COPYRIGHT ISSUES IN THE CONTEXT OF DIFFERENT EDUCATIONAL POLICIES

EEPG seminar in Belgrade 2015
Kreativni centar

- Founded in 1989 as a family company
- At first published picture books, activity books for children, handbooks for parents and teenagers
- In 2003 started publishing text books
- Today Kreativni centar has over 800 titles, wide range of books for children, teenagers, parents and teachers, around 65% of all titles are written and illustrated by Serbian authors and illustrators
- Today Kreativni centar has 40 employees
Problems of copyright related to textbook publishing in Serbia

- Obligatory texts in primers
- Authors’ right to ask for changes in the original contract
- Authors refuse to grant publishers the e-rights
- Piracy – organized and individual copying
- Authorship of the work– authors vs. editors/publishers
- New law on textbooks in Serbia – teachers becoming authors and schools becoming publishers
Obligatory texts in primers

• There are ca. 40 obligatory texts per grade in primers for Serbian language and literature (poems, stories and excerpts of longer prose works of the most renown Serbian authors)

• Authors ask for higher fees as they know that publishers do not have a choice

• Increase of the number of text book publishers instigated appearance of agencies who represent these authors; legal proceedings start as they ask for changes in the contracts. Publishers feel blackmailed.
Author’s right to ask for changes in the original contract

- Authors are usually offered a royalty contract or a fixed fee.
- If they choose the fixed fee but their book becomes successful they ask for changes in the contract or otherwise want to change the publisher.
- Their arguments for change in the contract is that they did not estimate well financial potential of the book.
- This also reflects foreign rights sales (several of our textbooks were sold to foreign publishers).
Authors refuse to grant publishers the e-rights

• Royalty percentage for e-rights is higher than for hard copies

• Authors think they will earn more if they represent themselves in the e-book market

• For fiction titles this can be understandable but for textbooks it means that authors do not want their work to be available in electronic form
Piracy

• Individual copying is hard to track; recently there has been established a unit within the police department for protection of intellectual property.

• Organized copying is often encouraged by schools (black and white tests, worksheets etc. are copied by teachers themselves and distributed to pupils). Some Copy centers publicly announce their photocopying services of textbooks.

• Posting scanned books or PDFs online on teachers’ blogs (Serbian Law allows this if it is for non-commercial purposes). Publishers can only admonish admins of these sites and blogs.
Authorship of the work: authors vs. editors

- Editors have important role in creating a textbook; editors’ help sometimes extends over usual editorial work but authors get all the credit.
- Copyright law recognizes the role of co-authorship.
- Where is the border line between authors original work and editors input?
New law on textbooks in Serbia

- Encourages teachers to write textbooks
- Encourages schools to register as publishers.
- The risk of overtaking or copying the materials from existing textbooks.
- How to act in such a situation?