



PDLN Seminar on web licensing - Barcelona – November 27th

The wider EC developments on the DSM directive point to potential challenging new roles for CMOs in delivering licence solutions. While the proposals are in draft form, could change and will take time to implement, exploring how these proposals will affect the MMO licensing and supply of web content has become highly relevant.

Additionally publishers are increasingly moving focus to web content, and developing more complex publishing strategies using hard and metered paywalls, and premium content areas. Delivering this content to licensed channels and preventing access to others is an important component of these strategies. How this can be done will be crucial to PDLN members seeking to support web licensing plans. There are no easy answers, but simply knowing the right questions can be crucial, as can sharing experience.

A PDLN seminar in November will explore the challenges and opportunities for web licensing, web content delivery, and how web scraping can be improved on through direct delivery and also techniques to protect web content. The event will focus on the wider themes and possibilities for managing these processes, using experience of web scraping and direct web content delivery, rather than technology. The questions of whether and how effective content distribution can support commercial objectives will be explored. The event is for PDLN members only. Contact pdlninfo@nla.co.uk

Berlin Beckons – PDLN Conference dates agreed

PMG will host the 2019 PDLN conference in Berlin May 26th- 28th. The conference theme is ‘Creative Destruction’. Save the date and watch this space for more details.



EU update

The EC Parliaments decisive approval of the amended JURI report in September means the Commission, the Parliament and Council – with Austria in the chair - now move forward to define details of its implementation. There are potentially positive implications for European PDLN members, and a clear signal that aggregators - including MMOs - will need to licence web content. But support is finely balanced and the wheels could come off – or take things in a new direction – at any stage.

PDLN Survey Shows Large National Variances

In the summer PDLN members received copies of the first PDLN licence and pricing survey, which sets out the licence types, client numbers, and sample MMO and client pricing data for comparative analysis. The specific company data is confidential but the averages and comparisons show interesting facts . Did you know;-

- Only 3 surveyed PDLN members currently offer an MMO web scraping licence. Fee levels are very similar – around e45,000 pa for an MMO with 50 clients sending 40,000 links monthly
- The average licence price for a 5 user client 5 print copies per day is e1,284, with the highest e6,478 and lowest 64
- The average annual fee paid by MMO with 50 clients making 10,000 print PDF copies monthly is e 15,352
- e124 million in licence fees are paid by businesses and PR, and 29,000 are covered by a licence

The extent to which comparative data is valuable is always debatable, as the size of country and content covered varies widely, but we hope the survey will be useful for members. Copies have been shared with members, and are confidential to PDLN.

Hotting Up Down Under – Australia in the Wars

Copyright Agency (CA) is fighting a war on two fronts, with a Copyright Tribunal action to force the State Government of New South Wales to pay the same rate as other State and Territory Governments for its statutory licence, and a Copyright Tribunal case over the terms of its MMO print and web licences. CA has a new deal on the table, a large local MMO Isentia objecting and Meltwater also objecting to changed terms on web licensing. Add in a new MMO – Stream – wanting a better deal for smaller players and there is enough material for a long fight.

Isentia are in recovery after the loss of seven of the eight directors who took the company through its IPO three years ago. The acquisition of content marketing company King Content went sour, and the share price collapsed. New Isentia CEO Ed Harrison says the core business is very healthy, he is focused on rationalising the Asian businesses acquired over the past few years and the only way is up.

Infomedia host FIBEP conference



The growing MMO - publisher dialogue was evident in Copenhagen in early October. The hosts were Infomedia, whose CEO Thomas Veljmund is also a PDLN board member. New PDLN member, Alice Ting of New York Times made a keynote presentation, PDLN Secretary General Andrew Hughes presented a copyright update, and APA, PMG, and CCC attended. The recent EC DSM vote has focused attention on how web content will be licensed, a step forward from the exemptions being sought earlier this year. AI, data mining and adding value were also hot topics.

New leader at AMEC. PDLN welcomes Johna Burke

AMEC has announced that Johna Burke, CMO at BurrellesLuce, will be AMEC's new Global Managing Director to succeed Barry Leggetter at the end of the year.

Johna said: "I am honored to take the reins of AMEC and lead the industry to smarter and more actionable insights across all communication. We will work to answer demand of membership and continue to develop regional resources, so members have tools to demonstrate added value of their efforts."



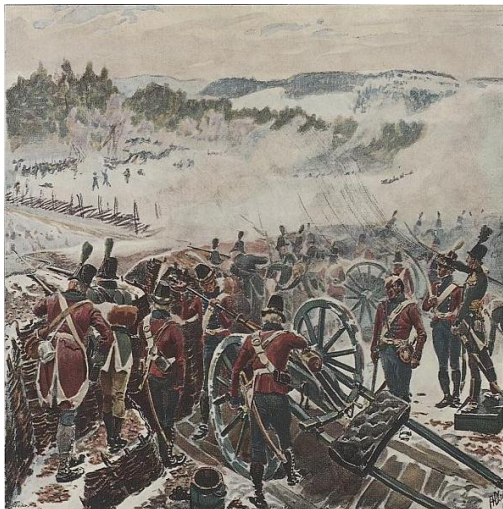
Kantar – Axel Springer

Axel Springer have won a claim against Kantar Germany in relation to unauthorised use of Axel Springer material. An initial judgment of e19,000 has been made, but a court appointed audit process seems likely to increase this amount. The legal precedent may be relevant to a further action by PMG against Kantar, which receives its first hearing later this month.

