Journal of Innovation and Development
ISSN: 2958-4752 | Vol. 4, No. 2, 2023

Dilemma and Outlet of Personality Right Protection in Sports Event Copyright

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Abstract: Using jurisprudence to analyze the connotation and logical relationship of personality right, explore the practical dilemma of personality right protection in sports event copyright, and then point out the path of personality right protection in sports event copyright. The research shows that the adverse factors of the protection of personality rights mainly lie in the controversial theoretical basis, the lack of attention of the subject of rights, the lack of in-depth academic research and the weak legal basis. Suggestions: On the theoretical basis, we should not only recognize the work attribute of sports events, but also emphasize the dialectical unity of "content" and "form" of works, which are the prerequisite for the protection of personality rights; In the protection of personality right, we should not only improve the awareness of safeguarding rights of the subject of rights, but also establish the concept of the overall situation of the subject of rights, so as to promote the healthy development of the sports event market. The subject of rights cannot ignore the protection of personality right due to the realization of property right; In theoretical research, academia should pay attention to the value status of personality right, strengthen the research on the protection of personality right, and provide scientific legal basis for the protection of personality right; On the basis of legal system, we should not only improve the guiding role of sports law in the protection of personality rights, but also expand the scope of works in the copyright law , so as to build a solid legal foundation for the protection of personality rights.

Keywords: Sports Event Copyright; Personality Right; Works; Dilemma; Way Out.

1. Introduction

Currently, with the rapid development and widespread application of internet technology, the online dissemination of sports events has become increasingly convenient and efficient. However, at the same time, copyright disputes, especially those related to well-known or large-scale sports events, have repeatedly become a social hotspot. Such as the case of Tianying Jiuzhou Company v. Sina Company and the case of CCTV International Company v. Beijing Storm Company.[1] From the content of the case, it can be seen that the main focus of dispute among the rights subject is mainly on property rights, while there are not many demands for personality rights. Have the personality rights of the rights subject not been violated? Obviously not. In reality, editing, broadcasting, inserting, or using the sports event works of the rights subject for other purposes after recording can constitute an infringement of the personality rights of the rights subject, as such infringement involves personal rights such as the right to integrity, modification, and authorship of the works. So, what is the reason for the infringement of personality rights that no one cares about? Isn't personality right important? This issue is highly worthy of further investigation. According to academic theory, there are two theoretical protection systems for sports event copyright: author's rights and copyright, and China's Copyright Law precisely follows the theory of author's rights system. As the argument of the author's rights system is based on personality rights, the protection of personality rights is inevitably of significant theoretical value and practical significance for sports event copyright. In view of this, the author intends to analyze the connotation and logical relationship of personality rights, explore the practical difficulties in protecting personality rights in sports event copyrights, and then propose corresponding solutions.

2. The Connotation and Logical Relationship of Personality Rights in Sports Event Copyright

Some scholars have pointed out that "personality is the foundation of all human rights, the prerequisite for human beings, and the most basic symbol of human beings." It can be seen how important the right to personality is for every citizen. In order to protect the personal rights of citizens, the Civil Code of China clearly stipulates that "[2]personality rights refer to the rights enjoyed by civil subjects to exclude infringement of their specific rights, with the aim of maintaining and realizing personal freedom and dignity."[3] Therefore, it can be seen that the personality rights stipulated in the Civil Code of China are a traditional type of personality rights, It refers to the general and specific personality rights of a person. General personality rights mainly include personal freedom, personal dignity, and personal independence, while specific rights include the right to name, life, health, reputation, honor, and other contents. However, the personality right of a work is different from traditional personality rights. The personality right of a work, also known as the personal right of a work, refers to the object of rights that is not simply the personality itself, but extends to works created based on personality. Its forms of rights mainly include the right of authorship, publication, modification, and integrity of the work [4] Obviously, the personality rights of a work are mainly based on the identity rights formed by the work. From a deeper level of analysis, protecting the personal rights of copyright ultimately relies on safeguarding the freedom and dignity of the copyright owner.

