A possibility of implementing a Droit de Suite as the US federal statute

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In the EU, the implementation of the resale royalty right, also known as Droit de Suite, into every member state has completed by January 2012, based on the EU directive 2001/84/EC. The fact that the current 28 member countries have obtained the resale right in their national laws has given an influence to U.S. apparently.

The U.S. Copyright Office published its comprehensive examination of Droit de Suite in 1992, and denied the necessity of implementing such a right into the U.S., however, the Office was requested to make another research about the right by the submission of the E.V.A.A. bill into the congress after 20 years from the previous research. On 13th Dec 2013, the Office published “Resale Royalties: an updated analysis”.

In this article, after being watched the recent resale right case in California, based on the California State Code section 986, the two bills and the Copyright Office Report are analyzed, then, the possibility of implementing the resale right as the federal statute is considered.