

## ABSTRACT

Thesis Title :The Law and Legal Problems Related to Copyright Protection  
of Works Created by Employees

Student's Name :Miss Praphasri Buasawan

Degree Sought :Master of Laws Academic Year 1997

Advisory Committee :

1. Mr. Yanyong Puangraj Chairperson
2. Associate Professor Niwat Meelarp

The aim of this study is to examine the law and legal problems related to copyright protection of works created by employees. The protection of employee's works under the relevant law will directly affect the operations and businesses of the employer. Presently, technology is in a state of rapid change and this situation will cause employees to create new intellectual property works at a greater rate than in the past.

This thesis proposes to study the Copyright Law and the Civil Law in relation to employment contracts and relevant sections of the Labor Law. Since works which are created by an employee may be of concern to the employer under an employment contract, this study examines the law on each point specifically regarding the status of employees, the employment contract, the employee's work that was created within the scope of the employment contract, the termination of the employment contract, and the termination of the legal relationship between the employee and employer. In addition, this study also examines the law regarding the right to the employer, and the right of the employee to publish, and to otherwise

take advantage of his or her work.

This study, therefore, discusses the rights of the employee in creating works that have an effect on the employer, existing problems, and possible solutions to these problems. Moreover this thesis also proposes substantive changes in the law which would improve and make the law more practical by giving greater consideration to the relationship between the employee and employer, and the economic impact on the employer from utilizing the employee's work according to the objectives of each business, and the benefits which the employee will gain from his or her work.

This study suggests practical changes in the Copyright Law that will be beneficial to both the employer and the employee.