

พิมพ์ต้นฉบับบทความวิทยานิพนธ์ภายในกรอบสี่เหลี่ยมนี้เพียงแผ่นเดียว

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KEY WORD: COPYRIGHT/ PROBLEMS/ MUSIC INDUSTRY

ORASA LEELATAWEEWUD: COPYRIGHT PROBLEMS IN MUSIC INDUSTRY. THESIS ADVISOR: ASSO.

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Music industry covers a large variety of copyright works and is complicated as it involves a large number of related persons and thus, as a result, there is a perpetual movement of rights which are recognized and protected as proprietary rights. Lack of knowledge and proper understanding of copyright on the part of the aforesaid people is likely to be the cause of conflict of interests among them and to bring about many legal problems, such as problem in respect of the exercise of the rights of the owner in the music industry, problem of the exercise interpretation of legal relations in the various forms of contracts used for the enforcement of copyright in the music industry, such as in case of hire of service, hire of work or the exercise of rights under employment contract, order of government organizations, transfer of copyright, licence agreement etc., problem of burden of proof of proprietary right in music industry, problem of infringement of copyright and rights of performers, problem of civil and criminal measures to be taken to protect the owners' rights, problem of collecting payments for the use of music by the Administrative Collecting Organization, problem of restricting unfair competition in license agreement in music industry etc.

Research findings show that the various provisions of the Copyright Act B.E. 2537 do not cover or solve these problems entirely. This is because people involved in music industry make use of their freedom to exclude those provisions from the contracts and thus authors and copyright owners have not been accorded full protection. Therefore, there should be amendments to Sections 9, 10 and 17 etc. with their loopholes which give the parties the possibility of making an agreement in another way different from that provided for in those sections or measures to protect copyright owners by civil and criminal laws before or during legal proceedings should be clearly determined by giving the copyright owners the right to participate in the inquiry and examination of evidence in case he suspects his copyright is being infringed upon in order to prevent it from being damaged beyond remedy. Further, it would be necessary for the Government authorities, copyright owners and users of copyright works to cooperate more in the administering and collecting of royalties. The above measures should be taken into consideration if copyright owners are to be accorded better protection and more fairly treated.

ภาควิชา.....นิติศาสตร์.....

สาขาวิชา.....นิติศาสตร์.....

ปีการศึกษา.2539.....

ลายมือชื่อนิติ.....

ลายมือชื่ออาจารย์ที่ปรึกษา.....

ลายมือชื่ออาจารย์ที่ปรึกษาร่วม.....