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Copyright 2019

Contributing editor**Andrew H Bart, Steven R Englund, Susan J Kohlmann
and Andrew J Thomas****Jenner & Block LLP**

Lexology Getting The Deal Through is delighted to publish the fourteenth edition of *Copyright*, which is available in print and online at www.lexology.com/gtdt.

Lexology Getting The Deal Through provides international expert analysis in key areas of law, practice and regulation for corporate counsel, cross-border legal practitioners, and company directors and officers.

Throughout this edition, and following the unique Lexology Getting The Deal Through format, the same key questions are answered by leading practitioners in each of the jurisdictions featured. Our coverage this year includes a new chapter on Indonesia.

Lexology Getting The Deal Through titles are published annually in print. Please ensure you are referring to the latest edition or to the online version at www.lexology.com/gtdt.

Every effort has been made to cover all matters of concern to readers. However, specific legal advice should always be sought from experienced local advisers.

Lexology Getting The Deal Through gratefully acknowledges the efforts of all the contributors to this volume, who were chosen for their recognised expertise. We also extend special thanks to the contributing editors, Andrew H Bart, Steven R Englund, Susan J Kohlmann and Andrew J Thomas, of Jenner & Block LLP, for their continued assistance with this volume.

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Contents

Global overview	3	Indonesia	60
Andrew H Bart, Steven R Englund, Susan J Kohlmann and Andrew J Thomas Jenner & Block LLP		Dewi Soeharto, Nalendra Wibowo, Albertus Agung Dimaz Prayudha Prandhita and Achmad Faisal Rachman Assegaf Hamzah & Partners	
Austria	4	Japan	68
Sonja Dürager bpv Hügel Rechtsanwälte GmbH		Takashi Nakazaki Anderson Mōri & Tomotsune	
Brazil	11	Korea	74
Attilio Jose Ventura Gorini, Rodrigo Borges Carneiro and Fernando de Assis Torres Dannemann Siemsen		Tae Uk Kang, Susan Park, Tae Kwon Kim, Hye Won Shin and Jae Young Seol Bae, Kim & Lee LLC	
Chile	19	Mexico	79
Claudio Magliona, Nicolás Yuraszeck and Carlos Araya Magliona Abogados		Carlos Trujillo Uhthoff, Gómez Vega & Uhthoff SC	
China	27	Spain	86
Xie Guanbin, Zhang Bin and Li Chun Lifang & Partners		Santiago Mediano, Sara de Román Pérez and Scarlett Poy Santiago Mediano Abogados, SLP	
France	35	Switzerland	91
Olivia Bernardeau-Paupe Hogan Lovells (Paris) LLP		Dirk Spacek CMS von Erlach Poncet Ltd	
Germany	41	Ukraine	98
Oliver Nilgen Meissner Bolte Patentanwälte Rechtsanwälte Partnerschaft mbB		Ilarion Tomarov and Daria Romashchenko Vasil Kisel & Partners	
Greece	46	United Kingdom	104
Pigi Konstantinou Souridakis Tsibris		Robert Guthrie, Anna Rawlings and Douglas Peden Osborne Clarke LLP	
India	53	United States	111
Pravin Anand and Nishchal Anand Anand and Anand		Andrew H Bart, Steven R Englund, Susan J Kohlmann and Andrew J Thomas Jenner & Block LLP	

Greece

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LEGISLATION AND ENFORCEMENT

Relevant legislation

1 | What is the relevant legislation?

The main Greek copyright law is Law No. 2121/1993 'on Copyright, Related Rights and Cultural Matters' (most recently amended with Law No. 4531/2018). Furthermore, Law No. 4481/2017 'on the collective management of copyright and related rights, multiterritorial licensing in musical works for online use and other issues falling within the scope of the Ministry of Culture and Sport', regulates issues in relation to collective management of copyright and related rights.

Enforcement authorities

2 | Who enforces it?

Greek copyright law is enforced by courts and certain administrative authorities.

Civil claims are filed before the competent civil courts throughout the country while criminal suits are filed before the competent criminal courts.

The Unit of Special Controls, the police, port and customs authorities, are charged with enforcing copyright law and imposing administrative fines in certain cases of copyright infringement. Furthermore, a special administrative Committee for the Notification of Copyright and Related Rights Infringement on the Internet (Committee for Online Infringement), formed by the Minister of Culture and Sports, may hear cases of copyright or related rights infringement on the internet and rule on the removal of the infringing content from a website where it has been illegally posted or on blocking access to the content.

