



Annex to Chapter 5 on the SatCab and SatCab 2.0 Directives

	<p><i>SATCAB AND SATCAB 2.0 DIRECTIVES</i></p> <p>Chapter 5 aims to introduce the content and case law related to the Satellite- and Broadcasting, and the SatCab 2.0 Directives.</p>	
<p><i><u>Dr. Péter Mezei</u></i></p>		<p><i><u>45 minutes</u></i></p>

Reading task

Please read the following case accessible via the attached link, and answer/discuss the questions/notes below.

Joined Cases C-403/08 and 429/08 - Football Association Premier League Ltd and Others v QC Leisure and Others (C-403/08) and Karen Murphy v Media Protection Services Ltd (C-429/08), Judgment of the Court of 4 October 2011

<http://curia.europa.eu/juris/document/document.jsf?text=&docid=110361&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=7734775>

Please pay close attention to the fact that this preliminary ruling is much broader in scope than related to our chapter. Hence, **please read only paragraphs 76-133 for the purposes of this chapter.**

Questions to the reading

1. What are the external limits to copyrights/related rights under the EU primary law? Can rights holders dispute the importation of lawfully purchased equipment under copyright norms?
2. Is the providing of access to the broadcasts of soccer games in a “public house” (a bar) covered by the communication to the public of the SatCab Directive?

Further recommended readings

<http://ipkitten.blogspot.com/2011/10/more-competition-for-europes-football.html>

Further questions/tasks to the chapter's content

1. What are the options of jurisdiction regarding satellite broadcasting?
2. What is the scope of the satellite broadcasting and cable retransmission rights? (Can the relevant rights holders authorize such uses or are they only entitled to equitable remuneration?)

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3. What are the reasons for the failure of the single/Pan-European audio-visual area?
4. What are the main achievements of the SatCab 2.0 Directive?

List of relevant definitions/concepts

Please think these definitions/concepts over again, as they are crucial in understanding copyright law in the EU.

emission theory, collecting rights management (CRM), CRM with extended nature, encryption, country of origin principle

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