

2. affixes to a copy, an adaptation or transformation of an artistic work the designation of author (Article 10 (1)) in a manner which gives the copy, adaptation or transformation the appearance of an original, or distributes a copy, such an adaptation or transformation bearing such designation,

shall be liable to imprisonment of not more than three years or a fine, unless other provisions impose a more serious sentence.

(2) Any attempt shall be punishable.

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Article 108 **Infringement of related rights**

(1) Any person who without the consent of the rightholder

1. reproduces, distributes or communicates to the public a scientific edition (Article 70) or an adaptation or transformation of such an edition,
2. exploits a posthumous work or an adaptation or transformation of such a work contrary to Article 71,
3. reproduces, distributes or communicates to the public a photograph (Article 72) or an adaptation or transformation of a photograph,
4. exploits a performance by a performer contrary to Article 77 (1) or (2), first sentence, Article 78 (1),
5. exploits an audio recording contrary to Article 85,
6. exploits a broadcast contrary to Article 87,
7. exploits a video recording or a video and audio recording contrary to Articles 94 or 95 read in conjunction with Article 94,
8. exploits a database contrary to Article 87b (1),

in manners other than those permitted by law shall be liable to imprisonment of not more than three years or a fine.

(2) Any attempt shall be punishable.

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Article 108a **Unlawful exploitation on a commercial scale**

(1) Where the offender in the cases referred to in Articles 106 to 108 acts on a commercial basis, the penalty shall be imprisonment of not more than five years or a fine.

(2) Any attempt shall be punishable.

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Article 108b **Infringement of technological measures and rights-management information**

(1) Any person who,

1. with the intention of enabling for himself or a third party access to a work which is protected under this Act or to other subject-matter protected under this Act or its exploitation, circumvents an effective technological measure without the consent of the rightholder, or
2. knowingly without authorisation
 - a) removes or alters rights-management information provided by rightholders, if any of the information concerned is affixed to a copy of a work or of other protected subject-matter, or is released in the context of the