The relationship between copyright and public art has always been difficult. From the initial scholarship on architectural works as copyrightable subject matter because of their functional dimension, to the current approach of recognizing that, the legal trajectory has, however, been more nuanced. The question of whether copyright can effectively protect public art, given its public interest dimension, is still under scrutiny. In other words, the involvement of a sculptor, John Radford, who created three architectural forms situated in a duplitectural marvels (see image), raises several legal and ethical issues.

The conflict pivoted around the author’s economic right to control the two-dimensional reproduction of his work and the public interest in using a reproduction of it. The Court held that there was no infringement as the relevant provisions set aside "any copyright in the work that the author might otherwise enjoy" so that the public interest became the top priority. In other words, the purpose of copyright law is to promote the public interest through the exclusive rights granted by copyright law to their authors.

The freedom of panorama has been in the limelight as part of the implementation of the InfoSoc Directive. Instead of recommending that the freedom of panorama provided by the original version of the Report written by Reda – the leading case that public art works are freely accessed and used by the public – be subject to prior authorization from the authors or any proxy acting for them, the Law held that there was no infringement as the relevant provisions set aside "any copyright in the work that the author might otherwise enjoy" so that the public interest became the top priority. In other words, the purpose of copyright law is to promote the public interest through the exclusive rights granted by copyright law to their authors.

Over the last few months, the freedom of panorama has been in the limelight as part of the process of reforming the EU InfoSoc Directive. The amendment of the Copyright Directive in the course of the reform offers a new opportunity to reformulate the concept of copyright, the role of copyright in the cultural and creative industries, and the balance between the private and public interest.

The Free Trade Agreement (FTA) between the EU and the US (TTIP) is set to change the legal landscape for copyright in the EU. It is set to enter into force in 2016, and it will have a significant impact on the way copyright is protected and enforced in the EU.

The FTA is designed to harmonize the legal frameworks of the EU and the US, and to facilitate trade and investment between the two countries. It includes provisions on intellectual property rights, including copyright. The FTA is expected to strengthen the enforcement of copyright in the EU, and to make it easier for EU businesses to enforce their copyright rights in the US.

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