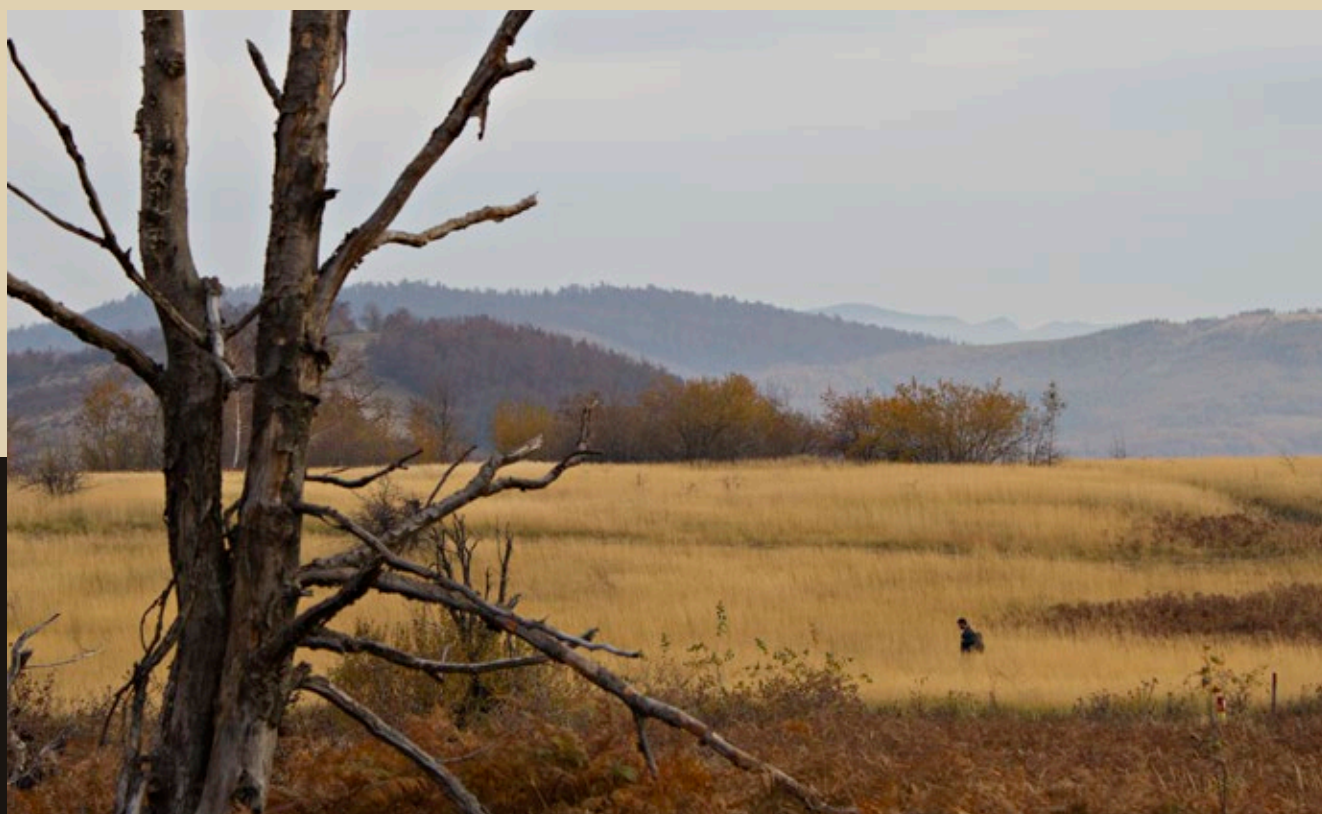


Bulletin

ORGANIZATIONS OF FILM AUTHORS IN SERBIA



CONVERSATION
WITH THE AUTHOR

Srdan Golubović

“ The threat to film and art lies in the vast amount of content that surrounds us, making it difficult to win the attention of the modern person to watch a film or read a book

INTERVIEW:

Biljana Maksić

UFUS | AFA
ORGANIZATION OF FILM AUTHORS IN SERBIA

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Father, photo: Maja Medić

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EDITORIAL



Stefan Gelineo

Director of UFUS AFA

Editorial

In European countries, there are 9,536 television channels, of which 8% broadcast exclusively film and series programs, according to the latest research by the European Audiovisual Observatory. This means that 736 channels across Europe base their programming schedules on the 24-hour broadcasting of films and series. What percentage of these channels is included in the system of paying remuneration to authors for broadcasting their works? And if they are not included, why is it so?

