need not license; but need to **pay remuneration** to copyright owners ➡ **a kind of statutory license**

● **KORRA**

➡ **Collects & distributes this remunerations**

-- **Challenges?** How to distribute or dispose of **undistributed**

**remunerations?** ➡ Difficult to find authors whose works are used in textbooks

# □ Use in Schools


## 2. Classroom use

**Copyright Act Article 25(Use for the Purpose of School Education, etc.)**

(2) **Educational institutions** established by special laws, the Elementary and Secondary Education Act, or the Higher Education Act or operated by the state or local government may reproduce, and **educational support institutions** perform publicly, broadcast or conduct interactive transmission **a part of a work** already being made public to the extent deemed necessary **for the purpose of class**. Provided that the use of the **whole parts of a work** is deemed inevitable in the light of the nature of a work, and the purpose and manner of its exploitation, etc., use of the whole parts of the work shall be permissible.

# □ Use in Schools

## 2. Classroom use

● **Use** of works in classrooms is **free in high schools or lower level schools**; but **not free in colleges or educational support institutions**; colleges need to pay remunerations after use  a kind of **statutory licenses**

### ● Colleges

- **KORRA**: supposed to collect & distribute remunerations from 2014
- Annual or pay-per-use remunerations
- Annual remunerations: \$1.2 per students

### ● Educational support institutions

- **KORRA**: supposed to collect & distribute from 2015

# □ Statutory License for Education

## 3. Use by students

### Copyright Act Article 25(Use for the Purpose of School Education, etc.)

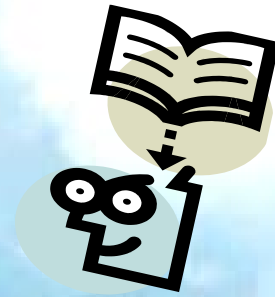
(3) **Students** person who attend the educational institutions described in Paragraph (2) may reproduce or interactively transmit a work already made public within the limit stipulated in Paragraph (2) to the extent deemed necessary for the purpose of classroom education.

➡ Close to private use or fair use; not easy to enforce copyright against students



[ T h e E n d ]

Any Questions?



Feel free to contact at

[it-law@korea.ac.kr](mailto:it-law@korea.ac.kr)