



EUROPEAN PARLIAMENT

2014 - 2019

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*Committee on Legal Affairs*

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**2014/2256(INI)**

5.3.2015

# **AMENDMENTS**

## **281 - 556**

**Draft report**

**Julia Reda**

(PE546.580v02-00)

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))

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PE549.469v01-00

**EN**

*United in diversity*

**EN**



## Amendment 281

Kostas Chrysogonos, Jiří Maštálka

### Motion for a resolution

#### Paragraph 7

##### *Motion for a resolution*

7. ***Calls on the Commission to harmonise*** the term of protection of copyright ***to a duration that does not exceed*** the current international standards set out in the Berne Convention;

##### *Amendment*

7. ***Notes that*** the term of protection of copyright ***has been harmonised at EU level by Directive 2006/116/EC (which was revised by Directive 2011/77/EU) without prejudice to*** the current international standards set out in the Berne Convention; ***and encourages Member States to finalise the transposition and implementation of this directive in a streamlined manner;***

Or. en

## Amendment 282

Helga Trüpel, Heidi Hautala

### Motion for a resolution

#### Paragraph 7

##### *Motion for a resolution*

7. Calls on the Commission to harmonise the term of protection of copyright to a duration that does not ***exceed*** the current international standards set out in the Berne Convention;

##### *Amendment*

7. Calls on the Commission to harmonise the term of protection of copyright to a duration that does not ***fall below*** the current international standards set out in the Berne Convention, ***while refraining from any further extension of the terms of protection;***

Or. de

## Amendment 283

Julia Reda, Josef Weidenholzer

**Motion for a resolution**  
**Paragraph 7 a (new)**

*Motion for a resolution*

*Amendment*

***7a. Notes that the current legal Acquis recognises the full harmonisation of exclusive rights, whereas exceptions and limitations to exclusive rights remain optional and not harmonised;***

Or. en

**Amendment 284**  
**Julia Reda, Josef Weidenholzer**

**Motion for a resolution**  
**Paragraph 7 b (new)**

*Motion for a resolution*

*Amendment*

***7b. Notes the significant number of suggestions that have been put forward in the replies to the consultation of the Commission on the review of the EU copyright rules, to introduce new exceptions and limitations to exclusive rights, as well as broadening the scope of existing exceptions;***

Or. en

**Amendment 285**  
**Jiří Maštálka**

**Motion for a resolution**  
**Paragraph 8**

*Motion for a resolution*

*Amendment*

8. Calls on the EU legislator to remain faithful to the objective stated in Directive 2001/29/EC of safeguarding a fair balance between the different

8. Calls on the EU legislator to remain faithful to the objective stated in Directive 2001/29/EC of ***providing an adequate protection for copyright and***

categories of rightholders and users of protected subject-matter, as well as between the different categories of rightholders;

*neighbouring rights as one of the main ways of ensuring European cultural creativity and* safeguarding a fair balance between the different categories of rightholders and users of protected subject-matter, as well as between the different categories of rightholders;

Or. en

**Amendment 286**  
**Laura Ferrara**

**Motion for a resolution**  
**Paragraph 8**

*Motion for a resolution*

8. Calls on the EU legislator to remain faithful to the objective stated in Directive 2001/29/EC of safeguarding a fair balance between the different categories of rightholders and users of protected *subject-matter*, as well as between the different categories of rightholders;

*Amendment*

8. Calls on the EU legislator to remain faithful to the objective stated in Directive 2001/29/EC of safeguarding a fair balance between the different categories of rightholders and users of protected *content*, as well as between the different categories of rightholders;

Or. it

**Amendment 287**  
**Kostas Chrysogonos, Jiří Maštálka**

**Motion for a resolution**  
**Paragraph 8**

*Motion for a resolution*

8. Calls on the EU legislator to remain faithful to the objective stated in Directive 2001/29/EC of safeguarding a fair balance between the different categories of rightholders and users of protected subject-matter, as well as between the different categories of rightholders;

*Amendment*

8. Calls on the EU legislator to remain faithful to the objective stated in Directive 2001/29/EC of *providing an adequate protection for copyright and neighbouring rights as one of the main ways of ensuring European cultural creativity and* safeguarding a fair balance between the

different categories of rightholders and users of protected subject-matter, as well as between the different categories of rightholders;

Or. en

**Amendment 288**  
**Pascal Durand**

**Motion for a resolution**  
**Paragraph 8 a (new)**

*Motion for a resolution*

*Amendment*

***8a. Recalls that Member States have a positive obligation to provide for a robust and flexible system of copyright exceptions and limitations in order to honour their human rights obligations***

Or. en

**Amendment 289**  
**Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López**

**Motion for a resolution**  
**Paragraph 8 b (new)**

*Motion for a resolution*

*Amendment*

***8b. Emphasises that any legislative change in this field should guarantee people with disabilities access to works and services protected by copyright and related rights and should be adapted to the digital environment;***

