# Freelance industry reacts to copyright questions

The dispute between Moneyweb and Fin24 over content aggregation, and the looming legal action flowing from this dispute, has disturbing implications for the freelance writing industry.



The outcome of this case is important to the financial survival of the writers who provide the media groups concerned with valuable content for their print and digital publications.

Helen Ueckermann, chairperson of SAFREA (Southern African Freelancers' Association), which represents independent professionals in the media and communications industry, believes that any court ruling could be a watershed. She therefore thinks it essential that freelancers be heard in this court action, perhaps in the role of *amicus curiae* (friend of the court).

## Concerned with the matter of copyright

Ueckermann says: "Both Moneyweb and Media24 are respected providers of work to our members; we make no comment on the rights and wrongs of their current dispute. We are, however, concerned with the matter of copyright. We need clarification about who has the right to pass on work which has been commissioned, to whom and with what financial remuneration. The rights of the freelancers, who retain copyright in their work (unless they agreed to the contrary at the time of commissioning), must be protected.

"We have faith in the legal system and welcome the fact that this issue is enjoying wide public scrutiny. The outcome of this case will have a profound effect on the freelance industry in South Africa."

Geof Kirby, senior member of SAFREA, adds: "This case centers on commercial content aggregation and curation, established content marketing practices for both print and digital media. They are part of paid-for syndication, which requires an acknowledgement of source and payment. However, a business model that hardly acknowledges source and creator and doesn't pay them goes beyond normal exploitation of the work and unreasonably prejudices the legitimate interests of the copyright owner."