

Europe Review of Copyright Legislation

The public consultation on the review of the EU copyright rules is currently underway with stakeholder input sought until 5 February. [Views are sought](#) on "areas identified in the Communication on Content in the Digital Single Market (IP/12/1394)":

- Territoriality in the Single Market, harmonisation, limitations and exceptions to copyright in the digital age
- Fragmentation of the EU copyright market
- How to improve the effectiveness and efficiency of enforcement while underpinning its legitimacy in the wider context of copyright reform".

Stakeholders from Europe and further afield are encouraged to contribute their views. In theory at least, the feedback from the likes of consumers, authors, publishers, producers, intermediaries, distributors and other service providers and Collective Management Organisations will help to influence proposals for copyright legislation in Europe.

Perhaps in order to bring some structure to the inputs, there's an 80 question form to complete. Some commentators are concerned that questions may be skewed to encourage answers which protect rights holders over users. One in particular is "Should the provision of a hyperlink leading to a work or other subject matter protected under copyright, either in general or under specific circumstances, be subject to the authorisation of the rightholder?" with CreativeCommons commenting that this displays "a worrisome lack of understanding how the internet works".

Views are also sought on "A unified EU Copyright Title" which would "totally harmonise the area of copyright law in the EU and replace national laws". The contentious issue of putting the onus on intermediaries for copyright breaches is also covered.

The Licences for Europe strand of copyright review, discussed below, is now concluded.

To find out more: http://ec.europa.eu/internal_market/consultations/2013/copyright-rules/index_en.htm

Licences for Europe

The European Commission in November 2013 issued [commentary](#) on industry pledges to make more content available in the Digital Single Market following the last stakeholder dialogue meeting. The "Licences for Europe" initiative was launched by the Commission in February 2013 with the aim of delivering "industry-led solutions to address practical barriers to the circulation of content in the digital age" by the end of 2013.

Participants are making pledges to overcome problems European citizens may face in areas from cross-border access and portability of services, to user-generated content and micro-licensing, audio-visual heritage and data mining.

PDLN members Sandra Chastanet of CFC and Patrick Lacroix of Mediargus were heavily involved in the workstreams, with Sandra representing IFFRO and PDLN. Patrick represented ENPA in the working group focusing on text and data mining for scientific research purposes. (See also our coverage of the initiative in our March 2013 and November 2012 [PDLN Newsletters](#).)

The memo which accompanies the press release includes "ten pledges to bring more content online".

Find out more at: <http://ec.europa.eu/licences-for-europe-dialogue/>

These are:

1. Further development of cross-border portability of subscription services
2. Improved availability of e-books across borders and across devices
3. Easier licensing for music
4. Easier access to print and images
5. Enabling the identification of your work and rights online
6. More active reader involvement in the online press
7. More heritage films online
8. Freeing up TV footage archives through digitisation
9. Improving identification and discoverability of audio-visual content online
10. Easier text and data mining of subscription-based material for non-commercial researchers.

As point 7 of the memo states, the next step on the copyright review is that the Commission will carry out a review of the EU Copyright legal framework. It aims to take a decision on whether to table legislative reform proposals in spring 2014.

For more information click [here](#) or contact [Sandra Chastanet](#), IFFRO and PDLN representative.

In this issue

Europe Review of Copyright Legislation
Licences for Europe

Regulars

News from Members et al
YouKioske.com in Court
New CEO Copyright Hub
Irish Copyright Threat
iSentia Buys AAP
Europe Media Monitor app
PDLN News
PDLN on Twitter
New PDLN Secretariat
PDLN Conference 2014
Webinar: PDLN Connect
PDLN Seminar Schedule
Profile: Patrick Lacroix
Profile: Isabella Splendore

Spanish Court Case Against YouKioske.com to Set a Precedent?

CEDRO's high profile criminal legal case for the photocopying of newspapers and magazines started in May 2012 against youkioske.com.

The case was brought by the Anti-Piracy Group of the Spanish National Police on the basis of a complaint submitted by the Spanish Association of Daily Newspaper Publishers (AEDE). CEDRO is now party to the proceedings on behalf of Spanish and foreign publishers that it represents as either as direct members or through bilateral agreements. IFFRO has also [made a contribution](#) towards the litigation expenses as it believes that the ruling will set a good international precedent.

Youkioske.com was a website with an address in Canada belonging to the company domiciled in Belize. The company was managed by three people in Madrid but operated through a network of people in Spain and Ukraine.

From a user's point of view, the benefit of Youkioske.com was that you could access almost every newspaper or magazine, no matter the country of origin of the publication, completely free.

With the traffic generated through youkioske.com, the owners sold advertising; the website included numerous banners and it was mandatory to watch an advertising video before having access to any content.

On 21 November the [High Court set bail at EUR5million](#) for the three people responsible for the Youkioske site. As well as seeking economic compensation, the prosecutor is seeking eight years in prison for each defendant: three years each for crimes against intellectual property and five for belonging to a criminal group. AEDE on the other hand is hoping for four years each for intellectual property crimes, eight for membership of a criminal organisation and six years for money laundering.

