

## VI. Copyrighted Works

### *Material and case-law to study*

CJEU *Eva Maria Painer v. Standard* - <http://curia.europa.eu/juris/liste.jsf?language=en&num=C-145/10>

[http://cardozoaelj.com/wp-content/uploads/Journal%20Issues/Volume%2027/Issue%202/Judge\\_and\\_Gervais.pdf](http://cardozoaelj.com/wp-content/uploads/Journal%20Issues/Volume%2027/Issue%202/Judge_and_Gervais.pdf)

### *Tasks and questions (19th March):*

- 1) What is copyrighted work? What are the main criteria of the copyrightability in your jurisdiction?
- 2) Why is the US Supreme Court decision in *Feist* case so important? What doctrine was dismissed by this decision?
- 3) Would you consider a „smiley“ to be protected by copyright law?
- 4) What do you think about the copyright protection of data compilations? Does the EU protect data compilations by another legal regime than the USA?
- 5) Does the EU harmonize the conditions of copyrightability? Does the CJEU harmonize the conditions of copyrightability? Except the *Eva Maria Painer* case do you know any other cases of the CJEU which define conditions of the copyrightability?