

The First International Origami Copyright Meeting (Tokyo) October 11th-13th 2008

Nishikawa Seiji (Translated into English by Tateishi Koichi)

The Meeting was held at JOAS Hall on October 11-13 for three days, with participation of origami creators and publishers/editors (38 registrations in total) from Japan and abroad. The meeting was bilingual, and we have finally agreed on the statement in Box. 1), as a result of hot debates and arguments.

Historical Backgrounds

The meeting was made possible by an international call for having a place where we can share our standpoints and opinions, made by Yamaguchi Makoto, who had considered problematic proliferation of publications which seldom or never respect the rights of origami creators. Yamaguchi had decided on inviting ten origami creators from abroad, as one of the projects celebrating the 20th year anniversary of the Gallery Origami House. Incidentally, they had the same problem settings in their mind, given recent rush of increase in number of WWW sites from which people can download origami books and diagrams for free (cf. Origami Tanteidan issue 108, p.

37). JOAS, as well, had proposed their own guidelines (On Origami as Intellectual Property, May 2005) to have people understand creative aspects of origami, and had been sharing the same issues in their recognition, so that they decided on sponsoring and cooperating with the meeting. This magazine had already announced that we will have such a meeting, and we had 39 people from six countries in the end (see Box. 2), and the historically significant meeting had started.

Pre-Meeting: Oct. 11

We held the pre-meeting with guests from abroad and the JOAS Board members, to decide on how we proceed and organize the meeting. We had agreed on the

Agenda (Box. 3) of the meeting and had decided that the chair will be Nishikawa and Noguchi, with interpreting by Tateishi, Hatori, and Noguchi, to have a smooth flow of the bilingual meeting. Minutes of the meeting will be recorded by Kawamura (in Japanese) and Polish (in English).

We had also agreed on our goal that we will hold the meeting to protect the rights of origami creators to keep origami as a creative branch of art and also as shareware.

Oct. 12 10:00-17:00

We had 30-60 minute presentations according to the Agenda, and we had discussions on general issues in the end of the day. Yamaguchi had stated, in his

Statement of The International Conference on Origami Intellectual Property Rights

2008/10/13 at JOAS Hall

We propose and agree the rights of origami artists must be protected:

- Before use of a model or design
 - Permission must be obtained
 - Payments, terms and conditions must be agreed
- On use of a model or design
 - Credit must be given unless explicitly waived

We will act against copyright infringements and unauthorized reproduction and distribution.

(U.S.A.) Mark Kirschenbaum, Jan Polish, Robert J. Lang, Anne LaVin, Marcio Noguchi
(UK) David Brill, Mark Bolitho
(Canada) Joseph Wu
(France) Nicolas Terry
(Korea) Oh Kyu-Seok
(Japan) Yamaguchi Makoto, Maekawa Jun, Tateishi Koichi, Hatori Koshiro, Tsuda Yoshio, Hojyo Takashi, Kawamura Miyuki, Kawasaki Toshikazu, Kawahata Fumiaki, Mitani Jun, Nishikawa Seiji, Ohashi Koya, Sano Yu, Aoki Nobuo, Miura Koryo, Momotani Yoshihide, Yamanashi Akiko, Yoshizawa Kiyo, Kikukawa Tamiko, Shiokawa Makoto, Matsuo Toshio, Fuse Tomoko, Kamiya Satoshi, Matsuura Eiko, Komatsu Hideo, Shingu Fumiaki, Fujimoto Yuko, Tachi Tomohiro, Shigematsu Shoji

Box 1. Statement of International Conference on Origami Intellectual Property Rights

Box 2. Participants List (without Titles)

welcome speech, "This is just the FIRST meeting, and compilations of such discussions through the following meetings are the only way to solve the problem settings that we all share," and the hot debates and discussions had started.

What Copyrights Are

Three presentations were given to share the understanding of what our issues are.

Jan Polish and Robert Lang introduced the relationship between the US copyright laws and origami. They had consulted lawyers beforehand, so their presentation was very clear-cut and their claim was well-understood that Origami should be protected under American copyright laws as an artistic and

intellectual expression. The Berne Convention for the Protection of Literary and Artistic Works explicitly states that copyrights will emerge at the moment of expression of works, but the United States also has a separate copyright registration system. Many questions were asked about this US-particular system.

Hatori had given an overview of Japanese intellectual property rights. Japan classifies them into copyrights, certain rights called neighboring on copyrights, and industrial property rights. Some lawyers argue that ideas such as folding procedure will not be protected by copyrights, but Hatori logically claimed that, in origami, creation itself including folding procedure is an expression so it

should be protected under copyright and neighboring right laws.

