

THE RESOLUTION OF DISPUTE BETWEEN COPYRIGHT SOCIETIES AND USERS IN THE LIGHT OF THE DRAFT COPYRIGHT LAW-2013

The Turkish Copyright Code is being revised for the seventh times. It is expected from the draft prepared by the Ministry of Culture and Tourism that it would considerably eliminate the disputes between the copyright owners and the users. Within this scope, the system of “chasing collective rights” is being totally differentiated from the old system. According to the new system, the “collecting societies” takes the name of “copyright societies” and Collective Licensing Societies are authorized with the power of chasing the collective rights instead of copyright societies. Collective Licensing Societies will be established separately in four sectors which are literary and scientific, music, cinema and fine arts.

The Collective Licensing Societies will present the tariff which will be the combination of the tariffs prepared by the collective societies. The Copyright Arbitration Committee (as Copyright Tribunal in UK) is established in order to settle any dispute arose by the tariff price and the parties will be bounded by the decisions of the Committee. Although Committee’s decisions can be challenged before the Courts; it is not possible to stop the consequences of the Committee’s decisions before the Court’s final decision on the matter. This work focused on how the new system will process.