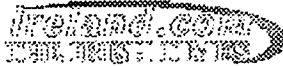


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Monday, April 16, 2001

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THE IRISH TIMES
ON THE WEB

IRELAND

Monday, February 19, 2001

Copyright row over Joyce excerpts

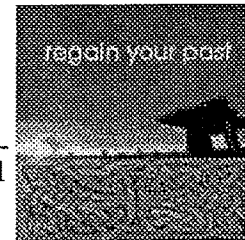
By Terence Killeen

A "comprehensive" anthology of Irish writing in the 20th century has been published without containing any work by James Joyce.

The section of the anthology, *Irish Writing in the Twentieth Century - A Reader*, devoted to Joyce has been physically removed from each copy and replaced by a notice stating that due to a copyright dispute it cannot appear.

The anthology, edited and introduced by Dr David Pierce, of the University College of Ripon and York St John, is published by Cork University Press.

A dispute arose between the publisher and the James Joyce Estate over the fee of £7,000 sterling demanded by the estate for permission to use excerpts from Joyce's work - a fee which the publisher considered excessive. It is understood the publisher was prepared to offer £2,000 Irish.



When agreement could not be reached, the publisher attempted to circumvent the estate's refusal of permission by using an excerpt from a version of *Ulysses* produced by Danis Rose, an Irish scholar.

This version, published initially by Macmillan in the UK and subsequently by Lilliput Press in Ireland, does not have copyright permission and is the subject of pending legal action for breach of copyright and passing off the work of James Joyce in the UK.

The James Joyce Estate obtained a High Court injunction preventing publication of the anthology on September 11th last. At a further hearing, Mr Justice Smyth suggested an excerpt from the original edition of *Ulysses* might be used.

The estate offered to permit use of such an excerpt at a fee to be determined by the court. However, counsel for Cork University Press said this would mean destroying the entire current print run of the book and could not be done.

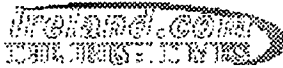
At a sitting on October 30th, Mr Justice Smyth granted an interlocutory injunction (effective until the hearing of the action) to the James Joyce Estate preventing publication of the proposed Joyce excerpts in the anthology. His ruling, although not a final determination, strongly upheld the rights of the estate and appears to have convinced Cork University Press that there was no further purpose in pursuing the legal route.

A spokesman for the James Joyce Estate said other companies producing comparable anthologies - for instance, Colm Tóibín's *Penguin Book of Irish Fiction* - had no difficulty in agreeing terms for reproduction of writings by Joyce.

The estate said the £7,000 sterling figure was the standard fee, adding that the use of an unauthorised excerpt from a work such as Danis Rose's could not be countenanced.

Ms Nancy Hawkes of Cork University Press said the company had no alternative but to publish the book without any Joyce material.

Dr Pierce described the situation as absurd and said his biggest fear was that the anthology would never come out and three years' work would go to waste.



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Monday, April 16, 2001

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IRELAND

Tuesday, February 27, 2001

Joyce row may not affect book sales

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'My book, *Writing in the Twentieth Century: A Reader*, bears the scars of its birth. Now that it is in the world it will have a chance to breathe and make its way in the academy or market place. It would be nice to know, though probably impossible to ascertain, if sales increase dramatically on account of the excision rather than the inclusion of James Joyce.'

Editor David Pierce was speaking from his home in England before the arrival of the great tome in the bookshops today. He has been pondering the project for the past 30 years, and despite the well publicised hiccup with the Joyce Estate, the Cork University Press, (CUP) with great sighs of relief, has been able finally to deliver the volume, running to almost 1,400 pages.

For reasons best known to Joyce's grandson Stephen, Pierce and the CUP were not allowed to use excerpts from *Ulysses* and Joyce's short story *The Dead*, although students and Joyce fans all



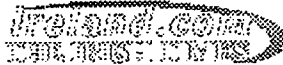
over the world will have no difficulty getting their hands on either.

If there is no such thing as bad publicity, then the print run of 10,000 copies will be snapped up in double quick time and Mr Pierce and the CUP will be vindicated in bringing this mammoth undertaking to fruition.

The spotlight has been on the Joyce row and, while the forced exclusion is regrettable, nothing can take away from the vision and sheer scope of the work.

Almost everything you can think of is here, from Douglas Hyde to O'Casey and Yeats, Greg Delanty and Paul Durcan, and all that comes between.

It will be well thumbed by students, scholars and thousands of others besides. No doubt, it will go to a second printing. Mr Joyce should be sent a complimentary copy.



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Monday, April 16, 2001

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THE IRISH TIMES

ON THE WEB

IRELAND

Tuesday, October 3, 2000

Hearing on Joyce excerpts resumes

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An application to continue an order restraining Cork University Press from further printing or distributing a new book containing excerpts from James Joyce's *Ulysses* will resume hearing at the High Court today.