Firstly, personality rights are the theoretical foundation of copyright protection. According to relevant scholars' research, the author's rights system is based on the theoretical

foundation of copyright, guided by German transcendental idealism philosophy, and gradually formed through continuous development and improvement. Given that the theory holds that works are created by humans, they contain the author's personality. So, protecting the copyright of works based on personality rights has certain rationality.[5] Of course, at the beginning of the theory's argument, there were also certain flaws, that is, the theory believed that the work was an "externalization of personality", with the aim of proving the rationality of the subject's control over personality rights. Although the "personality externalization theory" addresses the rationality of the subject's control over personality rights in legal theory, it has not received unanimous recognition from the academic community. The mainstream ideology in the academic community generally holds that "personality rights are not the right of the subject to control their own body, but to require others to respect their own rights. If the subject is allowed to control personality rights, it means that people will have the freedom to control or dispose of their personal rights such as life, health, body, which is clearly not allowed by law."[6] In view of this situation, in the theoretical development of the author's rights system, The inclusion of certain personality attributes in works has been widely recognized in the academic community, while the "personality externalization theory" has gradually been abandoned.

With the continuous development of copyright theory, the logical relationship between personality rights and copyright is also constantly being sublated, and at the theoretical level, it has evolved from the original "monistic" model to the current "binary" system architecture. Among them, "monism" includes two theoretical forms: "personality rights theory" and "copyright monism", while "dualism" is divided into two systematic theories: "intangible property rights theory" and "copyright dualism". In monism, the personality rights and real right (property rights) of a work are considered as a whole, hence the monism model. However, in the "theory of personality rights", the focus is on protecting the exclusivity of personal interests, while real right (property rights) is placed in a secondary position. In the "monism of copyright", relevant scholars argue that property rights and personality rights are mixed and single rights, and there is no need to make any distinction. In the "dualist" system, the "theory of intangible property rights" recognizes both the author's personality rights and the author's copyright, but the two are coexisting, meaning that copyright does not include personality rights. The "dualism of copyright" is completely different from the "theory of intangible property rights", which holds that copyright includes both personality rights and property rights. Moreover, due to the completely different nature of personality rights and property rights, there is no possibility of cooperation becoming a single entity. Based on the above analysis, it can be concluded that the "monism" model has a theoretical tendency to dominate the right to personality in protecting copyright, so this theory cannot receive legal recognition in the current academic community. Comparatively speaking, the legal applicability of "dualism" is relatively strong. Due to the separation of personality rights and property rights, they can be divided and governed when resolving corresponding disputes. However, the "theory of intangible property rights" theoretically negates the personality attribute of copyright. Personality rights are not protected by copyright, and works protected by copyright only have property attributes. The "dualism of copyright" not only recognizes the personality attribute of a work, but also supports the property attribute of the work, meaning that both personality and property rights belong to the protected content of copyright. In reality, since a work is created by the author's personality, which inevitably contains the author's ideological connotation, it is natural for the author to enjoy the personality right of the work. In addition, the work needs to exist in a certain form, and the form has the nature of property rights or property rights. This provides an objective basis for the protection of property rights or property rights in the form of the work. Therefore, the "copyright dualism" is more inclusive and reasonable in protecting the rights of authors' works, while also avoiding the dominance of personality rights. In short, the strategy of protecting the personality and property rights of authors through the division of "dualism" has corresponding rationality, especially the "dualism of copyright".

Secondly, the mechanism of protecting personality rights in sports event copyright. Sports event copyright, also known as sports event copyright, includes personality rights and property rights as mentioned above. So, sports event copyright, as a copyright, also includes two rights: personality rights and property rights. From a legal perspective, whether the copyright of sports events can be protected by law is closely related to the nature of the works of "sports events". So, as one of the contents of sports event copyright, personality rights also cannot be separated from the qualitative analysis of sports event works. However, in copyright protection, the qualitative requirements for works vary greatly due to different theoretical systems and models. Represented by the Anglo-American legal system, it applies the copyright system, which has relatively low requirements for the originality of works, as long as it meets independent creative standards. The theory of the continental legal system requires higher standards, requiring not only high originality but also a certain degree of formality in the identification of works. Although the Copyright Law of China does not specify which theoretical system to adopt, the system model adopted can be easily seen in relevant legal provisions. In the first annotation of China's Copyright Law, it is pointed out that "creation refers to intellectual activities directly generated from literary, artistic, and scientific works, and its specific content mainly includes works of literature, art, natural sciences, social sciences, engineering technology, and other works. According to this annotation, creation must be a direct result of the author's intellectual activities, which means that the work is the original creation of the author's ideas, and the content type of the work indicates the specific form of the work. Implicitly, only works with originality of thought and formal carrier can be protected by China's Copyright Law. It can be seen that the theoretical system adopted by China's Copyright Law is the author's rights system. Therefore, whether the copyright of sports events can be protected by China's Copyright Law, and whether the right to personality will be respected by society, are closely related to the originality of the ideas in their works and the formality of their carriers. The qualitative analysis of works in "sports events" is a key link. Only when "sports events" are recognized as works can their related rights and interests be protected by China's Copyright Law.

