

## Dublin conference admits member 25

DUBLIN  
CONFERENCE

PDLN's 5<sup>th</sup> conference saw the admission of the networks 25<sup>th</sup> member as Swedish Retriever and UK Copyright Licensing Agency were approved as observers. PDLN now covers 15 countries.

Conference highlights included a presentation from Madhav Chinappa from Google News, who braved an audience that included two PDLN members with legal actions against in process. Andrew Farrow of the Linked Content Coalition described the work LCC is doing to help ensure that automated copyright management can become a reality. OPoint and NLA showed their web content theft tracking service, and Belgian publishers presented GoPress.be, an ambitious and attractive publisher kiosk development. PDLN said goodbye to Peter Horvath as president. Margaret Boribon (CopiePresse) and Francis Feraux (PressBanking) have also stepped down. Andrew Hughes (NLA) became president with Ruediger Baumberger (APA) as vice-president. Oliver Grassy (PMG) was elected to the board.

The conference was attended by 30 delegates, who enjoyed excellent hospitality, Jamesons, Guinness, Irish dancing and some rather fine weather at Johnnie Fox's pub .

**See page 2 for more on the Dublin conference.**

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### In this issue

Dublin conference report  
First PDLN webinar  
Visapress actions  
NLA works with Meltwater  
VOZ urges EU action

### Regulars

News from members  
CAL/Viscopy agreement  
Norway grants and VAT  
CFC growth  
New Polish charges  
Newton Media dispute

Plus more conference news

## First PDLN webinar bears fruit

Future co-operation may follow from PDLN's first webinar. Hosted by Opoint, the event described the company's procedures for monitoring printed media cost-effectively, using a program that maps XML and PDF content from publishers.

Opoint's tool can tell whether text is missing from the files and identify text that did not appear in the printed newspaper. Segmenting of the stories and quality checking of pages that contain errors is outsourced to an Indian company, Ninestars.

'By doing this we are able to get all text from a newspaper back, and our customers get a full segmented newspaper into their portal,' explains Opoint's Jon Anders Tangnes.

Five PDLN member companies joined the webinar, which considered whether other companies might participate in Opoint's operation in the future.

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## Visapress active on many fronts

Four of the biggest law firms in Portugal have taken out licences with Visapress as secondary users – the final direct users of clipping services (reports Carlos Reis Marques). Visapress sees this as a very important decision, demonstrating the need to comply with both national and European legislation regarding authors' rights.

Meanwhile in its national activity and relations with other organisations, Visapress is taking part in national commissions discussing the reformulation of private copy legislation and the combating of online piracy. One new subject to be discussed in the very near future relates to the collective management of authors' rights.

Finally, Visapress is also preparing future actions to be presented at the Portuguese Intellectual Property Court, created this year.

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## NLA and Meltwater co-operate on licensing

The United Kingdom Copyright Tribunal has now delivered its Final Decision in respect of the Newspaper Licensing Agency's Web End User Licensing scheme.

It concludes proceedings in which Meltwater Group, supported by the Public Relations Consultancy Association, challenged the NLA on the legality and reasonableness of its proposed licensing and associated fees for online news content.

Since the Interim Decision on February 14, Meltwater and the NLA have been working to reach agreement on the details of the licensing payment model.

Their joint proposals were agreed by the UK Media Monitoring Association (representing other media monitoring organisations) and submitted to the Copyright Tribunal.

The NLA has now started invoicing for fees owing, backdated to 1 January 2010.

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## VÖZ urges EU action on news content

Gerald Grünberger, Chief Executive of VÖZ and a member of the Executive Committee of the European Newspaper Publishers Association (ENPA), has welcomed the call by European Culture Commissioner Androulla Vassiliou for greater respect for the rights of newspapers.

Speaking at the ENPA General Assembly in Cyprus, Ms Vassiliou said that content generated and funded by newspaper publishers was "far too often" simply used by third parties, and that news aggregators should respect newspapers' copyright.

Meanwhile VÖZ President Hans Gasser has supported European Commission criticism of unfair commercial practices by Google, including copying content from other providers without permission. He also called on the Commission to take action against the search engine provider's unfair activities.

