

Michał Ołowski

Charakter mieszany umowy o świadczenie usług z elementami umowy o dzieło przenoszącej autorskie prawa majątkowe. Wyrok Sądu Apelacyjnego w Warszawie z dnia 9 czerwca 2016 r., I ACa 1241/15

(Hybrid nature of the services contract incorporating features of contract to perform a specified task transferring copyrights. Judgement of the Court of Appeal Court in Warsaw of 9 June 2016 in Case I ACa 1241/15)

The present annotation concerns the problem of applicability of the civil code provisions referring to services contract and the contract to perform a specified task to a hybrid nature contract. It also relates to material scope of copyright protection, primarily in the reference to audiovisual work as a collective work. Apart from a conclusion that a production manager of a feature film cannot be classified as its co-author, it is stated that shooting schedule is a database that because of its creative characteristics is protected by the copyright.