

# Judgement in the civil court case concerning the copyright to Martinus's works – a brief account

The first part of a long-running legal dispute concerning the Martinus Institute's copyright has come to an end. In a civil case heard in the City Court of Copenhagen, a judge has found in favour of the Martinus Institute in a judgement handed down on Thursday 11th December 2014.

The full 37-page legal judgement is published in Danish on [http://www.martinus.dk/da/aktuelt/nyhed4/artikel/dom-i-ophavsretssagen/?tx\\_ttnews%5BbackPid%5D=184&cHash=69879cc53d](http://www.martinus.dk/da/aktuelt/nyhed4/artikel/dom-i-ophavsretssagen/?tx_ttnews%5BbackPid%5D=184&cHash=69879cc53d)

The council of the Martinus Institute will publish a more detailed account when the case has finally been closed.

The judgement clearly upholds the Martinus Institute's copyright and sole and exclusive rights to all Martinus's works, whether in book form, in the form of images (symbols), in electronic form, in the form of sound (lectures) or in any other form. The judge ruled that no one else may publish, sell or distribute Martinus's works without the Institute's permission.

The court case came about after a lengthy process, beginning in 2009, in which most of Martinus' books, articles and lectures were published by third parties in violation of the copyright laws and without the permission of the Martinus Institute. Despite many requests from the Institute to cease, the illegal publication activities continued and expanded.

In the spring of 2013 the council decided that, since Martinus had handed over responsibility for taking care of his works and defending them against copyright violations, the council's only recourse was to go to the Danish civil court of law for a judgement.

The court case centred around different editions of Martinus' books. The third party publishers admitted contravening the copyright law, but asserted that the Martinus Institute was violating their human right to practise their religion by reading Martinus's works in the original, first edition format. They say that the first editions of Martinus's books have a special, sacred status, and that they were compelled to publish the "original" edition because the Institute itself does not publish the first editions. They therefore assert that the Martinus Institute prevents people from practising their religion, and that the Martinus Institute thereby violates human rights.

The Martinus Institute asserted in court that it does not change the content of Martinus's works but publishes them in a reliable form with the original words with modern spelling.<sup>\*</sup> By comparing the content with the original text in Martinus's typewritten original manuscript many typographical errors were discovered and corrected. Printer's errors and spelling mistakes have also been corrected as well as a few errors that alter the sense, the latter being indicated by footnotes in the books.

Martinus himself published various editions after the first editions, so the first editions did not have any special status for Martinus either. For example, two editions of Livets Bog (The Book of Life),

vol. 6 were published by Martinus during his lifetime, namely in 1952 and 1973. The 1973-edition includes 97 corrections made by Martinus.

Only Martinus's typewritten original manuscript has a special status in relation to preserving his works and as a frame of reference for publication.

When republishing Martinus's books the Institute complies with Martinus's Deed of Gift, the Institute's statutes and the law of copyright.

The Institute's new fully bound editions of Livets Bog are the most authentic editions in that they include Martinus's own corrections from later editions and at the same time have had a great number of misprints removed.

The original manuscript and the first edition of Livets Bog are, moreover, available to those who are interested in them in that they have been published on the Institute's homepage since 2009.

The Martinus Institute does not prevent any interested parties from gaining access to the works and cannot therefore be said to violate human rights.

According to the Martinus Institute's statutes it is the Martinus Institute alone that administers the copyright to Martinus's works. There are no other parties involved in the administration of the Institute's copyright.

As is evident from the judgement, everyone can freely disseminate their own view of the works, including their view of the various editions, and express criticism of the Institute's administration of its tasks of preserving and publishing Martinus's works.

Everyone still has of course the right to study the works, teach them, set up study groups, make exhibitions and in other ways be inspired by Martinus's spiritual science.

The Martinus Institute merely asks that one respects the Institute's copyright to Martinus's works.

The Council of the Martinus Institute

19<sup>th</sup> December 2014

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\* Danish spelling was reformed in 1948.