

## PDLN conference is biggest ever

LISBON CONFERENCE

With a total of 35 delegates attending, PDLN's 2011 conference in Lisbon was the largest ever. Participants appreciated not only the presentations but also the networking opportunities.

With a personal goal of exchanging knowledge, Barry Pijnacker of CLIP was 'surprised' by the number of participants. It was 'extremely useful (and fun) to talk to so many foreign colleagues', he said – and the presentations from new PDLN members were also very useful, he added.

He also liked that of Patrick Lacroix on new solutions for selling digital content to consumers. 'I will definitely bring this to the attention of Dutch publishers,' Barry concluded.

Jürg Mumprecht of Swissdox was impressed by the Associated Press News Licensing Group's presentation on digital rights management. Electronic kiosk issues are very active in Switzerland, so he found the Belgian and Austrian plans exciting – while implementation of both the technical and legal aspects of PDLN-Connect was particularly important.

Conference also welcomed their host Carlos Reis Marques of Visapress and Owen Cullen of Newspaper Licensing Ireland to the PDLN Executive Board, while PMG's Peter Horvath was re-elected as President and Andrew Hughes of NLA as Vice President.

**More Conference comment – pages 2 and 4.**

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## New members join PDLN

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Five new organizations have been welcomed into PDLN membership. Repropress from Belgium, Repopol of Poland and Tidningarnas Telegrambyrå of Sweden enter as full members, while the Copyright Agency Limited of Australia and the Norwegian organisation Opoint are admitted as observers.

Conference also heard presentations from the Newspaper Licensing Group (United States) and the Spanish organization Centro Español de Derechos Reprográficos. The hope is that both will also become PDLN members in due course.

Further discussion at Conference about applications from the Paris-based aggregator Européenne de Données and Newton Media of Prague led to a request that the Executive Board create a good way of engaging with companies that add value in other ways, although they aren't qualified to join PDLN.

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## Legal triumph for Copiepresse

Legal arguments cited by Google in support of its practice of copying elements of Belgian newspapers were all unjustified, the Appeal Court in Brussels has ruled. There was no legal exception, no breach of Google's freedom of speech and no abuse of a dominant position on the publishers' side.

There was no reason to apply American 'fair use' law or the opt-out principle either, the ruling held. Google substituted itself for the publishers and prejudiced them.

'We are happy that the ruling confirms the decision in First Instance,' Copiepresse's Catherine Anciaux said.

However, 'some efforts' will still be needed to obtain payment of damages and penalties for delay. Two separate cases are underway, with an introductory audience regarding damages is due on September 8<sup>th</sup>.

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## PDLN-Connect achievements

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In a presentation to the PDLN Conference, PressB@nking's Sébastien Bauer set out the PDLN-Connect Technical Working Group's accomplishments during a year in which it defined and adopted PDLN-Connect standard version 2.

This contains new functions to list supported publications, manage customer accounts and, most importantly, perform online searches. PMG and PressB@nking are currently implementing the new standard, and the conference saw a demonstration of PMG content being transparently searched through the PressB@nking website.

Meanwhile APA-Defacto is developing and hosting a publication database on behalf of PDLN. Database licensing organizations will be able to maintain their publication list manually using a web interface or automatically by using PDLN-Connect v2.

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## Model DLO agreement approved

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Conference has approved a model agreement to make it easier and faster for database licensing organizations to create a PDLN-Connect agreement. The document was drawn up by lawyer Robert Marcus, who used existing agreements between NLA, PMG and PressB@nking as a partial model.

Presenting two draft versions to the Executive Board in March, Vice President Andrew Hughes made clear that the agreement was a template, not a final contract. Taking the International Federation of Reproduction Rights Organizations model for its approach, PDLN should manage and control the PDLN Connect standards library, but not dictate the terms of licences that co-operating organizations took out.

Following detailed consideration of the drafts, the Board agreed a final version at the end of May.

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## 'A very Lisbon atmosphere'

LISBON  
CONFERENCE

### Lisbon conference host and organiser Carlos Reis-Marques reflects on a successful event

With the first morning dedicated to the General Assembly, the conference discussed several subjects relating to new perspectives of business evolution for the media sector, as well as contemplating new experiences, complementary activities and future partnerships.

Also important was the presentation by the working groups dedicated to technical and business issues on the common framework that makes communication between members' databases possible, and on the DLO-DLO agreements. Both have already been put into practice by several PDLN members.

As conference organiser, Visapress also brought a Portuguese flavour to the event with the participation of MAPiNET and Controlinveste. Sharing national experiences and practices interested all those present – and inviting local agents active in the newspaper and magazines sector was important for the enlargement of public recognition of PDLN.