Online and digital regulation

3 | Are there any specific provisions of your copyright laws that address the digital exploitation of works? Are there separate statutory provisions that do so?

While all the provisions apply to both digital and analogue exploitation of works, the provisions that specifically address digital exploitation are mainly related with:

- the making available right, where the authors and the rights holders of certain related rights are granted with a right to make their works available to the public in such a way that members of the public may access these works from a place and at a time individually chosen by them; and
- the management of copyright in musical works intended for multi-territorial online use, both in terms of simultaneous transmission (simulcasting) and webcasting (articles 33 to 41 of law 4481/2017, incorporating articles 24-31 of the EU Directive 2014/26).

There are also digital-oriented provisions that refer to specific preventive measures and other remedies against copyright infringement (see questions 44 and 45) and to exceptions and limitations of copyright (eg, temporary acts of reproduction which are transient or incidental and integral and essential parts of a technological process, and the private use exception, which states an equitable remuneration is due to the author and the respective rights holders when a reproduction is made using digital means).

Extraterritorial application

4 | Do your copyright laws have extraterritorial application to deal with foreign-owned or foreign-operated websites that infringe copyright?

Greek copyright law per se does not provide for extraterritorial application. The only relative reference is to websites which are hosted on servers outside Greece and is made in relation to the Committee for Online Infringement, where it is stated that, when the committee substantiates that copyright or related rights are infringed, it shall notify the respective parties and ask them to remove the infringing content from the website where it has been illegally posted or it shall block access to it. Where the content is hosted on a website whose server is within the Greek territory, the committee shall ask those that are notified to remove the content. Where the website is hosted on a server outside the Greek territory, the committee shall ask the internet access provider to block access to this content.

Agency

5 | Is there a centralised copyright agency? What does this agency do?

No, there is not. See question 29 for details about collecting societies.

SUBJECT MATTER AND SCOPE OF COPYRIGHT

Protectable works

6 | What types of works may be protected by copyright?

Greek copyright law protects any intellectual literary, artistic or scientific creation which is original and expressed in any specific form.

The notion of 'originality' is not defined in law – except in regard to computer programs (see below). However, according to established Greek case law, this notion is defined on the basis of the theory of 'statistical uniqueness', which argues that a work is original when, under similar circumstances and with the same goals, no other author would be in a position to create a similar work, or in combination with the criterion that a work presents an individual specificity or a minimum threshold of 'creative height' so as to stand out and differentiate from the daily (common) works or from other similarly known works.

The law provides for an indicative list of works, which, if considered original, can be protected by copyright. This list includes:

- written and oral texts;
- musical compositions with or without words;
- theatrical works accompanied or unaccompanied by music;
- choreographies and pantomimes;
- audiovisual works;
- works of fine art, including drawings, works of painting and sculpture, engravings and lithographs;
- works of architecture;
- photographs; and
- works of applied art, illustrations, maps and three-dimensional works relative to geography, topography, architecture or science.

Furthermore, the following types of works may also be protected by copyright:

- derivative works such as translations, adaptations, arrangements and other alterations of works or of expressions of folklore; and
- collections of works or collections of expressions of folklore or of simple facts and data, such as encyclopaedias and anthologies, provided that the selection or the arrangement of their contents is original.

Moreover, databases which, by reason of selection or arrangement of their contents, constitute the author's intellectual creation, as well as computer programs and their preparatory design material that are original, in the sense that they are the author's personal intellectual creation, are also protected by copyright.

Rights covered

7 | What types of rights are covered by copyright?

Greek copyright law covers both economic as well as moral rights and provides for an indicative list of these rights. The main economic rights of the authors are the following:

- the fixation and the reproduction right;
- the translation right;
- the arrangement, adaptation or other alteration right;
- the distribution right;
- the rental or public lending right;
- the public performance right;
- the broadcasting and rebroadcasting right;
- the communication to the public right, including the making available to the public right; and
- the importation right, in relation to the works produced abroad without the author's consent or the importation of copies from a country outside the European community, when the right over such importation in Greece had been retained by the author through contract.

For the main moral rights, see question 13.

Excluded works

8 | What may not be protected by copyright?