These numbers become even larger when channels that broadcast children's programs are added, as part of that programming includes animated films and children's series, which are also covered by the copyright protection system. The situation is similar to the 3% of documentary TV channels, part of whose programming consists of docudramas. Are the authors paid for their works, thanks to which these TV channels exist and earn profit?

Establishing a fair system for copyright protection requires constant effort, which at times resembles tilting at windmills. Because when one problem is solved, a new one arises, and authors are forced to keep waiting. They wait to fight for their voices to be heard, for their proposals to be adopted by the legislators, and then for those laws to start being implemented. By then, a new challenge has already emerged, causing authors to suffer harm and be left without remuneration, while someone else takes advantage of their works in the meantime.

In 2024, the European audience gained about 150 new streaming services and video-sharing platforms (VSPs). During that period, how many countries have enacted laws requiring payment of remuneration to film authors for broadcasting their works on those very streaming services and platforms? Technology advances while laws remain stuck in the past. In a world where technology changes the rules of the game every day, one rule persistently stays the same: laws cannot keep up with the pace. Film authors know this better than anyone. Serbia is still waiting for a systemic change and a new, fairer Copyright and Related Rights Act that will be aligned with European standards – and time is running out.

And while we try to solve the 'old' problem, new technology is already threatening to make it even more complicated. Today, artificial intelligence can write scripts, generate images, and create content using vast databases and works of real authors, without their permission or any compensation.

Legislation must change. Faster. Fairer. In dialogue with authors, not without them. Because if laws do not adapt to the digital age, we will lose not only the rights but also the authors themselves.

INTERVIEW

Photo: Festival filmskog scenarija



Biljana Maksić

screenwriter and dramaturge

Human imagination cannot be replaced

In just over four decades of work, one of the most respected Serbian screenwriters, Biljana Maksić, has signed dozens of titles equally loved by both audiences and critics. She made her film debut 'in grand style' as the screenwriter of the third story in the popular omnibus film *Kako je propao rokenrol* (The Fall of Rock & Roll). As a co-screenwriter, she has signed several acclaimed films, such as *Lepa sela, lepo gore* (Pretty Village, Pretty Flame), *Apsolutnih 100* (Absolute 100), *Mala noćna muzika* (Little Night Music), *Skidanje* (Trolling), television films: *Vidim ti lađu na kraju puta* (I see your boat at the end of the road), *Brod plovi za Šangaj* (The Ship sails for Shanghai), *Večita slavina* (The eternal faucet), as well as well-known series such as *Sindelići*, *Žene sa Dedinja* (Women from Dedinje), *Branilac* (Defense attorney), and others.

For her work, she has received numerous awards, including the prestigious 'Golden Pen of Gordan Mihić' award for outstanding contribution in screenwriting in national cinema, awarded by the Screenplay Festival in Vrnjačka Banja.

For the UFUS AFA Bulletin, Biljana Maksić recalls how it all began...

"My first realized screenplay was *Pereat*, a short film that director Miloš Pavlović – the current dean of the Faculty of Dramatic Arts in Belgrade – and I worked on, for which we also received our first awards. I searched the dictionary for a word that would suit our film, and that's how I came across 'pereat', which in Latin means 'let it perish'. Very soon after graduating, I started working in television, in the Educational program, also with Miloš Pavlović's help. When I graduated, we met near the television station; he was already working there and told me that the then-editor of the Educational Program, Olivera Pavić, was looking for an assistant. That's how it all began. My first more serious work was the TV drama *I see your boat at the end of the road*, directed by Miloš Radović. Interestingly, that TV film premiered exactly on my 26th birthday. It was, of course, a coincidence, as it was part of the 'Drama Monday' on Belgrade Television, but still, I remembered it for a lifetime.

