

[AL] Courts Protect the Copyright

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In the last few months three decisions relating to protection of copyright were released. The cases concerned the complaints of the association Albautor, the only private collecting society for the broadcasting sector in Albania, and the Qendra Kombetare e Kinematografise (National Center of Cinematography), a state body overseeing cinematographic production and distribution, concerning the payment of copyright fees.

On 21 December 2001 the Court of Tirana - in a criminal case - sentenced the private broadcasting company "Media Vision" and imposed on it a penalty of about EUR 15,000. The decision was based on Article 419 of the Albanian Criminal Code of the Republic of Albania. The "Media Vision" company, the owner of the private television "Vision Plus", signed a contract with the Albautor association to pay copyright fees in accordance with Albanian Law No. 8410 "On public and private radio and television in the Republic of Albania" of 30 September 1998. Signing such contracts is a prerequisite for receiving a license from the state authorities for (private) broadcasting, but "Media Vision" failed to fulfil the obligation to pay Albautor's claims.

Another case was decided by the Court of Tirana on 20 March 2002 regarding Albautor and the private television "Telenorba shqiptare" (Albanian Telenorba). According to the Civil Code of the Republic of Albania the broadcaster was ordered to fulfill his copyright obligations resulting from a contract similar to the aforementioned.

Regarding the copyright duties the "IDA", the biggest private Albanian film distributor, was ordered in April 2002 to pay EUR 3000 for the use and duplication of film material to the National Center of Cinematography.

Decision of the Court of Tirana, No. 4378, date 21 December 2001

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Decision of the Court of Tirana, No. 1109 of 20 March 2002

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