Greek copyright law does not apply to any work that cannot be considered as an original intellectual literary, artistic or scientific creation or which is not expressed in a specific form. Therefore, mere ideas, methods, artistic styles, and scientific theories are not protected. Furthermore, the law does not apply to official texts expressive of the authority of the state, notably to legislative, administrative or judicial texts, nor it applies to expressions of folklore, news information or simple facts and data.

Fair use and fair dealing

9 | Do the doctrines of 'fair use' or 'fair dealing' exist, and, if so, what are the standards used in determining whether a particular use is fair?

No. Greek copyright law only provides for certain specific exceptions to and limitations of the economic rights (exhaustive list). This means that in order for a person to legally use a protected work, without the licence of the rights holder and without any payment, the respective use has to be covered by a specific exception and all the requirements of this exception must be met. These exceptions cover, among other things, uses in relation to quotations of short extracts, reproduction for personal use, for teaching purposes, by libraries and archives, for judicial or administrative purposes, for information purposes, for the benefit of people with disabilities, etc.

Architectural works

10 | Are architectural works protected by copyright? How?

The law specifically includes the architectural works among the works that can be protected, if the work is considered to be original (for the concept of originality, see question 6). Both two-dimensional works, namely drafts, plans, studies, and three-dimensional works (eg, building mock-ups and integrated constructions), both in their exterior and interior design, and interior fittings, can be protected, while the purpose of these works, their scale and dimension and their construction materials are indifferent for the purposes of copyright protection.

Performance rights

11 | Are performance rights covered by copyright? How?

Greek copyright law grants performers – namely the persons who in any way whatsoever act or perform works, such as actors, musicians, singers, chorus singers, dancers, puppeteers, shadow theatre artists, variety performers or circus artists – with neighbouring rights, which consist of both economic and moral rights.

Neighbouring rights

12 | Are other 'neighbouring rights' recognised? How?

Greek copyright law recognises certain neighbouring (related) rights – of economic nature only – to the following categories of persons:

- producers of phonograms;
- producers of visual or sound and visual recordings;
- radio and television organisations;
- publishers; and
- persons who, after the expiry of copyright protection, for the first time lawfully publish or lawfully communicate to the public a previously unpublished work.

Moral rights

13 | Are moral rights recognised?

Yes. Greek copyright law grants to the authors the following moral rights (indicative list):

- the right of publication;
- the right of attribution;
- the right to prohibit any distortions, mutilations or other modifications of their works and any other offence due to the circumstances of the presentation of these works in public;
- the right to access their works, even when the economic right in these works or the physical embodiment of these works belongs to another person; and

- in the case of a literary or scientific work, the right to rescind a contract transferring the economic right or an exploitation contract or licence in relation to a work, when the author considers such action to be necessary for the protection of his or her personality because of changes in his or her beliefs or in the circumstances.

COPYRIGHT FORMALITIES

Notice

14 | Is there a requirement of copyright notice?

No, there is not.

15 | What are the consequences for failure to use a copyright notice?

Not applicable. See question 14.

Deposit

16 | Is there a requirement of copyright deposit?

No, there is not.

17 | What are the consequences for failure to make a copyright deposit?

Not applicable. See question 16.

Registration

18 | Is there a system for copyright registration, and, if so, how do you apply for a copyright registration?

Greek copyright law does not recognise any system for copyright registration. In practice, authors may seek to formulate evidence in order to prove that their work existed under a specific form on a specific date. This can be mainly achieved by either filing their work to a notary public or by using the time-stamping services, recently entered into force by the Hellenic Copyright Organization (HCO), which provide certified dates in relation to works.

19 | Is copyright registration mandatory? If voluntary, what are the benefits of registration?

No. See question 18.

20 | What are the fees to apply for a copyright registration?

Not applicable. See question 18.

21 | What are the consequences for failure to register a copyrighted work?

Not applicable. See question 18.

OWNERSHIP AND TRANSFER

Eligible owners

22 | Who is the owner of a copyrighted work?

The initial holder of both the economic and the moral right in a work is always the author of that work. Under Greek copyright law only natural persons – and not legal entities – can be considered as authors of a work.

Employee and contractor work

23 | May an employer own a copyrighted work made by an employee?

The initial holder of both the economic and the moral rights in a work is always the author of the work, even in case that a work is created by an employee in the execution of his or her employment contract.