PDLN is a network encompassing experiences and practices adapted to different countries and cultural realities. So Visapress also presented a first level study of the licensing models and activities developed by each member.

And since cultural differences are present in every aspect of daily living, it was also possible to experience the Portuguese sound of its national song – Fado – in a very Lisbon atmosphere.

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Members of the PDLN Board, Secretariat and Technical Working Group



Controlinveste: Alexandre Nilo Fonseca (Marketing Director) and Nuno Ribeiro (Multimedia Business Director)



News Licensing Group presentation  
(Srinandan Kasi - Chief Operating Officer)



A Fado moment

### PressIndex to sell Belgian content in France

PressB@nking has signed a unilateral agreement with the French company PressIndex to sell Belgian content in France.

‘We met together last year during the PDLN conference in Copenhagen,’ PressB@nking’s Francis Féraux explained. ‘As PI showed agreement with PDLN principles during their presentation, we decided to negotiate.’

This is the first Database Licensing Organisation contract to be signed with a major press cuttings agency, Francis adds. It’s a one-way contract, allowing PressIndex to sell Belgian content in all countries where they are installed, except Belgium.

‘As PressB@nking signed the first two-way contract with PMG at the start of 2010, we are now demonstrating that the same agreement can work with the press cuttings agency channel.’

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### NLA’s eClips Web beats Google News

Content normally unavailable behind paywalls can be included in eClips Web, a new service from the Newspaper Licensing Agency. Three leading media monitoring companies – Gorkana, Precise and Moreover – have already signed up to receive the service; between them they serve over 3,500 businesses in the United Kingdom.

Connecting users directly to newspaper website production databases, eClips Web renders bots or scrapers unnecessary. Comparative tests show that eClips Web contains typically 20% more data than web scraping services can supply, and delivers it on average two hours faster. It also offers around 11% more content than Google News.

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### Appeal Court to rule on web licences

Following a two-day hearing, the Appeal Court in London has reviewed a previous High Court ruling that end users of paid-for media monitoring services such as that provided by Meltwater require a separate licence from the Newspaper Licensing Agency. ‘The High Court was clear in its decision that a licence is required and now we await the decision of the Court of Appeal’, said NLA’s Andrew Hughes.

Following that decision, the Copyright Tribunal will review the terms and conditions of both the Web Database Licence for professional media monitoring companies and Web End User Licences. That hearing is currently scheduled for September.

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### GoPress kiosk beta testing starts

Beta testing of the new GoPress business-to-consumer kiosk jointly established by Mediargus and PressB@nking begins this summer. As Mediargus’s Patrick Lacroix explains, the focus of the project is on HTML5 (the latest revision of the standard for structuring and presenting content on the Web) and on sharing of articles using social media.

Katrien Kiekens of Mediargus has previously told PDLN newsletter that the new kiosk will offer publishers a uniform and accessible e-payment system. Patrick now adds that a simple and easy to use payment system will present ‘the biggest challenge’.

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### Shared experience, practical solutions

#### **Executive Board member Owen Cullen sets out his goals for PDLN, reviews the current situation for Newspaper Licensing Ireland – and starts thinking about the next PDLN conference in Dublin**

PDLN is a network I greatly value. There is a lot to be gained from attending our annual conference, not alone for the business agenda which is always interesting, but for the opportunity to meet and share experiences with others is invaluable.

The value of PDLN is in its size and focus. Many other organisations become too big and take on too many agendas – so the common learning diminishes. It is a unique network that retains its aim of protecting and promoting publishers’ interests.

For me protecting content online is a large and complex task; however as technology is quick to exploit content, it is also easier to monitor and find infringements – compared to finding someone who has photocopied a newspaper article in an office somewhere for example. Generating revenue from secondary use of online content is a challenge; but I believe it is one we must urgently seek to remedy.

As a new Board Member, my first role is really to plan the next PDLN conference in Dublin. Hosting this conference, I think has become a little competitive! So I want to ensure that we at NLI can maintain the high standard of hosting and ensure that both the business and social agenda is engaging, provides a good mix of content and most of all ensures that all participants return to their home countries with memorable experiences both from a business and personal perspective.

However I also hope to bring constructive contributions to the Executive to ensure members of PDLN continue to share experience and work together to both further protect and deliver revenue to the publishers we represent while ensuring we provide practical solutions to our local customer base. An example is the signing of an agreement in Lisbon between NLI and PMG giving PMG the rights to collecting scanning rights for Irish newspapers in Germany (see story page 3).

In Ireland, I’m glad to report that NLI continues to grow and revenues are up on last year. We have a Ministerial Copyright review at the moment – ‘to examine the current copyright legislative framework to identify any areas of the legislation that might be deemed to create barriers to innovation, and to make recommendations to resolve any problems identified’.

