

SHORT INFORMATION FOR PUBLISHERS, EDITORS AND USERS

Copyright protection for first editions (*Editio Princeps*) in
the European Union

As part of the reform of the German copyright law in 1965, the German legislature created a protective law for first editions (Editio Princeps) to protect the work of editors and publishers for hitherto unpublished, original works (§ 71 German Copyright Act).

Equivalent legislature, based on the European Directive 93/98/EEC from October 1993, has since been mandatory introduced in all member states of the European Union. In Article 4 it states:

“Any person who, after the expiry of copyright protection, for the first time lawfully publishes or lawfully communicates to the public a previously unpublished work, shall benefit from a protection equivalent to the economic rights of the author. The term of protection of such rights shall be 25 years from the time when the work was first lawfully published or lawfully communicated to the public.”

Therefore, within the European Union, in accordance with the aforementioned Directive, the rights owner has to agree to the use of first editions or previously unpublished work. This relates to, for example, the rightsowner’s consent to reproduce and distribute works, which can usually be obtained from the responsible music publisher.

The VG Musikedition (Germany) is the responsible collecting society for the use of first editions (Editio Princeps) of musical works and safeguards on behalf of our members (both editors and publishers) the rights for their protected works within the European Union. These rights include the rights exploited in physical form (rights of recording), as well as public reproduction rights (, performance, broadcasting and mechanical reproduction rights, as well as the right of making available to the public). This means that organisers, broadcasting companies, labels and streaming services must obtain a licence from VG Musikedition prior to use of protected works (current tariffs can be found on www.vg-musikedition.de).

Editors and publishers who are not yet a member of the VG Musikedition but who would like to contract our services to safeguard their rights can sign a Rights Agreement free of charge (https://www.vg-musikedition.de/fileadmin/vgweb/public/pdf/Statuten/Satzungswerk/RightsAgreement_20190618.pdf). The distribution of the revenue is made once a year.