

YouKioske infringers jailed

Following our report in the [January 2015](#) issue of the PDLN newsletter on the Spanish court case against YouKioske, two of the accused have been sentenced to six years in prison and the third has been discharged by the Spanish National High Court. The prosecution had requested eight-year prison sentences for two defendants: three for crimes against intellectual property and five for belonging to a criminal group.

Javier Diaz de Olarte of CEDRO comments, "This case and this decision was a very important part of the fight against digital piracy in Spain and we are pleased that the judge has seen fit to impose such a sentence."



The decision was reached on 5th March and the amount (theoretically) to be paid as civil compensation due to the harm caused to the rightholders represented by CEDRO is yet to be stated although [Kluwer Copyright Blog](#) reports that the Public Prosecutor has "claimed the sum of 3,695,004 Euros for AEDE (Association of Spanish Newspaper Publishers) alone".

New intellectual property legislation was introduced to Spain in January 2015, as reported in the January PDLN Newsletter, and had already resulted in the withdrawal of Google News from the country.

Cision – Gorkana merger delayed by competition issues

The Competition and Markets Authority gave a [phase 1 decision](#) on the acquisition by GTCR of Discovery Group Holdings Ltd (Gorkana) on 27th March which found that "this merger has resulted or may be expected to result in a substantial lessening of competition within the market or markets in the United Kingdom". The CMA has now referred the merger for a phase 2 investigation unless "GTCR Canyon UK Investments Limited offers acceptable undertakings to address these competition concerns". The takeover could have substantial impact on Cision businesses in UK, Sweden and Portugal.

Until a favourable decision is reached, no action can be taken which will "lead to the integration of the Gorkana business with the GTCR business". The initial enforcement order dated 18th December also requires that "the Gorkana business is carried on separately from the GTCR business and... the separate sales or brand identity is maintained."

The acquisition was announced in October, when Cision CEO Peter Granat commented to [PR Week](#), "Gorkana [will be] a great addition to the Cision portfolio, as it will help us expand quickly as we look at other international markets and build out a suite of tools around the PR space."

EU Copyright Directive – a pirates charter?

In January Julia Reda, representing the German Pirate Party in the European Parliament, released a report focusing on copyright and evaluating the 2001 Copyright Directive and looking at how it is "blocking the exchange of knowledge and culture across borders today".

The [report calls for](#) "the harmonisation of copyright terms and exceptions across Europe, new exceptions for emerging use cases like audio-visual quotation, e-lending and text and data mining, as well as the adoption of an open norm to 'allow for the adaptation to unanticipated new forms of cultural expression'."

The report will pass through the Legal Affairs committee (with a vote expected on April 16) and finally the plenary of the Parliament.

The report can be accessed via this link: <https://juliareda.eu/2015/01/report-eu-copyright-rules-maladapted-to-the-web/>

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Visapress legal action against clippings companies

On 20th of January a Preliminary Hearing took place at the Intellectual Property Court for a lawsuit against three clipping companies (Cision, Manchete and Clipping Consultores) who reportedly refuse to pay licensing fees to Visapress.



Visapress anticipates that a negotiation proposal should come in a very near future from those companies in order to avoid the court making a final decision.

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Portuguese copyright law delivers publisher revenue

In February 2015 the Portuguese Government approved three important laws on Orphan Works, Private Copy and on Collective Management Organisations. The Private Copy law now includes a wide range of gadgets such as smartphones and tablets that must now pay a fee to AGE COP (Private Copy Licensing Organisation) in regard to copyrights.

A GSK Survey shows that an amount between 6 to 7.5 million euros should be expected as additional revenues for the industry. As a full member of AGE COP, Visapress should register incremental income by the end of CY 2015.

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News from Members et al

MMO surveys show increasing copyright compliance

MMO bodies FIBEP and AMEC have shared initial findings from their member surveys that might help direct future PDLN – MMO licensing development. The key trends are that acceptance of copyright and licence requirements are growing, with more MMOs entering into licence agreements than ever before, and that copyright is the biggest single issue in MMO interests and concerns. The volume of international copying is also rising, with MMO clients demanding more international services.

This underlines the importance of PDLN members developing solutions for international audiences, either directly or through partnerships.

Respondents rated the major challenges for the future of the media monitoring and analysis industry are:

1. Copyright: 54%.
2. Change in the media landscape: 35%.
3. Social media: 31%.

Compared to 33% in 2012, only 4% respondents in 2014 indicated that copyright was not an issue in their region.

An increase in both "agreements with publishers" as well as "agreements with licensing agencies".

In the Top 3 obstacles to international monitoring, copyright costs and restrictions were 46% in 2014 vs 57% in 2012.

In 2012, 38% of our members didn't dedicate a part of their annual revenue or turnover to copyright fees. Today, they represent than 18%.

FIBEP general secretary Florian Laszlo will present details of the survey to PDLN members at the Zurich conference.

