

Kluwer Copyright Blog

Greece : No criminal liability for copyright infringement by a Greek website providing links to copyrighted material

Tatiana Synodinou (University of Cyprus) · Tuesday, March 8th, 2011

This is the first Greek copyright case about the liability for provision of links to works and other protected subject matter which have been uploaded to Internet without authorization. In the leading decision 965/2010, the three-member Misdemeanours Court of Kilkis was called to examine whether a website providing links to various contents posted in the Internet infringes copyright. Indeed, the website which is financed by advertisements provides an inventory of links to various works and broadcastings. The links are organized on the basis of the type of their content to various categories such as films, sports, TV emissions, videoclips etc. The users are directed to the website where the works and other protected subject matter are hosted, such as Youtube or other websites. The legal basis of the claim was article 66 of Law 2121/1993 which provides for the criminal liability for copyright infringement. The Court rejected the accusation for direct copyright infringement, since the provision of links was not considered as a direct or indirect reproduction or an act of making available of the works to the public. The issue of contributory copyright infringement was not examined. The decision has been appealed.

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