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Committee on Legal Affairs

Working Group on Intellectual Property Rights and Copyright Reform

Meeting of 22 April 2015 from 15:00 - 17:00

in Brussels

Minutes

1. Adoption of agenda.

The agenda was adopted.

2. Approval of minutes of meeting of 26 March 2015.

The minutes were approved.

3. Exchange of views with stakeholders on copyright issues in the digital environment:

- Open Access

The following spoke: Jean-Marie Cavada, Maria Martin Prat (Commission), Catherine Stihler, Julia Reda, Pavel Svoboda, Dietmar Köster.

Ms Alma Swan, Director of Advocacy Programmes, SPARC Europe, presented the issue of text and data mining in regards with the communication system of scholars and academia. According to the presentation, there are around 30,000 peer reviewed academic journals whose prices differ from EUR 100 to approx. 40,000. Thus, academic libraries cannot afford to buy all of these journals. She further highlighted that it is impossible to scan all entries by hand when computers can do the same job in less than a day. Ms Swan introduced two streamed approach between truly open access articles and those which are in subscription. In regards with those based journals, the publishers own the copyrights and the permission is

needed for each of them. As a consequence, researchers have to spend so much time to go through such bureaucracy. Ms Swan reminded that it affects not only academia but also the innovation sector and public-private research partnership. In the Europe, e.g. the United Kingdom has an exception for the non-commercial research and the European Union needs at least to mirror this. However, Ms Swan suggested that it would be even better to introduce certain research exceptions in EU law. That would allow the United Kingdom and other Member States to go further and extend the exception to commercial research. In the subsequent discussion, Ms Martin Prat accentuated that it is not only matter of changing law but due to so many publishers on the market, the need for cooperation between parties persists. Furthermore, the possible three ways of solution were discussed (specific TDM exception, removal of the non-commercial restriction from the scientific research exception or the extension of temporary copies) as well as the term scientific within the multi-linguistic society in connection with the translation machines.

- The point of view of the digital industry / internet service providers and the point of view of consumers

The following spoke: Jean-Marie Cavada, Julia Reda, Helga Trüpel, Catherine Stihler.

Ms Siada El Ramly, Director General, European Digital Media Association (EDiMA), called for a strong need to reform copyright space, especially in the digital age. She acknowledged that right holders should be remunerated for use of their work but the system is not effectively used. She also emphasized that copyright levies system is not suitable for digital era. Text and data mining is by no means subject to copyright and authorization. The subsequent speaker, Mr Agustín Reyna, Senior Legal Officer and Digital Team Leader, BEUC, stated that copyright is also a consumer issue. In his presentation he focused, inter alia, on the territorial discrimination triggering the fragmentation caused by national regimes for copyright levies. In conclusion, Mr Reyna suggested few steps to be taken such as to harmonize the copyright exceptions and reform the copyright levies. The discussion with Members mainly concerned clarification of the geo-blocking term, issue of levies and remuneration for authors.

4. Presentation of innovative initiatives and projects

The following spoke: Jean-Marie Cavada, Helga Trüpel, Julia Reda, Catherine Stihler

Mr Andrew Farrow, project's coordinator for the Rights Data Integration (RDI) project, introduced the background and development of the Limited Content Coalition (LCC) and RDI. He explained that the LCC's goal is to make licencing on websites more effective. Mr Dominic Young, CEO, The Copyright Hub, gave a subsequent speech on the Copyright Hub project. He reiterated that nowadays users are quite often creators as well. In the final discussion with Members, Mr. Farrow explained the difference between users and re-users and the complexity of the issue was debated.

In the closing remark, Jean-Marie Cavada announced that the next working group meeting will be held on 13 May (from 15:00 to 17:00). The presentation to the Working Group of the provisional draft study on the ex-post impact assessment of the Directive 2001/29/EC will take place on 28 May (from 9:00 to 11:00) and the presentation of the draft Final Study and provisional draft briefing papers would be held during the JURI Committee meeting of 15-16 June.