Or. es

**Amendment 290**  
**Marie-Christine Boutonnet**

**Motion for a resolution**  
**Paragraph 9**

*Motion for a resolution*

9. Notes that *exceptions and limitations in the digital environment should be enjoyed without any unequal treatment as compared with those granted in the analogue world;*

*Amendment*

9. Notes that *digital and analogue markets are different, and that therefore use should be made of the techniques introduced since the entry into force of Directive 2001/29/EC;*

Or. fr

**Amendment 291**  
**Enrico Gasbarra**

**Motion for a resolution**  
**Paragraph 9**

*Motion for a resolution*

9. *Notes that exceptions and limitations in the digital environment should be enjoyed without any unequal treatment as compared with those granted in the analogue world;*

*Amendment*

9. *Urges the Commission to adapt and standardise the exceptions and limitations that are permitted in the regulatory framework of the analogue world to the new scenario represented by the digital paradigm, and in particular by cloud computing technologies;*

Or. it

**Amendment 292**  
**Jean-Marie Cavada, Virginie Rozière**

**Motion for a resolution**  
**Paragraph 9**

*Motion for a resolution*

9. Notes that exceptions and limitations *in the digital environment should be enjoyed*

*Amendment*

9. Notes that exceptions and limitations *must be applied in such a way as to take*

*without any unequal treatment as compared with those granted in the analogue world;*

*account of the particular respective characteristics of the digital and analogue environments;*

Or. fr

**Amendment 293**  
**József Szájer**

**Motion for a resolution**  
**Paragraph 9**

*Motion for a resolution*

9. Notes that exceptions and limitations in the digital environment should be enjoyed *without any unequal treatment as compared with those granted in the analogue world;*

*Amendment*

9. Notes that *technological changes have led to renewed interest in* exceptions and limitations, *especially their role* in the digital environment *and considers that the rights enjoyed by the creators of work in the digital world should be identical to those enjoyed in the analogue world, subject to the exceptions and limitations set out. Recognises that further analysis of the exceptions and limitations is sought so as to consider how these can serve the public in the digital age;*

Or. en

**Amendment 294**  
**Inês Cristina Zuber**

**Motion for a resolution**  
**Paragraph 9**

*Motion for a resolution*

9. Notes that exceptions *and limitations in the digital environment* should be *enjoyed without any unequal treatment as compared with those granted in the analogue world;*

*Amendment*

9. Notes that exceptions should be *used for the purposes for which they were designed and not to create new business models;*

Or. pt



## Amendment 295

Angel Dzhambazki, Sajjad Karim

### Motion for a resolution

#### Paragraph 9

##### *Motion for a resolution*

9. Notes *that* exceptions and limitations in the digital environment *should be enjoyed without any unequal treatment as compared with those granted in the analogue world*;

##### *Amendment*

9. Notes *the importance of* exceptions and limitations in the digital environment *being technologically neutral, where possible, and accessible for persons with disabilities; in this regard, notes the conclusion of the Marrakesh Treaty, which will facilitate access for the visual impaired for books, and encourages ratification in early course; believes that the Treaty is a good step forward, but that much work remains to be done in order to open up access to content for people with disabilities, in addition to those affected by visual impairment*;

Or. en

## Amendment 296

Constance Le Grip, Marc Joulaud, Sabine Verheyen

### Motion for a resolution

#### Paragraph 9

##### *Motion for a resolution*

9. Notes that exceptions and limitations in the digital environment *should* be enjoyed *without any unequal treatment as compared with those granted in the analogue world*;

##### *Amendment*

9. Notes that exceptions and limitations in the digital environment *cannot* be enjoyed *in the same way* in the digital environment *and in the analogue environment; calls for exceptions and limitations to be tailored to the environment in which they apply*;

*(The two markets do not operate in the same way at all.)*

**Amendment 297**

**Therese Comodini Cachia, Eva Paunova, Pavel Svoboda, József Szájer, Giovanni Toti, Rosa Estaràs Ferragut, Luis de Grandes Pascual, Milan Zver, Sabine Verheyen**

**Motion for a resolution**

**Paragraph 9**

*Motion for a resolution*

9. Notes that exceptions and limitations in the digital environment should be enjoyed *without any unequal treatment as compared with those granted in the analogue world*;

*Amendment*

9. Notes that *technological changes have led to renewed interest in* exceptions and limitations, *especially their role* in the digital environment *and considers that the rights enjoyed by the creators of work in the digital world* should be *identical to those enjoyed in the analogue world, subject to the exceptions and limitations set out. Recognises that further analysis of the exceptions and limitations is sought so as to consider how these can serve the public* in the *digital age*;

