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Bulgaria: Ruling on administrative case No. 7800 of 2015, Supreme Administrative Court of Bulgaria, 12 January 2016

Teodora Tsenova (Institute of Private International Law) · Friday, March 18th, 2016

The Supreme Administrative Court held that pursuant to § 2, para. 9 of the Law on Copyright and Related Rights (LCRR), permanent objects that represent the synthesis between architecture and other arts should be regarded as works of architecture. Under Article 12, para. 2 of the LCRR, copyright in a work of architecture, created after realising the architectural design, belongs to the person who created the architectural design. With respect to works of architecture that are permanent objects that are the synthesis of architecture with other arts, it is not the author of the separate elements of applied art that owns the copyright in the whole work, but the author of the architectural design.

Further, the proprietor of a work of architecture is not obliged to use the work for the duration of its copyright protection. The author may not object to the intention of the proprietor to destroy the work of architecture, if it is in compliance with the effective legislation (Article 15, para. 2 of the LCRR).

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

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