

**Question for written answer E-003901/2016
to the Commission**
Rule 130
Therese Comodini Cachia (PPE)

Subject: Impact assessment of the text and data mining exception

According to its Communication of 9 December 2015 entitled 'Towards a modern, more European copyright framework' (COM(2015)0626), the Commission would consider an exception for text and data mining (TDM), for 'public interest research organisations', of content they have lawful access to. TDM currently requires contractual agreements between users and rights holders to establish the modalities for technical access to relevant data sets. This license-based approach hinders the use of TDM. For small projects (with limited duration and budget), it is too complicated to start the negotiating process, while for big research projects, which aim to mine content from a large number of rights holders, there is no realistic chance of identifying all rights holders, let alone of successfully concluding negotiations on licensing terms. Apart from this, in practice the application of such text and data (content) mining techniques is not limited to research, but is also an important opportunity for start-ups and SMEs.

Does the Commission intend to assess the impact of limiting the text and data mining exception to 'public research organisations' on start-ups and SMEs?

How will the Commission ensure that the review of the EU copyright framework does not impede data-driven innovation based on text and data mining?