

## 5<sup>th</sup> IP Case Law Conference

29 - 30 April 2024

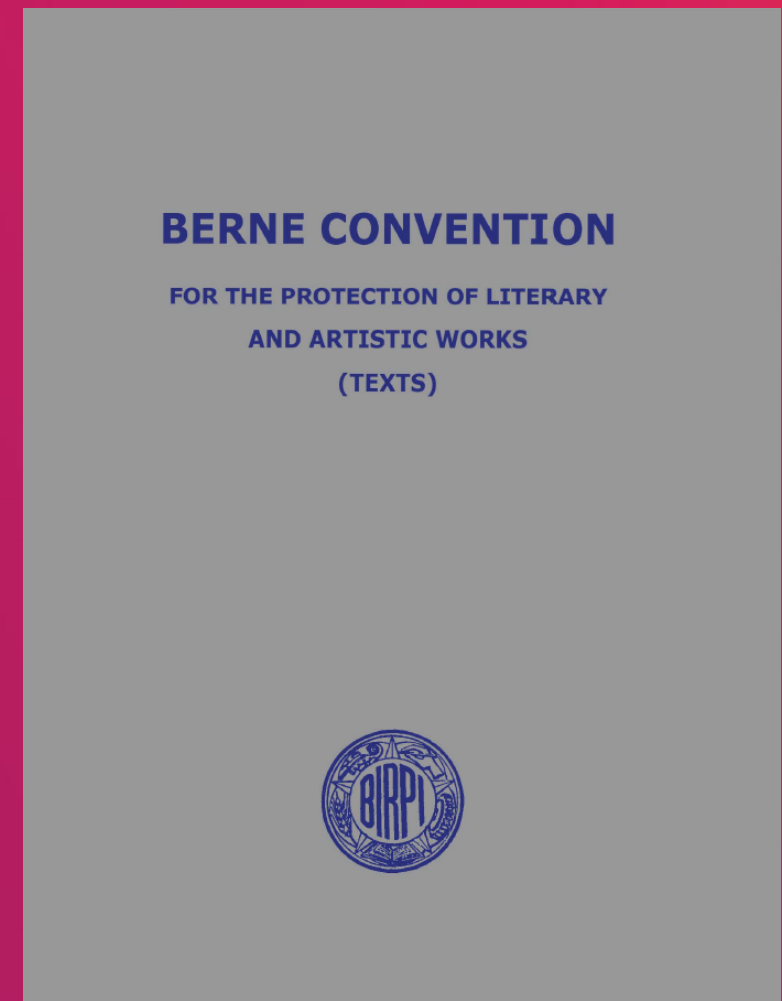
---

The Copyright Register in Action  
Peter Labody

# Article 5(2) of the Berne Convention



*„The enjoyment and the exercise of these rights shall not be subject to any formality;“*



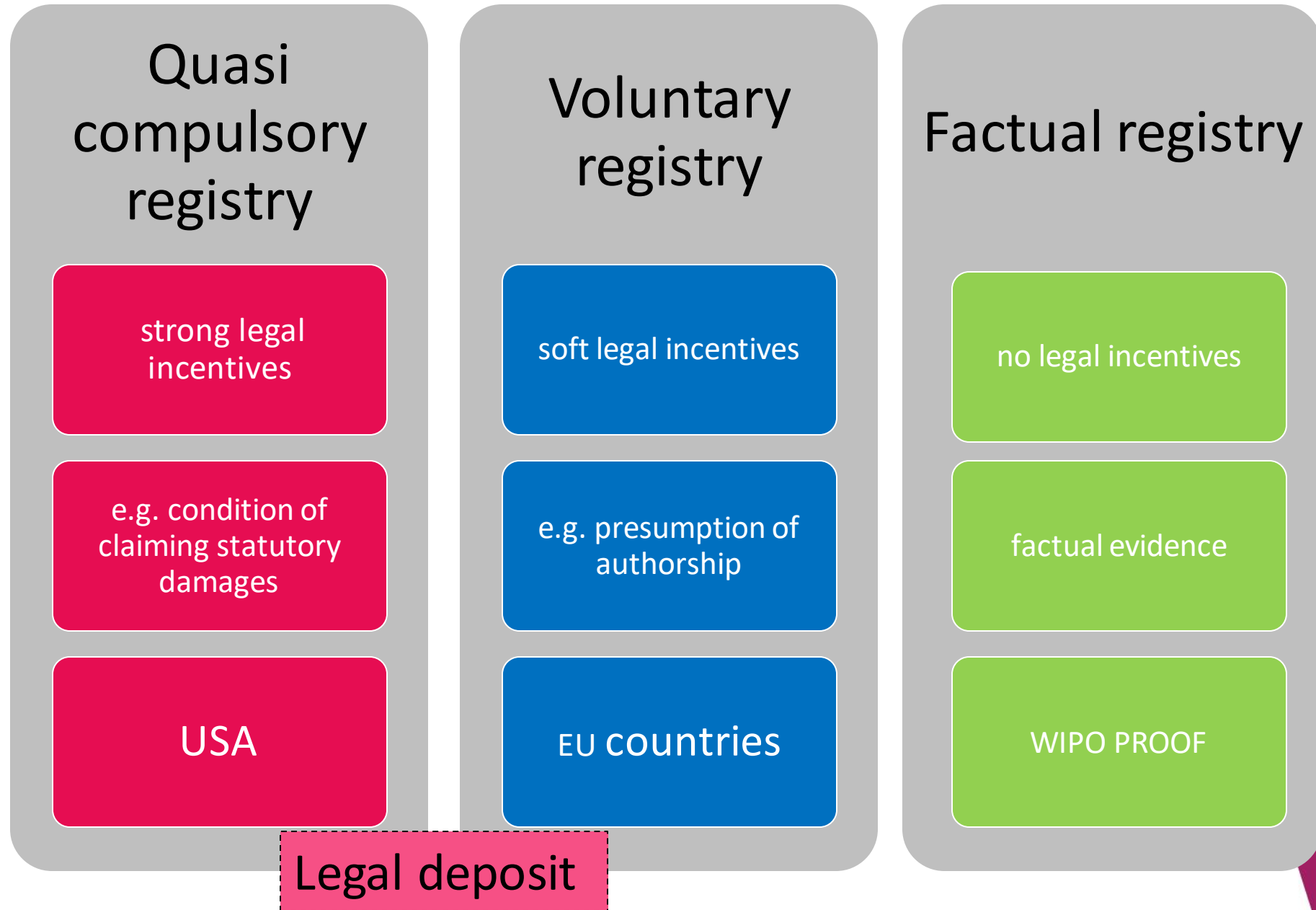
**Table 1a: Voluntary formalities and legal deposit at national level**

