

## Board decides on conference, forum, news

In a packed agenda, the Executive Board has confirmed that PDLN's next conference will be held on 11-12 June 2012, hosted by Newspaper Licensing Ireland in Dublin.

The Board is also seeking to establish a new publisher-media monitoring organisation discussion forum – possibly incorporating an annual meeting outside the formal PDLN structure. It had previously considered establishing a new membership category, but ultimately decided not to go down this route because of members' concerns that it might make discussions inside PDLN more difficult.

Following the successful licensing seminar hosted by CFC in Paris (see story below), the Board is encouraging members to offer seminar ideas and host meetings. These events are entirely member-led and managed, so anyone with a suitable topic should contact the PDLN Secretary, explaining the benefits for attendees, the job functions the topic relates to (sales, IT, marketing) and the proposed agenda and date.

Finally, the Board agreed to extend PDLN's news provision, covering new developments regularly via links to relevant media stories and press releases on the PDLN web site. The new service should launch early in 2012.

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### In this issue

Executive Board decisions  
Paris licensing seminar  
First PDLN Connect deal  
Rights concerns in Poland  
Visapress pursues litigation

### Regulars

More news from members  
Meltwater to appeal  
Google case continues  
Norwegian successes  
CAL profile

### In brief

PMG, NLA, Opoint

### In the media

## Licensing issues shared at Paris seminar Pressb@nking signs more agreements

Sixteen delegates from 10 organisations attended the latest PDLN seminar on licensing models. Contributions from Ross McCaul of Australian PDLN observer CAL, Susana Checa of the Spanish licensing organisation CEDRO and François Gabai of seminar host organisation CFC, as well as Anders Larsen of Danish organisation Infomedia, showcased a range of interesting approaches.

They described uses covered, organisations licensed (with an emphasis on press cuttings agencies and their clients) and tariff structures, as well as their sales & marketing capabilities and their approach to addressing licensees.

Susan Dowley, sales & marketing director for NLA in the UK, explained how her organisation generated leads and contacted end users. Pressb@nking explained how they controlled the usage of titles from the GoPress kiosk by social media.

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Pressb@nking in Belgium and EDD in France are poised to sign the first agreement between database licensing organisations using the PDLN Connect contract developed by the business models working group of PDLN members.

The agreement covers exchange of content usage between the two parties in their respective databases and markets. Pressb@nking's Francis Féraux said at the last Board meeting on November 24 that no adjustments should be needed to the standard contract.

And Pressb@nking has also announced that Danish PDLN member Infomedia has approached it to open its database under a PDLN agreement, to provide information on how the Danish presidency of the European Commission is viewed by the foreign press. This agreement was due to be signed in the week beginning December 12.

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## Rights concerns aired in Poland

IWP has obtained a positive legal interpretation of the Act on Public Procurement, which states that magazine subscriptions ordered in a public tender are paid for after delivery and not pre-paid. This is contrary to commonly accepted conditions and means that publishers have to bear the cost.

However the chairman of the Public Procurement Office has said that the Act allows for settlement of the account when the order is made.

IWP has also objected to a proposed European Directive on orphan works. It would make it possible to classify press content as orphan works, expand opportunities for free use of copyright content, deprive the publisher of the right to represent the author of an orphan work, and is also ambiguous on the definition of 'publicly accessible'.

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## Visapress takes claim to higher court

After losing its first judicial action against a Portuguese press cuttings agency, Visapress has taken its claim to a superior court.

The judge in the original case decided that the agency's extraction of content was legal and without prejudice to the rightsholders.

However Visapress's Carlos Reis Marques expects that the court of second instance will be more aware that newspapers and magazines are collective works protected by copyright under Portuguese law, and that extraction of parts of them is only permissible when authorised by the rightsholders.

In the second stage, the main argument will turn on the need to make clear that authorisation may only be given by the newspaper company and not the individual journalist.

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## More news from members

### Meltwater to appeal part of court ruling

Meltwater may appeal to the UK Supreme Court (and/or the European Court of Justice) in relation to one narrow aspect of the case brought by the NLA regarding scraping web content – that the temporary copying exemption could apply if a monitoring report was delivered as an online web page.

However the current Meltwater service requires a licence and the Copyright Tribunal will set fees early in 2012; if Meltwater's appeal is successful further Copyright Tribunal action may be required.