How did you experience seeing your first screenplay on screen?

"I belong to those screenwriters who write as they see – that is, first I 'see' the scenes and then describe them on paper. So, in my mind, I was already 'watching' that TV film, and then Miloš's vision came along. Of course, it was different from what I had seen and described; at first, it felt unusual to me, but I got used to it later. After all, you either get used to it or start directing yourself, and I was never interested in that. With the next drama, *The Ship sails for Shanghai*, Miloš and I already understood each other better and aligned our ideas. I have found a common language with many directors, including Dejan Zečević and Srđan Dragojević. It took me some time to realize that when you plan to work with someone, you first need to get to know each other, because collaboration is much better then. Screenwriters are in a unique position because, on the one hand, they must be very empathetic and understand people and phenomena. We are usually very curious and terribly annoying when someone meets us because we constantly question our interlocutors so that we can later apply that to our characters."



What's the hardest thing for you when writing a screenplay?

"Nothing is hard for me. I wouldn't stay in this profession if it were otherwise. From a technical standpoint, the hardest part is moving from the synopsis and working material to writing the screenplay, because it feels like you're activating different areas of your brain. But at this stage in life and with this experience, that transition is much easier."

Are you disciplined? Do you have a work routine?

"No! Sometimes I plan, or I skip a day, then I work twice as much, or I skip several days and then work 24 hours straight. But that's the nature of this kind of work. Whether disciplined or not, you are constantly thinking about it. Even on days when I don't feel like writing, I think about what my hero or heroine might do next – that occupies your mind because, although these people are fictional, you live with them and think about their next steps."

Do you, like your colleagues, have any scripts tucked away – in a drawer – waiting for better times?

"I don't, or rather, I have two script proposals for a series and a film that Vladimir Mančić was supposed to direct. Later, the two of us wrote the screenplay for Slobodan Šijan's new film *Budi Bog s nama* (God Be with Us), which is expected to premiere soon, but our projects have been put on hold. In the meantime, I've learned to stop myself, not to write in vain, because if a long time passes before filming, the script has to be 'updated', and that becomes a new job. Sometimes I leave the text in a certain sequence so that when and if the project gets realized, it will be easier to continue. However, someone calling you to ask what script you have to offer is something that rarely happens; usually, they call because they have an idea they want you to bring to life. Nowadays, many directors write their own scripts, which, to be honest, is noticeable in those screenplays."



The Fall of Rock & Roll

Pretty Village, Pretty Flame



Someone calling a screenwriter to ask what script they have to offer is something that rarely happens; usually, they call because they have an idea they want you to bring to life.



Vidim ti ladju na kraju puta,
Photo: RTS



Trolling



Little Night Music



Žene sa Dedinja,
Photo: Emotion production

*Screenwriters must be very empathetic;
they must understand people and phenomena.*

You are the recipient of the 'Golden Pen of Gordan Mihić' lifetime achievement award. What does this recognition mean to you?

"I value this award immensely. For me, it is also symbolic because the year the Screenplay Festival announced that Mihić had passed away, Đorđe Milosavljević, Milan Nikodijević, and I were on the main jury, and we made the official proposal to establish an award bearing Gordan Mihić's name. An award like this shows you that what you have done hasn't been meaningless. In addition, my late mother showed the greatest respect for me and my work at that time, insisting that the Golden Pen be kept at her home. I believe that all of us who work in this artistic field have a strong desire for what we create to connect with the audience, to receive some kind of reaction, some form of recognition."

Has your work changed with the expansion of television?

