

## **What Is the Object in Which Copyright Can Subsist?**

The topic of this paper is the ontology of works of art and its relation to copyright law. An ontology of art works is, roughly, a theory of what kind of object a work of art is. One might summarise the concerns of an ontology of works of art by means of the following three questions: 1. To which ontological category (or categories) do works of art belong? 2. In what relationships do works of art stand to other objects? 3. What is the internal structure of a work of art?

I argue that copyright law and copyright jurisdiction provide a considerable amount of data that should be taken into account by an ontology of art works. On the other hand, I consider the question of whether ontological investigations might be relevant and helpful for copyright lawyers. Can ontological considerations help lawyers to find answers to particular hard cases? In this paper, I delineate the basic elements of an ontology of art works, and I discuss, in the light of this ontology of art, two problems of copyright connected with contemporary developments in art ("appropriation art" and contemporary popular music).