

# **Between Market and Authority**

## **A Case Study on Copyright Collective Management in China**

### **Abstract**

This article argues that collective rights management organisations in China should not be empowered by legislation to exclude copyright owners from exercising all rights related to the copyright in their works. The article explains why this requirement is inappropriate for both the copyright owners and for China. Currently, the Regulations on Copyright Collective Management require copyright owners in China to enter into exclusive copyright collective management agreements. The article proposes that China should abolish Article 20 of the Regulations on Copyright Collective Management in order to balance all parties' interests in a more equitable manner. The article concludes that the market is competent to deal efficiently with the distribution of copyright resources, and that State authorities (whether they be legislative, administrative or judicial) should not interfere in that market.

**Key Words:** Copyright Collective Management    Market    Authority

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