



EUROPEAN PARLIAMENT

2014 - 2019

Committee on the Internal Market and Consumer Protection

2014/2256(INI)

3.2.2015

DRAFT OPINION

of the Committee on the Internal Market and Consumer Protection

for the Committee on Legal Affairs

on the implementation 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 (2014/2256(INI))

Rapporteur: Catherine Stihler

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SUGGESTIONS

The Committee on the Internal Market and Consumer Protection calls on the Committee on Legal Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Welcomes the appointment of two Commissioners who will work on further developing the EU digital agenda and copyright issues in the course of the new Commission mandate; welcomes the Commission Work Programme for 2015 insofar as it promises to deliver a Digital Single Market Package which includes the objective of modernising copyright rules;
2. Notes that Directive 2001/29/EC (Infosoc Directive) was adopted in 2001 and that the digital use of material subject to copyright has changed and dramatically increased since then;
3. Recalls that copyright and related rights play an important role, as they protect and stimulate both the development and marketing of new products and services and the creation and exploitation of their creative content, thereby contributing to improved competitiveness, employment and innovation across several industry sectors in the EU;
4. Recognises the need to ensure appropriate remuneration and to protect the rights of all categories of right holders in a better way; recalls that while the cultural and creative industries (CCI) employ more than seven million people and contribute 4.5% of EU GDP annually, and that even though the services, technologies and options permitting the general public to access creative works grow every day, the earnings of right holders in the CCI sector keep decreasing;
5. Highlights the fact that Member States' provisions on copyright and related rights vary considerably, and that the exclusivity which copyright grants its owner is, in principle, limited to the territorial boundaries of the Member State where the right has been granted, which leads to market fragmentation across the EU;
6. Stresses that territorial fragmentation may require users aspiring to offer content-related services across the EU to secure multiple licenses; emphasises the fact that differences in limitations and exceptions create additional legal costs and legal uncertainty; recalls that consumers may be denied access to certain content services on geographical grounds;
7. Welcomes, therefore, the adoption of Directive 2014/26/EU on collective rights management and multi-territorial licensing of rights, and believes that implementation of this directive will lead to a clearer set of EU-wide standards resulting in a faster and more flexible licensing infrastructure;
8. Believes that there is a need to further improve cross-border access and the portability of services which are essential for consumers to be able to get the services they want, where and when they want them;
9. Urges the Commission to promote a flexible and balanced framework for exceptions and limitations that does not cause any harm to right holders and that conforms with consumer

expectations; emphasises the important role that exceptions and limitations agreed on for public-interest reasons, for the purpose of education and teaching, play in providing access to knowledge as well as in encouraging cultural and societal participation; urges the Commission and the Member States to consider e-books as part of public lending schemes, provided that all necessary agreements with the relevant right holders have been reached beforehand;

10. Welcomes the structured stakeholder dialogue ‘Licenses for Europe’, launched by the Commission in 2013; believes that relevant stakeholder engagement and sharing of best practices is essential if a more homogenous implementation of copyright laws across the EU is to be reached;
11. Highlights the importance of promoting greater interoperability for software, as lack of interoperability hampers innovation and reduces competition in the EU; believes that lack of interoperability may lead to market dominance of one particular product, which in turn stifles competition and limits consumer choice in the EU.