



Annex to Chapter 16 on the international private law aspects of copyright law

	<p><i>INTERNATIONAL PRIVATE LAW ASPECTS OF COPYRIGHT LAW</i></p> <p>Chapter 16 aims to introduce the leading rules and case law related to jurisdiction and applicable law in international copyright cases.</p>	
<i><u>Dr. Péter Mezei</u></i>		<i><u>30 minutes</u></i>

Reading task

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

Case C-170/12 – Peter Pinckney v. KDG Mediatech AG, Judgment of the Court of 3 October 2013

<http://curia.europa.eu/juris/document/document.jsf?text=&docid=142613&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=8658240>

Please focus on how the general and special jurisdictional rules of the Brussels I regulation differ from each other.

Questions to the reading

1. What is the main difference between general and special jurisdiction?
2. Can Mr. Pinckney sue in France? Under which jurisdictional concept?
3. What remedies can Mr. Pinckney sue for?

Further recommended readings

<http://copyrightblog.kluweriplaw.com/2013/12/02/jurisdiction-in-eu-copyright-cases-accessibility-of-a-website-is-a-criterion/>

<http://ipkitten.blogspot.com/2013/10/breaking-news-pinckney-judgment-just.html>

Further questions/tasks to the chapter's content

1. What might be the options to select the jurisdiction in a copyright case?
2. What type of jurisdictions do the Brussels I Regulation regulate?
3. What is the key difference between “occurred” and “may occur” under the special jurisdictional rule?
4. How do the jurisdictional rules apply in the online space?

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5. What is the default applicable law under Rome II Regulation?

List of relevant definitions/concepts

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

lex loci protectionis, place of living / domicile, place where the harm occurred, general jurisdiction, special jurisdiction, risk of irreconcilable judgments,

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