Educational Copyright Examination

report

March 9, 2024

substance

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  + Differences between copyright and ownership
  + Copyright as an intellectual property right
  + Meaning of the word "copyright"
* copyright
  + Copyright requirements
    - Definition of copyrighted work
    - "Thought or Feeling"
    - Creativity
    - expression
    - Other issues related to copyrightability
  + Examples of copyrighted works, etc.
    - Examples of copyrighted works
    - Copyrighted works that are not subject to rights
    - Applied Arts
  + Special Copyrighted Works
    - Derivative works
    - Editorial works
    - Database Copyrighted Works
    - Joint Authorship
* author
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    - Presumption of authorship
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    - What is a work for hire?
  + Copyright of cinematographic works
    - What is a cinematographic work?
    - 影画の著作物の著作者と著作権者

# Moral Rights

‣ Moral Rights

‣ What are moral rights?

‣公訩・Clan name means 権・Identity is maintained

‣ Right to Publish

‣ Right to display your name

‣ Right to Maintain Identity

‣ Response in the event of infringement of moral rights

‣ Claims for discontinuation, damages, and restitution of unjust enrichment

‣ Measures for reparation, after the death of the author or performer

Measures for the Protection of Personal Interests

# copyright

‣ General Remarks What is Copyright?

‣ Branch power

‣ Reproduction rights

‣ Performance rights and performance rights

‣ Screening rights

‣ Right of public transmission, etc.

‣ Dictation Rights

‣ Exhibition Rights

‣ Distribution Rights

‣ Assignment Rights

‣ Exhaustion of the right of assignment

‣ Lending rights

‣ Translation and adaptation rights

‣Secondary works 物にかかわるOriginal author の権利  
‣General remarks

‣ What are copyright restrictions?

‣著作権の制限(私用)

‣ Reproduction for private use

‣ Applicable requirements

‣著権の制限(教育・図书馆関係)

‣ The concept of reproduction in libraries, etc., and the concept of reproduction in libraries, etc.

‣ What is a "library"?

　 ‣Publication in textbooks, etc.

　 ‣ Reproduction in schools and other educational institutions

　 ‣What is "Classroom Process" and "Educational Institution"?

　 ‣ Reproduction as an exam question, etc.

‣著作権の制限(引用・転載)

　 ‣ What is a "citation"?

　 ‣ Citation Requirements and Effects

‣著権の制限(非営利无免费)

　 ‣ Non-profit free screenings, etc.

‣ Copyright Restrictions (Other)

　 ‣ Mass communication, program works, art works, disability related

　 ‣ Private Recordings

　 ‣ Significance of technical protection measures and reproduction of circumvention of technical protection measures

Duration of protection of copyrighted works

‣ Principle of Duration of Protection

　 ‣保護期間の始期と存続期間

　 ‣ Duration of protection for each work

‣ Exceptions to the Period of Protection

　 ‣ Reciprocity

　 ‣ Wartime Accrual

著作権の変動と著作物の利用

‣ Variation of rights

　 ‣ Transfer of Copyright

　 ‣ Special provisions regarding assignment (special provisions of Articles 27 and 28)

‣ Use of Copyrighted Works

‣ License

‣ Establishment of publishing rights

‣ Pledge

Registration of copyrights

‣ Copyright Registration

‣実名、発行年月日等の登録

‣ Registration of copyrights to counter third parties

‣ Registration of the date of creation of the work of the program

‣ Special Provisions for the Registration of Program Copyrighted Works

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Neighboring Rights

‣General remarks

‣What are neighboring rights?

‣Authorship 隣接権(実演家の権利)

‣ Performer Moral Rights

‣ Performer's Neighboring Rights

‣ Neighboring Rights (Record Producer's Rights)

‣ Neighboring Rights of Record Producers

‣Authorship 隣接権(播業者、Priority 播送業者の権利)

‣Broadcaster, Cable Broadcaster's writings

‣ Copyright Convergence (Protection Period, Restrictions, etc.)

‣ Period of Protection, Limitation Provisions, etc.

Copyright Infringement and Remedies

‣ Copyright Infringement

‣Author's Personality Pier and other infringements

‣ Deemed Infringement

‣ Deemed infringement ~ Reflux of commercial records for overseas distribution (import) ~

‣ Request for injunction

‣What is an injunction request?

‣ Claims for damages

‣ What is a claim for damages?

‣ Criminal penalties

‣ Copyright Infringement Crime

Issues related to copyright

・Portrait rights, publicity rights, etc.

‣ Privacy, publicity and publicity rights

‣ Right of publicity of goods

International Treaties on Copyrights and Neighboring Rights, etc.

・International Treaties (ベルヌ条約、万国著権条約)

‣International Treaty(ベルヌ条約、万国著作権条約)

・Handling of copyrighted works created by foreigners

(Works protected by copyright law)

Copyright Business

- Points to keep in mind for each business type

- Points to keep in mind for each business type

Copyright Trust

・Copyright Trust

Points to keep in mind when entrusting or entrusting the production of copyrighted works

In the case of general copyrighted works (websites, posters, etc.)

・Authors権の帰gen, 納品物の権利帰属・権利処理の問題点

For Software

・Authors権の帰gen, 納品物の権利帰属・権利処理の問題点

Information Society and Information Ethics

・Information Society and Information Ethics

Differences between copyright and ownership

copyright

Copyright holders...Those who enjoy moral rights and copyrights in the work.

Copyrighted works ..."A creative expression of thought or emotion, which belongs to the scope of literature, academia, art, or music," as exemplified by Article 10, Paragraph 1 of the Copyright Act.

Copyright...The right to protect the property interests of the author. It is a general term for individual rights stipulated in the Copyright Act (branch rights), such as reproduction rights (Article 21), performance rights and performance rights (Article 22), screening rights, public transmission rights, dictation rights, exhibition rights, distribution rights, assignment and lending rights (Article 26-3), translation and adaptation rights (Article 27), and rights related to the use of derivative works (Article 28)

ownership

In general, it is held that it has the right to be able to exert total and exclusive control over things.

Article 206 of the Civil Code basically stipulates that it is "the right to freely use, profit and dispose of one's property," while retaining that it is within the limits of the law.