"The work itself hasn't changed much. Today, series are often filmed like feature-length movies – episodes run long and have a self-contained story with a clear

beginning and end. For instance, BBC series often have episodes that run as long as 90 minutes. These days, I only watch shows I've already seen – it's easier that way. I used to wonder why older people kept returning to the same films and shows, and now I'm the same way. I have a whole list of new titles I plan to watch, but somehow I always end up choosing the older ones."

And speaking of new things, do you share the concern of fellow screenwriters around the world about the (mis)use of artificial intelligence?

"I can't be worried about something inevitable. Screenwriting will certainly remain in some form, because human imagination can never be replaced. Maybe not everyone will be called screenwriters anymore, but rather 'people who input data into artificial intelligence.' But, to be honest, producers everywhere want to make as much money as possible, so it is cheaper for them to have a machine write the scripts to save on costs. The question is: How much will people be willing to watch or listen to what a machine writes? I am not an expert in predicting which way things might develop; maybe one day artificial intelligence will even reach the level of imagination. Personally, I don't think about it



much because I'm nearing the end of both my career and my life. Likewise, I could be worried that one day the Sun will scorch the Earth, which will probably happen with all these climate changes. I think it's a burden to worry about something inevitable. Worry wears a person down. Besides, I don't believe I'll live to see artificial intelligence take over everything. First, they need to secure enough electricity for the operation and development of their systems."

**What are you currently working on?
What are your plans?**

"For years now, I've been planning two screenplays, and I also plan to finish a novel I started 30 years ago. But as long as I have to earn a living, none of that will happen. In 30 years, I've written twenty pages of the novel; I have planned chapters and developed characters, but I just cannot find a year to dedicate fully to writing. But I plan to move out of Belgrade and return to my hometown, Valjevo, when I retire soon. I want to find a house somewhere in the surroundings, and then I will have time to write a novel. That is a beautiful, peaceful area; I just hope this wave of 'fantastic urbanization and roundabouts' won't reach it."

You have been a member of our organization almost since its founding. How much do your colleagues today talk about and know regarding copyright and methods of protection?

"Everyone is familiar with copyright; there is a lot of discussion, but still not enough. There is that big problem, especially for my generation, with contracts with producers in which we have ceded our property rights to them. Many of my colleagues today cannot exercise their rights because of bad contracts, and they expect protection from UFUS AFA, but in fact, the law needs to be changed. I myself have tried talking to some

*I've learned not to write in vain,
because if a long time passes before
filming, the script has to be 'updated',
and that becomes a new job.*

producers to get an annex that would return my rights, but I wasn't successful. When there's no law, you depend on someone's goodwill, and often nothing comes of that. I remember that 40 years ago, at RTS, we signed contracts stating we had no rights to royalties from reruns, and everyone understood that because back then, no one talked about copyright and royalties. There were no commercial breaks on TV, and broadcasting didn't generate income as it does today. I even have some contracts that regulate my right to royalties from reruns. For a while, I used to receive that from RTS, but then it all stopped, and today I receive money only through UFUS AFA protection. The drama that Miloš Radović and I worked on was even sold in more than 20 countries worldwide. Although the contract stated we had the right to compensation from the sales, we never received it. Contracts with the then Television Belgrade were good at first, with absolute respect for copyright, until someone realized it shouldn't be that way, and contracts that required you to cede all your rights to them were drafted. There are film authors with dozens of series episodes, yet they don't receive a single dinar from royalties. That's six months of work for which you get nothing."

"I believe that each work can be improved, including the work of this organization. You should provide authors with more thorough explanations about copyright protection, addressing all their questions and concerns, because problems often arise from these misunderstandings."



