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LEGAL REGIME OF VIRTUAL TOURS

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The research deals with the current issues related to the legal regime of virtual tours and their characteristics. The concept of virtual tour is studied in the article and the process of its creation is analysed. The article analyses such features of a virtual tour as an electronic (digital) form; interactivity; virtuality; the presence of a computer program in the structure and others.

Introductory part. The intensive development of multimedia technologies and the emergence of new data visualisation tools help to improve access to the museum. At present, virtual tours, which allow access to the museum exposition in the virtual space, have become widespread.

The topic of virtual tours is touched upon in the theses of museum studies specialists, considering the introduction of new information technologies into the practical activities of museums. In particular, virtual tours were considered in the works of M.N. Chesnokova, [1] L.S. Imennova, [2] I.I. Makarova, [3] M.Yu. Krjazhevskih, [4] V.A. Sarkisov. [5]. The legal assessment of virtual tours is given in the work of E.S. Grin, who does research on virtual tours as a kind of multimedia product. [6]

Despite the existence of studies on the problems of the legal regime of virtual tours, Russian and Belarusian legal science lacks comprehensive theoretical and legal research on this topic.

Therefore, a comprehensive study of this phenomenon seems to be reasonable, so as to determine the legal nature of a virtual tour more accurately.

Legal regime of virtual tours. There is no mention of virtual tours in the legislation of the Republic of Belarus. In the Russian Federation, the Technical Recommendations for the creation of virtual museums contain a concise definition of a virtual tour – a tour of the exhibits on display. [7]

I.A. Menshikov considers a virtual tour to be a combination of 360-degree photos (spherical or cylindrical), located in a certain way. [8] Other authors offer a similar definition: a collection of several spherical virtual panoramas, representing a photorealistic way of demonstrating volumetric space. [9, p.9]

Based on the above definitions of the virtual tour, it can be concluded that there is no uniform understanding of the phenomenon under study in the doctrine. To clarify the concept and definition of the distinctive features of the object under study, we are to consider the process of a virtual tour creation.

The process of creating a virtual tour involves several steps:

1. Taking photos of objects to be included in the virtual tour;
2. Photo processing, panoramas creation;
3. Programming the effects of interactivity, making a virtual tour. [10, p. 245]

At the final stage, virtual panoramas are combined into virtual tours. "Transition points" are embedded in the panorama to move between panoramas, as well as to gain access to additional content (video, photos, text blocks, animation, etc.).

The legal regime of a virtual tour is not defined by Belarusian legislation. In the Law of the Republic of Belarus "Concerning copyright and related rights", [11] there is no reference to virtual tours as items subject to copyright. E.S. Grin relegates virtual tours to multimedia content forms [6].

So as to consider the matter of the possibility of classifying virtual tour as a multimedia content form, we shall analyse the characteristics of multimedia content forms.

According to S.A. Sudarikov the important feature of a multimedia work is its existence in the digital environment and digital form. [12, p. 188] V.V. Lebed emphasises that the classification of one or another object as a piece of multimedia work requires all of the following characteristics: the presence of several diverse creative results in the structure, including a computer program; interactivity; virtual reality. [13, p. 76]

Summarising the features of a multimedia work offered by the doctrine, the following can be considered to be the main qualifying elements of a multimedia work: the presence of several heterogeneous protected results of intellectual activity, which are the independent objects of copyright, in the structure; the availability of an electronic format (digital format); functioning in the process of interaction with the user (interactivity); the

imitation of objective reality or display of the fictional world created by the author with the help of computer technology (virtuality); the presence of the computer programme in the structure.

Let us consider if there is any evidence of virtuality elements in a virtual tour. Virtual [lat. virtualis] - possible; one that can or should manifest itself under certain conditions. [14, p. 106] Virtual reality is a product of processing the information by a computer that creates the effect of presence and the ability to manage a new reality created by modeling with the help of modern computer equipment [15, p. 96].

Thus, virtuality can be characterised as a feature of the intellectual activity result, manifested in the creation of an objective reality imitation or display of the world invented by the author with the help of computer technology.

Virtual reality - the imitation of physical laws and their visual demonstration - is the heart of any virtual tour.

Later on, we shall look into the matter of virtual tour's matching the criterion of interactivity.

Therefore, interactivity is the feature of a multimedia work, illustrating its functioning in the process of interaction with the user through a computer programme. The user must take an active part in the interaction with the multimedia work.

Moving between panoramas along with moving through active points to additional content allows you to expand the interactive communication with the visitor of a virtual tour.

When a virtual panorama is opened, a fragment of a panorama with an angular size of 360 degrees in the horizontal plane is displayed on the user's device. Such an angular size is suitable for the human sight angle as a rule.

When viewing a separate virtual panorama, the user can tour the exhibits presented in the museum by controlling the keys on the screen, or device, or by means of a computer mouse moving around the panorama. The user can also zoom in or zoom out the exhibit, look around, look at the exhibit carefully at the desired angle.

For example, several virtual tours are presented at the National Art Museum of the Republic of Belarus. Visitors can see the panorama of the hall, the exposition of Russian art of the XVIII - beginning of the XX century, the exposition of the ancient Belarusian art, the exposition of the European art of the XVI - beginning of the XX century and the art of the Orient of the XIV - beginning of the XX century, the exposition of the Belarusian art of the XIX - first half of the XX century and the exposition of the Belarusian art of the XX century.

The user can move through the halls of the museum, zoom in the museum exhibits, and change the viewing angle of the exposition.

Consequently, it can be stated that virtual tour can be characterized by its interactivity.

The next feature of a multimedia work is the presence of several heterogeneous creative results in the structure, including a computer programme. A multimedia work usually contains such objects of intellectual rights as computer programs, literary components, images, music, a website as a composite work and other components [16, p. 20].

The operation of virtual tour and the user interaction is provided by a computer programme. Moreover, a virtual tour may contain different items subject to copyright: literary and musical works, graphic and design works, audio and video recordings, photographs, 3-D models, etc. The specification of items incorporated in a virtual tour may vary in dependence to its type and scale.

Conclusion. Based on the study, it can be concluded that the virtual tour is a complex result of creative activity presented in electronic (digital) form by means of spherical or cylindrical panoramas built on the interactive communication between the user and the virtual environment through a computer program.

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