

## **What Is the Object in Which Copyright can Subsist? An Ontological Analysis**

The topic of this paper is the ontology of works and its relation to copyright law. The term “work” is used here in a wide sense, which includes not only works of art and science, but also objects of life style, objects of utility, tools, and instruments. It is argued that copyright law entails an ontological commitment to works as abstract objects. An ontology of works is delineated, which answers the following questions: To which ontological category do works belong? In what relationships do works stand to other objects (notably, to performances, scores, sound-carriers, mental goings-on in the minds of artists and recipients)? What is the internal structure of works? This ontology of works is applied to two cases that have been discussed not only by ontologists but also by copyright lawyers: a case from appropriation art and a case from popular music that raised the question of whether *sound* shall be protected by copyright.