In summary, it can be seen that a work is the author's ideological creation and a concrete manifestation of personality. Personality right is an important right of authors and an important content in copyright. Of course, the content

of copyright is not only about personal rights, but also includes property rights. However, personality rights have a fundamental position in copyright, and denying the author's intellectual creation means denying the author's personality rights, which in turn negates the author's property rights. Therefore, in the copyright disputes of sports events, effective argumentation of works is an important prerequisite for respecting personality rights and the fundamental guarantee for safeguarding sports event copyright.

3. Analysis of Disadvantageous Factors in the Protection of personality Rights in the Copyright of Sports Events

3.1. The Theoretical Basis for the Protection of Personality Rights is Controversial

In the copyright of sports events, personality rights are the content of the copyright and the theoretical premise for its existence. On the contrary, only when copyright is recognized by law can personality rights be protected. According to the theory of copyright, copyright protection must be based on the qualitative nature of the work, which not only requires the originality of the idea, but also requires the work to exhibit a certain degree of formality. In addition, the content and form of the work must also reflect dialectical unity in structure. However, the academic community did not achieve this standard requirement well when demonstrating the characteristics of sports events.

Firstly, there is a cognitive divergence in the works of 'sports events'. There has always been significant disagreement in the academic community regarding the nature of works related to "sports events", which is also the fundamental reason why sports event copyright is difficult to be effectively protected by law. According to China's Copyright Law, "a work refers to an intellectual creation that has originality and can exist in a tangible form in the fields of literature, art, and science."[8] This indicates that in terms of scope, a work exists in the fields of literature, art, and science; In terms of ideology, the work should have originality; In terms of form, the work should have replicability or fixity; In terms of nature, works are manifested as intangible intellectual labor results. Obviously, 'sports events' are neither literary works nor scientific works. So, is' sports events' a work of art? Unfortunately, art projects also do not include "sports events", even though Article 3 (9) of the Copyright Law provides for other forms of works in a roundabout manner, it still does not include "sports events" because the scope of other works is also limited to the fields of literature, art, and science. In theory, works in the field of art should include "sports events", at least some of them, such as artistic gymnastics, figure skating, and other sports events. Scholar Houfu Zhang firmly believes that "sports competition performances are competitive, artistic, and fixed, and should be recognized as works."[9] However, in reality, this is not the case. The academic community in our country mainly negates the nature of "sports events" based on two aspects: the scope of the works and the originality of the ideas. For example, scholars such as Linlin Hao pointed out that "sports events" are only facts of life, not works that are protected by the Copyright Law. Moreover, it does not possess originality in thought [10] Of course, some scholars believe that sports events do not have replicability. [11] In addition, denying the nature of works in sports events does not mean that there is no object of works in sports event copyright, but rather means that the object of works in sports event copyright has been transferred, which is the sports event program actively argued by the academic community. According to scholar Sun Shan's research, "sports event programs have originality and should be classified as other works under Article 3 (9) of the Copyright Law."[12] Some scholars also believe that "the screen of sports event live streaming programs should be characterized as works created using methods similar to those used to make movies."[13] In fact, there is not much difference in the recognition of sports event copyright works between the two, just to put it another way. Considering that the producers of sports event programs only obtain the right to produce and broadcast sports events from the organizers of sports events, that is, it is primarily a right of inheritance, this article does not agree that sports event programs have the property of works. Even though the producers of sports event programs have made innovations in the editing process, it is still unreasonable to refer to sports event programs as works of sports event copyright. Because recognizing the nature of a sports event program's work means changing its main task of producing and disseminating "sports events," there is a suspicion of putting the cart before the horse, and competing for dominance. Therefore, its so-called "innovation" should be considered as an "addition" to the original work, which is more appropriate. In summary, there are two issues that need to be addressed in the protection of sports event copyright: firstly, who should be the rights subject of sports event copyright? How should the objects of works copyrighted for sports events be determined? Firstly, from the perspective of ownership of sports events, it can be concluded that the organizers of sports events are the organizers, managers, and owners of sports events, so it is more appropriate for them to enjoy the copyright of sports events. Producers of sports event programs can enjoy neighboring rights or property rights of copyright with the permission of the organizers of sports events; Secondly, the copyright object of sports events should only be "sports events". Recognizing the nature of "sports events" can not only protect the sports event copyright of sports event organizers from the source, but also ensure the inheritance rights of sports event program producers. The only thing that the academic community needs to do is to demonstrate the legitimacy and rationality of sports event works. Moreover, legal works do not have the universality of academic works theory, and adherence to tradition can only harm the interests of rights holders. Therefore, increasing the content of works in a timely manner in law is not only an effective way to protect the rights of authors, but also an important measure to promote social harmony, environmental stability, and human development.

