

Google News shuts Spanish service



Google News closed its Spanish service ahead of the introduction of a new intellectual property law in the country on 1st January. Richard Gingras, head of Google News [explained](#), "This new legislation requires every Spanish publication to charge services like Google News for showing even the smallest snippet from their publications, whether they want to or not."

As [IPkitten commented](#), the new law means that ancillary rights "cannot be waived". Those who wish to display non-insignificant excerpts will be required to pay compensation.

Commentators are questioning whether this will have positive effects for Spanish publishers. As [The Spain Report highlighted](#), "The Spanish Newspaper Publishers' Association (AEDE) issued a statement last night saying that Google News was 'not just the closure of another service given its dominant market position', recognising that Google's decision: 'will undoubtedly have a negative impact on citizens and Spanish businesses'."

In our [September 2013 Newsletter](#) we reported on the German bill on ancillary copyright law which came into force in August that year. This bill required publishers to 'opt in', with no communication from the taken as meaning they wanted to opt out of Google News automatically whilst the Spanish law requires publishers to charge Google for use of their content, whether or not they want to.

Copyright in EU Commissioner's Top Five priorities

New EU Commission President, Jean-Claude Juncker, puts copyright at number one in his five top priorities during his presidency. He took up office on 1st November for a five year term.

His first priority is "to put policies that create growth and jobs at the centre of the policy agenda of the next Commission", with breaking down national silos in copyright and data protection legislation being a key component of this.

To find out more: <http://juncker.epp.eu/my-priorities>

European Commission's news aggregator

Publisher licensing of free web-based services is a hot topic, with Google battling with publishers in Spain, Germany and elsewhere. A number of newspaper publishers and associations are incensed that the European Commission runs its own news aggregator [EMM](#) which, like Google News, operates without a licence.

ENPA has raised this with the Commission who have confirmed EMM is not used as an alternative to press reviews, where they have a licensed internal service. ENPA has requested PDLN support on offering a licence solution, which lead to a survey of relevant members in October.

The survey shows a mixed picture of members' ability to licence free web services. A number (Spain, Belgium, Italy) are ready, willing and keen to create a licence for this activity. Others have not reached agreement with publishers to offer such a licence (Netherlands), and some (NLA media access) would not seek to licence free web services.

The mixed picture illustrates the practical and strategic challenges of web licensing: is it for publishers to manage directly, and if they do wish to work through PDLN members, can they and should they distinguish between professional monitoring and consumer services?

We also raised this question in the [January 2014 PDLN Newsletter](#) where we highlighted the EMM's app available from iTunes and Android stores.

Collective action is a huge challenge and possibly questionable in competition law terms, but Google is huge too.

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AMEC's 2015 conference: June, Stockholm

AMEC, the International Association for Measurement and Evaluation of Communication, will hold its annual International Measurement Summit in Stockholm. The conference will take place from 3rd-4th June.

PDLN member Retriever, Nordic media monitoring and analysis company, is the headline sponsor.

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To find out more: <http://amecorg.com/>



OATs – policing content misuse

NLA worked with Opoint to develop the Online Article Tracking (OATs) software which is designed to police content misuse. The software typically finds around 900 examples of probably copying every day across the eight national publishers.

Successes to date include ensuring that the website www.libreprensa.com has taken down all participating publisher contact – it has been identified by OATs as infringing and was using around 3,000 articles from The Telegraph per month.

The NIA is now exploring how this fits the wider compliance world, such as film and music and encourages DLOs to review options for their markets.

A full report has been published on the service and is available from Jenny Crewe jcrewe@nla.co.uk

News from Members et al

PMG-CEDRO agreement

PMG Presse-Monitor and CEDRO, the Spanish licensing body, completed a unilateral agreement in October granting German media monitors and end users scanning rights for Spanish news content for the compilation of their press reviews.

PMG welcomes the opportunity to offer content from nearly 200 Spanish publications, including renowned titles as El Mundo, El País, Expansión, Cinco Días and El Economista to licensed MMOs and end users, and thanks CEDRO for a straightforward, pragmatic and quick approach during the negotiations.

PMG expects modest levels of initial use in the German market but is sure that the growing interest of global companies in international news content will lead to growth.

For more information, contact: Ditmar Kolb

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License League – Opoint agreement

License League, Inc., the US-based licensing agency is very pleased to announce its licensed content distribution agreement with Opoint.

This will make the compliant content from 80 plus mostly US publishers that participate in the License League CAP available to Opoint's MME customers.