	Number of countries	% (*)
<b>Copyright registration</b>	70	64%
<b>Recordation of transfers of rights</b>	46	42%
<b>Legal deposit</b>	67	61%
<b>No such system</b>	14	13%

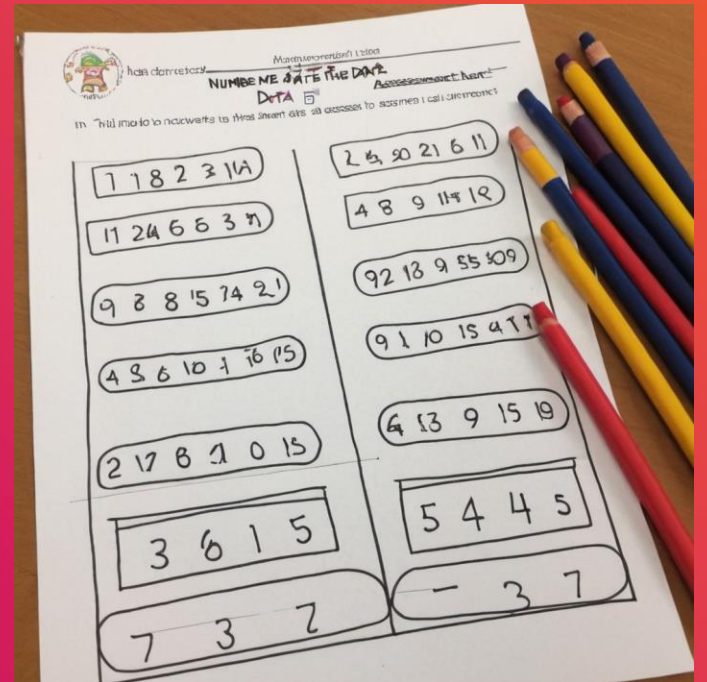
*\* Based on the responses from 109 out of 193 WIPO Member States*

Benelux, Spain, France, Italy, Hungary,  
Portugal, Romania and Greece\*





What scale?