Secondly, the relationship between "thought" and "expression" and "content" and "form" is fragmented. In the theory of copyright, "thought" and "expression" are the basic logical concepts of copyright theory, and they have relative independence. Although 'expression' is generated by 'thought', they belong to different concepts of nature. The former is the result of the author's intellectual labor, which exists in the mind, while the latter is the external form of the result of intellectual labor, with objective external manifestations. And the results of intellectual labor can also not appear in any form. From this, it can be seen that a work must be an external manifestation of "thought". Here, the "expression" of a work can be further divided into the "content" of the work's

expression and the "form" of the work's expression. The "content" and "form" expressed in the work are specific concepts, and they are one body, two sides, and cannot be separated. Of course, the 'content' expressed in a work can exist in various' forms'. If there is only one 'form' of 'content', then that 'form' is not protected by law. If protected, it will hinder the mutual learning and development progress of society.[14] So, in the copyright protection of sports events, works must also follow the internal logical relationship between "thought" and "expression", "content" and "form". However, in practice, the "content" and "form" of sports event works are often separated. The "content" of sports event copyrighted works refers to sports events, while the "form" of sports event works is relatively diverse and has a continuous expansion trend, such as online live broadcasting, television live broadcasting, television recording, recording and other content of sports events. Some scholars in China deny that the "content" of sports events has the nature of a work, while on the other hand, they try to protect the "form" of sports event works, this is actually the artificial separation of the "content" and "form" of sports event works, which goes against the basic principle of dialectical unity between the "content" and the "form" of works.

3.2. The Rights Subject of Personality Rights Protection Does Not Attach Importance to It

Generally speaking, the protection of personality rights is closely related to the degree of emphasis placed on the rights subject. In the dispute over sports event copyright, the organizers of sports events are the main rights holders of sports event copyright, and it is their duty to safeguard the personality rights in sports event copyright. However, the organizers of sports events did not truly value the personal rights of sports event copyright, and the specific reasons are as follows:

Firstly, the monopoly of sports event organizers over sports events and related activities. The author believes that the organizers of sports events are the actual owners of the copyright of sports events, and they have a strong monopoly on sports events and their related rights and interests. As is well known, sports event organizers can not only organize and manage sports event activities, but more importantly, they also engage in a series of commercial activities related to sports events, such as operation, sales, and licensing. Since the organizers of sports events are the organizers, managers, and operators of commercial activities, they are essentially the equity owners of sports events and related activities. In that case, it also has the right to manage sports events, resolve sports disputes, and engage in a series of sports commercial activities. Also, Usually, sports events are held in enclosed venues, routes, and runways, which is an important condition and guarantee for them to have absolute jurisdiction over sports events and their related rights. With this barrier of conditions, sports event organizers can easily exclude irrelevant personnel and also use this advantage to engage in commercial activities related to sports events, such as selling tickets, advertising, online live streaming, television live streaming, and a series of marketing activities.[15] In summary, sports event organizers are monopolists of sports events and owners of sports event copyrights.