Branilac, photo: RTS

CONVERSATION WITH THE AUTHOR

Photo: Maja Medić



Srđan Golubović

*director, screenwriter, professor,
and one of the founders of UFUS AFA*

The threat to film and art lies in the vast amount of content that surrounds us, making it difficult to win the attention of the modern person to watch a film or read a book

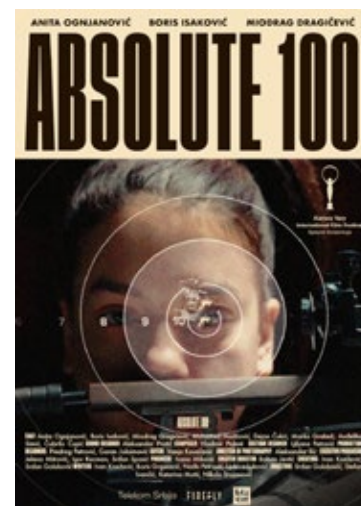
From the debut feature film *Apsolutnih 100* - *Absolute 100* (2001), through *Klopka* - *The Trap* (2007), *Krugovi* - *Circles* (2013), and the film *Otac* - *Father* (2020), each work by Serbian director, screenwriter, professor, and one of the founders of UFUS AFA, Srđan Golubović, has won awards and received excellent reception from audiences and critics both domestically and internationally. He inherited his love for film art from his father, the renowned director Predrag Golubović. Although his film stories may seem 'local' or 'ours', international

audiences have understood and embraced them very well, and the drama *The Trap* was once shortlisted among nine films for the Oscar for Best Foreign Language Film. Golubović's films have a distinctive authorial style characterized by strong social, societal, and political messages, but according to his own words, he will depart from his usual style in the film he is preparing – a love story about Marina Abramović and her former life and art partner, Ulay.

Golubović's latest work, the mini-series *Absolute 100*, based on his award-winning film of the same name, recently had its world premiere at the Karlovy Vary Festival. He shared the direction of the series with his former students from the Faculty of Dramatic Arts: Katarina Mutić, Stefan Ivančić, and Nikola Stojanović.

We asked him what impressions he took away from the premiere and how the audience received the series.

"For our film team, it was very important that the series had its world premiere at a major festival, and Karlovy Vary is one of the biggest in the world. It was a great honor to present it there, especially since all six episodes were screened, with a short break halfway through. The hall was nearly full, and everyone stayed until the end of the screening. It was truly fascinating to see such a large number of people watching the series for almost five hours."



"The series was made following a film model; dramaturgically, it is one longer film and has that kind of structure. That's why it was interesting for us that the audience watched it in one go – and not at a festival focused on television content, but at a major film festival – because I believe this series promotes the cinematic language, us as authors, and Serbian cinema. The series was completed a long time ago, and we waited a long time for its premiere, which made this event even more



Apsolute Hundred



significant. This is the first domestic series to have been shown at such a major festival. The series, it seems to me, was a refreshing experience for the audience. I must point out that Karlovy Vary, along with Sundance and Rotterdam, is a festival with perhaps the best audience. There are many young people, all screenings are sold out, and after each film, long and interesting discussions follow. I think our series earned a good place because it combines thriller elements, lots of suspense, and many crime aspects, while on the other hand, it has a strong social context. It talks about society and offers a very critical perspective on the time we live in – not only here, but globally as well. The audience liked that blend of social relevance with genre elements. They said it reminded them of some Scandinavian series that try to use the crime genre to speak about the world we live in and carry a strong activist, social, and political message.”

Although your film stories may seem ‘local’ or ‘ours’, international audiences have understood and embraced them very well, as evidenced by numerous awards at international festivals. How do you recognize that a story is worth turning into a film?

”I have never been satisfied with making something that only our audience understands and feels; rather, I aim to make films that audiences worldwide will grasp. I was interested in the universality of the story, the cinematic language, and narration, which stem from our film school, the Faculty of Dramatic Arts, which is based on narrative film. That’s how our professors taught us, so I naturally took that with me from university. When I started making my own films, I began thinking about how to shape something that is ours – authentic and

specific to the environment I live in – into a story that is understandable everywhere. I believe that film is unique in its ability to communicate emotionally with the world. For example, films by Akira Kurosawa, Hitchcock, Almodóvar, and Kaurismäki come from different worlds and bring the distinctiveness of those worlds, yet they communicate with global audiences on an emotional level. From my experience as a filmmaker and a participant in festivals, and with the distribution of my films worldwide, I have seen that audiences everywhere experience films in the same way because they respond to them emotionally. It seems to me that some other art forms have a somewhat harder path to reach the audience, because film – alongside music – probably brings about emotional reactions from the audience the fastest.”