One of the terms of reference is that we should examine the US style “fair use” doctrine to see if it would be appropriate in an Irish/EU context. So it’s not surprising this is somewhat worrying as one can only assume it is the large search engines that are driving this agenda with our Government.

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## Dutch newspapers return to court

One of the Dutch Provinces has been refusing to pay a fair compensation for the use of publishers' content in their hardcopy newspaper cuttings (reports Barry Pijnacker of Dutch PDLN member CLIP).

Last year, a judge decided that no compensation needed to be paid because the cuttings activity did not harm the turnovers of the newspapers significantly.

In the meantime, the Province stopped its activities. However Dutch newspapers went to court again in June to appeal, and a decision is expected within the next couple of months.

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## PMG enlarges international co-operation

Increasing cooperation within the PDLN network has resulted in PMG Presse-Monitor GmbH being able to offer rights acquisition for nearly 100 Irish publications.

Under an agreement with Newspaper Licensing Ireland PMG can enable its clients to acquire licences for articles from titles such as *The Irish Independent* or *The Irish Times*. Regional titles including the *Drogheda Independent* and *Mayo News* are also among the newly available publications.

Besides its relationships with NLA (UK) and PressB@nking and Mediargus in Belgium, PMG also offers articles or rights for all Austrian newspapers and most magazines, plus publications from Switzerland, France and the Netherlands.

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## In brief...

The next **PDLN seminar** is expected to cover licensing models, hosted by **NLA** in Tunbridge Wells, and **APA** has suggested media archives as a possible future topic.

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**PressB@nking** and **Mediargus** are planning a seminar on how to connect from their databases to social networks – date to be determined depending on GoPress developments.

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After nine years of interesting and successful work for **PMG Presse-Monitor** Klaus Rohr is leaving the company. Peter Horvath takes over his responsibilities as Managing Director. Klaus praised PDLN for opening up new business perspectives for PMG through co-operation with partners.

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The **APA-photo service**, launched last year as the umbrella brand for all areas related to commercial photography, now has a new presence on the web at [www.apa-fotoservice.at](http://www.apa-fotoservice.at) with a fresh design and new functionality.

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**APA** achieved a 7% increase in sales last year, compared with only 2% growth in the Austrian economy, with a turnover of €62.67 million in 2010 compared with €58.6 million in 2009.

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Besides the social events (see headline), NLA's Andrew Hughes (plus Patrick Lacroix of Mediargus) also praised the 'great presentations' from the Newspaper Licensing Group and the Portuguese media group Controlinveste.

Francis Féraux of PressB@nking found the country updates particularly valuable. A minimum two days' face-to-face contact between members is 'mandatory', he added.

'Carlos's wonderful hospitality' was a highlight for NLI's Owen Cullen as well. From the business point of view, he too valued the NLG presentation and Controlinvest's use of its Medialab to educate school tours about the creation of newspaper content.

**Owen's goals for PDLN – page 3**

## Australian to erect paywall from October

The News Limited newspaper *The Australian* is to erect a paywall around what it calls 'premium' digital content in October this year, leaving its general news content available for free, reports Charles Alexander of CopyCo.

Subscriptions will be needed to access some articles on its website and from mobile phones, as well as for access to iPad and Android applications. A full subscription will cost \$2.95 per week, with six-day newspaper subscribers receiving a digital subscription as part of their \$7.95 per week payment.

The *Australian's* CEO Richard Freudenstein says subscriptions will open up a new revenue stream and offer a 'more valuable relationship with our most loyal and engaged readers'.

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## In the media

13/04/11 [UK]: UK Government will press ahead with giving away paid content to libraries <http://digbig.com/5befjr>

27/04/11 [Global]: Google experiments with news, acquires mobile start-up <http://digbig.com/5befka>

08/05/11 [UK]: ABC will measure news sites' app users <http://digbig.com/5befjy>

09/05/11 [US]: Navigating news online: where people go, how they get there, what lures them away <http://digbig.com/5befjx>

10/05/11 [Belgium]: Google infringes copyright when its services link to newspaper sites... <http://digbig.com/5befjp>

18/05/11 [UK]: The Hargreaves Report shows potential to boost economy <http://digbig.com/5befjw>

20/05/11 [Global]: Google ditches newspaper archive plan <http://digbig.com/5befjt>

15/06/11 [US]: Company acting over use of newspaper snippets did not have right to sue... <http://digbig.com/5befkb>

22/06/11 [UK]: UK newspapers launch their own pay-for web aggregator <http://digbig.com/5befjq>

27/06/11 [USA]: News service avoided 'hot news' claim by crediting sources <http://digbig.com/5befjs>

**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 Tim Buckley Owen: [tim.buckleyowen@pdln.info](mailto:tim.buckleyowen@pdln.info).  
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