

I don't get it... Is that a parody?

Why autonomous and uniform *interpretation* will
never lead to autonomous and uniform *application*

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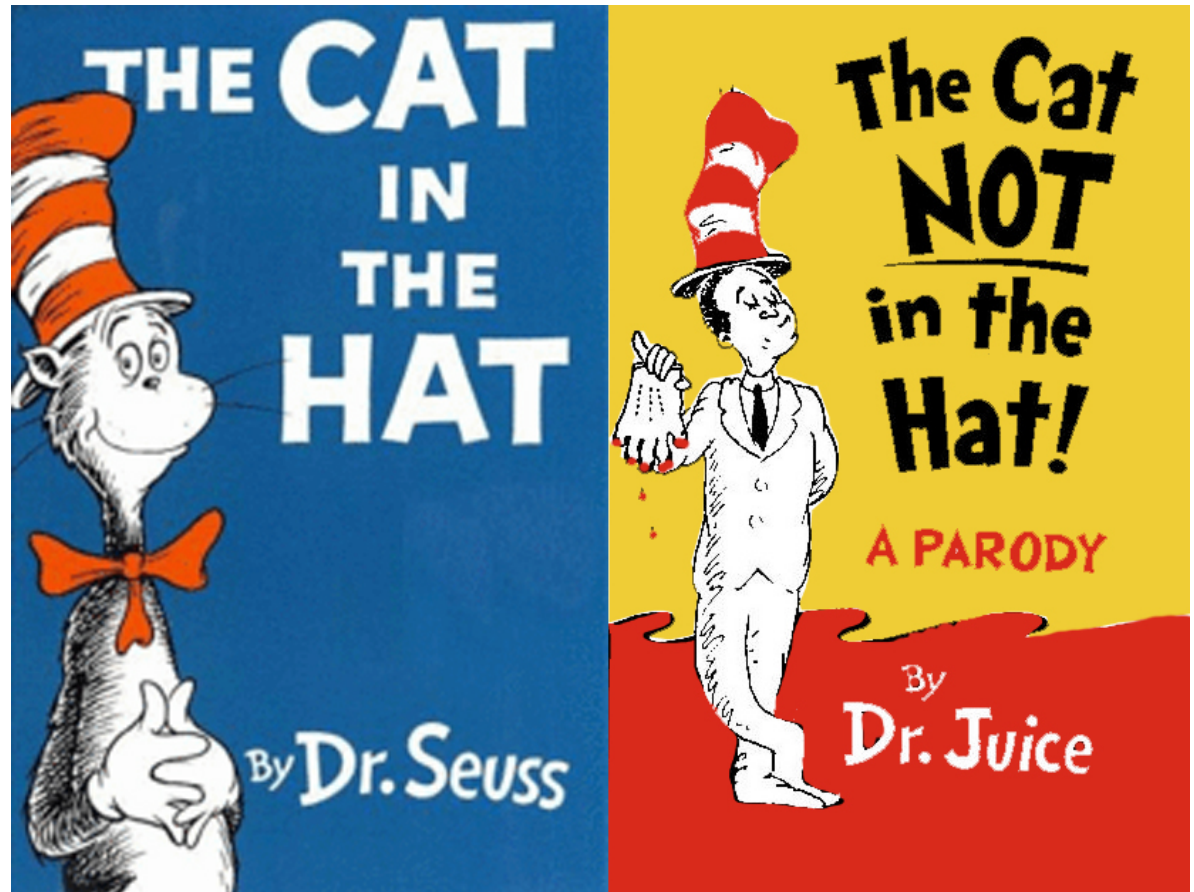
Associate Professor Université de Liège (ULiège – LCII)

