

ILLEGAL USE OF A WORK

What can I do if my work has been used illegally abroad?

1 GET EVIDENCE

Preserve detailed evidence, e.g. magazine or book, internet address, screenshot plus date and time, written confirmation by uninvolved witnesses.

2 WHODUNIT

Find out who is the party responsible for the breach of copyright, e.g. from the imprint or legal notice. In case of websites, this information can be found in registres of domain owners (e.g. www.nic.cz, www.denic.de).

3 GET IN TOUCH

Send a cease and desist letter to the party responsible by certified mail with return receipt requested.

4 COPYRIGHT FEE

Demand a fee for use that has already occurred.

5 DAMAGE CLAIM

Assert damages claims if actual loss has occurred and can be proven.

6 ILLEGAL USE ABROAD

Legal positions differ even within the EU itself. If you are considering asserting claims in relation to illegal use abroad, it is recommended that you obtain advice from an experienced legal adviser.

Outside the EU, litigation is usually only worthwhile if the sums involved are significant.