Visapress strengthens relationships with European MMOs

Rui Ramos Pereira, executive director of Portugal's Visapress is heading the organisation's initiative to strengthen relationship with other European MMOs and to identify best practice, starting with a visit to Spain as Portugal and Spain have many cultural affinities and shared history.

In February Rui visited CEDRO in Madrid for a day to discuss how CEDRO is organised, its licensing strategy and other relevant issues. He met Magdalena Vinent, CEDRO's CEO and learnt more about how CEDRO carries out press clipping management, rates, sales staff organisation.

Susana Checa and other members of CEDRO staff were very helpful by supplying a lot of information and documentation about the Economic Impact of Piracy in Spain [link needed] – a brand new survey published by GSK and promoted by CEDRO.

Visapress intends to strength its relationship with other European organisations during the coming months.

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Copyright Australia – CEO leaves

Australia's Copyright Agency has announced that its CEO, Murray St Leger, is leaving the company in July 2015 and moving back to the UK for family reasons. Murray has held the post of CEO and Deputy CEO since 2013.

The chairman of Copyright Agency, Sandy Grant, said the Board would now commence a recruitment process for a new chief executive officer, "We will be looking for a CEO who can continue the fine work of the agency in standing up for the value of Australian creators, develop a suite of innovative knowledge products and grow a customer-focused culture."

Murray St Leger says, "It's been a privilege to work with such professional and dedicated staff, as well as both the Copyright Agency and Viscopy Boards. I look forward to aiding the transition of the new CEO in the coming months."

For more information, contact: *Caroline Morgan, general manager* cmorgan@copyright.com.au

Philippe Masseron becomes Director-General of CFC

Denis Noel, director general and manager of CFC since 2008 has announced he is leaving CFC to devote his time to other projects. The CFC board has named Philippe Masseron, currently deputy DG, as his replacement from 1st April.

Philippe joined CFC in 1990 and has occupied the post of deputy DG since 2008. CFC is confident that he will continue his successful record in the new post, building on his excellent knowledge of the organisation obtained through his various posts with CFC through the years.

For more information, contact: *Sandra Chastanet* s.chastanet@cfcopies.com

New CEO for Infomedia

On 1st January this year Thomas Vejlemand became CEO and director of Denmark's Infomedia. He has worked with media, communication and the technology industry and the development of digital agencies since 2002. His experience includes partner and director at independent digital agency In2media from 2011 to 2014, and CEO at InSilico, a mobile enterprise solutions company.

Infomedia's chairman, Lisbeth Knudsen, said, "I am sure that with Thomas Vejlemand Infomedia will have a very strong leadership position to develop the business, to decode customer needs and to make sure that our technology moves us in the right direction."

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PDLN News

Record attendance for PDLN seminar – 22nd April



30 participants have already booked - including Meltwater, PDLN members and leading local titles - and there are still some spaces left.

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At the PDLN seminar in Oslo on the 22nd of April we will ask a simple, but important question: *Who should be responsible for licensing the use of content?*

The FT's James Mann, Andrew Hughes of NLA, Dr. Peter Horvath of Landau Media and Christophe Dickes of Kantar Media will share their experiences and thoughts about this important topic. The FT has separate agreements with the market, Landau Media has chosen to go a separate way, NLA will argue that a central organisation is best and Kantar Media wonders whether the optimal solution exists.

PDLN Conference 2015 – new speakers

PDLN's 2015 conference in Zürich promises to be an unmissable event. The conference launches on Sunday 7th June with an executive board meeting an informal dinner, with the full conference starting on Monday 8th June and running through til Tuesday.

Speakers include Francine Cunningham, executive director of the European Newspaper Publishers' Association who is giving the after-dinner speech on Monday evening; Jeremy Thompson, chairman of the board at AMEC and CEO of Gorkana, speaking on how the worlds of content reputation management are changing.

A panel session on tablet-based platform services has representation Patrick Lacroix of Mediaargus/GoPress, and Philippe Jannet of leKiosk/France. The panel is chaired by Rudiger Baumberger of APA/kiosk.at

Market requirements are under scrutiny by Florian Laszlo of FIBEP – the international MMO trade body. He will speak about business cases and market developments for publishers and MMOs.

The Swiss copyright management organisation, ProLitteris, has introduced licensing of media monitoring providers and users and director Werner Stauffacher will explain how the model works for MMOS and users and the challenges of its introduction.

Evolving business models for online newspapers are the topic of Andre Maerz' talk, the spokesperson of leading Swiss business title NZZ will look at paywalls, subscriptions, memberships and licences.

Spanish newspapers and Google are tackled by Irene Lanzaco of AEDE and she will cover legal changes and likely next steps in creating a better balanced publishing environment for publishers and search engines.

Swissdox will host the 2015 conference, to be held in Zurich on the 7-9th June 2015 at the [Sorell Hotel Zürichberg](#).

For more information visit: <http://pdln-conference.strikingly.com/>



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We welcome members' contributions to this newsletter.

Please send yours to the editor Catherine Dhanjal: Catherine.dhanjal@theansweruk.com

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