Meanwhile NLA expects to collect end user fees, backdated to 2010, during 2012.

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### Google reprising old arguments

Google officially informed Copiepresse on November 24 that it intended to take its case regarding copying of elements from Belgian newspapers to the Cour de Cassation, the Belgian supreme court.

'This action is supposed to be based on procedural issues only, but Google's memorandum seems to recall many of the arguments already developed in First Instance and in Appeal,' says Copiepresse's legal adviser Catherine Anciaux.

Both courts had previously ruled that the legal arguments cited by Google were unjustified. Copiepresse is currently analysing Google's memorandum and preparing its response.

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### CAL to position itself as problem solver

#### Observer organisation the Copyright Agency Limited sees opportunities from PDLN membership

CAL manages news repertoire rights across 17 licensing schemes in Australia. The press clippings scheme is the largest generator of licensing revenue for news content; its AU\$12m revenue represents 14 million data records per year.

CAL licenses press clipping agencies, manages rights, pricing, data processing and distribution payments to rights holders on behalf of newspaper publishers and journalists. While education and government sectors also provide steady income stream to back to news rights holders the growth area is copyright licensing in the corporate market.

'To maintain the relevance of a rights organisation like CAL we have to position ourselves as a problem solver to content models,' says Caroline Morgan. 'In the case of news repertoire, currently there is a monetisation gap between how much organisations and individuals are consuming news content, and what creators of that content are getting paid for that use.'

It's CAL's job to bridge that gap with licensing initiatives, Caroline continues. 'Membership of PDLN gives CAL a wonderful opportunity to learn from international news rights organisations and contribute an Australian perspective.'

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## In brief...

**PMG** is holding workshops in six German cities to demonstrate its PMG Research archive, and has also signed a co-operation agreement with **Swissdox**.

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**NLA's** eClips platform now covers newspaper website content. NLA has also launched Photochecker, allowing photographic agencies to identify where and when their pictures have been published within eClips.

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**Opoint** has signed an exclusive agreement with the Norwegian Specialized Press Association (Fagpressen) to distribute magazine content to Opoint customers and other media monitoring companies in Norway and abroad.

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### Success stories from Norway

Organised by MBL and Telenor, the Digital Winners 2011 conference featured presentations from international experts in media, marketing, innovation, technology and content production. Speakers included Schibsted CEO Rolv-Erik Ryssdal and Arianna Huffington, founder of the *Huffington Post*.

Meanwhile after almost two years of planning, Multimedia Universe is about to launch in Norway. Based on the same idea as Touchpoint in the UK, with data sources merged by TNS Gallup, MMU will make it possible to compare figures from different sources and make strategic planning decisions on where to place advertisements.

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## In the media

18/11/11 [Global]: Why one click has turned Google's news strategy on its head <http://digbig.com/5bfepy>

18/11/11 [Global]: Newsstand's few early adopters have stolen a march on laggards <http://digbig.com/5bfeqa>

11/11/11 [Global]: RIM adds NewspaperDirect in bid to grow news content on its PlayBook <http://digbig.com/5bfeqb>

09/11/11 [France]: French papers buddy with Google for kiosk payments, product development <http://digbig.com/5bfeqc>

03/11/11 [Global]: Copyright Clearance Center launches new services to simplify content licensing <http://digbig.com/5bfeqd>

02/11/11 [Global]: NewspaperDirect upgrades PressReader app for iOS 5 <http://digbig.com/5bfefe>

22/10/11 [USA]: NAA: Newspaper web traffic up 20% in September <http://digbig.com/5bfefg>

19/10/11 [Europe]: Users should be able to buy licences to allow copying <http://digbig.com/5bfefh>

13/10/11 [Global]: Apple's Newsstand debuts, grouping iOS publications in one folder <http://digbig.com/5bfefi>

05/10/11 [Global]: Yahoo! strikes alliance with ABC News as Alibaba weighs offer <http://digbig.com/5bfefd>

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We welcome members' contributions to this newsletter. Please send yours to the editor Tim Buckley Owen: [tim.buckleyowen@pdln.info](mailto:tim.buckleyowen@pdln.info). PDLN Press Database and Licensing Network, Rue Bara 175, 1070 Brussels, Belgium.