Norway – New Copyright Wars

Battle 1. Retriever v Dagens Næringsliv: Leading financial daily Dagens Næringsliv has threatened Retriever with legal action. Retriever started summarizing DN articles after the parties failed to agree terms for a new licensing deal. Espen Viskjer, of Retriever, confirmed that a long-term unresolved negotiation has now escalated. He has noted that the company summarises DN, denies that they violate any law. Summaries have always been a hot topic. At what point a summary becomes a copy is never very clear and there is always scope for dispute.

Battle 2. M-Brain - Retriever: Retriever Norway has lodged an appeal after the courts set aside their earlier claim against competitor M-Brain Norge. In March 2017 an audit of M-Brain by BDO reported that for 54 of the 293 M-Brain customers there was insufficient data to calculate accurate royalties on the use of their media sources in M-Brain's media monitoring business. Retriever sought a payment of more than NOK 20 million as compensation. The claim relates to the period from June 2010 to December 2016.

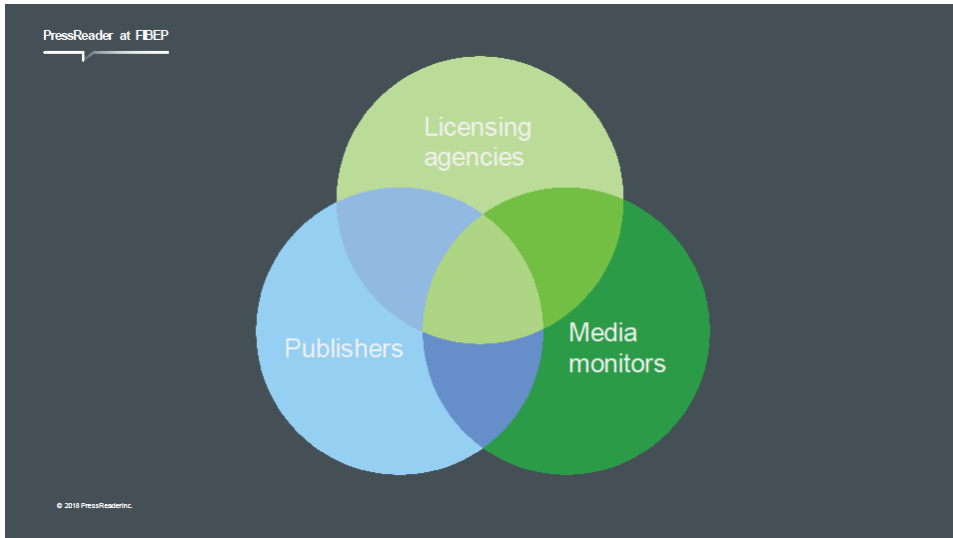


Slovakia – background briefing on the 10 year legal case

Slovakia Online have license agreements with most Slovak media. However two publishers have refused what they feel is a reasonable price for a licence. The publishers have tried and failed several times to get court support for ordering an end to copying by SO. SO have also tried and failed to get the competition authorities to order the publishers to licence on reasonable terms. The same publishers license Slovakia Online competitor Newton, but the agreement covering this includes provision of archive services so the pricing is not transparent. The legal disputes have been running for over 10 years in total. Both sides are deeply entrenched and at present there is no clear route to a solution.

Press Reader seek to connect MMOs, licensing bodies and publishers

PressReader <https://www.pressreader.com/> were exhibiting their MMO services at the FIBEP conference in Denmark this October. They are an interesting and thought-provoking business. Founded originally with the aim of leveraging technology to support epaper style news international distribution to consumers, as well as hard to reach hotels and cruise ships, they have evolved, and grown rapidly.



They offer both print publication distribution and API access to MMOs, allowing them to search the 7,500 publications they host, and access the content in full form. PressReader's assumption is and contracts state that the receiving MMO or client will obtain any clearances from a local licensing body. Whether that is reasonable or not is for others to judge, as is the assumption that publishers are aware this is happening. PressReader also work through ProQuest and other library distributors to provide access to their whole collection of titles to library patrons. PressReader are often a valued partner in distribution for newspapers and magazines and have an agreement with NLA for provision of data related to MMOs consuming NLA content. The relationships are complex, and not always very transparent, especially in relation to MMO data supply.

Future dates;

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| IFRRO Annual conference, Athens | October 23-25th |
| PDLN seminar, Barcelona, web licensing | November 27 th |
| AMEC annual conference | May 21-23 rd |
| PDLN conference, Berlin | May 27 th -29 |
| IFRRO Spring meeting (provisional) | June 5-7 th |
| WAN IFRA, Glasgow | June 1-3rd |
| FIBEP Congress, Lima, Peru | November 5-7th |