[DE] Cameraman Entitled to Information from Film Exploiters

IRIS 2009-6:1/12

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In a ruling of 7 May 2009, the *Landgericht München I* (Munich District Court I - LG) decided that, under copyright law, a cameraman had the right to certain information from film exploiters. The case concerned revenue generated by the film " *Das Boot* " (made in 1981) since 2002 (case no. 7 O 17694/08).

The plaintiff was a cameraman who had helped to make the film and had been paid for doing so. The film became a global success and was exploited repeatedly over a period of years. The plaintiff did not receive a share of the proceeds of this exploitation.

In the proceedings, he asked the producer, the broadcaster that financed the film and a video company for information about how the film had been exploited and how much revenue had thus been generated. In a second stage of the proceedings, he intended to use the information disclosed by the defendants to assert a claim for payment of additional remuneration in accordance with Art. 32a of the *Urhebergesetz* (Copyright Act - UrhG).

The LG granted him the right to such information on the grounds that the unusually long and extensive exploitation of the film gave reason to assume that the income generated would be noticeably disproportionate to the remuneration received by the plaintiff.

The plaintiff's right to information covers revenue generated since 2002 because the provision of Art. 32a UrhG was only introduced as part of the 2001 copyright reforms.

Pressemitteilung des LG München I vom 7. Mai 2009

http://www.justiz.bayern.de/gericht/lg/m1/presse/archiv/2009/02004/index.php

Press release of Munich District Court I of 7 May 2009

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