Nishikawa had presented, based on Figure 1, what we have as common backgrounds in communicative activities pertaining to origami, and emphasized that we would have to have people in all standpoints in the figure understand intellectual property rights pertaining to origami.

Case Studies

Following the introductory problem settings, four presentations were given about particular cases.

Matsuura at Origamihouse had four incidents where Yamaguchi's works are at issue:

- 1) Yamaguchi's "Dogwood" was quoted in someone else's book without permission AND under the name of a different author. (In Japan)
- 2) A book which is too similar to Yamaguchi's was published. (Abroad)
- 3) An instruction inside an origami sheet pack was used without permission. (Abroad)
- 4) An origami kit set used Yamaguchi's works without permission. (Abroad)

1), for example, is a matter of ignorance and lack of a little care for confirmation of authorship. About the Case 4), Matsuura pointed out that it costs too much on the side of copyright owners, such as hiring lawyers in another country and asking them to prepare legal letters with a certain amount

Origami Copyright Meeting Agenda

Oct/11 Pre-meeting 11:00-13:00, 15:00-	
Chairperson: Nishikawa (Japanese), Noguchi (English)	
Scribe: Polish (English), Kawamura (Japanese)	
Oct/12 10:00-12:00, 13:30-17:00, 18:00- Reception	
Opening (Yamaguchi)	
Agenda Chairperson: Nishikawa (Japanese), Noguchi (English)	
General (Polish/Nishikawa)	translator: Tateishi
Print	
·Matsuura (Case studies)	translator: Noguchi
·Yoshizawa	translator: Hatori
·Wu (Artworks in advertisements)	translator: Noguchi
·Nishikawa (Action of NOA & JOAS)	translator: Tateishi
General Discussion	translator: Tateishi
Oct/13 10:00-12:00, 13:30-17:00	
Web/Sale models & Photo/Others	
·Brill/LaVin (OAC, Sale models)	translator: Tateishi
·Wu (Opposing view)	translator: Hatori
·Lang/Polish (Origami Clearing house)	translator: Noguchi
·LaVin (Digital Origami)	translator: Hatori
General Discussion	translator: Tateishi
Next steps	
15:30-	
Mission: Protect the right of origami creators while encouraging creativity and sharing.	
Objective	
Statement (English, Japanese)	
System Idea(real face of creator, paragraph for books, symbol mark)	
Next meeting	
Share with origami communities	

Box 3. Agenda of the Meeting

of money and the need for the copyright owners to attend the court in another country. Pertaining to this, Prof. Miura had pointed out that copying the whole book is not only the matter of copyrights but also possibly a matter of Unfair Competition Prevention Act.

Yoshizawa had introduced us truly annoying experiences of her husband, Master Yoshizawa Akira, since more than 50 years ago, and pointed out that the true nature of the matter has not changed at all, but that she feels time flies like an arrow so that now we have this meeting. Prof. Momotani had pointed out that Master Yoshizawa had tons of works that he had not shown to the public in the process of his thorough trial and error, and that Master felt very sad that other creators present their "own new works", which are only different from Master's in minute details. He also pointed out such "creations" resulted in looseness with regard to origami artworks among creators and users.

Joseph Wu introduced uses of origami artworks without permission in advertisements. In the world of advertisements, Wu points out, copyrights pertaining to origami are better understood if a creator negotiates as an "illustrator centering on origami," whose rights are well-understood there. This indeed is an issue because this fact shows lack of understanding of creativity of origami on the other side of communicative acts.

Nishikawa had reported collaborated efforts of JOAS, NOA and their lawyers to persuade various media that there IS creativity in the intellectual artwork of origami.

General Discussions

In general discussions period, some more problems had been pointed out, for example: "The true issue is innocence/ignorance on the other side, so we have to act so as to let them understand copyrights." (Lang)
 "The thought of origami being

'cheap' is in the root of the problems." (Kirchenbaum)
 "Degrees of understanding of copyrights are too different among publishers, so we simply do not know how to negotiate with them." (Yamanashi)
 "Every creator wants to publish their works, but we all have certain amount of responsibilities, because selling copyrights without exceptional terms to the publishers and uses of other creators' works without permission in publications, among others, are one of the causal factors of copyright infringements." (Yamaguchi)
 "NOA always asks showing credit statements of the original creators to the side of sponsors of exhibitions, but they have experienced such a case that the Japanese Ministry of Education had created a movie on origami without any credits given to the original creators, so NOA truly feels the necessity of propagating the recognition of the existence of copyrights pertaining to origami." (Ohashi)

Reception

Participants exchanged their opinions in the reception held at an Italian restaurant nearby. In his opening speech, Prof. Miura Koryo told us that it is very significant that such many people gather in one place and concentrate on discussions on copyrights pertaining to origami, and that he felt that our viewpoints and stances are very close to each other. He also pointed out that we should present some "statement" at the end of the meeting as a conclusion, which of