CEDRO is now waiting for the oral proceedings to start.

Contact: Susana Checa Prieto sheca@cedro.org

New CEO for the Copyright Hub

The UK's [Copyright Hub](#) has announced the appointment of a new CEO, Dominic Young. Effective from 1 December 2013, Dominic brings experience from his senior positions at News Corporation and the Newspaper Licensing Agency (now NLA media access), and latterly his consultancy in the areas of copyright and content creation.

Dominic is taking over from Dr Ros Lynch, Director of the Copyright Licensing Coordination Office (CLCO) who managed the Copyright hub through its successful implementation and development phase over the past year. The Hub is one of a number of strands of work being taken forward under the guidance of the Copyright Licensing Steering Group (CLSG), all aimed at simplifying the process of obtaining licences for copyrighted material.

For more information: www.copyrighthub.co.uk

Copyright Under Threat in Ireland

At the end of October the Irish Government published the outcome of its review of Irish Copyright Law: [Modernising Copyright](#) (PDF). The proposal seeks to radically underline copyright principles and could have a very serious effect on publishers if adopted in its current form.

Owen Cullen of the Newspaper Licensing Ireland and the Irish newspaper association, National Newspapers of Ireland, comments, "The report made worrying reading for newspaper publishers as well as those engaged in other creative industries."

The main recommendations relate to "the establishment of a Copyright Council of Ireland and specialist intellectual property tracks in the District and Circuit Courts, and to the introduction of tightly-drawn exceptions for innovation, fair use, and very small snippets of text in the context of online links".

Whilst the review claims that, "the position of rights owners will be improved, by recommendations to extend remedies, technological protection measures, and rights management information", Newspaper Licensing Ireland (NLI) sees the situation in a different light. .

Cullen explains, "The recommendations will limit the extent to which newspapers can prevent others from commercially exploiting their content without permission or fair remuneration. The impact of this could be to threaten media diversity and pluralism as well as press freedom."

NLI welcomes the European Commission's public consultation on EU copyright rules (see page 1) as the correct forum for deciding the next steps.

Defining Snippets



Amongst the other recommendations are that "it should not be an infringement of copyright to reproduce a very small snippet of the linked work reasonably adjacent to the link, and that a very small snippet should consist of no more than either 160 characters or 2.5% of the work, subject to a cap of 40 words".

The definition of snippets is a hotly debated. In our [September newsletter](#) we reported on the German bill on ancillary copyright law which allows search engines and news aggregators to use (undefined) "individual words or small excerpts of text". The Irish recommendations go further by seeking to identify exactly what constitutes a snippet.

The full report is available at: www.enterprise.gov.ie/en/Publications/CRC-Report.pdf

iSentia Buys Australian Associated Press Media Monitoring Business

[Australian Associated Press](#) (AAP), the national news agency of Australia, is selling its media monitoring business in Australia and New Zealand, subject to approval by the Australian Competition and Consumer Commission. It reportedly has [over 250 media monitoring clients](#) in the region, including the Department of Education, Toyota and Edelman Australia. Moving forwards, AAP chief executive Bruce Davidson said, "Medianet [press release distribution], Pagemasters [editorial services] and our core editorial service have great growth potential and we will be focusing our efforts in those areas."

Buyer [iSentia](#), formerly called Media Monitors, will use the purchase to allow them to "continue to invest in... services and remain the region's leading service company in the media intelligence space," [said iSentia chief](#) John Croll.

iSentia operates in 15 countries and has over 6,000 clients. In the last two years it has acquired social media agencies, Two Social and BuzzNumbers, to supplement its digital offering.

For more information: aap.com.au/Newsroom/aap-isentia

Tablet App: Europe Media Monitor

The European Commission has updated its Europe Media Monitor app, available free from the iTunes store. Currently only available on iPad or Android tablets, it monitors media items from around the world.

It supports over 70 languages and offers in-line translation to English from Arabic, Czech, Chinese, Danish, French, German, Italian, Polish, Portuguese and Swedish.

Developed by the European Commission's Joint Research Centre, versions for smartphones are apparently on their way. It can also be accessed via the web from PCs or laptops. Content is updated every 10 minutes, 24 hours a day.

Although its text mining and automated translation tools are impressive, some question why the EU has funded such a service which allows access to publisher content without a licence.

More information can be found at:

<http://emm.newsbrief.eu/NewsBrief/clusteredition/en/latest.html>

PDLN News

Follow PDLN on Twitter

PDLN has a new presence on Twitter, in a bid to reach a wider audience and make news stories from PDLN and about issues which affect PDLN known in a more timely fashion.

We encourage all members to follow us on Twitter and to contact jcrewe@nla.co.uk with news you feel we should tweet about.

