

COPYRIGHT LAW IN THE EUROPEAN COMMUNITY

A comparative investigation of national copyright legislation, with special reference to the provisions of the Treaty establishing the European Economic Community

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This study of copyright law in the European Community is intended primarily as a comparative review of copyright laws operative in the nine EEC Member States on the basis of the legislative material existing in the individual countries. The nine countries' many years of common experience under the umbrella of the Berne Convention of 1886 and its subsequent revisions (The Universal Copyright Convention of 1952/1971 is only marginally applicable to the nine EEC Member States in their relations with one another) have certainly led to a large measure of accord between their rules in the resolution of problems, such as automatic copyright protection without special depository procedure or the listing of protected works. There are still, however, substantial differences, not only in the details of the rules but also on some very important points, for example the rules of the law on the 'moral rights' of the author, the rules of copyright in films, in the fields of the general duration of copyright or special duration of copyright, and in the limitation of copyright. The primary aim of this study is to demonstrate the common features and the differences, at the same time evaluating individual solutions and – avoiding any form of national preferences – setting out the most preferable solutions and those most adapted to the modern requirements of copyright.

In this connection, particular attention has been given to the solution of the pressing problems of copyright arising from technical developments in the area of reproduction for private use (tape recorders, video recorders, photocopiers), as well as in the area of broadcasting (cable television, satellite television).

This study was prepared at the request of the Commission of the European Communities.

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Human Rights has become a vital – even passionate – matter of public concern during the 1970's. Government policy has everywhere been pressured by non-governmental and mass-media opinion to modify earlier attitudes and practices. Some governments have been under concerted worldwide attack for systematic violations of what are known as 'fundamental rights and freedoms'.

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