

COPYRIGHT AND ELECTRONIC COMMERCE

Legal Aspects of Electronic Copyright Management

Edited by

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Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management

Arpi Abovyan



Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management:

Copyright and Electronic Commerce: Legal Aspects of Electronic Copyright Management Kamiel

Koelman, 2000-04-19 The spectacular success of electronic commerce in recent years has seen an explosion in the availability of information and entertainment products on the Internet. This distribution of content is expected to continue as one of the major sources of growth on the Internet in the years ahead, raising concerns over the protection of content owners' rights. Concerns over the effectiveness of the copyright system in a digital environment have inspired content providers to look for alternative protection regimes or strategies. These alternatives, such as the protection afforded by contract law and information technology, comprise important elements of the Electronic Copyright Management System (ECMS), a fully automated system of secure distribution, rights management, monitoring, and payment of copyright-protected content, currently being developed. Perhaps the largest multidisciplinary study conducted on ECMS to date is the IMPRIMATUR project, which was subsidised by the European Commission's Esprit Programme and for which the Institute for Information Law of the University of Amsterdam (IViR) produced a series of legal studies. This volume collects six fully revised and updated studies relating to copyright and electronic commerce, which have resulted from the IViR's research. As well as examining the legal issues crucial to the development of electronic copyright management systems, the contributions address issues with wider implications for the law of copyright in general. Other aspects of information law are also considered, such as defamation, data protection, privacy, and freedom of expression, as are general questions of contract and tort law.

INFORMATION LAW SERIES 8 Copyright Law Paul Torremans, 2009-01-01 This book provides an interesting insight into many aspects of copyright law. It is a useful resource not only for those whose core practice is copyright, but also those involved in industries reliant on copyright. New Zealand Law Journal Copyright law is undergoing rapid transformations to cope with the new international digital environment. This valuable research Handbook provides a thorough and contemporary tableau of current thinking in copyright law. It traces the changes undergone and the challenges faced by copyright, as well as its roots and its diversity, combining to present a colourful picture of a dynamic research area. The editor brings together an elite group of international copyright scholars who offer incisive and original analysis of a wide range of issues and aspects of copyright law, and in some cases a multiplicity of perspectives on a single topic. Rigorous and often thought-provoking in nature, this research Handbook clearly maps the current landscape and will also undoubtedly stimulate further research in the field. Analysing the cutting edge of current copyright research, Copyright Law will be of great interest to researchers, students, practitioners, and policymakers.

Challenges of Copyright in the Digital Age Arpi Abovyan, 2014-06-26 The adaptation of copyright law to the digital age is currently one of the EU's main concerns regarding intellectual property. This thesis analyses whether European legislation in this field can be successfully implemented in the same way in countries with different levels of development. Taking the examples of Germany and Armenia will help to evaluate the problems of developed

and transition countries concerning the challenges of copyright in the digital age The comparison between these two countries shows that a one size fits all approach is not appropriate in the digital environment The socio economic situation and the legal environment of transition countries call for a different solution In this respect the example of Armenia may be instructive for other transition countries as well especially CIS countries A recommendation for adopting a certain system for drafting European legislation in the future which will meet the needs of all countries considering their social economic and legal situation has been developed in this thesis Copyright, Limitations, and the Three-step Test Martin

Senftleben,2004-01-01 The book includes viable restatements of the rationales of copyright protection for the emerging IP environment new insights into the relationship between copyright protection and copyright limitations in depth explanation of the structure and functioning of the three step test detailed interpretations of each criterion of the test discussion of the two WTO panelreports dealing with the test a proposal for the further improvement of the copyright system and the international rules governing copyright law detailed information about international conference material concerning the test and discussion of potential future trends in copyright law The author provides many examples that demonstrate the test s impact on different types of limitations such as private use privileges and the U S fair use doctrine He explains the test s role in the European Copyright Directive **Digital Rights Management** Christopher May,2007-01-31 Digital Rights

