

EC: copyright exemption for press cuttings?

PDLN has heard well-informed rumours that the European Commission, challenged by the process of managing copyright on its cuttings service, has considered proposing exempting all press reviews from copyright in the planned review of the Copyright Directive.

PDLN President Andrew Hughes met the European Commission in October to hear their concerns. They explained that they hold 150 different agreements covering 800 data sources, and that the cost and complexity of managing services (in addition to any subscriptions) are very high.

Andrew explained the development of PDLN Connect to improve access, and the work in progress on a standardised licence. PDLN has discussed the matter with ENPA, who are also aware of the EC exemption threat. ENPA's view that the proposal is at an early stage of internal discussion and is it is likely that it will be dropped, but we should remain vigilant.

Andrew Hughes said, "Any copyright exemption is unnecessary and would be highly damaging to the press. PDLN encourages all EU-based members to ensure their national publisher associations are watching EU directives closely."

See PDLN's letter to the European Commission [here](#).

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FIBEP AMEC merger on track

Two leading worldwide trade bodies in research and media intelligence, AMEC and FIBEP, recently announced the start of a new merger consultation process following unsuccessful amalgamation talks in 2007-8.

Joining forces would result in increased credibility and influence as well as collective strength required for discussions over issues such as content rights. FIBEP members showed their support for the talks at their October congress.

Comments from AMEC members were encouraged via email, website forum, webinars and the AMEC AGM held on 15th November in London, when they [voted](#) overwhelmingly in favour of opening merger discussions with FIBEP.

A joint working group will now be established to elaborate on the possibilities of joining forces and establish a merger timetable.



More information and a detailed member discussion document are available on the [AMEC website](#).

Image: © Lyn Baxter | Dreamstime.com

Papers burst Google's bubble

Following a trial period that began in December 2010, all 150+ members of Brazil's National Association of Newspapers ([ANJ](#)) have decided to withdraw their content from Google News. ANJ represents around 90% of the country's newspaper circulation including O Globo and O Estado de Sao Paulo. It had granted Google News permission to include one line of news stories plus a link to the full story on the individual publishers' sites. At the Inter American Press Association's 68th General Assembly in Sao Paulo in October 2012, [it was reported that](#) Brazilian news companies feel that Google News should remunerate them for use of their headlines.

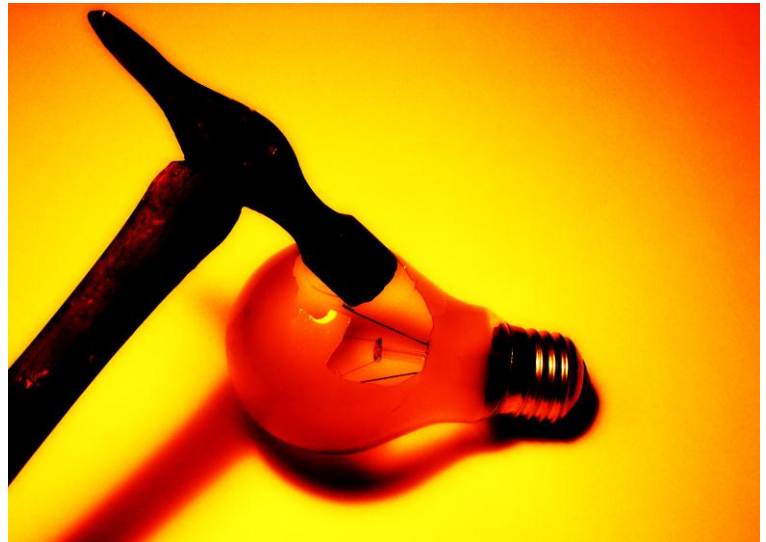


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Meanwhile, in France and Germany, laws have been proposed which would make search engines pay for the right to use news articles online, while Google threatens to ban those newspapers from its search if the laws are passed.