The employer may only become a subsequent owner of all or of certain economic rights in a work (the moral rights always remain with the author) through a transfer of these rights made either automatically, by virtue of the employment relationship, or expressly agreed between the parties in a written contract. More specifically:

- When a work is created by an employee working in the private sector, unless otherwise provided for in the employment contract, only such economic rights as are necessary for the fulfilment of the purpose of the contract shall be exclusively transferred to the employer.
- When a work is created by an employee working in the public sector in execution of his or her duties, then all the economic rights are automatically (*ipso jure*) transferred to the employer, by virtue of the employment relationship, unless otherwise provided for in the employment contract.
- As far as computer programs are concerned, all the economic rights in a computer program created by an employee in the execution of an employment contract or following instructions given by his or her employer shall be automatically transferred to the employer, unless otherwise provided for in the employment contract.

24 | May a hiring party own a copyrighted work made by an independent contractor?

The initial holder of both the economic and the moral rights in a work is always the author of the work, even in case that a work is created by an independent contractor by virtue of a hiring relationship. A hiring party may only become a subsequent owner of all or of certain economic rights in a work (the moral rights always remain with the author) through a transfer of these rights expressly agreed between the parties in a written contract.

Joint and collective ownership

25 | May a copyrighted work be co-owned?

A copyrighted work may be co-owned either by persons or by entities. More specifically, two or more persons can co-own both the moral and the economic rights in a work, in case of joint authorship (collaborative works) or of a composite work, while two or more persons or entities can co-own the economic rights in a work in case of transfer of these rights by the author(s).

Transfer of rights

26 | May rights be transferred? If so, what rules and procedures apply?

Only the economic rights may be transferred between living persons or as *mortis causa*. The moral rights are not transferable between living persons, while after the death of an author, the moral rights pass to his or her heirs, who have to exercise the rights in compliance with the author's wishes, provided that such wishes have been explicitly expressed.

Licensing

27 | May rights be licensed? If so, what rules and procedures apply?

The author of a work may either:

- conclude contracts, by which he or she entrusts economic rights to another contracting party (the 'exploitation contracts') and in which case the other party undertakes the obligation to exercise the rights thus entrusted; or
- authorise another person to exercise certain economic rights (the 'exploitation licenses'), in which case the other party has the right, but not the obligation, to exercise the rights thus licensed.

Exploitation contracts and licences may be exclusive or non-exclusive. These contracts or licences may in no circumstance refer to all the future works of the author and shall never be deemed to refer to forms of exploitation that were unknown on the date of the contract.

28 | Are there compulsory licences? What are they?

Greek copyright law provides for the following compulsory licences:

- in case that technical means (such as audio or video recorders, magnetic tapes or other material suitable for the reproduction of sound or images, including digital reproduction devices and media) are used for the reproduction of a work for private use (which is permitted by Greek copyright law without the consent of the author), a reasonable remuneration is due to the author of the respective works and to the rights holders of certain involved related rights; and
- when sound recordings are used for a radio or television broadcast by any means, such as wireless waves, satellite or cable, or for communication to the public, the user shall pay a single and equitable remuneration to the performers whose performances are carried on the recordings and to the producers of the recordings.

29 | Are licences administered by performing rights societies? How?

The authors or the rights holders of related rights have the right to authorise a performing rights society (collecting society) of their choice to manage or to protect their economic right or certain powers deriving therefrom in relation to certain or to all of their works or other protected material, for the territories of their choice. This authorisation is voluntary, however, there are cases for which the law introduces an obligatory collective management or obligatory exercise of rights by a collecting society, as in the case of the collection of equitable remuneration deriving from private reproduction or when sound recordings are used for a radio or television broadcast by any means, such as wireless waves, satellite or cable, or for communication to the public (see question 28).

The authorisation may be granted by transfer of the right or of the relevant powers, for the purpose of management, either by power of attorney or by any other contractual agreement and is made in writing and for a certain period of time that cannot exceed three years.

The management of authors' rights and related rights in Greece can be carried out collectively, through collective management organisations (CMOs) and independent management entities (IMEs) and the protection of these rights can be carried out by collective protection organisations (CPOs). At present, there are 17 CMOs (eight representing authors and nine representing holders of related rights) in Greece and two CPOs that are all licensed by the Minister of Culture and Sports and supervised by HCO.