Secondly, the weakening of the protection of personality rights by sports event organizers. Imagine, since sports event organizers can easily obtain their desired property rights through venues, venues, and related specific facilities, is it still necessary for them to struggle for the copyright of sports events? Obviously not needed. In reality, it is precisely other media that purchase sports event copyrights from sports event organizers. For example, "Youku spent 1.6 billion yuan to purchase the copyright of the 2018 World Cup".[16] Leshi Sports spent 110 million dollars to win the full media copyright of the Asian Football Association in Chinese Mainland in 2017-2020.[17] From this, it can be seen that the rights subject of sports event copyright - sports event organizers do not need to resort to copyright to achieve their own property rights protection, while the copyright rights obtained by other sports event communication media only have the nature of property rights. Moreover, in the copyright dispute over sports events, the rights that sports event media strive for are precisely property rights. In addition, even if the personality rights in the copyright of sports events are violated, the sports event dissemination media is not a qualified subject for rights struggle. As the true owner of sports event copyrights - sports event organizers, due to the transfer of sports event copyrights and the realization of property interests, they no longer pay attention to the issue of personality rights in sports event copyrights, and thus the protection of personality rights is weakened.

3.3. Insufficient Academic Research on the Protection of Personality Rights

The research on the personality rights of sports event copyrights is relatively shallow and lacking. The research on copyright disputes in sports events mostly focuses on the field of property rights. Moreover, with the development of modern technology, especially the widespread application of internet technology, the research on property rights in sports event copyright disputes has become widespread, which can be easily seen in recent years' research on sports event copyright. Firstly, according to the theory of the copyright system, the essential attribute of a work is its property, which is no different from other labor achievements. [8] The theoretical recognition of the copyright system in China's academic community is the confirmation of the acceptance of the property attribute of sports event copyright. Secondly, even in the theoretical research of the author rights system, Chinese scholars are also concerned about the property attributes of sports event copyrights, and the research on personality rights is not in-depth. The research on the personality rights of sports event copyrights mainly focuses on the qualitative analysis of works related to "sports events". The academic community only highlights the personality significance of a work by examining the "originality" of the author's ideas and the "formality" of the work, while more in-depth research is rarely heard of. Moreover, even if academic research confirms the "originality" of sports event works, the purpose is still to protect the property interests of sports event copyrights, and there is no in-depth research involving the protection of personality rights. However, the author believes that studying the personality rights in sports event copyrights is of great significance: on the one hand, it can first safeguard the personal rights of sports event copyrights, and avoid the occurrence of infringement behaviors such as arbitrary publication, modification, and deletion of sports event works by infringers. As is well known, after the copyright of sports events is licensed to the media, there is little mention of the infringement of personality rights in subsequent sports event copyrights, which is precisely the omission of academic

research on the protection of personality rights and related research; On the other hand, the study of personality rights is also conducive to a deeper protection of the property rights of sports event copyrights.

3.4. The Legal Foundation for Protecting Personal Rights is Relatively Weak

In the copyright dispute over sports events, the legal protection of personality rights first lies in protecting the personal interests of sports event organizers, but its ultimate goal is to promote the sustainable development of sports and related industries, and thereby promote the harmony and stability of the entire society. Therefore, strengthening the legal protection of personality rights in sports event copyrights is of great significance for the benefit of the country, the people, and society. However, in the face of the increasingly diverse copyright disputes in sports events, the legal protection of personality rights has shown significant deficiencies.

Firstly, the Copyright Law has not played its due role in the legal protection of personality rights. Although the Copyright Law stipulates that copyright owners have personal and property rights, and lists specific types of works, the legal protection of personality rights in sports competition copyright disputes still faces numerous obstacles. In order to protect the personality rights in the copyright of sports events, it is necessary to first demonstrate the attributes of the works of "sports events". In this issue, the academic community has only two options: one is to choose a copyright system to reduce the ideological innovation requirements of the works; The second is to adopt the continental legal system, which strictly requires the ideological innovation and formal existence of the work. However, so far, there have been no cases in which Chinese courts have adopted a copyright system to confirm the attributes of "sports events" works, which should be related to the theoretical basis of China's Copyright Law, which is the author's rights system. Similarly, based on the theory of author rights system, China's Copyright Law still has not played an effective role. Although the courts in our country have recognized the nature of sports event programs as works, they were ultimately abandoned due to failure to withstand judicial reasoning. For example, in the case of "Sina Company v. Tianying Jiuzhou Company for Copyright Infringement", the court's first instance ruling found that the sports events broadcasted by Tianying Jiuzhou Company constituted works. However, in the second instance, the appellate court rejected the nature of sports event programs as works.[18] From this, it can be seen that under current environmental conditions, the personality rights in sports event copyrights are rarely effectively protected by China's Copyright Law.

