

5.9.2018

A8-0245/118

Amendment 118

Jiří Maštálka, Rina Ronja Kari
on behalf of the GUE/NGL Group

Report

A8-0245/2018

Axel Voss

Copyright in the Digital Single Market
COM(2016)0593 – C8-0383/2016 – 2016/0280(COD)

Proposal for a directive

Article 5 a (new)

Text proposed by the Commission

Amendment

Article 5a

Use of small extracts from pre-existing works

1. Member States shall provide for an exception to the rights provided for in Articles 2 and 3 of Directive 2001/29/EC, point (a) of Article 5 and Article 7(1) of Directive 96/9/EC, point (a) of Article 4(1) of Directive 2009/24/EC and Article 11 of this Directive in order to allow for the use of extracts from pre-existing works and other subject-matter in content uploaded or made available by users, other than in the course of their work, for purposes such as criticism, review, illustration, caricature, parody or pastiche, provided that the extracts: (a) relate to works or other subject-matter that have been lawfully made available to the public; (b) are accompanied by an attribution whenever possible; and (c) are used in a manner that does not conflict with the normal exploitation of the works.

2. Any contractual provision contrary to the exception provided for in this Article shall be unenforceable.

Or. en

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COM(2016)0593 – C8-0383/2016 – 2016/0280(COD)

Proposal for a directive

Article 5 b (new)

Text proposed by the Commission

Amendment

Article 5b

Freedom of panorama exemption

- 1. Member States shall provide for an exception or limitation to the rights provided for in Articles 2 and 3 of Directive 2001/29/EC permitting the creation of two-dimensional images of works located permanently in public places.***
- 2. The authors of the works shall be attributed whenever possible.***

Or. en