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Bulgaria: Decision No. 214 on commercial case No. 3088 of 2014, Supreme Court of Cassation of Bulgaria, 13 May 2016

Teodora Tsenova (Institute of Private International Law) · Monday, July 11th, 2016

The Supreme court of Bulgaria held that the term “unless agreed otherwise” in Art. 42 (2) of the Law on Copyright and Related Rights should be interpreted as meaning that the parties to an agreement commissioning the creation of a work can agree either in the commissioning agreement or in another agreement on specific terms on the use of the work (e.g. term of use, territory of use), which deviate from the statutory rules. If nothing else is agreed, the statutory right to use the work obtained by the commissioning party is not limited in term or territory. The court also confirmed that there are no requirements for formal validity of the agreement commissioning the creation of a work and a written form is not required.

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

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