Secondly, the Sports Law, as the highest law in the management of sports undertakings, is still relatively weak in safeguarding the personality rights of sports event copyrights. The new version of the Sports Law aims to promote the development of the sports industry, promote the spirit of Chinese sports, and expand its content and depth from the original 8 chapters and 54 articles to 12 chapters and 122 articles, including general provisions, national fitness, youth and school sports, competitive sports, anti-doping, sports organizations, sports industry, guarantee conditions, sports arbitration, supervision and management, legal responsibilities, and supplementary provisions. In response to the new challenges and problems that arise in the new era, the revision of the Sports Law directly faces the practical problems of sports, actively responds to the new demands and expectations of the people, and provides a solid legal guarantee for the development of sports in the new era. However, in terms of sports intellectual property rights, the content is clearly insufficient. Only Article 52 stipulates: "The names, emblems, flags, mascots and other symbols of sports events held within the territory of China shall be protected in accordance with relevant national regulations. Without the permission of the organizers of sports events and other relevant rights holders, no one shall collect or disseminate information such as pictures, audio and video of sports event venues for profit. In addition, the Sports Law The operability of the law is not strong. Operability reflects instrumental value. However, the Sports Law does not have practical operability, which is also a recognized fact in the academic community. The main manifestation in solving problems is macro guidance, without involving practical operational methods or specific measures. Therefore, the role of protecting personality rights in sports event copyright needs to be improved.

4. Path Selection for the Protection of Personality Rights in Sports Event Copyright

4.1. Building a Theoretical Foundation for the Protection of Personality Rights

As mentioned earlier, the theoretical basis for the protection of personality rights lies in demonstrating the originality of the author's "ideas". Undoubtedly, without the originality of the author's "ideas", there is no reason for the existence of the work, and of course, there is no personality right of the author. More importantly, original 'ideas' still need to rely on certain carriers to form works. It can be seen that the originality of "thought" and the formality of "expression" are two necessary conditions for the formation of works, but they are also the foundation and prerequisite for the existence of personality rights. However, as is well known, the academic community generally does not believe that human activities such as behavioral events, technology, and skills have "intellectual originality," meaning that such activities cannot be recognized as works. So, the result is that the author cannot enjoy the personality rights of such activities, and such activities cannot be protected by the Copyright Law. In the copyright dispute over sports events, it is precisely "sports events" that are regarded as behavioral events, making them unable to become protected works under China's Copyright Law. In fact, this is a simple identification of the attributes of "sports event" works, which not only denies the personality rights of sports event organizers, but also makes it difficult to effectively protect property rights. In view of this, the author will clarify the conditions and mechanisms for "sports events" to possess the attributes of works, in order to provide a solid theoretical basis for the protection of personality rights in sports event copyright.

Firstly, theoretically, it is necessary to break through the legal limitations on the scope of works. Generally speaking, legal systems are usually effective solutions to current social problems (with traceability when necessary), and their formulation inevitably requires them to have characteristics such as abstraction, generality, stability, authority, and certainty. However, in the face of the ever-changing world,

the coverage and adaptability of legal systems often have certain lag and limitations.[19] So, there are similar views in the academic community regarding the legal provisions for works. Scholar Yulin Jin pointed out that "the definition of a work in any country's copyright law does not equal the concept of a work. The former has specificity due to specific conditions, while the latter has generality due to a highly objective generalization.[14] Some scholars believe that the definition of works in the author's rights system is not comprehensive, and should not only include ideological works, but also include some factual, behavioral works, and other content.[20] The author agrees with the above academic views and also believes that works are not only the creation of human thoughts and behaviors, but should also include natural "ingenious works", As long as they meet or possess important ideological meanings in human social life. So, looking at sports events, from a process perspective, it is undoubtedly a behavioral event, but it is not a simple behavioral event. This behavioral event also has ideological, organizational, and managerial characteristics. It is with ideas that sports events have the driving force to advance; It is with organization that sports events can proceed in an orderly manner, and it is with management that sports events can be recognized by society. The idea of a sports event is to dedicate an exciting and unpredictable outcome to society. The competition process of a sports event is the work, and the competition result is the highlight of the work. Therefore, sports events can be regarded as comprehensive works, which means that sports events are both behavioral and ideological works, and this work has significant social significance. It can be manifested as entertainment activities, but is richer in political, economic, and cultural ideological connotations.