You have been the longtime president of the council and selector of the Author’s Film Festival, which promotes works of high artistic quality and a strong authorial signature. In your opinion, what film themes have the power to ‘move’ today’s viewers?

”In both film and literature, all stories have already been told; now, the only thing possible is to give a personal perspective on something. A long time ago, I participated in a workshop where one of the world’s most famous producers – a German, Karl Baumgartner – was present. When young students participating in the workshop asked him what kind of screenplay they should bring to him one day, and what he expected, he replied with just one word – ‘surprise’. The audience, especially the festival audience, seeks a fresh, different perspective – one that is not only artistic, but also has the ability and quality to communicate with the audience. I believe the time of arthouse films that were closed off and communicated only with a narrow circle of audiences has passed.”

It is an honor for us that our mini-series Apsolutnih 100 (Absolute 100) had its premiere at such a major international festival as the one in Karlovy Vary.



And what is the greatest threat to film today? Is it commercialization, artificial intelligence, or something else?

“The threat to film and art in general is the enormous amount of content we are bombarded with every day, which raises the question of how much focus the modern person has to watch a film or read a book. I think the greatest threat is precisely this daily scattering of attention across the millions of pieces of content placed before us; the threat of how we can get the modern person to say, “Today, I’m going to watch a film, tomorrow I’ll read a book” and how we can find what is truly worthwhile, something that can enrich us, in a way. The role of film festivals is very important here, because in the modern world, they serve as a kind of catalog for the average viewer. When someone sees that a film was at Cannes, Venice, Berlin... they think that people who work in film have valued it, and in that way have made a selection from which the viewer can choose what to watch according to their interests. That overwhelming amount of various pieces of content and the dispersiveness of everything happening around us are the greatest threats to art, because the question is how, amid all that, we can focus on painting, literature, film, and theater; how we can make these things become what they are meant to be – our oasis. Not something isolated or removed from the everyday life of the ordinary person, but rather something one returns to in moments when that kind of content is needed.”

You share the fate of most of your colleagues in Serbia, as well as in the region, who, on average, need 5 to 7 years to make a film. Your last film, *Father*, premiered in 2020. How long will we need to wait until the premiere of your next film?

“The strange and paradoxical thing is that during the 1960s, 70s, and 80s, when technology was far less advanced, films were made more frequently. Directors would shoot a film every year, two, or three at most. Today, according to a European average, it takes 3 to 5 years to make a film, while in countries that are economically weaker and less stable, the average is certainly 5 years or more. How is it that technology has advanced so much

How is it that technology has advanced so much and made filming easier, yet in reality, making a film is harder than it used to be 40 years ago?

and made filming easier, yet in reality, making a film has become harder than it used to be 40 years ago? It is very difficult to answer that question. International co-productions were, at one time, a great help to filmmakers in making their film, but now they have become a burden. Searching for financiers, or co-producers, in all those countries prolongs the production process, leading it to last 5 or more years instead of 2 or 3. I believe this is a big, open problem. Because a director comes up with a film idea, and when 5 or 6 years pass before shooting begins, they have changed as people, and it is questionable how much they still care about the topic and what the film is about. I think that film will move toward smaller budgets, smaller crews, and more modest productions; it will be necessary to break out of that vicious circle where films are made very rarely. Fortunately, television and TV series have appeared, helping many filmmakers to bridge those long gaps, and providing them with a source of income, but more importantly, allowing them to maintain continuity in their artistic work. Because working in film, like any other job, is a kind of training.”

Is your next film a story about Marina Abramović and Ulay?