The proceedings are being taken by the James Joyce estate against Cork University Press. It is seeking to have an interim restraining order continued pending the outcome of the main action.

Mr Donal O'Donnell SC, for the estate, yesterday said legislation had meant that copyright on Joyce's works expired on December 31st, 1991, 50 years after his death.

However, an EU directive adopted on October 29th, 1993, and given effect to in Irish law, had extended copyright to 70 years from an author's death. Last April the publishers asked the Joyce estate for permission to include quotations and

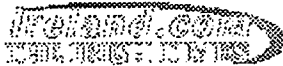


excerpts from Joyce's work in the new anthology. This was agreed subject to a £7,000 fee. A request for a fee reduction was refused.

Last June the publisher offered to pay £2,500 plus 0.5 per cent of the royalties. Mr Stephen Joyce, a grandson of the author, declined to reduce the fee, and in July Cork University Press was refused permission by the estate to publish the Joyce excerpts.

Mr O'Donnell said the publishers nevertheless went ahead with publication using extracts from a work on *Ulysses* by Danis Rose.

THE IRISH TIMES



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Monday, April 16, 2001

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IRELAND

Wednesday, October 4, 2000

Court urges talks in dispute over *Ulysses*

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A High Court judge yesterday urged further talks between lawyers for the James Joyce Estate and Cork University Press in an effort to resolve a legal dispute over the publication of excerpts from James Joyce's *Ulysses* in a new 20th century anthology of Irish literature.

Mr Justice Smyth asked both sides to consider further talks between themselves before he issues his judgment on Monday. It could be that his judgment might not find favour with either party, he pointed out.

The Joyce Estate was granted a preliminary injunction against CUP on September 12th restraining the company from further printing or distributing its anthology, *Irish Writing in the 20th Century - A Reader*. It is seeking that the interim order continue pending the outcome of the main action between the parties.

The book, which has already been printed, is



James Joyce: copyright on works continues to 2011



edited by Mr David Pierce, a reader in English and Irish Literature at the University College of Ripon and York St John. CUP earlier this year applied to the Joyce Estate for permission to publish an extract from *Ulysses* in the anthology and was granted a licence subject to a £7,500 fee. However, after a dispute over the size of the fee, the estate refused permission to the company to include the extract.

CUP went ahead with the printing of the anthology using a *Ulysses* extract taken from a book by Danis Rose, first published in 1997. The Rose book was published when the original copyright on Joyce's work had expired, after 50 years since his death. James Joyce died in 1941.

In October 1993 an EU Directive, which was given effect in Irish law, extended the copyright period by a further 20 years. During the yesterday's hearing Mr Justice Smyth suggested a possible solution might lie in CUP publishing the relevant extract from the original edition of *Ulysses* and not from the Danis Rose work, which is the subject of litigation in England. After taking instructions, Mr Donal O'Donnell SC, for the Joyce Estate, said they would agree to CUP publishing the relevant extract from the original, with the licence fee to be determined by the court.

Mr Paul Gallagher SC, for CUP, said acceptance of this offer would mean the anthology could not be published. The whole book would have to be reprinted at a cost of £92,000 and CUP did not have the resources to do that. Earlier Mr Gallagher asked the court to refuse the Joyce Estate the injunction and said that in return his client was prepared to compromise by making clear that the *Ulysses* extract it intended to publish was not from the authorised version of the work, but from Mr Rose's, a corrected version of the original.

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Publisher told to halt book printing

by Ray Managh

A PUBLISHING house has been restrained by the High Court from further printing or distributing a new book containing excerpts from Ulysses.

The James Joyce Estate was granted an interim injunction against the National University of Ireland, trading as The Cork University Press.

Cian Ferriter, counsel for the trustees of the James Joyce Estate, told Mr Justice Paul Butler that the new work, Irish Writing in the 20th Century, contained substan-

tial extracts of works by James Joyce in contravention of copyright held by the Joyce Estate.

He said it had come to the attention of Stephen Joyce, grandson of James Joyce and the sole beneficiary of the Joyce Estate, that The Cork University Press had already printed the anthology which included excerpts from James Joyce's works.

Mr Ferriter said the James Joyce Estate owned the copyright in all of Joyce's writings and of all his published work and had refused the NUI permission to use excerpts in its

anthology aimed at the student market.

He said the NUI had not been happy with the Stg. 7,500 fee sought by the Joyce Estate and had apparently gone ahead with the publication using extracts from a Danis Rose work on Ulysses which had been published at a time when copyright allegedly had not existed on Joyce writings.