The licensing of the use of the works is subject to the payment of a percentage fee, which is calculated based on tariff tables adequately

communicated to the public by CMOs. When formulating and implementing their remuneration, CMOs must apply objective criteria, act without arbitrariness and avoid abusive discrimination. CMOs and representative user associations may also enter into agreements regulating the remuneration payable by the user to each category of rights holders as well as any other matter relating to parties' relations.

Termination

30 | Is there any provision for the termination of transfers of rights?

There are no such special provisions (only in relation to the duration of the transfer, the law states that, if the duration of the transfer of the rights is unspecified, it shall be deemed to be limited to five years). However, it is argued that the general rules of termination of an agreement may apply.

Recordal

31 | Can documents evidencing transfers and other transactions be recorded with a government agency?

No, there is not any such agency.

DURATION OF COPYRIGHT

Protection start date

32 | When does copyright protection begin?

Copyright protection begins with the creation of the work.

Duration

33 | How long does copyright protection last?

Copyright protection lasts for the whole of the author's life and 70 years after his or her death (calculated from 1 January of the year after the author's death).

After the expiry of the period of copyright protection, the state, represented by the Minister of Culture, may exercise the moral rights relating to the acknowledgment of the author's paternity and the rights relating to the protection of the integrity of the work.

With respect to collaborative works, copyright lasts as long as the life of the last surviving author and 70 years following his or her death.

The term of protection of audiovisual works expires 70 years after the death of the last of the following persons to survive: the principal director, the author of the screenplay, the author of the dialogue, and the composer of the music specifically created for use in the audiovisual work.

In case of anonymous or pseudonymous works, the term of copyright lasts for 70 years computed from 1 January of the year after that in which the work is lawfully made available to the public. However, if during the above period the author discloses his or her identity or when the pseudonym adopted by the author leaves no doubt as to his or her identity, then the general rules apply.

34 | Does copyright duration depend on when a particular work was created or published?

The publication of a work is relevant, in terms of copyright duration, only in case of anonymous or pseudonymous works (see question 33). In all other cases, copyright duration is calculated from the date of death of the respective author(s).

Renewal

35 | Do terms of copyright have to be renewed? How?

The term of copyright is specifically determined in law and cannot be renewed.

Government extension of protection term

36 | Has your jurisdiction extended the term of copyright protection?

The copyright protection was extended to 70 years after the death of the author in 1993 and in 1997, when the Greek law was updated to comply with Directive 93/83/EEC of 27 September 1993, an amendment was also made in relation to the calculation of copyright duration, and from then it has been calculated from 1 January of the year after the author's death, instead from the end of the year of the author's death.

COPYRIGHT INFRINGEMENT AND REMEDIES

Infringing acts

37 | What constitutes copyright infringement?

Any use of a protected work which falls within the scope of any economic or moral right, is made without the consent of the author or of the respective rights holder, and does not fall under any exception or limitation provided by law, constitutes a copyright infringement.

A copyright infringement may occur even in case that a party who has entered into a licence or exploitation agreement with the author or the respective rights holder for certain uses or exploitations of a work, acts outside the defined scope of these agreements.

Vicarious and contributory liability

38 | Does secondary liability exist for indirect copyright infringement? What actions incur such liability?

A specific reference to a secondary liability for indirect infringement is made in Greek copyright law in relation to:

- the intermediaries (eg, internet service providers) whose services are used by a third party to infringe a copyright or related right or the sui generis right of a database maker, where the law states that the rights holders may also apply for an injunction against these intermediaries; and
- the circumvention of technological measures, where the law states that the manufacture, import, distribution, sale, rental, advertisement for sale or rental, or possession for commercial purposes of devices, products or components or the provision of services which are promoted, advertised or marketed for the purpose of circumvention of, or are primarily designed, produced, adapted or performed for the purpose of enabling or facilitating the circumvention of any effective technological measures are prohibited. The perpetrator has both civil and criminal liability, while administrative penalties may also be imposed.

Furthermore, the general civil law provisions on tort liability also apply for copyright infringements. Thus in case that an infringing act was committed by a person who either works as an employee or is the legal representative of an entity, then both this person as well as the respective entity will be considered liable for this infringement or in case that a person acts under the instructions of another person or for the benefit of this other person, then both these persons may be considered liable for the same infringement.

Available remedies

39 | What remedies are available against a copyright infringer?