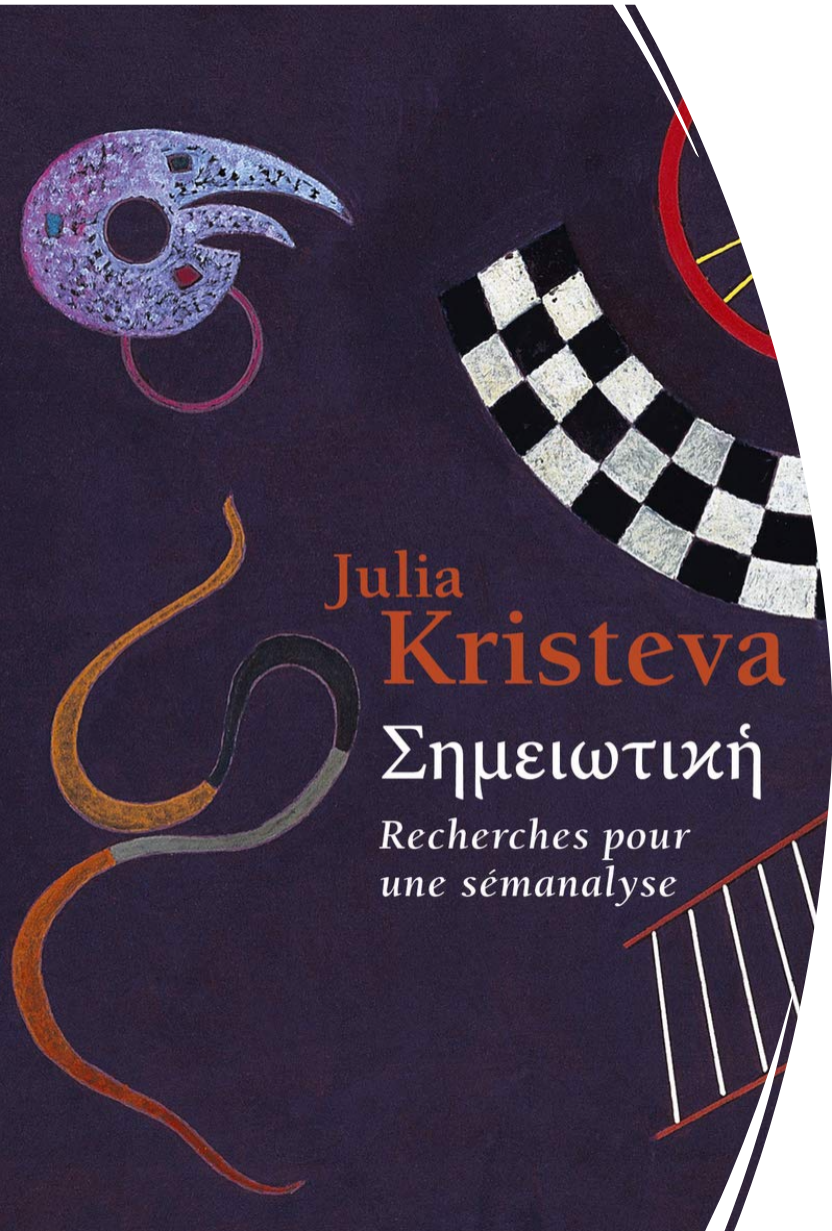
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The Cat
NOT
in the
Hat!