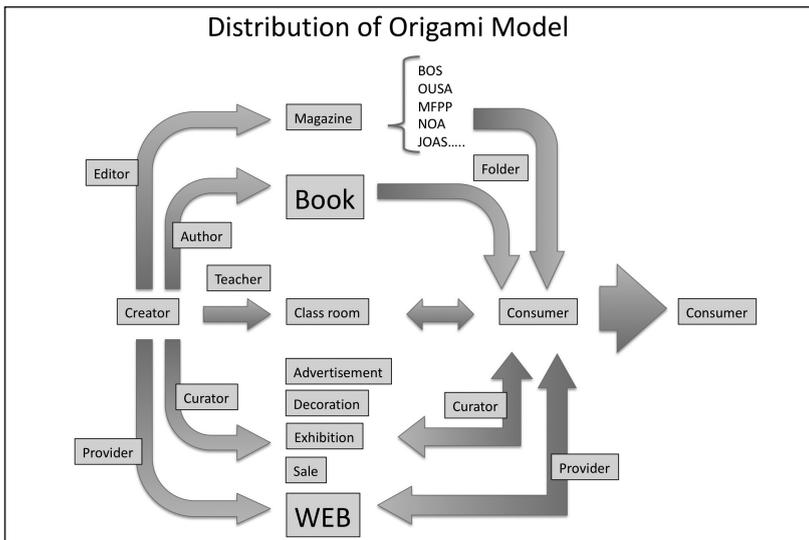


Figure 1. Communicative Activities Pertaining to Origami

course functions as a "link" to our next step.

Oct. 13 10:00-17:00

On the second day, we concentrated on the international system-building to protect origami copyrights and intellectual property rights. A few new proposals were made.

What We Should Do: Plans and Projects

Brill had introduced activities of "Origami Authors & Creators (OAC)," which acts against online copyright infringements. In developing countries in particular, we can find web sites where members can download copy data of origami books without permissions of the authors. This occurs because people in developing countries have hard time obtaining books published in Japan or US, for example, partly due to the problem of foreign exchange rates. In some cases, copyright owners can claim their rights to the web site providers and stop such activities, but their methods of illegal download are becoming trickier and we actually keep finding out new such web sites or closed BBSs which announces links to such sites. It is very sad to say that it is very difficult to stop them all, but we cannot but sit down and let them do what they are doing. OAC is trying to become a legal agent of copyright owners who has difficulties proving their copyrights and/or claiming in their non-native languages. Currently OAC has their own web site, and

is trying to have people recognize origami copyrights and intellectual property rights.

Wu classified "violators' claims." He pointed out that, not speaking of truly wrong claims like "we have rights to get anything we want to" or "we have rights to protest against such authoritative activities", some of their claims are worth listening to, such as the economical problems and cross-linguistic problems that Brill had pointed out.

Lang had introduced the idea of "Origami Clearinghouse." Copyright owners register their contact information and terms of permissions, so that "proper users" can use their works more conveniently. Such an activity possibly leads to decrease of illegal activities, but this needs huge amount of manpower by volunteers. JOAS's guidelines distributed to their Origami Instructors have similar underlying concepts, it was pointed out.

LaVin proposed "Digital Origami", an official download site like iTunes in music. It was pointed out that we have to make clear conflicts with existing publishers, but the proposal itself paid attention of audiences and many opinions are exchanged.

Final General Discussions

It was truly very significant discussions we had in three days, including pre-meeting. As Prof. Miura had suggested, we, in the end of the meeting, had discussed

what to say in our "Statement". We have succeeded in deciding on the bilingual statement of the Meeting as in Box 1. Note that this statement is acknowledged and confirmed by those who had been unable to attend in the afternoon of 13th. This of course is not the end of the discussion, and we need more international discussions and debates to make the contents and functions of the statement and our activities better. We had promised to feed the statement and the contents of the Meeting back to members of origami associations of which participants are members in the form of articles of their magazines and journals. This article is a promised feedback from JOAS. We need representatives in each association, and discuss issues presented in this meeting furthermore in chances like origami conventions and academic meetings. The representative of JOAS pertaining to this will be tentatively Nishikawa.

Appendix

This article is a summary of the Copyright Meeting. The Meeting had scribes, Jan Polish and Kawamura Miyuki, and they recorded into 11,000 words of English and 25,000 letters of Japanese. They will be the foundation of the development of our further activities. We need volunteering cooperation from huge amount of people, so we will introduce individual cases one by one in many occasions for our efforts to make fruit.