[LI] Copyright Act

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Copyright in the Principality of Liechtenstein ("the Principality") is governed by the *Gesetz über das Urheberrecht und verwandte Schutzrechte* (Act on Copyright and Related Rights - *Urheberrechtsgesetz*/Copyright Act), *Landesgesetzblatt* (Official Gazette - LGBl.) 1999 No. 160, of 19 May 1999, last amended by the Copyright Act 2000 (LGBl. 2000, No. 265) and the *Verordnung vom 14. Dezember 1999 über das Urheberrecht und verwandte Schutzrechte* (Decree of 14 December 1999 on Copyright and Related Rights - *Urheberrechtsverordnung* /Copyright Decree, LGBl. 1999, No. 253).

The Copyright Act and the Copyright Decree are essentially based on the EEA Treaty (OJ EU L 1, p. 3) and the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS), which laid down implementation obligations for the Principality.

The Copyright Act governs the protection of authors of works of literature and art, the protection of performers, film directors, producers of sound and image carriers and broadcasters, producers of databases and the activities of collecting societies and their supervision (article 1). The author (*Urheber*) is a person who has created the work (article 6). Rights can be granted free of charge or against payment. A work is protected by copyright as soon as it has been created, irrespective of whether or not it has been recorded on a carrier. The protection expires 70 years after the author's death (article 32 f.). For neighbouring rights, the protection begins with the performance or folkloristic rendering by the performing artist, with the publication of the sound or image carrier, or with its production if it is not published, as well as with the broadcasting of the programme. It expires after 50 years (article 44). The copyright in a database begins when its production has been completed and expires 15 years later (article 49).

Limitations on copyright can be found in articles 22 et seq. of the Copyright Act. For example, published works can be used for personal purposes and in a group of people closely associated with one another. Under certain circumstances, a computer programme may be copied and its code form translated (article 24). Rules on technical measures to protect works and other subject-matter can be found in articles 44a et seq., rules on civil law protection are contained in articles 56 et seq. of the Copyright Act and on the application of the criminal law in

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articles 61 et seq.

The Copyright Decree governs the collective exploitation of copyrights and neighbouring rights, the supervision of collecting societies and measures on the import and export of goods of which the domestic distribution constitutes a breach of copyrights or related rights (article 1 of the Copyright Decree). The Copyright Decree creates the basis for the grant of concessions with a nation-wide obligation for the collective exploitation of copyrights. For example, if literature and art are lent out via public institutions fees have to be laid by teachers, businesses, institutes, commission, public administrative authorities, libraries and copy centres. These fees are then remitted to the author. The Copyright Decree lays down the conditions for obtaining the relevant concession, the basis for the distribution of the proceeds of the exploitation and the rules on supervision (articles 4, 14 et seq., 17 et seq.).

The collecting societies licensed in Liechtenstein are *SUISA*, *ProLitteris*, *SUISSIMAGE* and *SWISSPERFORM*. The Office for Trade and Transport supervises their management and ensures that they meet their obligations. It examines and approves their company reports and the rates charged.

Liechtenstein acceded with effect from 30 April 2007 to the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT).

Gesetz vom 19. Mai 1999 über das Urheberrecht und verwandte Schutzrechte

http://www.gesetze.li/get_pdf.jsp?PDF=1999160.pdf

Act of 19 May 1999 on Copyright and Related Rights

Verordnung vom 14. Dezember 1999 über das Urheberrecht und verwandte Schutzrechte

http://www.gesetze.li/get_pdf.jsp?PDF=1999253.pdf

Decree of 14 December 1999 on Copyright and Related Rights

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