

More PDLN members go to law

Portuguese member Visapress and CLIP in Holland have each been seeking fair compensation for use of newspaper material.

Following several months of discussion, Visapress members presented an injunction against the press cutting agency Clipping Consultores in August. The agency refuses to accept Visapress terms regarding the initial date of authorisation, the requirement to provide information on 'secondary use' clipping end-users or the pricing model.

'Visapress believes that the several European cases decided in authors' favour will be taken into account by the judge in this first Portuguese case,' says CEO Carlos Reis Marques.

Meanwhile, following an appeal by Dutch newspapers, the Leeuwarden Court has ruled that if a news article is original and is marked as 'copyright' then a copyright exception in Dutch law does not apply.

'This statement on copyright is also important for the licensing of digital news articles on websites,' says CLIP's Barry Pijnacker. 'If a copyright reservation is made, use of that material, that is no longer permissible without paying a fee.'

NLA, Repropol and Copiepresse are also engaged in legal actions (see below and page 2).

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New member category considered

PDLN has received several applications from organisations that do not qualify for membership because they are not owned or controlled by two or more publishers – including EDD in France and Newton Media in the Czech Republic.

The Lisbon conference noted that there were benefits in working with such companies from harnessing their expertise, and financial advantages, but also dangers that the focus on benefiting publishers could be damaged. Observer status – which was designed for potential members and press federations – was not appropriate in this instance.

The Executive Board will revisit the matter at its November meeting, and suggestions from members on how to address the issue are welcome. Any Executive Board proposal will be subject to members' approval.

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More working group support needed

PDLN is looking for members to assist with the further development of the PDLN Connect library of data standards.

Its Business Models Working Group has already drafted the model contract and guide for DLO-DLO agreements, and agreed a process for updating technical standards.

Now it needs to finalise reporting and metadata standards and commence their adoption, discuss the common end-user licence portal, and (working with the Technical Working Group under Pressb@nking's Sébastien Bauer) create a publication catalogue.

"The commitment is to attend monthly phone meetings and to assist with research and development of proposals between meetings," says PDLN vice chair Andrew Hughes.

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NLA case moves to Copyright Tribunal

The Appeal Court in London has 'unequivocally' confirmed the High Court ruling that online newspapers are copyright-protected. 'We welcome this ruling and the clarity it provides for publishers, media monitoring agencies and their clients,' said NLA's managing director David Pugh.

Former NLA chairman Dominic Young added that the case 'held up a mirror to the... "disruptive" businesses which have made it their business to rely on creative interpretations of copyright law'.

Now that the courts have established the legal principles, the Copyright Tribunal is pursuing its delayed consideration of NLA's copyright licences for commercial use of newspaper web site content. NLA has meanwhile produced a set of FAQs and a document challenging the five commonest myths about newspapers and the web.

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Peter Horvath leaving PMG Presse-Monitor

PDLN's chairman Peter Horvath is to leave PMG Presse-Monitor at the end of the year following 10 successful years as managing director. While at PMG he also oversaw the founding of PDLN, which has grown under his chairmanship to include 22 companies in 14 different countries.

Now he has decided to devote himself to new tasks in the media and information industries. "We regret the resignation of Dr. Horvath," said Dr. Michael Stollarz, chairman of the PMG shareholders' meeting. "I want to thank him on behalf of PMG members for [his] hard work."

His successor as PMG managing director from next January will be Dr. Oliver Grassy, who currently heads the sports marketing consultancy IFM Sports Group. Peter Horvath will stay as PDLN president until the next conference in Dublin.

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APA and Opoint co-operate on social media

APA in Austria and new Norwegian PDLN member Opoint have been co-operating on the development of a social media monitoring tool. APA-DeFacto offers a near real-time overview of what is going on in media such as Facebook, Twitter and blogs.