*Dr. Seuss Enterprises, L.P. v Penguin Books
USA, Inc., 924 F.Supp. 1559
(1996)*

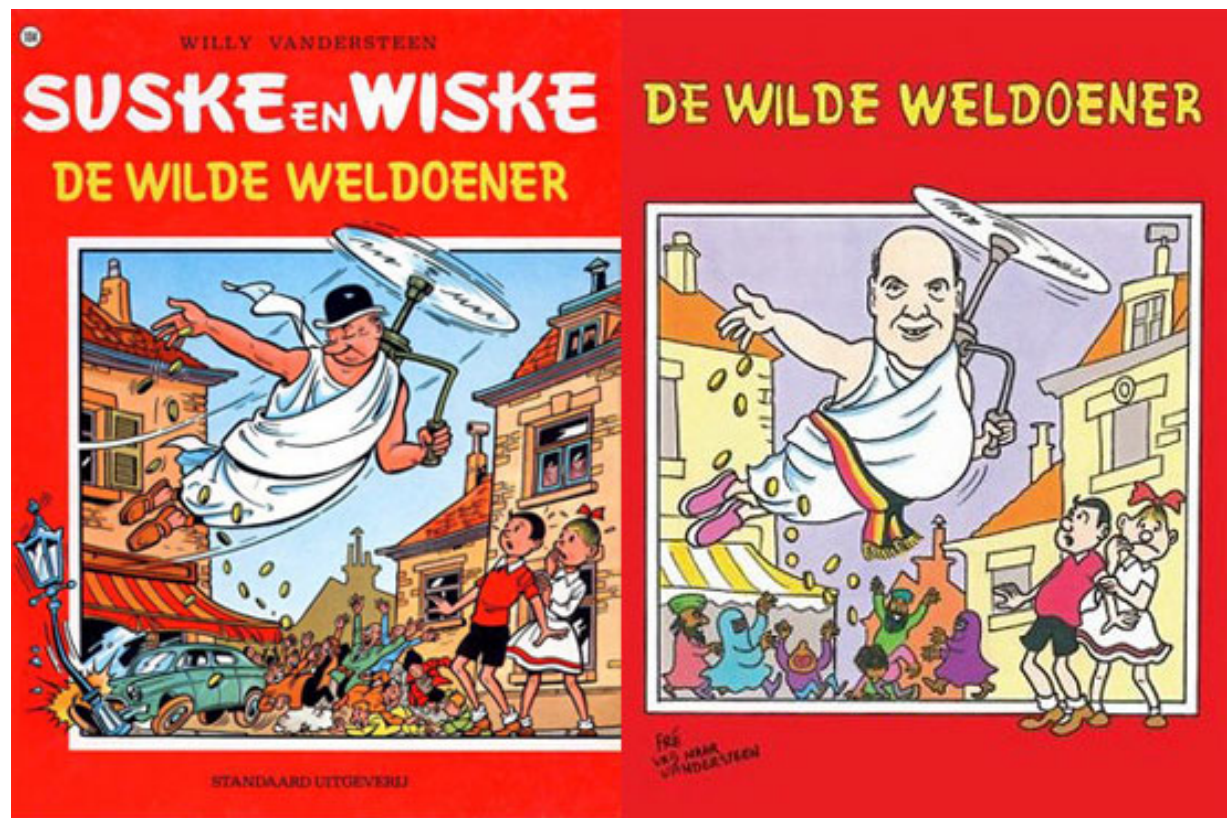


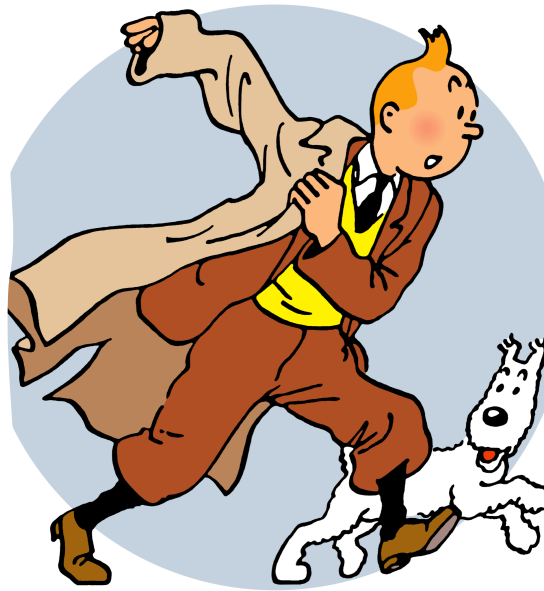


« [T]out texte se construit comme
une mosaïque de citations »

J. Kristeva, “Le mot, le dialogue et le roman”,
Semeiotike – Recherches pour une sémanalyse, Paris,
Seuil, coll. Tel Quel, 1969, p. 146

CJEU, 3 September 2014, *Deckmyn & Vrijheidsfonds v Vandersteen e.a.*, C-201/13





J. CABAY, M. LAMBRECHT, "Remix prohibited: how rigid EU copyright laws inhibit creativity", *Journal of Intellectual Property Law and Practice*, 2015, Vol. 10, No. 5, pp. 359-377



Illustration (prior-*Deckmyn*): Brussels Court of Appeal, 14 June 2007 (*Alhberg v Moulinsart*), *Auteurs & Media*, 2008/1, p. 23 (finding of parody, works from Hergé & René Magritte)

THIS IS
ART



THIS IS
NOT



Illustration (post-*Deckmyn*): President Brussels Civil Court, 4 April 2019 (*Studio 100 v Greenpeace*), Auteurs & Media, 2018-2019/4, p. 461 (finding of no parody; no fair balance; children audience; appeal pending)



Thanks !

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