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## More news from members and conference

### CAL and Viscopy agreement OK'd

The Australian Competition and Consumer Commission (ACCC) intends to authorise a services agreement between Copyright Agency and Viscopy, which should deliver additional income to artists, reduce administrative fees and simplify licensing arrangements.

Copyright Agency licences the reuse of works that include text and images, and provides services to some visual artist members, while Viscopy provides rights management services to visual artists.

The ACCC said on 5 April that it proposed to authorise the initiative for five years. The agreement is expected to start by mid 2012, subject to regulatory approval.

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### CFC reports almost 12% growth

CFC remitted a total of €9.9 million to French newspaper, magazine and other periodical publishers for copying and digital distribution of articles in 2011. This compares with about €8.9 million in 2010, an increase of almost 12%.

Over 90% of the fees were for redistribution by businesses or organisations over their intranet. Around 5% came from press and public relations agencies and 2.6% from unstructured distribution or use in databases.

Just over 60% of the money was collected from businesses, around a quarter from government and almost 12% from service providers.

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### PDLN Connect Content Forum

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#### First PDLN – MMO Forum debates common content issues

PDLN welcomed senior managers from 13 media monitoring companies to its first Connect Content Forum in Dublin on 12<sup>th</sup> June. The aim of the event was to agree priorities and plans to simplify content access and licensing for international clients.

The growing urgency of the problem was underlined by MMOs, who reported growing demand for international content and real frustration with the diverse licensing and use terms. Presentations from Kantar, Gorkana, Ausschnitt and Auxipress helped illustrate concerns and ideas.

Ruediger Baumberger and Andrew Hughes presented PDLN Connect work on reporting standards, a catalogue of publisher content, and ideas for a common end user licence, all of which were warmly received. Andrew Hughes also underlined the complexity of making changes given the dominance of local markets.

It was agreed that a working group would be led by Oliver Grassy (PMG) to focus developments on areas where progress can best be made. Several MMOs and PDLN members made offers to fund an accelerated development program.

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## Norway looks at grants and VAT

Norway's Ministry of Culture has proposed changing the current rules for the printed newspaper production grant. The grant, of 280 million Norwegian kroner, goes to small newspapers, and those with a larger competitor where they are published. The change would mean that digital editions would count towards the grant, and that digital-only newspapers would be eligible.

Meanwhile the Norwegian Media Businesses' Association has proposed a low VAT rate of 8% on both printed and digital newspapers.

Currently, printed newspapers have zero VAT whereas digital content attracts the full 25%. The association also wants a scheme whereby newspapers are reimbursed the VAT paid on printed versions when the 8% rate is introduced.

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## New Polish charges being considered

Association REPROPOL has submitted an application to the Copyright Committee for the approval of reimbursement for the use both of periodical publications and of separate works which make up the content of periodicals (reports IWP's General Director Maciej Hoffman).

The Copyright Committee determines whether or not to approve the tables of charges, pursuant to article 110 of the Polish Act on Copyright and Related Rights.

Amended in 2010, this Act imposed an obligation on collective management societies to approve the new tables of charges. The Association's application is currently pending.

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## Newton Media suspends payments

Newton Media has suspended payments to REPROPOL Partnership for press clipping licences, citing the 'destructive impact' of activities by competitors Instytut Monitorowania Mediów (IMM) and Press-Service as justification.

Established on the initiative of the Polish Chamber of Press Publishers, REPROPOL Partnership has signed licence agreements with three media monitoring companies – Newton Media, Jar e-prasa and Glob – and with 24 publishers, whose rights it represents.

IMM and Press-Service, which have an 80% market share between them, refused to co-operate with REPROPOL, arguing that it was carrying out activities competitive to theirs.

This means that IMM and Press-Service are disseminating press articles to their customers without proper reimbursement for rightsholders, says IWP's Maciej Hoffman. Judicial proceedings are currently under way against these two companies by Stowarzyszenie Wydawców (the Publishers' Association), REPROPOL and the publisher of the weekly *Polityka*.

'The payment hold-ups have a negative impact upon the financial fluency of the company, but also stir up anxiety in the market, which may have a detrimental effect on publishers' activities and copyright protection,' Maciej Hoffman adds.

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

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