'This new monitoring service is easy to integrate into existing electronic press reviews,' says APA's Rüdiger Baumberger. 'This integration allows statistics and analytics across all kinds of sources – print, radio, TV, videotext, internet and social media.'

Semantic technology is used to extract topics and intelligently sort related stories, Rüdiger adds.

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Infomedia launches social media monitoring

Infomedia clients will be able to follow and analyse online conversations in social media following a partnership with monitoring specialist Whitevector.

In choosing between 'make, buy or partner' – after six months screening the European and US markets – Infomedia chose partnering. 'Not only does Whitevector have a wide-ranging source base, it also offers unique possibilities for the measurement of social media in an easy-to-use self-service tool,' says Infomedia vice president Morten Viktor.

'Infomedia's expertise and profound customer relations offer a fantastic platform for leveraging Whitevector's knowledge in the Nordic region,' adds Whitevector CEO Tommi Lehtonen.

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New members' high expectations of PDLN

For Jan Ruranski of **Repropol** in Poland, exchange of experience and the possibility of offering Repropol customers access to a database of European newspaper clippings are the priorities of PDLN membership – plus the chance to sell Polish newspaper clippings on the European market.

'We are ready to provide our PDLN partners PDF files of major Polish newspapers and magazines,' Jan adds. 'In the coming weeks, we would like to sign the first contracts.'

As the collecting society of the Belgian periodical press, it was of the 'utmost importance' to join PDLN says Marjorie Dedryvere of **Repropress**.

'Belgian periodical press publishers are more and more wishing to increase their presence on digital media platforms,' Marjorie continues. 'Belgian magazine publishers are convinced that being part of PDLN will enable them to smoothly go that way.'

'For half a decade we have been working actively on getting our copyright licences with the press cuttings agencies in Sweden in order,' explains Ulf Karlsson of **TT**.

'Now we're done and we are thinking about broadening our operation by becoming a collecting society for Swedish media,' Ulf continues. 'PDLN gives us a lot of experiences that are useful to decide how we are going to continue from now on.'

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Repropol's collection role challenged

Press cuttings agency the Institute of Media Monitoring (IMM) is continuing to pursue its complaint to the Polish Ministry of Culture & National Heritage questioning Repropol's entitlement to act as a collecting society. IMM argues that the Copyright Act does not cover publishers. In its appeal, Repropol proved that the publisher was the legal successor to the author and could not therefore be deprived of that right.

This case is currently pending. 'It can be assumed that the second negative verdict for the IMM will result in its appeal to the Common Court,' says IWP's director Maciej Hoffman.

Meanwhile IMM has failed to win two government press monitoring tenders which specified that licence agreements were required with the relevant sources. Both tenders were won by Newton Media.

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Norwegian readership shifts online

New readership figures, presented by TNS Gallup on behalf of Mediebedriftenes, show that newspapers in Norway are still losing readers. Decline has slowed over the last six months, but the fall has still been 6.5%.

At the same time online is growing 7%, so the overall readership of Norwegian news media has increased. 'Readership is still very high in Norway,' explains MBL's Geir Engen.

On average every Norwegian over 12 years reads 1.3 newspapers every day, with 72% of the population reading at least one newspaper daily and 87% either a paper or online version.

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In brief...

Copiepresse may have to wait until 2013 or 2014 for a court hearing regarding damages against Google, after a judge accepted Google's request for the case to be heard by a chamber of three judges.

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PMG is co-operating with GBI-Genios Deutsche Wirtschaftsdatenbank GmbH in Munich to offer PMG Research, a press archive covering more than 350 newspapers, magazines and online sources back to the 1980s.

More information: www.pressemonitor.del/research

APA is launching Austria Kiosk, enabling users to buy, read and download watermarked PDF replicas of all Austrian newspapers, plus major weeklies and magazines, via an HTML5 platform optimised for PC, iPad and other tablet devices.

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NLA has appointed Tarif Chowdhury as international business development manager, with responsibilities including media monitoring company agreements, bilateral copying agreements and the development of eClips sales to licensing bodies.

