

Consulting for publishing law

Are you a publisher and would like to have more legal security in designing your contracts? Do you require competition law support in enforcing claims in the area of press distribution? Or are you an author, illustrator, or translator and looking for expert assistance in negotiating your contracts with respect to publishing companies and agents?

What we offer

We advise and represent literature, scientific, and technical book publishers, art publishers, newspaper and magazine publishers in all areas in which they are active, including everything from reviewing the planned title in copyright law, personality law, and identifier law to questions regarding licensing (particularly for film adaptations), distribution, and advertising law, to negotiations and disputes with competitors and creative minds, in connection with divestitures of the entire publishing company or parts of the title inventory.

We support editors, authors, illustrators, photographers, and translators in securing their rights, within the scope of developing an evaluation strategy, in designing and negotiating contracts and, if necessary, in the legal enforcement thereof, as well as in the relationship with the pertinent collecting societies such as GEMA [German Society for Musical Performance and Mechanical Reproduction] or VG Wort [German collection society for written works], and VG Bild und Kunst [German collection society for images and art].

Regarding the personality law aspects of publishing law, we can advise users and private individuals equally and represent them out of court (e.g. through warning notices or defending illegitimate requests to cease and desist) and in court (e.g. by obtaining or defending temporary injunctions, enforcing claims for damages, counter-statements, etc.).

Scope of service

- Examination and assessment of the technical and legal situation
- Consulting with respect to the legal options and the strategic procedure
- Designing and reviewing publishing company, publisher, author, illustrator, photographer, editor, and translator contracts
- Reviewing individual titles for conformance with applicable law, particularly personality law, copyrights, and identifier law
- Consulting regarding necessary or beneficial changes to existing contracts and titles
- Consulting and representation during negotiations with collecting societies
- Consulting and representation with respect to literary and artist agents
- Consulting in the area of distribution, particularly online (e-books, books on demand,



etc.)

- Consulting for questions regarding fixed book pricing
- Reviewing, designing, and negotiating option and film adaptation agreements
- If necessary, Representation before all district and regional courts in Germany by means of temporary injunction proceedings and in regular complaint proceedings

Costs

We normally offer our consulting services to you calculated according to the time spent at a suitable hourly rate. We believe that cost transparency and cost reliability form the basis of successful cooperation. We will be happy to provide you with an estimate of the expected costs before taking the job.