**Amendment 298**

**Mary Honeyball, Silvia Costa**

**Motion for a resolution**

**Paragraph 9**

*Motion for a resolution*

9. Notes that exceptions and limitations in the digital environment should be enjoyed *without any unequal treatment as compared with those granted in the analogue world*;

*Amendment*

9. Notes that *technological changes have led to renewed interest in* exceptions and limitations, *especially their role* in the digital environment *and considers that the rights enjoyed by the creators of work in the digital world* should be *identical to those enjoyed in the analogue world, subject to the exceptions and limitations set out. Recognises that further analysis of the application of the exceptions and*

*limitations is required so as to consider how these can serve the public in the digital age;*

Or. en

**Amendment 299**  
**Tonino Picula**

**Motion for a resolution**  
**Paragraph 9**

*Motion for a resolution*

9. Notes that exceptions and limitations in the digital environment should be enjoyed *without any unequal treatment as compared with those granted in the analogue world;*

*Amendment*

9. Notes that exceptions and limitations in the digital environment *too* should be enjoyed *solely for their intended purposes; considers that the purpose of their establishment must not be to create new business models whereby authors' works would be exploited by applying exceptions and limitations in such a way as to deny authors the royalties arising from the use of their works;*

Or. hr

**Amendment 300**  
**Angelika Niebler**

**Motion for a resolution**  
**Paragraph 9**

*Motion for a resolution*

9. *Notes that* exceptions and limitations *in the* digital environment *should be enjoyed without any unequal treatment as compared with those granted in the analogue world;*

*Amendment*

9. *Calls on the Commission to give careful consideration to the extent to which it is feasible directly to transfer* exceptions and limitations *from the analogue world to a* digital environment; *stresses, at the same time, that the right of the creator to protection of his or her creative works must continue to apply in the digital age;*

**Amendment 301**

**Juan Fernando López Aguilar, José Blanco López, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial**

**Motion for a resolution**

**Paragraph 9**

*Motion for a resolution*

9. Notes that exceptions and limitations in the digital environment should be enjoyed without any unequal treatment as compared with those granted in the analogue world;

*Amendment*

9. Notes that exceptions and limitations in the digital environment should be enjoyed without any unequal treatment as compared with those granted in the analogue world, ***ensuring that holders of copyright and related rights receive a fair remuneration for their works;***

Or. es

**Amendment 302**

**Axel Voss**

**Motion for a resolution**

**Paragraph 9**

*Motion for a resolution*

9. Notes that ***exceptions and limitations*** in the digital environment should be enjoyed without any unequal treatment as compared with those granted in the analogue world;

*Amendment*

9. Notes that ***the rights and protection of creators*** in the digital environment should be enjoyed without any unequal treatment as compared with those granted in the analogue world;

Or. de

**Amendment 303**

**Victor Negrescu**

**Motion for a resolution**

**Paragraph 9**

*Motion for a resolution*

9. Notes that exceptions and limitations in the digital environment ***should be enjoyed*** without any unequal treatment ***as*** compared ***with*** those granted in the analogue world;

*Amendment*

9. Notes that ***the ability to benefit from*** exceptions and limitations ***should be enjoyed*** in the digital environment without any unequal treatment compared ***to*** those granted in the analogue world;

Or. en

**Amendment 304**

**Helga Trüpel, Heidi Hautala**

**Motion for a resolution**

**Paragraph 9**

*Motion for a resolution*

9. Notes that exceptions and limitations in the digital environment should be enjoyed without any unequal treatment as compared with those granted in the analogue world;

*Amendment*

9. Notes that exceptions and limitations ***and appropriate remuneration for creators*** in the digital environment should be enjoyed without any unequal treatment as compared with those granted in the analogue world;

Or. de

**Amendment 305**

**Julia Reda, Victor Negrescu, Josef Weidenholzer**

**Motion for a resolution**

**Paragraph 9**

*Motion for a resolution*

9. Notes that exceptions and limitations in the digital environment ***should be enjoyed*** without any unequal treatment ***as*** compared ***with*** those granted in the analogue world;

*Amendment*

9. Notes that ***the ability to benefit from*** exceptions and limitations ***should be enjoyed*** in the digital environment without any unequal treatment compared ***to*** those granted in the analogue world;

Or. en

**Amendment 306**  
**Laura Ferrara**

**Motion for a resolution**  
**Paragraph 9 – subparagraph 1 (new)**

*Motion for a resolution*

*Amendment*

*Highlights the advisability of introducing new exceptions and limitations which should take into account technological developments and new forms of both the expression and the use of works in a digital environment;*