Management examines the social context of new digital rights management DRM technologies in a lively and accessible style It sets out the scope of DRMs in non technical terms and then explores the shifts that DRM has produced within the regime of protection of intellectual property rights IPRs Focusing on the social norms around the protection of IPRs it examines the music industry and software development sector to ask whether the protections established by DRM are legitimate and socially beneficial Using these key examples to establish a more general argument the books central conclusion is that rather than merely re-establishing threatened rights the development of DRM has extended the rights of intellectual property owners and that such an extension violates previous carefully balanced political compromises as regards the maintenance of the public domain Places DRM in its political context Sets out the social impact of a new and important technology Accessible and clearly written for a non technical audience Digital Media & Intellectual Property Nicola Lucchi,2006-09-27 The book

provides a comparative and comprehensive analysis of the current technical commercial and economical development in digital media describing the impact of new business and distribution models the current legal and regulatory framework social practices and consumer expectations associated with the use distribution and control of digital media products In particular the author analyze the anti circumvention provisions for technological protection measures and digital rights management systems enacted in the United States and in Europe **The Software Interface Between Copyright and**

Competition Law Ashwin van Rooijen,2010-01-01 The success of computer programs often depends on their ability to interoperate or communicate with other systems In proprietary software development however the need to protect access to

source code including the interface information ECEL2012-The Proceedings of the 11th European Conference on E-Learning Hans Beldhuis,2012 *(Re)structuring Copyright* Daniel J. Gervais,2017-03-31 In this bold and persuasive work Daniel Gervais one of the world's leading thinkers on the subject of intellectual property argues that the international copyright system is in need of a root and branch rethink As the Internet alters the world in which copyright operates beyond all recognition a world increasingly defined by the might of online intermediaries and spawning a generation who are simultaneously authors users and re users of creative works the structure of copyright in its current form is inadequate and unfit for purpose This ambitious and far reaching book sets out to diagnose in some detail the problems faced by copyright before eloquently mapping out a path for comprehensive and structured reform It contributes a reasoned and novel voice to a debate that is all too often driven by ignorance and partisan self interest **Copyright Enforcement and the Internet** Irini A. Stamatoudi,2010-01-01 Most of the existing European Union and international policies are considered in some depth and the authors also discuss a variety of national laws and initiatives technical measures and the soft law and hard law models that have been proposed In the years to come as more and more lawyers are confronted with issues involving copyright enforcement on the Internet this book's value as a springboard to the informed future development of this area of legal theory and practice will become more evident For this reason as well as for its richly detailed treatment of trends and current reality in the field it is sure to be read and put to good use by business people international lawyers government officials and interested academics in all parts of the world **Legal Aspects of Electronic Commerce** Jens Fej ,Ruth Nielsen,Thomas Riis,2001 Based on papers presented at an international seminar held in K ge Denmark on 27-28 April 2001 Preface **The Copyright Wars** Peter Baldwin,2016-05-17 Today's copyright wars can seem unprecedented Sparked by the digital revolution that has made copyright and its violation a part of everyday life fights over intellectual property have pitted creators Hollywood and governments against consumers pirates Silicon Valley and open access advocates But while the digital generation can be forgiven for thinking the dispute between for example the publishing industry and Google is completely new the copyright wars in fact stretch back three centuries and their history is essential to understanding today's battles The Copyright Wars the first major trans Atlantic history of copyright from its origins to today tells this important story Peter Baldwin explains why the copyright wars have always been driven by a fundamental tension Should copyright assure authors and rights holders lasting claims much like conventional property rights as in Continental Europe Or should copyright be primarily concerned with giving consumers cheap and easy access to a shared culture as in Britain and America The Copyright Wars describes how the Continental approach triumphed dramatically increasing the claims of rights holders The book also tells the widely forgotten story of how America went from being a leading copyright opponent and pirate in the eighteenth and nineteenth centuries to become the world's intellectual property policeman in the late twentieth As it became a net cultural exporter and its content industries saw their advantage in the Continental ideology of strong authors rights the