Cyprus ensures properly licensed MMOs

In October 2012 the [Supreme Court of Cyprus](#) decreed that it was legal for a government department in Cyprus to ensure that MMO suppliers are properly licensed (Case No. 1093/2009).

In *Blade Enterprises vs Cyprus* through the Minister of Agriculture, Natural Resources and Environment, the court decreed that "the commercialization of clippings of newspaper articles and magazines can not, in my judgment, be regarded as falling within the exception provided in paragraph (f) or an act exercised in the context of freedom of expression and information, but in the business of the contractor involving the exploitation for commercial purposes, of a spiritual project".



Image: wordle.net

Paragraph (f) of Article 7 (2) of Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society refers to "quotations from works which were published, provided it is not contrary to good practice and if the area does not exceed the extent justified by the purpose, including the juxtaposition of excerpts from newspaper and magazine articles as a synopsis of articles, provided that the source is acknowledged sources and the author's name, which appears on the project used in this way."

The court ruling also stated that, "Reproducing protectable works without the permission of the beneficiary is, in itself, a breach of property (intellectual property rights) of these works."

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FIEG: new licensing model in Italy

FIEG, the Italian Federation of Newspapers and Magazines Publishers, focuses on protecting copyright and editorial products, with particular reference to the use of articles from newspapers and magazines for the press cuttings. In Italy the practice is often carried out without a specific agreement with the publisher and in spite of most of the publishing companies expressly prohibiting the reproduction of their works under the general rules of national copyright law.



Image: Canale Grande © Lordroger | Dreamstime.com

To help ensure rights are protected, FIEG has launched its Repertoire Promopress initiative where press cuttings agencies and media monitoring services can pay a fee to licence the editorial content. About 90 percent of Italy's publishing companies (both FIEG members and non-members) are now participating in the scheme which is designed to be a simple and efficient way to protect editorial content.

The Repertoire is already in operational and the list of titles covered by the model is available at:

<http://repertoriopromopress.fieg.it>

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PDLN seminar report: text aggregators collaborate in Copenhagen

The PDLN text aggregator seminar in Copenhagen engendered lively debate amongst 14 attendees, including seven PDLN organisations.

LexisNexis described the squeeze on aggregators from publishers and clients, with free web content adding to pressure. Paul Al Nakash noted LexisNexis' overall revenue of \$16bn, mostly from legal information. He saw PDLN members as suppliers and customers, with very little conflict as LexisNexis is not in the media monitoring business.

Paula Prevot of Factiva also described complex relations with PDLN members. The company works closely with Infomedia, NLA and Mediargus, using different models in See the presentations at: www.pdln.info

different markets. Mediargus licences content, NLA supplies, and Infomedia uses. Paula noted that Factiva pays royalties on revenues net of software and consulting fees, typically 70% of total fees. LexisNexis pays 25% gross where a title is selected or a lower royalty (20%) where results are part of a general search.

NLA presented its 'paperboy' model, delivering publisher content to 19 text aggregators to save publishers costs, and embedding NLA in publisher systems. Infomedia described the 70 partnerships needed to serve users, and that text aggregators were an important foundation for global coverage, and ancillary services like archive search.

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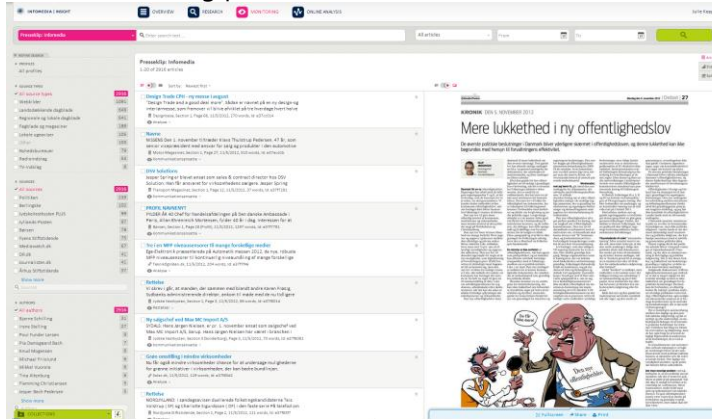
News from Members

Infomedia announces a new media portal

[Infomedia](#) has launched Infomedia Insight, a new media portal designed to provide quick and easy access to its range of online products. The portal was developed in close cooperation with Infomedia's clients to achieve a user-friendly and intuitive experience.

