CORRECTION

The Netherlands

Correction to: “De 4 Jaargetijden”

Decision of the Supreme Court (Hoge Raad)

29 March 2019 – Case No. 17/06094

[Plaintiff] v. De 4 Jaargetijden

Berne Convention, Art. 6bis(1); Dutch Copyright Act,
Art. 25(1)(c) and (d)

Published online: 2 March 2020

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Correction to: IIC 51(2):227–236

<https://doi.org/10.1007/s40319-019-00904-y>

The above-mentioned decision was published with translation errors caused by IIC. The relevant passages and their corrections are underlined below.

1. Headnotes: 1(B) lines 7–8: “[...] how noticeable the modification is to the relevant public, [...]” should read “[...] how noticeable this is to the relevant public, [...]”.
2. Paragraph 3.1.7(vii) line 4: the correct file name is “ABRvS” not “ABR v. S”.
3. Paragraph 3.4.3 lines 4–6: “[...] falls within the scope of protection of Art. 25(1)(d) of the Copyright Act. This is because the amendment referred to above in 3.4.2. Art. 25(1)(c) of the Copyright Act has retained its relevance [...]” should read “[...] falls within the scope of protection of Art. 25(1)(d) of the Copyright Act since the amendment referred to above in 3.4.2. Article 25(1)(c) of the Copyright Act has retained its relevance [...]”.
4. Paragraph 3.6.2 lines 12–13: “[...] how noticeable the modification is to the relevant public, [...]” should read “[...] how noticeable this is to the relevant public [...]”.
5. Paragraph 3.8.6 lines 16–21: “[...] The apparent opinion of the court of appeal that the circumstance that [plaintiff] has opened himself up to consultation and has put forward alternatives (despite the functionality of the proposed modifications in the light of the new use of the office building), does not mean that his objection is reasonable. This is also sufficiently understandable without further explanation, and this ground therefore fails as well” should read “[...] The apparent opinion of the Court of Appeal, that the circumstance that

[plaintiff] has opened himself up to consultation and has put forward alternatives, does not mean that his objection is reasonable despite the functionality of the proposed modifications in the light of the new function of use of the office building, and is also sufficiently understandable without further explanation. This ground therefore fails as well”.

We apologise for these errors.

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