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PRESS RELEASE

For *Assembly (KIOSK)*, Agency makes a selection from its list of controversies based on the question: What if common things would get mutually included within art practices? Intellectual property includes copyright, which protects “original works of authorship fixed in any tangible medium of expression”. However, copyright law hasn’t defined originality. Under the copyright framework, two elements are put forward in relation to originality. One, a work must be “the product of independent creation” and, two, must “exhibit at least some minimal degree of distinguishable variation”. This means that a “slavish copy” does not comply and that the work of authorship is seen as the author’s internal creative processes. The legal framework excludes the influence of external factors. But often it is difficult to distinguish internal from external factors during creative processes of making replicas. Courts have interpreted differently what originality requires. Some courts have granted protection for labour, skill, and investment on the “sweat of the brow” principle. This series of controversies will convene an assembly at KIOSK in order to bear witness.

Agency will organize the following two gatherings at KIOSK:

On December 9th, 2018, Agency will invoke the controversy *Thing 001928 (Give up yer aul’ sins)*. It concerns a conflict between Pauline Gormley and EMI around the *Give Up Yer Aul’ Sins*, a tape of bible stories told by children from Dublin. During the court case, Pauline Gormley v. EMI on November 17, 1998, judge Barron at the Irish Supreme Court had to decide if Pauline Gormley’s recounting of the bible story *And then there were twelve* as a child was sufficiently original to be protected as a work of art.

And on January 27, 2019, the controversy *Thing 002304 (carpets)* will be presented. The conflict is between the textile companies Artessuto and B&T Textilia about drawings of townscapes which are used in tapestries and cushions. During the case, *Artessuto v. B&T Textilia* on January 26, 2012, the Belgian Supreme Court had to decide if Artessuto’s woven carpets were sufficiently original to qualify for copyright protection as a work of art.

For these gatherings, Agency invites a diverse group of concerned guests to respond to the controversy in question. The invited respondents come from different practices that are entangled in the case under discussion. The gathering will take place inside the exhibition and will last for approximately two hours. The purpose of the assembly is to re-invoke the moment of hesitation during the court case. This is meant not as much as a re-enactment of the judgment than as a “palaver” that prolongs the doubt during this case.

KIOSK

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“Agency” is an international initiative that was founded in 1992 by Kobe Matthys and has office in Brussels. Agency constitutes a growing “list of things” that resist the radical split between the classifications of nature and culture. This list of things is mostly derived from juridical cases and controversies involving intellectual property (copyrights, patents, trademarks, etc.) in various territories around the world.

The concept of intellectual property relies upon the fundamental assumption of the split between culture and nature and consequently between expressions and ideas, creations and facts, subjects and objects, humans and non-humans, originality and tradition, individuals and collectives, mind and body, etc. Each “thing” or controversy included on the list bears witness to a hesitation in terms of these divisions.

PRACTICAL INFORMATION

Exhibition

01.12.2018 – 27.01.2019

AGENTSCHAP / AGENCY

Assembly (KIOSK)

Monday – Friday: 2pm – 6pm
Saturday – Sunday: 11am – 6pm

Opening

Friday, 30 November 2018

Press and professional preview (by appointment): 2pm – 8pm
Public opening: 8pm

Assemblies

thing 001928 (Give up yer aul sins)
Sunday, December 9th, 2018, at 3 PM
English spoken

thing 002304 (carpet)
Sunday, January 27th, 2019, at 3 PM
Dutch spoken

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KIOSK