The law provides for several remedies against a copyright infringer, including the following.

Preliminary measures

The rights holder may file for preliminary measures (and also obtain a temporary injunction until the issuance of the decision regarding the preliminary measures) requesting, among other things:

- precautionary seizure of items in the possession of the alleged infringer that constitute means of commission or product or evidence of the infringement;
- detailed description of such items, including the taking of photographs; or
- any other measure intended to prevent any imminent infringement of the rights or to forbid, on a provisional basis, continuation of the infringement of that right.

In case of an infringement committed on a commercial scale, court may order the precautionary seizure of the property of the alleged infringer, including the blocking of his or her bank accounts.

Civil action

The rights holder may file a civil action to claim:

- recognition of his or her rights (being infringed);
- discontinuation of the infringement and its omission in the future (which may include recall from the channels of commerce of goods that they have found to be infringing rights, definitive removal from the channels of commerce or destruction); and
- indemnification for moral damages and to seek damages of not less than twice the legally required or normally payable remuneration for the form of exploitation which the infringing party made without licence, in case of an infringement committed by intent or negligence of the infringing party. Instead of seeking damages, and regardless of whether the infringement was committed by intent or negligence, the rights holder may demand either the payment of the sum accrued by the infringing party from the unlicensed exploitation of a work or the profit gained by the infringing party from such an exploitation.

Administrative fines

The law provides also for the imposition of special administration fines to the following categories of persons:

- persons who reproduce, sell or otherwise distribute to the public or possess with the purpose of distributing a computer program;
- street vendors or standing persons (outside a shop) caught to distribute to the public by sale or by other means, or to possess with the intention of distributing sound recordings on which a work protected by copyright or related rights law has been recorded; and
- persons who reproduce phonograms stored on any technical storage media.

The law also provides for an administrative procedure before the Committee for Online Infringement, in cases of copyright infringement on the internet (see question 44).

Criminal sanctions

The law provides also for specific criminal sanctions (see question 43).

Publication of Decisions of civil or criminal courts

Decisions of civil or criminal courts concerning copyright infringement may order the appropriate measures to be taken for the propagation of

information relating to the decision, including the posting of the decision, as well as its publication, in summary or in its entirety, in the mass media or the internet.

Application for evidences

The rights holder may request for the court to order that specified evidence which lies in the control of the opposing party to be presented in the court by this opposing party and in case of an infringement committed on a commercial scale, the court may also order the communication of banking, financial or commercial documents under the control of the opposing party. The court may also order information on the origin and distribution networks of the goods or services which infringe a copyright to be provided by the infringer.

Limitation period

40 | Is there a time limit for seeking remedies?

A compensation claim or a claim for moral damages (in case of an infringement committed by intent or negligence) is barred five years after the claimant became aware of the damage and the person liable for the damage. In any case these claims are barred 20 years after the infringing act. The 20-year statute of limitation also applies to claims that are based on unjustified enrichment and to cease-and-desist claims.

Monetary damages

41 | Are monetary damages available for copyright infringement?

Yes. See question 39.

Attorneys' fees and costs

42 | Can attorneys' fees and costs be claimed in an action for copyright infringement?

In Greece, the losing party is obliged to reimburse the winning party for certain legal costs of the court proceedings. In case of an action for copyright infringement, such legal costs and other expenses shall obligatorily include any pertinent expenditure, such as witness costs, attorney fees, fees of experts and technical consultants of the parties and expenses made for the discovery of the infringers reasonably incurred by the winning party.

Criminal enforcement

43 | Are there criminal copyright provisions? What are they?

The law provides for specific criminal sanctions for any persons violating copyright, related rights and database rights, circumventing technical measures and make unauthorised use of computer programs.

As far as the violation of copyright is concerned, any person who, in contravention of the provisions of Greek copyright law or of lawfully ratified multilateral international conventions on the protection of copyright, infringes any of the economic or certain of the moral rights of the author, is liable to imprisonment of no less than a year and to a fine from €2,900 to €15,000. If the financial gain sought or the damage caused by the perpetration of an act referred to above, is particularly great, the sanction shall be not less than two years imprisonment and a fine of €6,000 to €30,000.

