Propositions

of the dissertation

Copyright, Fan Generated Contents, and Open Society in China: Towards an Open Innovation Mechanism of Copyrighted Contents with Fans

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1. In China, many practical issues such as national censorship and import quotas are limiting the full performance of foreign copyright products and rendering copyright enforcement there inefficient and undesirable for foreign copyright owners as well.

2. In the face of the fast development of digital technology, the copyright law designs of China, the U.S., and Japan are unable to respond effectively to national and transnational copyright problems of fan activities and creations.

3. Most fan creations are potential copyright infringements under the current legal frameworks of China, the U.S., and Japan. However, legal determinations, along with other solution proposals, cannot sufficiently solve the transnational problems of fan creations, therefore many foreign copyright owners in the Chinese market choose to tolerate these creations rather than enforce their rights.

4. For a better performance of their copyright products in the Chinese market, foreign copyright owners should cooperate with fan creators with the help of flexible enforcement policies such as NAPs.

5. In order to catch up with technology advancements, the current copyright design should be reformed in the future. Flexible enforcement strategies from copyright owners are necessary in assisting the current legal setting in a transitional period of copyright reform.

6. Copyright law is a tool which functions differently in different countries. In China, the performance of this tool is determined by various policies and regulations.

7. Besides copyright protection and economic interests, the future copyright law design should consider access of information and promote openness in developing countries as well.

8. The application of the solution proposed by this research can help big copyright conglomerates to address fan creation issues in a foreign market and collect data, locate new ideas and talents.