



IP Rights and Music

A Surinamese Perspective

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Some Background Information

- Independence day of Suriname: November 25, 1975
- Member of CARICOM since 1995
- Number of inhabitants: app. 600.000
- Diversity: Suriname has a unique ethnical and cultural diversity.

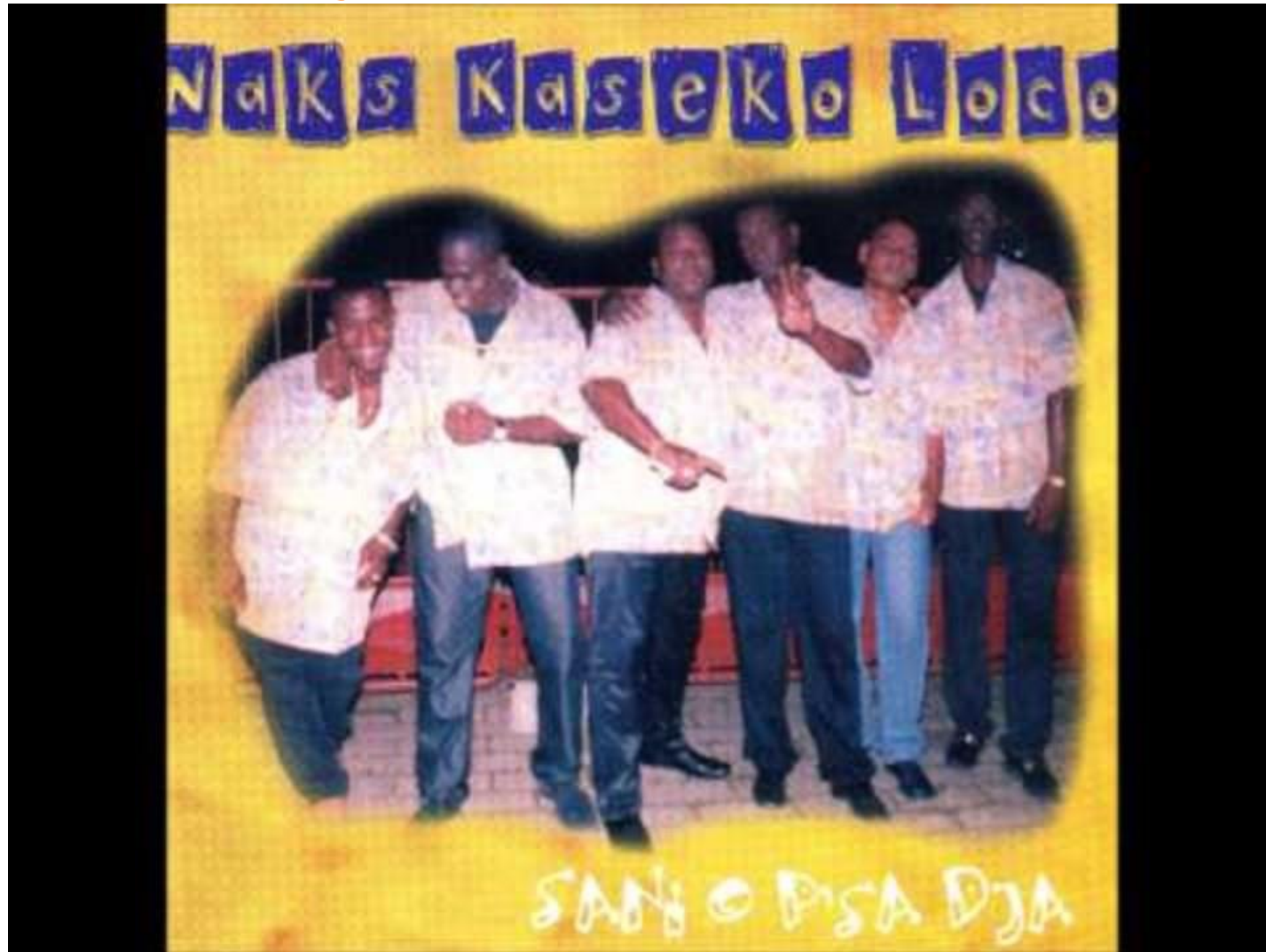
Legal Framework for Copyrights

- National Law:
 - Copyright Act of 1913 (amended by S.B. 2015 No. 83).
 - Civil Code
- International law:
 - Berne Convention
 - TRIPS-agreement
 - (Article 66+74 Rev. Treaty of Chaguaramas)