If the guilty party has perpetrated any of the aforementioned acts by profession or at a commercial scale or if the circumstances in connection with the perpetration of the act indicate that the guilty party poses a serious threat to the protection of copyright, the sanction shall be imprisonment of up to 10 years and a fine of €6,000 to €30,000, together with the withdrawal of the trading licence of the undertaking that served as the vehicle for the act.

Online infringement

44 | Are there any specific liabilities, remedies or defences for online copyright infringement?

In general, all the provisions referring to liabilities, remedies and defences for copyright infringement apply in both the analogue and digital worlds.

The law provides further for a specific administrative procedure before the Committee for Online Infringement in cases of copyright infringement on the internet. In particular, the rights holder may submit to this committee a pro forma application for termination of infringement along with all the relevant evidences, which is admissible only in case that the rights holder has previously made use of the corresponding procedure which the provider had determined, and which was concluded within reasonable time but with no result. Where the committee substantiates that copyright is infringed, it shall notify respectively the involving parties and ask from those that are notified to remove the infringing content from the website where it has been illegally posted or to block access to it. In case of non-compliance with the dictum of the decision, the committee shall impose a fine of €500 to €1,000 for each and every day of non-compliance.

Furthermore, the law grants the rights holders with a right to apply for an injunction against the intermediaries (eg, internet service providers) whose services are used by a third party to infringe a copyright or related right or the sui generis right of database maker.

Prevention measures

45 | How may copyright infringement be prevented (including, for example, customs enforcement measures and any technological notable developments)?

The law provides for several measures for the prevention of copyright infringement, including:

- Imposition of technological measures, meaning any technology, device or component that, in the normal course of its operation, is designed to prevent or restrict acts in respect of protected works, which are not authorised by the respective rights holder. The circumvention of these technological measures is prohibited, while the infringer also faces criminal charges.
- Where there is a clear intention of a third party to offer an unlawful public performance of a theatrical or cinematographic or a musical work, the rights holder may request from the competent local police authority to prohibit the infringing act.
- In any case of threat of infringement of copyright, the rights holder may file for preliminary measures in order to prevent the infringement or claim the recognition of his or her right and the discontinuation of the threatened infringement and its omission in the future.

The law also provides for several other measures (such as the imposition of certain specifications for the equipment and other materials used in the making of reproductions of works, use of control systems which permit the designation of reproduced or used works and the extent and frequency of the reproduction or use, control labelling in visual or sound recordings) that have not been entered into force yet.

RELATIONSHIP TO FOREIGN RIGHTS

International conventions

46 | Which international copyright conventions does your country belong to?

Greece is a party to the following main treaties referred to copyright and related rights:

- the Berne Convention for the Protection of Literary and Artistic Works;
- the Universal Copyright Convention;
- the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations;
- the Agreement on Trade-Related Aspects of Intellectual Property Rights;
- the World Intellectual Property Organization Copyright Treaty; and
- the World Intellectual Property Organization Performance and Phonograms Treaty.

47 | What obligations are imposed by your country's membership of international copyright conventions?

Greece has ratified all the above-mentioned treaties with national laws without any reservations and therefore is bound by all the obligations provided for in these treaties.

UPDATE AND TRENDS

Emerging trends and new legislation

48 | Are there any emerging trends or hot topics in copyright regulation in your jurisdiction? Has there been any copyright legislation passed or proposed within the last 12 months?

During last year, a Special Service of Emergency Rights Management (EYED) was established, with the competence to carry out the actions necessary for the emergency management of the copyright of rights holders who were members of CMOs or IMEs that had their licences withdrawn, and:

- conclude new assignment and representation agreements with the rights holders;
- collect, distribute and pay their royalties;
- monitor the legitimate use of copyright protected works; and
- update the rights holders as to the progress of the emergency management of their copyrights.

EYED is supervised directly by the board of directors of HCO and is currently assigned with the emergency management of copyright of the rights holders (music composers and lyricists) who were members of the independent management entities (IME) with the distinctive title 'AEPi SA', whose licence was withdrawn (relative legislation laws No. 4531/2018 and 4605/2019 and Ministerial Decisions No. 262844/18408/13772/689/04.06.2018 and No. 224747/4952/15.05.2018).

Furthermore, a legislative bill for the implementation of the Directive 2017/1564 of the European Parliament and of the Council of 13 September 2017 'on certain permitted uses of certain works and other subject matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print-disabled and amending Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the information society' has been drafted and is to be submitted before the Greek parliament.

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