

**PROF. DR. THOMAS HOEREN**

Universität Münster | ITM | Leonardo-Campus 9 | 48149 Münster

Universität Münster  
Leonardo-Campus 9  
48149 Münster

Tel. +49 251 83-38600

hoeren@uni-muenster.de

To  
The editors  
of Business LIVE  
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Dear Editors,

I was delighted to read the article about the stop to the Copyright Act and the submission of the President to the Constitutional Court. I would also like to express my special thanks to my honourable colleague Owen Dean for his extremely critical comments. I have been to Stellenbosch several times as a guest professor and I know the young students in particular, with whom I wrote a book about art law in South Africa as part of the Art Law Clinic.

In this context, I regret to say that my colleague has done himself and his cause a disservice with his comments. They are largely wrong: the basic idea of fair use, for example, comes from American copyright law. The idea of a reversion of copyrights after a few years is a feature of French and German copyright law. Furthermore, the legislative project is a result of South Africa's own international obligations, namely the famous Marrakesh Treaty in favour of the use of works by and for the benefit of the blind.

It is a disgrace that South Africa's international legal obligations are being trampled on like this. The critics hide behind the alleged creators, but in reality they mean the interests of a content industry such as Walt Disney & Co. That the content industry buys up legal experts in copyright law to such an extent is another scandal. The president should finally sign the bill that has long since been passed by parliament. It is an absurdity to make oneself the lackey of rich exploiters.



Prof. Dr. Thomas Hoeren, Münster (Germany) and Stellenbosch