2019	2020	2021	2022	<b>2023</b>
973	960	867	931	<b>1001</b>

## Hungarian Copyright Registrations

**Copyright Registrations, 1790–2023**

<i>Date</i>	<i>Total</i>	<i>Date</i>	<i>Total</i>	<i>Date</i>	<i>Total</i>	<i>Date</i>	<i>Total</i>	<i>Date</i>	<i>Total</i>
1790-1869	150,000 <sup>1</sup>	1901	93,299	1933	139,361	1965	293,617	1996	550,422
1870	5,600	1902	93,891	1934	141,217	1966	286,866	1997	569,226
1871	12,688	1903	99,122	1935	144,439	1967	294,406	1998	558,645
1872	14,164	1904	104,431	1936	159,268	1968	303,451	1999	594,501
1873	15,352	1905	114,747	1937	156,930	1969	301,258	2000	515,612
1874	16,283	1906	118,799	1938	168,663	1970	316,466	2001	601,659
1875	16,194 <sup>2</sup>	1907	124,814	1939	175,450	1971	329,696	2002	521,041
1876	15,392	1908	120,657	1940	179,467	1972	344,574	2003	534,122
1877	16,082	1909	121,141	1941	180,647	1973	353,648	2004	661,469
1878	16,290	1910	109,309	1942	182,232	1974	372,832	2005	531,720
1879	18,528	1911	115,955	1943	160,789	1975	401,274	2006	520,906
1880	20,993	1912	121,824	1944	169,269	1976	410,969 <sup>3</sup>	2007	526,378
1881	21,256	1913	120,413	1945	178,848	1976	108,762 <sup>3</sup>	2008	232,907 <sup>6</sup>
1882	23,141	1914	124,213	1946	202,144	1977	452,702	2009	382,086 <sup>6</sup>
1883	25,892	1915	116,276	1947	230,215	1978	331,942	2010	636,527
1884	27,727	1916	117,202	1948	238,121	1979	429,004	2011	670,044
1885	28,748	1917	112,561	1949	201,190	1980	464,743	2012	509,112
1886	31,638	1918	107,436	1950	210,564	1981	471,178	2013	496,599
1887	35,467	1919	113,771	1951	200,354	1982	468,149	2014	476,298
1888	38,907	1920	127,342	1952	203,705	1983	488,256	2015	443,823
1889	41,297	1921	136,765	1953	218,506	1984	502,628	2016	414,269 <sup>7</sup>
1890	43,098	1922	140,734	1954	222,665	1985	540,081 <sup>4</sup>	2017	452,122 <sup>7</sup>
1891	49,197	1923	151,087	1955	224,732	1986	561,208 <sup>4</sup>	2018	560,013 <sup>7</sup>
1892	54,741	1924	164,710	1956	224,908	1987	582,239 <sup>4</sup>	2019	547,837 <sup>7</sup>
1893	58,957	1925	167,863	1957	225,807	1988	565,801	2020	367,307 <sup>7</sup>
1894	62,764	1926	180,179	1958	238,935	1989	619,543 <sup>5</sup>	2021	403,593
1895	67,578	1927	186,856	1959	241,735	1990	643,602	2022	484,589
1896	72,482	1928	196,715	1960	243,926	1991	663,684	<u>2023</u>	<u>441,526</u>
1897	75,035	1929	164,666	1961	247,014	1992	606,253		
1898	75,634	1930	175,125	1962	254,776	1993	604,894		
1899	81,416	1931	167,107	1963	264,845	1994	530,332		
1900	95,573	1932	153,710	1964	278,987	1995	609,195		
<b>Total</b>								<b>40,558,149</b>	

# US Copyright registrations

In 2023

**8.923.901** copyright registrations  
took place in China, an increase of  
40.46% compared to the previous year.

\*LEXOLOGY.COM

Chinese Copyright  
Registrations

What is it good for?

The Big Question

Better identification of works and authors means more legal certainty

- assists **enforcement**
  - tackling online infringements (NTD)
  - ex officio enforcement actions (customs and border measures)
  - enforcement of rights abroad
- facilitates the **commercialization** of intellectual assets
  - facilitates licensing, transfer of ownership
  - helps investments and securitization
  - enhances IP backed financing
- can secure **other intangible assets**
  - business secrets, know how

Why now?

**Before or After**

---

# Why now - The boom of AI creations

European TDM framework which includes the **opt out possibility from AI training** for rightholders

**Transparency requirements** in the AI Act





UNITED STATES COPYRIGHT OFFICE

---

---

## LIBRARY OF CONGRESS

Copyright Office

37 CFR Part 202

### Copyright Registration Guidance: Works Containing Material Generated by Artificial Intelligence

**AGENCY:** U.S. Copyright Office, Library  
of Congress.

**ACTION:** Statement of policy.

---

**SUMMARY:** The Copyright Office issues this statement of policy to clarify its practices for examining and registering works that contain material generated by the use of artificial intelligence technology.

**DATES:** This statement of policy is effective March 16, 2023.



HIPO

# Why now – Tech developments



The rise of **blockchain** and **cloud technologies** provides new perspectives for **secure data operations**.

# Why now - Identifiers

The different types of **standard identifiers** such as ISAN, ISBN, ISWC, etc. are more and more used and could also complement the registry.



# Why now – Other models



Examples of other **two-tier** registries.



# Why now — Experience with other databases



Orphan Works  
Database

Experience in managing other  
copyright-related databases.

What to tackle with?



- possible false perception of copyright protection
- lack of harmonisation
- coexistence with existing national systems
- concrete features to be analysed and agreed upon
- the question of legal remedies e.g. in the case of false registrations
- costs/fees

Some challenges  
and required steps



Thank you for your  
attention.