

**"ORIGINALITY" AND "REPRODUCTION" IN COPYRIGHT LAW WITH
SPECIAL REFERENCE TO PHOTOGRAPHS**

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SUMMARY

Turning to lessons from foreign jurisdictions, this note explores from a copyright perspective the fact that photographs are produced mechanically and more often than not without any effort or mental input. A minute number are taken for anything but personal use and in the digital age photographs tend to have a high degree of mobility and are also ephemeral and without any commercial value. It is accordingly difficult to justify in general terms copyright protection for photographs. Two of the main legal issues in this context are the criteria for originality and the meaning of the reproduction of a photograph. These two issues form the central point of discussion in this contribution.

KEYWORDS: Originality, Reproduction, Copyright Law, Photographs, Artistic Work, Temple Island Collections Ltd v New English Teas Ltd, Sweat- of- the- brow test

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