Mr Ferriter said there was a period between 1992 and 1995 when the works of many Irish writers were out of copyright until revived by a EU directive.

The Irish Times

12/09/2000

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The Irish Examiner,

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IRISH EXAMINER

19/11/00

● **BOOK WARS:** The dispute between Cork University Press and the estate of James Joyce raged for a second day in the High Court yesterday. Mr Justice Thomas Smyth urged lawyers representing the James Joyce Estate and Cork University Press, publishers of the 20th



James Joyce: still in the wars.

century literature anthology which includes an excerpt from Joyce's work, to consider further talks between themselves before he issues his judgement in the matter on Monday next at 2 p.m.

The Estate which was granted a preliminary injunction against the Cork company in the High Court on September 12 last is seeking an interlocutory order restraining CUP from further printing or distributing the book, *Irish Writing in the 20th Century - A Reader*.

IRISH EXAMINER
9/10/00

Injunction granted

THE trustees of the estate of writer James Joyce were granted a High Court interlocutory injunction yesterday against Cork University Press (CUP) restraining it from infringing copyright on all works by the author.

An order was also granted stopping CUP passing off or attempting to pass off a work in the name of James Joyce or the title *Ulysses* not authorised by the Joyce Estate.

IRISH INDEPENDENT
10/10/00

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by Ray Managh

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IRISH TIMES
12/19/00

Ulysses 2: Judgment day

By Pat Leahy

I once knew a smartarse who, while touring the United States, found himself in Den-

ver, Colorado, on St Patrick's Day. Being a man of a *soi-disant* literary bent, he marched in the parade with the James Joyce Reading Society of Denver. Some wires were crossed somewhere, and he was later intro-

duced to the Mayor of Denver, Colorado, as James Joyce, the Irish writer.

The Mayor was not, apparently, a man of a literary bent and he replied: "I'm delighted to meet you, Mr Joyce, but I haven't read any of your books." Not to worry, replied Joyce, you just be sure to look out for my new book coming out next year. It's called Ulysses 2: Judgment Day.

Smartarse is now, predictably enough, a barrister, and it was to the lair of the learned friends that matters Joycean headed last week, when the James Joyce estate sought an injunction to prevent the publication of an anthology of Irish literature by Cork University Press, claiming that the publishing house (attached to University College Cork) was breaching copyright.

So for two days in the High Court last week, the wigs - whose getup hasn't changed, by the way, since Joyce's time - jousted and counter-jousted before Mr Justice Thomas Smyth in a spectacle that would have betimes amused and annoyed Shem the Penman himself.

If Leopold Bloom thought that crossing Dublin without passing a pub might have been a fine puzzle in 1904, crossing the road today without meeting a lawyer might be equally difficult. And so Messers Donal O'Donnell and Cian Ferriter lined up opposite Paul Gallagher and Jonathan Newman in Court 12, Four Courts, Dublin 7, Ireland, the World, the Universe, last week - the seniors cutely and plump, the juniors lean, quiet and Dedalusian-looking.

The senior counsel delivered their orations in the booming (blooming? All right, I'll stop) tones customary among men of their standing, and I think I saw them flinch when the judge opined that Joyce's reputation would outlive that of most of us.

Gallagher made the case that no additional quantifiable damage to the Joycean literary heritage could be done by the circulation of a few thousand copies of a few thousand words among "a very limited audi-



James Joyce

ence of third level academics and students". He meant limited in the numerical sense (I think).

Cork University Press has printed extracts from the hated (by some) Rose edition of Ulysses in the anthology, and the Joyce estate wants them out. The Rose edition has, the court was told, somewhere between 8,000 and 10,000 alterations from the authorised text; among Joyceans, this is heresy. Danis Rose claims he researched his 'corrected text' during a window in the copyright of the Joyce works, and so copyright does not apply.

Copyright lapsed between 1991 and 1993, when Euro regulations restored it until 2011. The Joyce estate has taken legal action in England over this, and the proceedings are expected soon. Sure, you could write a book about it.

The Joyce estate claims the Rose edition is a bastardisation of the master's work. Apparently most of the alterations refer to such weighty matters as hyphenation; one example brought up in court last week was whether the word should be 'dressing gown' or 'dressing-gown' or 'dressinggown'. (Or was it 'dressinggown', or 'dressingown'? I can't remember. It was certainly a dressing down, anyway. Boom, boom.)

Joyce himself had a word for this. "Was the narration otherwise unaltered by modifications?" (1992 Penguin edition, page 868) You figure it out. The judge will deliver his verdict tomorrow.

SUNDAY BUSINESS POST
28/10/00

Court urges further talks in dispute over publication of Joyce excerpts

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James Joyce: copyright on works continues to 2011

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