“That is the most important project I am currently working on. The film begins with their getting into a van and ends the moment they get out of the van and stop living together – that is, it follows those four and a half years of their life together. It is a love story about two people who lived art, who had an intense romantic and sexual relationship, and from that relationship, art emerged as an important document of that time. On the other hand, they are two people who, along with others, marked performance art. I am primarily interested in their personal and romantic relationship – the relationship of two people who lived for several years in a space of two

The Trap



Circles





Father

square meters and traveled all across Europe. This film is a challenge for me, something different from everything I have done so far, and at the same time, the first film I am supposed to shoot in English. Although Marina lived in Amsterdam for a long time, she never learned Dutch, so the two of them communicated in English. The film is currently in the financing phase; we are looking for funds for production, and according to estimates, filming should begin at the end of next year.”

You are a full professor in the Department of Film and TV Directing at the Faculty of Dramatic Arts. What are the most important lessons you teach your students?

“We strive to teach them the craft of filmmaking at the faculty, so they understand what cinematic language is and can work with its elements. How talented each of them is and how much they will be able to achieve artistically is truly individual. On the other hand, the faculty is indeed a place that helps them unleash their talent and get the most out of their gift. I myself learned the most about the craft from my professors. However, pedagogy has changed dramatically over the last 40 years, especially due to the development of technology. Today, young people can learn a lot about what interests them even outside of university. We are no longer the ones telling them something they cannot find or hear on their own. A professor is someone who engages in dialogue with them and helps them open up and tell their stories. That is my focus when working with students – to help each of them find their authenticity and express themselves in their own voice.”

You participated in the founding of UFUS AFA Protection, and as a member of the Board of Directors, you have actively worked on improving the position of film authors and fighting for copyright protection. What would you highlight as the organization’s greatest achievements, and do you believe your colleagues today know enough about their rights?

”I believe that we have accomplished a great deal in these ten years. From zero, we have reached a point where we now have an organization that works perfectly, protects, and enforces the rights of our film authors. That step was huge. UFUS AFA is a serious and strong organization today, and I believe our film and television authors can be very satisfied because they have the opportunity to

earn the money they deserve from their work. When we were founding the organization, there were many things we didn’t know. Around the same time, the Association of Serbian Film Directors, of which I was president, and the Association of Film Artists of Serbia (UFUS) had the same initiative to establish a collective organization. We, from the Directors’ Association, connected with documentary filmmakers of Serbia and the Association of Screenwriters, formed the Film Authors’ Association (AFA), and applied for a license. At that time, we learned that UFUS had also applied, so the Intellectual Property Office organized a joint meeting. Since both associations had a similar number of signatures at that time, the Office suggested that UFUS and AFA join forces to create an organization that would protect practically all film authors. It was clear to all of us that this was in the interest of Serbian authors and that there was no reason not to form a joint organization, which we did, and we very quickly obtained the license.”

”Ten years is both a long and a short time, because all collective organizations have to go a long way from their founding to the moment they start collecting copyright fees. We all learned together on the go how to do this, how laws and negotiations work, and what the essence of copyright protection is. I believe we were fortunate and, unlike some other organizations in the region, made fewer mistakes and relatively quickly reached the point when our authors began receiving royalties. UFUS AFA is a large, serious organization with by far the highest revenues in the region, with the prospect of increasing those revenues. Additionally, its activity, influence, and the way it operates and supports authors impact the film industry itself. For all of us who participated in creating UFUS AFA, that is something to be proud of.”

UFUS AFA is a large, serious organization with by far the highest revenues in the region, and with the prospect of increasing those revenues, while its activity, influence, and the way it operates and supports authors also have an impact on the film industry itself.

Photo: Aleksandar Carević

LEGAL ADVICE



Stevan Pajović

Lawyer at TS Legal

Reproduction of copyrighted works for non-commercial purposes

Private use of copyrighted works means that individuals may, for their own needs and within a close circle of family and friends, make copies of content such as music, films, books, or images without needing to seek permission from the rights holder. This concept is widely recognized in the international legal system and allows people to use such reproductions for personal purposes without the author's or rights holder's permission. In our country, such practice is recognized and legally regulated by Article 46 of the Copyright and Related Rights Act, which stipulates that a natural person may, without the author's permission and without paying copyright fees, reproduce copies of a published work for personal, non-commercial purposes. It is important to note that such reproduced copies may not be placed on the market or

used for any other form of public communication of the work. Additionally, this provision does not apply to certain specific cases, such as computer programs and electronic databases, the reproduction of written works in the scope of an entire book (except in the case of a sale lasting at least two years), or the reproduction of musical scores by hand-copying.