Follow PDLN on [@pdln_info](#)

PDLN Conference 2014

Save the date for the 2014 PDLN Conference to be held in Madrid from June 1st-3rd.

Speakers will explore the topic of 'Social Media and the Press'. Jorn Lysergen, CEO of Meltwater, is confirmed as a speaker.

The conference will take place at the [Hotel Miguel Ángel](#), a good value five star hotel located centrally behind Madrid's main street, Paseo de la Castellana.

Contact: Jennifer Crewe jcrewe@nla.co.uk

New Secretariat for PDLN



The PDLN secretariat is now being handled by NLA media access with Jenny Crewe the main point of contact.

The secretariat will continue to handle accounts and administration as well as the web presence, newsletter and Twitter feed.

The PDLN Executive Board thanked Ditmar Kolb and team at Presse Monitor for an excellent job whilst they were running the secretariat.

Contact: Jennifer Crewe jcrewe@nla.co.uk

Webinar: PDLN Connect Licences

AMEC/FIBEP/PDLN webinar on PDLN Connect will take place on 27 February at 2pm GMT/UK; 3pm Vienna/CST; 8am Chicago/CET. Barry Leggetter of AMEC, Andrew Hughes of NLA and Florian Laszlo of FIBEP.

As reported in our September Newsletter, PDLN is extending the PDLN Connect programme which seeks to simplify the process of accessing and using international press content by developing standards for data access, compliance, reporting and licensing.

Registration details to follow.

Contact: Jennifer Crewe jcrewe@nla.co.uk

PDLN Seminar Invitations

Our recent survey on the format and success of previous PDLN seminars also generated some good suggestions for new topics. As a result invitations have been sent for two new seminars:

- Web licensing - London 13th February
- PDF processing, Copenhagen 20th March

The preferred seminar subjects were:

- Use of content on the web e.g.: website content, with a focus on new solutions in the market; pay-walls, iPad versions; web licensing
- Licensing models
- Focus on those subjects where technology is constantly advancing and require frequent updates e.g. mobiles; eReader+Mobile =Kiosque
- Seminar on PDF processing
- Media analysis
- Text aggregators

Other comments included:

"I think they are all valid to repeat. The last seminar was 18 months ago and a lot changes within the topics discussed such as licensing models."

Of the 16 who completed the survey (20% of the total polled), 79% have previously participated in a seminar – with an even distribution of attendance across seminars.

94% of respondents would like to continue to have the opportunity to participate in PDLN seminars so that they can:

- Seek new inspiration
- Gain information relevant to their work
- Network.

Most people prefer that the seminars are a combination of webinars and face-to-face meetings – but there is no preference for webinars only.

With regards to face-to-face seminars, people tend to prefer that they are held as one-day events, and preferably with a dinner the day before.

Contact us

We look forward to your thoughts and comments on this shortlist or other topics you are particularly keen to attend a seminar on.

There are eight respondents whose companies would also take on the task of organising seminars – would those respondents please contact Tim for further information on starting the planning process.

Contact: Tim Wolff Jacobsen tim.jacobsen@infomedia.dk

Profile: Patrick Lacroix, Mediargus & License2Publish



Patrick Lacroix is the director of the Belgian database platform Mediargus, brand name Gopress, and the licensing company of the Flemish newsmedia: License2Publish. He has an MBA degree and a Belgian and French Master of Laws degree.

He founded Mediargus in 1999 and is currently also director of Vlaamse Nieuwsmedia, the Flemish Newspaper Association, secretary general of the Belgian Newspaper Association and in charge of the national authentication and payment service Media ID that covers all Belgian media companies, press and audiovisual, public and private, as a shareholder. He's a board member of several organisations such as ENPA and the Belgian RRO Repobel, of which he is a past president.

Prior to Mediargus, he worked as a general manager in scientific research companies, he was a consultant at Krauthammer International and he started his career in 1992 as an account manager for a reseller of the international press databases Reuters, Financial Times, LexisNexis and Dow Jones.

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Profile: Isabella Splendore, Repertorio Promopress



Isabella Splendore is the manager of the Licensing Department of Repertorio Promopress in Italy. Repertorio Promopress was established in 2012 by an initiative of FIEG, the Italian Federation of Newspapers and Magazines

Publishers.

Repertorio Promopress covers about 90% of Italian publishing companies newspapers and periodicals - whether or not members of FIEG - and wants to encourage the development of simple and efficient market solutions for the protection of the editorial content.

As Head of Legal and International Affairs Department at FIEG, Isabella is also responsible of the development of the Repertorio Promopress and represents Italian publishers in the PDLN.

Becoming a member of PDLN is a great opportunity for Repertorio Promopress to learn from more consolidated experiences and to establish new forms of international collaboration.

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Please feel free to copy or forward this newsletter to anyone you think may be interested.

We welcome members' contributions to this newsletter.

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

To subscribe to this newsletter, contact PDLN Secretariat jcrewe@nla.co.uk www.pdln.info

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