The new platform includes a media monitoring tool for information professionals, marketing and communication teams operating on a global scale. They gain fast and simple access to content from a wide range of global sources such as print, online and broadcast news clips, as well as social media content.

In addition to an optimised reading experience, the tool also offers features including: advanced filtering options, search functionality, easy sharing of content with co-workers, integrated statistics module, and language options. It's available as a white label solution for global media monitoring providers.



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NewsRight-Cision link

[NewsRight's](#) new licensing agreement with Cision will provide enterprise clients of the cloud-based public relations software company with news content from around 1,000 digital publications through one licence. Cision clients can distribute content internally from news publishers including Hearst Newspapers, Tampa Bay Times and The Christian Science Monitor, choosing from a pool of around 1 million original news items each month for evaluation or intelligence purposes.



The two organisations are also collaborating on provision of usage data and analytics plus syndication of content to other PR agencies and PR software companies.

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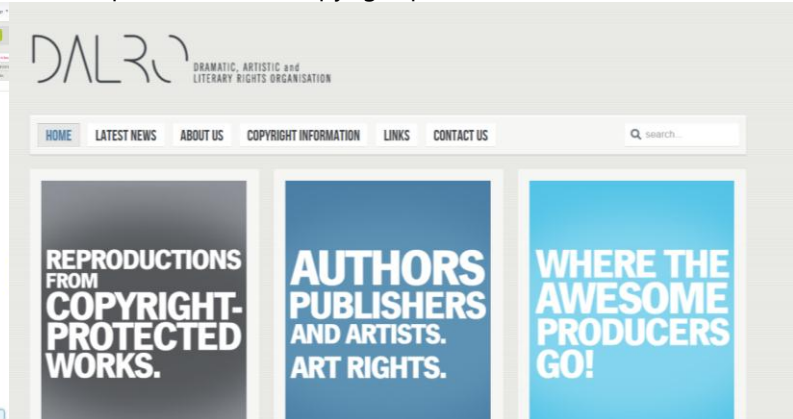
DALRO joins PDLN

South Africa's [DALRO](#) (The Dramatic, Artistic and Literary Rights Organisation) has joined PDLN.

A copyright asset management agency established in 1967, it provide the link between copyright owners and users of content through its licensing of reprographic reproduction rights in published works and visual art and public performance rights.

In 2012, DALRO extended its licensing activities into the corporate sector, including media monitoring organisations. It has mandating agreements with an extensive number of local and international authors, agents and publishers, and foreign bilateral agreements with 25 sister organisations across the globe. This makes DALRO expertly positioned to manage and streamline the licensing of the media monitoring industry and broader corporate sector in South Africa with its inclusive repertoire of copyright-protected works.

A wholly-owned subsidiary of the Southern African Music Rights Organisation (SAMRO), DALRO's Board consists of authors, publishers and copyright practitioners.



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Gopress: digital newsstand goes live



[Gopress](#), the first digital newspaper and magazine stand in Belgium, is now accessible on tablet and smartphone. Gopress is supported by digital newspaper scanning agencies Mediargus and Press Banking whose shareholders and content providers are nine Belgian publishers: Concentra Uitgeversmaatschappij, Corelio Publishing, De Vlijt, Editions de l'Avenir, IPM, Mediafin, Persgroep Publishing, Rossel and Roularta Media Group.

Developed in HTML5, Gopress already offers offers 42 newspapers and magazines and plans to release a French and Luxembourgish newsstand. Also coming soon: Gopress Comfort and Gopress Pro for professionals.

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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

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