

[NO] Internet News Provider Prohibited from Using Newspapers' Review Ratings

IRIS 1998-8:1/13

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In a decision of July 16, 1998, the Oslo byrett (Oslo magistrate's court, the court of first-instance) prohibited the Internet news service Nettavisen from continuing the practice of compiling its guides to cinema and dining out from the review ratings given by three Oslo newspapers. The court found that this practice constitutes a breach of the right of quotation in the Norwegian Law on Intellectual Property, as well as a breach of the principles of good business practice contained in the Marketing Law. Nettavisen has systematically been compiling and presenting a version in table form of the "dice-roll scores" (six = excellent, 1 = poor) which sum up the reviews of new films and the ratings of restaurants in the Oslo area by the three major Oslo newspapers Aftenposten, Dagbladet and Verdens Gang. The court found that the dice-roll score constitutes an "integral part" of the review and is "copyright protected to the same extent as the rest of the review". Furthermore, by merely organising the presentation of the scores attributed by journalists in other newspapers, Nettavisen has "reaped the fruits of the work of others" and thus not complied with the principles of good business practice, the court found. Damages of NOK 60.000 (approx. FFR 50.000) were awarded to each of the three complainant newspapers, and Nettavisen was also ordered to pay the trial costs of the plaintiffs.