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PDLN's licensing models and experiences seminar takes place at CFC's Paris offices on 17 November.

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Visapress has a new website at www.visapress.pt and **Copiepresse** at www.copiepresse.be.

In the media

07/07/11 [Global]: Bulletins from the future

<http://digbig.com/5bewex>

14/07/11 [Europe]: European Commission seeks views on pan-EU licensing system <http://digbig.com/5bewew>

18/07/11 [Belgium]: Belgian newspapers: Google blocking us on searches <http://digbig.com/5bewet>

19/07/11 [Belgium]: Google reinstates Belgian papers to search engine results <http://digbig.com/5bewes>

27/07/11 [UK]: Clippings services users must have licence or infringe newspapers' copyright, says court <http://digbig.com/5bewer>

27/07/11 [UK]: PRCA and Meltwater vs NLA: full judgement and key points <http://digbig.com/5beweq>

27/07/11 [UK]: Newspapers welcome verdict giving them commercial online royalties <http://digbig.com/5bewep>

27/07/11 [UK]: PR lose court appeal on online story copying <http://digbig.com/5bewen>

27/07/11 [UK]: PR chief: 'Copyright law just doesn't work in an internet age' <http://digbig.com/5bewek>

28/07/11 [UK]: Clippings ruling could derail much online publishing, says expert <http://digbig.com/5bewej>

28/07/11 [UK]: NLA v Meltwater: are millions of web users now copyright offenders? <http://digbig.com/5beweh>

16/08/11 [UK]: PRCA and Meltwater launch 'temporary copies' campaign against NLA <http://digbig.com/5bewef>

30/08/11 [USA]: New York Times extends agreement with LexisNexis <http://digbig.com/5bewee>

31/08/11 [UK]: Financial Times apps finally pulled from iOS <http://digbig.com/5bewed>

31/08/11 [UK]: Most FT readers have already ditched iOS app, but it can still make money <http://digbig.com/5bewec>

01/09/11 [Canada]: Major universities will not renew agreements with Copyright Clearing House <http://digbig.com/5beweb>

01/09/11 [Global]: Apple store newspaper headlock may be slipping <http://digbig.com/5bewea>

05/09/11 [Global]: Google kills its Fast Flip news reading experiment <http://digbig.com/5bewdy>

07/09/11 [Canada]: Universities flee Access Copyright <http://digbig.com/5bewdx>

09/09/11 [UK]: Meltwater online copyright dispute reaches tribunal <http://digbig.com/5bewdt>

09/09/11 [UK]: Copyright Tribunal begins hearing new links complaint <http://digbig.com/5bewds>

14/09/11 [UK]: Copyright Tribunal to rule on newspaper web licence dispute <http://digbig.com/5bewdw>

12/09/11 [USA]: Righthaven may have to file for bankruptcy <http://digbig.com/5bewdr>

16/09/11 [USA]: Copyright Clearance Center partners with cSubs <http://digbig.com/5bewdp>

19/09/11 [Global]: In e-books, publishers have rivals: news sites <http://digbig.com/5bewdn>

23/09/11 [UK]: The Guardian and Independent launch Facebook apps <http://digbig.com/5bewdh>

23/09/11 [France]: French papers team up to break Apple stranglehold <http://digbig.com/5bewdg>

27/09/11 [Netherlands]: Dutch press exception revisited! <http://digbig.com/5bewdf>

29/09/11 [Global]: iCopyright launches article tools <http://digbig.com/5bewde>

30/09/11 [USA]: ProQuest expands historical newspaper collection with specialty and regional titles <http://digbig.com/5bewdd>

30/09/11 [Global]: Facebook adds real time updates to news feed <http://digbig.com/5bewdc>

03/10/11 [Global]: Yahoo may finally launch digital newsreader Livestand as soon as this week <http://digbig.com/5bewdb>

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