Secondly, it emphasizes the dialectical unity of the "content" and "form" of the work in terms of structure. In the theory of copyright, the "expression" of "thought" has two elements in structure: "content" and "form". And the two are dialectical and inseparable. Among them, "content" has the uniqueness of "thought", while "form" has the diversity of carriers, which is also one of the important reasons why "works" need to be protected. In the copyright of sports events, "sports events" are the specific "content" of "works", while the carrier "form" of "sports events" varies freely, such as television signals, radio signals, network signals, etc., and they will continue to expand with technological progress. A 'sports event' can be combined with any carrier to form a 'work'. Nowadays, there are two main misconceptions in the copyright of sports events: one is to deny the nature of the works of "sports events". Denying the attribute of "sports events" as works, that is, denying the innovative thinking of "sports events", and also denying the personality rights granted based on the "works" of sports events; The second is to replace the "content" of the "work" with the carrier "form" of the "work". In this case, the copyright owner of the "work" will be transferred. For example, "sports event program" is a form of carrier "form", and treating "sports event program" and other carrier "forms" as "works" means that the producer of sports event programs is the right subject of sports event copyright, but in reality, its copyright is "imported". Therefore, in the protection of personality rights in sports event copyright, it is necessary to clarify the connotation and composition of "works", and dialectically unify "content" and "form".

4.2. Enhancing the Awareness of Rights Protection among Sports Event Organizers

Sports event organizers are the rights holders of sports event copyrights. They can license sports event copyrights to other sports event media producers and directly realize their own property rights. At the same time, they can also form their own sports event copyrights through their own sports event media. But whether it is licensing others or self-development, it requires the dialectical unity of the "content" and "form" of sports events in terms of structure. Only the combination of "content" and "form" can form a "work" of sports event copyright. In the first case, due to the property rights of sports event copyrights obtained by sports event media producers, sports event media producers can protect their legitimate rights and interests through laws and regulations such as the Copyright Law and the Anti Unfair Competition Law in response to property rights disputes in sports event copyright disputes. However, regarding infringement of personality rights, sports event media producers cannot effectively protect them. The reason is that the copyright licensed by sports event organizers only has property attributes or the right to use and profit, and does not have the attribute of personality rights, that is, personality rights have not been transferred to sports event media producers. Therefore, safeguarding the right to personality must be its eligible subject - the organizers of sports events. Due to the fact that organizers of sports events have already realized their property rights, there is a slight lack of motivation in protecting their personal rights. In reality, it has not been found that sports event organizers engage in relevant personality protection. Undoubtedly, if the organizers of sports events continue to disregard the infringement of others' personal rights, it will only promote the infringement of sports event copyright, and in the long run, it will inevitably affect the healthy development of sports events and related industries. Therefore, sports event organizers should effectively safeguard their personal rights and promote the reasonable and legal application of sports event copyright in society. In the second case, there is no right to transfer the copyright of sports events, whether it is personal or property rights. Once infringed, the organizers of sports events have the responsibility to fully protect it. In any case, organizers of sports events must seriously protect their personal and property rights, and strive to promote the healthy operation of the entire sports event industry in a harmonious environment.

4.3. Strengthening Academic Research on Personality Rights in Sports Event Copyrights

In the copyright of sports events, in-depth research on the protection of personality rights is of great significance. In theory, it can expand the depth and breadth of theoretical knowledge about sports event copyright; In practice, it is conducive to resolving various rights and interests disputes in sports event copyrights, thus playing an important role in maintaining social stability. On the one hand, this study can provide direction for the rights protection actions of rights holders in terms of ideology; On the other hand, this study can provide a scientific legal basis for fair rulings by law enforcement agencies in the judiciary. Therefore, it is crucial to strengthen the research on the protection of personality rights in the academic community. The specific research

