# [FR] Conditions for Copyright Protection of a ‘Bible’ for a Television Broadcast

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Since the issue of the protection of projects for television broadcasts is highly casuist, each case where it is raised is worthy of interest. Recently, the regional court in Paris was required to pronounce on the originality of the ‘bible’ for a television broadcast entitled *Le Supermarché* (the supermarket), devised by a couple of star presenters, which had as its theme inviting a celebrity to fill a supermarket trolley with items reflecting his or her character. The rights for using the programme were sold to a company which refused to pay in respect of the production and broadcast of a further twelve broadcasts, on the grounds that the presenter had not been able to present the new broadcasts. Thereupon the couple of presenters had the company brought to court, accusing it of infringing their rights as the authors of the disputed ‘bible’ for the television broadcast, which they qualified as an original work. The court recalled the principle that an idea or concept cannot be protected by copyright and must be allowed free rein. It therefore held that, for a ‘bible’ for a television broadcast to be considered as an intellectual work that may be protected, it must constitute a work that provides for titles and credits, a décor, a detailed presentation of the characters, scene, and provides for a progression to conclusion, and it must be justified by the mark of the authors’ personalities on the work - the feature that makes it original. In the case at issue, as the ‘bible’ for the broadcast had not been communicated and the parties referred only to a “concept” in their documents and in the contract between them, the presenters could not be qualified as its authors and their application to the court was therefore rejected.

## *TGI de Paris (3e ch. ; 1re sect.), 19 mai 2009, S. Davant et P. Sled c. SARL Les Baladeurs d’images et autres*

*Regional court of Paris (3 rd chamber, 1 st section), 19 May 2009, S. Davant and P. Sled v. Les Baladeurs d’Images Sàrl et al.*

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