
Kluwer Copyright Blog

The Netherlands: Rubik v. Beckx Trading, Supreme Court of the Netherlands, ECLI:NL:HR:2014:2737, 19 September 2014

Dirk Henderickx (Institute for Information Law) · Monday, July 6th, 2015

Erno Rubik, creator of the famous Rubik's Cube, brought suit against a Dutch enterprise that trades in gift articles, including the so-called 'Magic Cube', which strongly resembles Rubik's own 'Rubik's Cube'. Prior to the Supreme Court proceedings, the Arnhem Court of Appeals ruled that the (combination of) the Rubik's Cube's characteristic six colours was considered to meet the 'own intellectual creation' threshold needed for copyright protection. However, the Rubik's Cube as such – abstracted from its colours – did not meet this standard, as the characteristic elements of the Rubik's Cube merely serve a technical function, precluding it from being protectable by copyright. Both parties appealed to the Dutch Supreme Court, however the Arnhem Court of Appeals was found to have applied the correct legal criteria, therefore its ruling stands.

A [full summary](#) of this case has been published on [Kluwer IP Law](#)

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