

SOCIETA' ITALIANA DEGLI AUTORI ED EDITORI (S.I.A.E.)  
IL DIRETTORE DELLA DIVISIONE AUTORI ED EDITORI  
- VICE DIRETTORE GENERALE -

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Oggetto : Consultation about resale royalty right

With reference to the consultation on resale right, and considering that it represents a fundamental and inalienable right of the creator, allowing him/her and his/her heirs to enjoy an economic profit, SIAE claims that it is necessary that the resale right be acknowledged in the USA and that its discipline be fully applied (also with regard to heirs' rights), given that, in case its regulation is lacking, distortions of the contemporary art market are produced, consequently affecting the professionals in the art market.

Acknowledgement of the resale right strenghtens the basic principle of author's right, that is to say that the benefit enjoyed by the author and his/her heirs has to be proportional to the success of the work. So, it appears fair that artists and their heirs do not lose their relationship with their works, being able to receive consistent economic revenues and encouragement to creation, with an advantage for artistic production and for the preservation of the country's artistic and cultural heritage.

Also the European Parliament, in its resolution adopted last November in plenary session, has observed that the right on the resales guarantees a flow of remuneration for the creators, who very often sell their works at a low price at the beginning of their career, and that does not appear - as documented in the Commission's report - that the resale right has had any negative consequences on the European art market.

For these reasons, SIAE expresses its wish that the resale right be soon introduced in all the USA and that, treasuring what done so far by the European Commission, in its over ten year experience thereof, the relevant regulation will be similar in all the USA and harmonized with the European framework.

With best regards

  
(Sabina Riccardelli)