[FR] Decision of the Court of Cassation on the Exclusivity of Television Films

IRIS 1995-9:1/10

Laurence Giudicelli
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The Court of Cassation, in a decision of 4 July 1995, notes that the rights transmitted to the Institut National de l'Audiovisuel (INA), by virtue of the Act of 29 July 1982, are those held by the société nationale de programmes de télévision France régions (FR3) under the co-production and distribution contract for six television films (adapted from the work of Edgar Allan Poe "Tales of Mystery and Imagination"), concluded previously with a company. Proceeding with the necessary interpretation of this contract, the Court held finally that the stipulations which reserved exclusivity of the works for FR3 on its own network, did not entitle FR3 to use these works by selling distribution rights to other networks, so that the INA, taking over the rights of FR3, did not have the right to surrender to third parties the rights which did not belong to the programme channels.

Arret n° 1245 P de la 1re Chambre Civile de la Cour de Cassation du 4 juillet 1995, Institut National de l'Audiovisuel (INA) c/ S.A. Les films du triangle et a.

Decision No 1245 P of the 1st Chamber of the Court of Cassation, 4 July 1995, Institut National de l'Audiovisuel (INA) vs. S.A. Les films du triangle et a.

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