Diversity:

- The population consists of people of African, Indian, Indonesian, Chinese, Lebanese and European descent. Also, there are various indigenous peoples.
- Suriname's diversity is reflected in its food, languages, traditions, and yes, music.

“Bari Baya” Naks Kaseko Loko



KEMBANGE ATIKU - MARCUS NAHAR



"Fa un de ya"

Kater Karma & Kenny B



"TU HI MERA DIL (You are my Heart)" Nisha Madaran



Mi Lobi Bon – SuriPop 2024

Composer: Vestiane Dixon |



The SURIPOP Case: SRU-K1-2019-16

- **Background:**

- The Suriname Popular Song Festival (SURIPOP) is Suriname's most prestigious biennial music competition. The Festival promotes original compositions that reflect the country's musical and cultural diversity.

- **Legal Conflict:**

Arranger ←----- → SURIPOP

The SURIPOP Case: SRU-K1-2019-16

- The plaintiff was commissioned by the SURIPOP organization to arrange a composition for the Suripop XVI festival
- The arrangement was afterwards altered without the plaintiff's consent or consultation.
- The altered version was then published with the arranger's name still credited, without informing her.

The SURIPO Case: SRU-K1-2019-16

- **The Plaintiff sought:**
 - Recognition of her copyright as the arranger of the composition,
 - An injunction against further infringement, and
 - Compensation for damages due to the unauthorized alteration of her arrangement.

The SURIPOP Case: SRU-K1-2019-16

- **Court's Decision:**

- The Court ruled in favor of the Plaintiff.
- The Court found a violation of **moral rights** (specifically, the right of integrity of the work).
- The decision emphasized that even arrangers enjoy protection against unauthorized alterations of their work.

The SURIPO Case: SRU-K1-2019-16

. **Significance:**

- The first time the Court ruled on rights of arrangers or moral rights.
- The plaintiff created an original arrangement, which qualifies for copyright protection under Surinamese law.

The SURIPOP Case: SRU-K1-2019-16

- The court found the modification to the arrangement to be an infringement, especially of the moral rights (specifically the right to the integrity of her work and to be consulted before alterations).
- The court ruled in her favor, affirming her rights as an arranger.

Lessons Learned from the SURIPOP Case

1. Arrangements Can Be Protected by Copyright

- An original arrangement of a musical work is protected under copyright law, even if the arranger did not compose the original melody or lyrics. **This means arrangers have legal rights to their creative contributions.**

2. Moral Rights Must Be Respected

- The arranger's moral rights—including the right to object to unauthorized alterations—were violated when her work was changed without her consent. **Even if a project is collaborative, no one may alter another's creative work without permission.**

Lessons Learned from the SURIPOP Case

3. Clear Agreements Are Essential

- There was no written agreement clearly defining roles, rights, or boundaries between composer, arranger, and performers. This led to confusion and legal conflict. **Always use contracts or written understandings in collaborative projects.**

4. Recognition Is Not Enough Without Respect

- Although the plaintiff was publicly acknowledged as an arranger, this did not override her right to control how her work was used or changed. **Public credit doesn't excuse unauthorized edits or use.**

Lessons Learned from the SURIPOPOP Case

5. Cultural Institutions Have Legal Responsibilities

- Organizations (like SuriPop) must ensure proper IP practices among participants. Hosting or promoting a work doesn't exempt an organizer from liability if copyright rules are broken under their watch.



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Thank you!