United States reversed position on copyright weakening its commitment to the ideal of universal enlightenment a history that reveals that today's open access advocates are heirs of a venerable American tradition Compelling and wide ranging The Copyright Wars is indispensable for understanding a crucial economic cultural and political conflict that has reignited in our own time Antitrust, Patents, and Copyright François Lévêque, Howard A. Shelanski, 2005-01-01 In modern markets innovation is at least as great a concern as price competition The book discusses how antitrust policy and patent and copyright laws interact to create market dynamics that affect both competition and innovation Antitrust and intellectual property policies for the most part are complementary sharing common goals of promoting innovation and economic welfare In some cases however their distinct approaches one based on competition and the other on exclusion come into conflict As antitrust authorities focus increasingly on ensuring that firms do not interfere with innovation by rivals or impede the pace of technological progress in an industry they necessarily must confront difficult questions about the strength and scope of intellectual property rights When should private property rights give way to public competition objectives When is it appropriate to remedy anticompetitive outcomes through access to protected intellectual property How does antitrust enforcement or competition itself affect incentives to innovate Leading economists and lawyers address these questions from both US and EU perspectives in discussing salient antitrust cases involving intellectual property rights such as Microsoft Magill Kodak IMS and Intel Harmonizing European Copyright Law Mireille M. M. van Eechoud, 2009-01-01 The European concern with copyright and related rights Object subject and duration of protection Exclusive rights and limitations Rights management information and technological protection measures Term extension for sound recordings Term calculation for co-written musical works Orphan works The blessings and curses of harmonization The last frontier territoriality

Copyright Reconstructed: Rethinking Copyright's Economic Rights in a Time of Highly Dynamic Technological and Economic Change P. Bernt Hugenholtz, 2018-04-11 About this book Copyright Reconstructed is the result of a collaborative research project Reconstructing Rights funded by Microsoft Europe that normatively examined the core economic rights protected under EU copyright law with the aim of realigning these rights with economic and technological realities It follows an interdisciplinary approach combining economic and legal methods The book presents various concurring future models of reconstructed copyright law The historical evolution of copyright has led to a growing disconnect between the legal definitions of economic rights and the business and technological realities they regulate eroding copyright's normative content and distorting the scope of its economic rights What's in this book This book is structured as follows Following a historical chapter that illustrates how a structure of media specific economic rights has developed in international copyright law as copyright's catalogue of rights a number of alternative models for reconstructing rights are presented in the form of chapters by Europe's most respected copyright scholars and economists focusing on potentially copyright relevant acts that lie at the borders of exclusive rights digital resale private copying hyperlinking and embedding cable retransmission and text

and data mining How this will help you Offering the most incisive current thinking on copyright s economic rights in an increasingly networked world where acts of usage of works occur on a global or regional scale rather than on a purely national territorial basis this book will be of immeasurable value not only to academics but also to practitioners and professionals in intellectual property law This book guides copyright lawyers and scholars in the fields of international and EU copyright law in understanding the nexus between copyright law and technological and economic change It also helps lawmakers and judges at the European national and international levels formulate legislative responses to the challenges of the digital environment

Developing Sustainable Digital Libraries: Socio-Technical Perspectives Ashraf, Tariq, Sharma, Jaideep, Gulati, Puja Anand, 2010-03-31 This book provides tools to complement an organization s burgeoning information treasuries exploring new frontiers by looking at social and economic aspects of digital libraries and their sustainability Provided by publisher

Private Copying Stavroula Karapapa, 2012 The scope and legitimacy of private copying is one of the most highly contested issues in digital copyright This book offers an original analysis of private copying and determines the actual scope of private copying as an area of end user freedom in the digital world In particular it examines the permissibility of digital private copying with a view to clarify the legal uncertainty as to its scope