This practice facilitates everyday activities such as copying music to portable devices, creating photo archives, or watching favorite movies at any time. Although such copying is entirely permitted, excessive reproduction of content causes financial harm to authors and rights holders, reflected in the lost profit they would have earned had they been able to charge a fee for the reproduction.

For this reason, the law has established a so-called private copying remuneration system. This system entails that authors or rights holders are granted the right to a special fee for all cases of reproduction within private use, even if each individual instance of copying is not precisely known. Collective rights management organizations play a key role in this process, as they collect and distribute special remuneration to authors and rights holders based on legal provisions.

International and European framework

At the international level, the right to private copying was introduced by the provisions of the Berne Convention for the Protection of Literary and Artistic Works, which, in Article 9.2, allows member states to permit the reproduction of the mentioned works, provided that it does not impair the normal exploitation of the work and does not cause unjustified harm to the authors. In addition, the European Union, through Directive 2001/29/CE, allowed the introduction of rules suspending copyright for private copying, with the obligation to provide rights holders with fair compensation.

In the European Union, a system for collecting and distributing special remuneration has been established, carried out through collective rights management organizations. These organizations collect the special remuneration directly or indirectly from manufacturers, importers, and sellers of devices such as hard drives, phones, computers, or photocopiers, as well as from media carriers like CDs, DVDs, USB drives, and similar items. The basis of this system is the idea that part of the harm suffered by authors due to private copying is redistributed to those who directly profit from it – manufacturers and importers of equipment which enables content reproduction. The profit they make from devices and media for content reproduction obliges



them to take on part of the responsibility for the harm these devices cause to the authors. This establishes their liability in proportion to the financial benefits they have gained.

Special Remuneration in Serbia

In Serbia, the system of remuneration for private copying of copyright works is thoroughly regulated by the Copyright and Related Rights Act. The main goal is to protect the authors' interests and to ensure fair compensation for the harm caused by private copying.

The right to special remuneration is regulated by Articles 39 and 171b of the Act. Article 39 specifies that, in cases where a copyrighted work is reproduced without the author's permission, especially through photocopying or recording onto sound, image, or text carriers for personal and non-commercial purposes, authors are entitled to remuneration. It is collected from importers, manufacturers, and retailers of technical devices and blank carriers used for content reproduction, such as photographs, audio and video recordings, films, and other media. Collective rights management organizations collect the remuneration upon the first sale or import of such devices and carriers into Serbia, and then distribute it to authors and rights holders. The maximum amount of remuneration for standard carriers, such as CDs, DVDs, and USB sticks, is up to 3% of their value, whereas

for devices it can be up to 1%. Additionally, in 2022, the Government of Serbia passed a regulation that extended the obligation to pay special remuneration to the production and import of computers, tablets, and mobile phones, significantly increasing the total annual amount of collected fees.

It is worth noting that an author cannot waive the right to special remuneration, nor can this remuneration be subject to enforcing payment. This means that the right to special remuneration does not cease and permanently belongs to the authors, protecting their rights and economic position. The amount of remuneration is determined through negotiations between collective rights management organizations and representatives of manufacturers and importers, and in the event of unsuccessful negotiations, the Intellectual Property Office independently sets the amount.

By adopting the concept of private copying and special remuneration, Serbia aims to balance the interests of authors and content users, promoting the development of cultural and creative industries, while strongly protecting the rights of creators. The system of the right to special remuneration, in accordance with applicable laws, remains a key tool for protecting copyright and strengthening the economic position of creative individuals in society.



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