content is as follows: firstly, to strengthen the research on the fundamental position of personality rights in sports event copyright. Although the academic community generally recognizes the fundamental status of personality rights in sports event copyrights, in-depth research on this fundamental status is slightly insufficient. The academic community should not only clarify that personality rights are the foundation for the formation of sports event copyrights, but more importantly, clarify the logical relationship of personality rights in sports event copyrights, point out the important role of personality rights in sports event copyright disputes, and enable theoretical and practical circles to grasp the true connotation of personality rights in sports event copyrights; Secondly, strengthen research on the infringement of personality rights in sports event copyright disputes. In the copyright disputes of sports events, the academic community is generally concerned about property rights infringement, while research on personality rights infringement is rarely mentioned. Only by strengthening in-depth research on personality rights can we more comprehensively protect the property rights of sports event copyrights. Therefore, in the copyright disputes of sports events, the academic community must carefully pay attention to whether personality rights have been infringed, as well as the content, scope, and degree of infringement. Of course, this is also a content that is often overlooked in academic research on the protection of personality rights; Thirdly, explore the mechanism of the role of sports event organizers in protecting personal rights. Sports event organizers are the right subjects of personality rights protection, and the realization of property rights will reduce their motivation to maintain personality rights. Therefore, it is extremely important to promote the motivation of sports event organizers to protect personality rights. In summary, the academic community can only promote the protection of personality rights in sports event copyrights in a reasonable, legal, scientific, and effective manner by clarifying the fundamental status of personality rights, understanding the substantive content of personality rights infringement, and mastering the motivational elements of the rights subject to implement protection.

4.4. Improving the Legal Basis for the Protection of Personality Rights in Sports Event Copyright

In the copyright protection of sports events, the protection of personality rights not only requires a solid theoretical foundation and close attention from the academic community, as well as the awareness of rights holders, but also a sound legal foundation. Because the rule of law is the only way for today's human civilized society to firmly uphold an expectation that is often expected by society, almost compulsory, and harmed.[21] The improvement of the legal system mainly involves the following aspects: firstly, adding and modifying the content of the Sports Law, and exerting the guiding role of specialized laws in the field of sports. In the Sports Law, specific chapters and provisions on sports intellectual property rights can be added to clarify the specific connotation of sports event copyright. Not only that, in sports event copyright, it is also necessary to clarify who the rights subject of sports event copyright is, as well as the legal relationship between the rights subject and other relevant rights subjects. In addition, it is necessary to clarify the specific content, scope, and characteristics of personality rights and property rights in sports event copyrights. Only in this way can the rights subject, rights object, legal rights, and legal obligations in sports event copyright be clearly understood in the judicial process, thus avoiding unnecessary cognitive differences; The second is to supplement the content of the Copyright Law and increase the scope of intellectual property protection works. As mentioned earlier, the work reflects the author's ideological connotations. In fact, whether it is the self-innovation of human thought or the bestowal of certain connotations on the "masterpiece" of nature by human thought, it is all human thought. As long as it has social significance and can serve humanity, it can be classified as a "work". 'Sports events' are specific behaviors of human society, and of course, they have social value and significance. As a part of human life, why not legally endow them with the meaning of' works? Moreover, once the Copyright Law grants the "work" attribute to "sports events," disputes over the rights and interests of sports event copyrights can be easily resolved. In summary, strengthening the protection of personality rights in sports event copyrights and enhancing the fundamental role of the Sports Law and Copyright Law is the only way forward.

5. Conclusion

In sports event copyright, personality rights are essentially legal recognition of the personal rights of sports event organizers to innovate ideas in their works. This indicates that personality rights are not only the basic content of sports event copyright, but also an important right of sports event organizers. Moreover, personality rights are a prerequisite and foundation for effective protection of property rights. However, in the copyright disputes over sports events, the right to personality has not received attention from the academic community or even the rights subject itself. This not only makes it difficult to effectively protect the copyright of sports events, but also makes the infringement of licensed sports event copyrights chaotic. Therefore, countries around the world, especially developed countries, have introduced corresponding laws to safeguard the relevant rights in sports events. France has established sports guidelines, while Italy has introduced sports audition rights in the bill. But this cannot fundamentally solve the issue of copyright disputes in sports events. To solve the copyright disputes in sports events, the only way is to address them from the source and attach importance to the protection of personality rights: firstly, to establish a solid theoretical foundation for the protection of personality rights; Secondly, it is necessary to enhance the awareness of rights protection among sports event organizers; Thirdly, we need to strengthen the research efforts of the academic community; The fourth is to improve the legal foundation of personality rights.

Acknowledgments

This work is supported by scientific research startup fund project: The legal basis and path choice of sports intellectual property protection (RC20114), and research commission project for the Emei Martial Arts Inheritance Base of Chinese Traditional Culture by the Ministry of Education: the cultivation and development of Emei martial arts industry under the background of cultural and tourism integration development(2022JZEJ001).

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