By having this program available as part of the existing Opoint offering we further our goal of making it as convenient and barrier free as possible for MME's to be compliant in their use of content.

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NLA Article Impact Measurement tool

NLA media access has launched a new PR evaluation tool.

Named 'Article Impact Measurement' (AIM), it is designed to "take measurement of a PR campaign to a new level of sophistication and value – offering the ability to measure the impact of communications campaigns".

The tool is available under licence from media monitoring and evaluation agencies and offers previously unavailable audience data on coverage generated on national newspaper websites. Publisher page view data is combined with social media statistics at article level to give a single measure of PR impact.

David Pugh, managing director of NLA media access commented, "Coverage in UK newspapers remains critical to PR success and we know it is highly valued by agencies and their clients. AIM marks a big step forward in assessing the real value of individual articles."

For more information, visit:

<http://blog.nla.co.uk/about-aim/>



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Spanish piracy court case against YouKioske continues

Following our report in the January 2014 issue of the newsletter on the Spanish court case against YouKioske, oral hearings for the case took place on 18th- 20th of November 2014 at the Spanish National Court in Madrid.

During oral hearings, the defendants insisted that the books and magazines displayed on the YouKioske website were uploaded by users and not by themselves.

Nevertheless, the experts of the Anti-Piracy Group of the Technological Research Brigade of the Spanish National Police, and other witnesses clarified the method of operation of the YouKioske website.

In our opinion, the hearing of evidence proved that those responsible for the YouKioske website obtained the publications by downloading the same from other sites and that the publications were uploaded to virtual servers and linked to other webpages and virtual servers, by them, using different names.

In its conclusion, the prosecution demanded eight-year prison sentences for two of the three defendants: three years each for crimes against intellectual property and five for belonging to a criminal group.

CEDRO and AEDE (the Spanish newspaper association), requested the oral testimony of Sandra Chastanet be taken as representative of all the foreign publishers affected by the pirate activity of the YouKioske website.

Sandra was interrogated by CEDRO's attorneys mainly about the decrease in the sales of copies of the publications and subscriptions within the years the website www.youkioske.com was running and about the non-existence of an agreement between the rightholders of the publications displayed in the YouKioske website and those responsible for that site.

The case is pending and a court ruling is expected by the beginning of 2015.

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PDLN News

PDLN's 2015 conference: Zurich

Swissdox will host the 2015 conference, to be held in Zurich on the 7-9th June 2015 at the [Sorell Hotel Zürichberg](http://www.sorellhotel.com).



Swedish developments

BonusCopyright www.bonuscopyright.se announced a new corporate licensing scheme in Sweden at the IFRRO conference in Korea in October, though the extent of publisher mandates is not immediately clear.

Local newswire TT has separately resigned its PDLN membership, bringing PDLN's member numbers back to 29. PDLN's other Swedish member is publisher-owned Retriever.

Upcoming seminars

PDLN is planning a seminar in Q2 where we focus on the management of copyright – who should be responsible for this, publishers, licensing agencies or media monitoring companies, and which benefits publishers most?

We'll also discuss whether we need an organisation that handles copyright, and what its purpose should be – such as increasing incomes or control of distribution?...

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Seminar survey

We'd value your feedback on PDLN's events and on the topics and locations where you'd like to have future seminars.



If you haven't already, please follow the link [here](#) and complete the survey.

Any feedback you provide is really useful to us so we can improve the service for our members.

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Profile: Kostas Kyriakopoulos, OSDEL



Kostas Kyriakopoulos is the director of the Greek Collecting Society for Literary Works, OSDEL. In 2016 OSDEL will celebrate 20 years as a reproduction rights organisation representing Greek authors and publishers who collectively mandate it to manage their rights. A member of IFRRO since its early years, OSDEL has always tried to follow international developments and implement best practices to the interest of rights holders.

Looking to the future, OSDEL places great emphasis on licensing activities and in particular press clippings. The licensing of media content by a CMO could greatly benefit the media press clipping activities. The concept is fairly new and OSDEL has invested great efforts and will continue to do so, to inform all parties involved of the advantages of participating in OSDEL's project.

Kostas has embraced this project as he is very familiar with the media sector. Before joining OSDEL, Kostas was editor in chief of e-net.gr, the digital edition of Eleftherotypia, a national newspaper enjoying great reputation throughout its history.

In addition to his long career as a journalist, reporter and columnist in print and online media, Kostas is a professor of journalism/digital content management in both public and private academic institutions.



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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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Press Database and Licensing Network



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