Public Broadcasting and European Law Irini Katsirea, 2008-01-01 Although EU Member States share a tradition of regulating public broadcasting for the public interest such regulation has been in decline in recent years It has been challenged by the emergence of commercial television sworn to the market logic as well as by satellite services and the Internet EU law and policy has under pressure from powerful global forces abetted that decline The question thus arises Do cultural values still matter in European national broadcasting This important book examines the challenges posed to public service obligations by European Union media law and policy An in depth analysis of the extent to which six countries France Germany Greece Italy the Netherlands and the United Kingdom regulate broadcasting for the public interest reveals a range of vulnerability to national political pressures or alternatively to the ideology of market sovereignty The author examines the country of origin principle and the European quota rule of the Television without Frontiers Directive revealing the influence of European law on the definition and enforcement of programme requirements and shows how the case law of the European Court of Justice encourages deregulation at the national level without offering adequate safeguards at the supranational level in exchange She asks the question whether the alleged European audiovisual model actually persists that is whether broadcasting is still committed to protecting such values as cultural diversity the safety of minors the susceptibility of consumers to advertising media pluralism and the fight against racial and religious hatred The book concludes with an evaluation of the impact of the EU state aid regime on the licence fee based financing of public broadcasting Despite the increasing importance of the subject its study in a comparative context has been heretofore underdeveloped This book fully provides that context and more and will be of great value and interest to all parties concerned with the key role of communications in the development of

European integration *Pluralism or Universalism in International Copyright Law* Tatiana-Eleni Synodinou, 2022-06-16 In a world where digital platforms are de facto regulators of the communication of copyright protected works the democratization of access to content has both substantially expanded the availability of new markets and dramatically increased copyright infringements Faced with these challenges regional and national copyright systems are in search of elasticity and drastic reforms Copyright ecosystems react variously either with the introduction of reforms or by staying inert depending on their level of technological progress and their development of copyright law and political opportunism This leads to a labyrinthine mosaic of divergent national responses to universal questions and to fragmentation at international level Emphasizing the adaptation of copyright law to the needs of the digital era and the rise of Artificial Intelligence this book provides critical approaches by leading copyright scholars on whether pluralism or universalism is the appropriate path to follow for the development of international copyright law The authors deal with such issues and topics as the following the application of core copyright law principles worldwide authorship rights and exceptions in the international copyright acquis global collective management of copyright copyright contracts database and design rights the global reach of the U S Fair Use doctrine World Intellectual Property Organization s role and strategy in international copyright lawmaking a possible revision of the Berne Convention and human rights and international copyright law Specific evolutions and emerging trends in national and regional digital copyright laws are analyzed and assessed as they have developed in the European Union the United States and Canada Throughout attention is paid to compatibility with the Berne Convention the perceived core of copyright law in the international copyright acquis and the key question of the balancing of copyright law with fundamental rights from an international and comparative law perspective As a comprehensive analysis of how core copyright law concepts and principles function in today s fragmented copyright legal system this book has no peers Its detailed treatment of numerous specific instruments and regimes as well as its insightful approaches to the future of international copyright lawmaking will prove of immeasurable value to lawyers judges policymakers academics and researchers working in the field of copyright law *Specialized Legal Research* ,

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Table of Contents Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management

1. Understanding the eBook Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management
 - The Rise of Digital Reading Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management
 - Advantages of eBooks Over Traditional Books
2. Identifying Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management
 - User-Friendly Interface
4. Exploring eBook Recommendations from Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management
 - Personalized Recommendations
 - Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management User Reviews and Ratings
 - Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management and Bestseller Lists

5. Accessing Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management Free and Paid eBooks
 - Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management Public Domain eBooks
 - Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management eBook Subscription Services
 - Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management Budget-Friendly Options
6. Navigating Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management eBook Formats
 - ePub, PDF, MOBI, and More
 - Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management Compatibility with Devices
 - Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management
 - Highlighting and Note-Taking Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management
 - Interactive Elements Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management
8. Staying Engaged with Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management
9. Balancing eBooks and Physical Books Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management
10. Overcoming Reading Challenges

- Dealing with Digital Eye Strain
- Minimizing Distractions
- Managing Screen Time
- 11. Cultivating a Reading Routine Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management
 - Setting Reading Goals Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management
 - Fact-Checking eBook Content of Copyright And Electronic Commerce Legal Aspects Of Electronic Copyright Management
 - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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