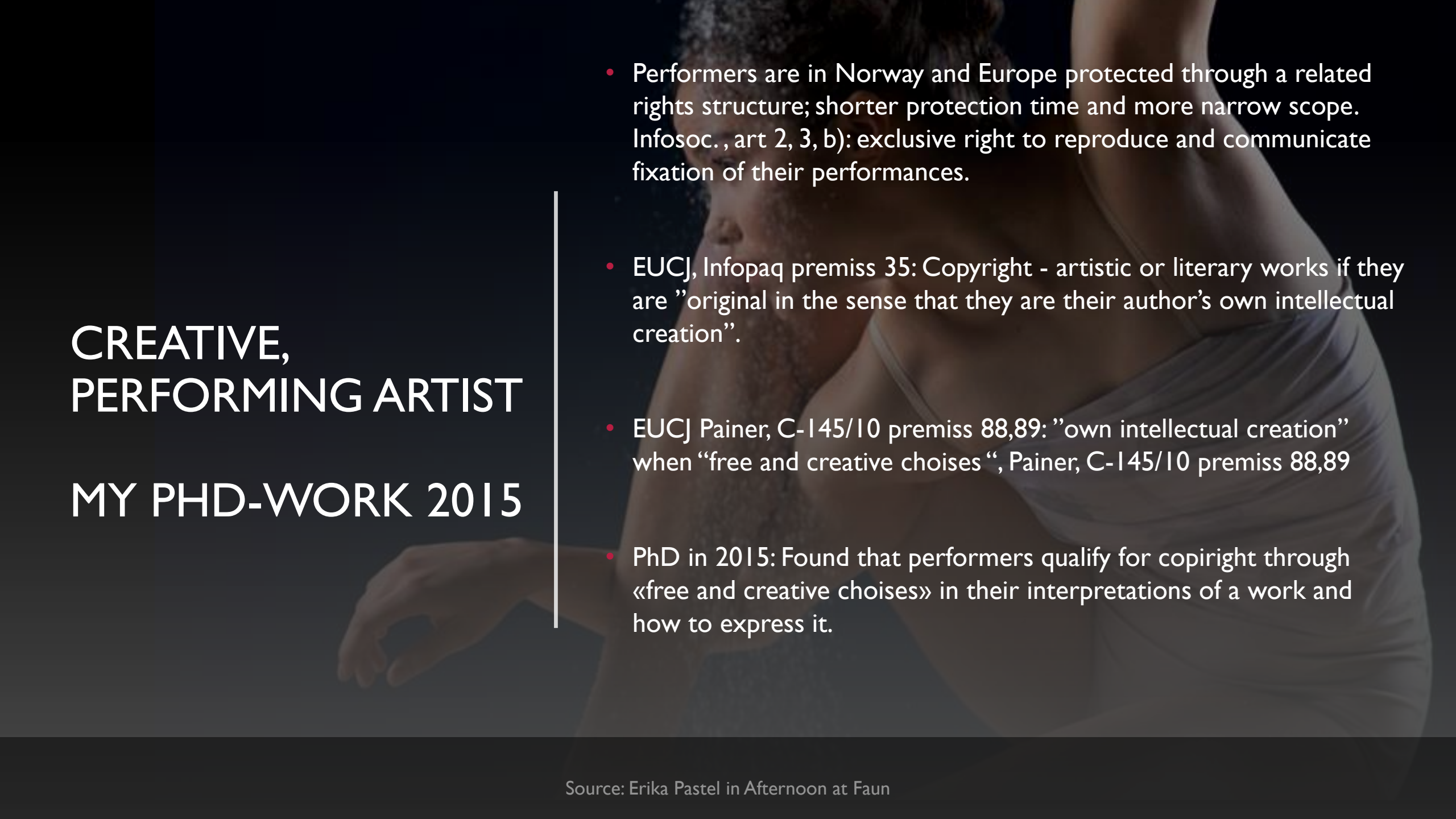


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PERFORMERS  
ASSOCIATE PROFESSOR  
IRINA EIDSVOLD-TØIEN,  
THE NORWEGIAN  
BUSINESS SCHOOL

# PERFORMERS ARE ARTISTS



# CREATIVE, PERFORMING ARTIST

## MY PHD-WORK 2015

- Performers are in Norway and Europe protected through a related rights structure; shorter protection time and more narrow scope. Infosoc., art 2, 3, b): exclusive right to reproduce and communicate fixation of their performances.
- EUCJ, Infopaq premiss 35: Copyright - artistic or literary works if they are "original in the sense that they are their author's own intellectual creation".
- EUCJ Painer, C-145/10 premiss 88,89: "own intellectual creation" when "free and creative choices", Painer, C-145/10 premiss 88,89
- PhD in 2015: Found that performers qualify for copyright through «free and creative choices» in their interpretations of a work and how to express it.

WILL change the protection scheme  
from the «performance of a work» to the interpretation of the performer



KING LEAR

WILLIAM  
SHAKESPEARE



## RESEARCH QUESTION:

DOES  
INTERNATIONAL  
TREATIES HINDER  
COPYRIGHT FOR  
PERFORMERS?

- Bern convention of 1896 ?
- Roma convention of 1951 ?
- WPPT 1996 ?
- Beijing 2012 ?