Or. it

**Amendment 307**  
**Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López**

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

*Amendment*

*10. Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;*

*deleted*

Or. es

**Amendment 308**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

*Amendment*

**10. Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;**

**deleted**

Or. fr

**Amendment 309**  
**Marie-Christine Boutonnet**

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

*Amendment*

**10. Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;**

**deleted**

Or. fr

**Amendment 310**  
**Angel Dzhambazki, Sajjad Karim**

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

*Amendment*

**10. Views with concern the increasing impact of differences among Member States in the implementation of**

**10. Notes the right of each Member State to tailor exceptions in accordance with their market and traditions and in**

*exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;*

*line with the principles of subsidiarity and proportionality; However, Member States may consider that some exceptions may benefit from common approaches and any exceptions pursued should aim to stimulate economic growth, the development of the Digital Single Market and competitiveness;*

Or. en

**Amendment 311**  
**Marie-Christine Boutonnet**

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

*Amendment*

*10. Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;*

*10. Recalls that each Member State may continue to legislate on the basis of respect for and conservation and promotion of its cultural identity, contributing to the cultural richness of Europe;*

Or. fr

**Amendment 312**  
**Constance Le Grip**

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

*Amendment*

*10. Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single*

*10. Observes that the list of 20 optional exceptions in Directive 2001/29/EC has permitted a flexibility of implementation which was necessary in order to take account of the diversity of the legal traditions of the Member States and their*



*market, in view of the development of cross-border activities;*

*cultural policies, while ensuring the proper functioning of the internal market and respecting the principles of proportionality and subsidiarity;*

Or. fr

**Amendment 313**  
**József Szájer**

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

**10. Views with concern the increasing impact of differences among Member States** in the implementation of exceptions, **which creates** legal uncertainty and **has direct negative effects on** the functioning of the digital single market, in view of the development of cross-border activities;

*Amendment*

**10. Notes the importance of European cultural diversity, which provides opportunities rather than obstacles to the Single Market, and notes that the possible differences** in the implementation of exceptions **may be handled on a case-by-case basis and market driven solutions** , **to avoid** legal uncertainty and **to protect** the functioning of the digital single market, in view of the development of cross-border activities;

Or. en

**Amendment 314**  
**Angelika Niebler**

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

**10. Views with concern the increasing impact of differences among Member States** in the implementation of exceptions, which **creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;**

*Amendment*

**10. Stresses the importance of Member States' room for manoeuvre** in the implementation of exceptions, which **reflects specific cultural and economic features in the Member States;**

**Amendment 315**

**Jean-Marie Cavada, Virginie Rozière**

**Motion for a resolution**

**Paragraph 10**

*Motion for a resolution*

**10. Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;**

*Amendment*

**10. Notes that the room for manoeuvre left to Member States under the subsidiarity principle has made it possible to adapt the exceptions to social and economic realities in the Member States without creating obstacles to the functioning of the internal market;**

**Amendment 316**

**Mary Honeyball, Theresa Griffin**

**Motion for a resolution**

**Paragraph 10**

*Motion for a resolution*

**10. Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;**

*Amendment*

**10. Notes the importance of European cultural diversity, which provides opportunities rather than obstacles to the Single Market, and notes that the differences in the implementation of exceptions may have negative effects on the functioning of the internal market, and may also lead to legal uncertainty, but that these should be handled on a case-by-case basis, while stressing that works of cultural value should be available to all to be enjoyed but should also be subject to copyright protection;**

### **Amendment 317**

**Therese Comodini Cachia, Marc Joulaud, Mary Honeyball, József Szájer, Giovanni Toti, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Sabine Verheyen**

#### **Motion for a resolution**

##### **Paragraph 10**

###### *Motion for a resolution*

**10. Views with concern the increasing impact of differences among Member States** in the implementation of exceptions, **which creates** legal uncertainty and **has direct negative effects on** the functioning of the digital single market, in view of the development of cross-border activities;

###### *Amendment*

**10. Notes the importance of European cultural diversity, which provides opportunities rather than obstacles to the Single Market, and notes that the possible differences** in the implementation of exceptions **may be handled on a case-by-case basis and market driven solutions** , **to avoid** legal uncertainty and **to protect** the functioning of the digital single market, in view of the development of cross-border activities;

Or. en

### **Amendment 318**

**Axel Voss**

#### **Motion for a resolution**

##### **Paragraph 10**

###### *Motion for a resolution*

**10. Views with concern the increasing impact of** differences among Member States in the implementation of exceptions, **which creates** legal uncertainty and **has direct negative effects on** the functioning of the digital single market, in view of the development of cross-border activities;

###### *Amendment*

**10. Notes the added value that cultural diversity offers for the European internal market, and stresses that possible** differences among Member States in the implementation of exceptions **should be dealt with on a case-by-case basis in order to avoid** legal uncertainty and **safeguard** the functioning of the digital single market, in view of the development of cross-border activities;

Or. de

## Amendment 319

Laura Ferrara

### Motion for a resolution

#### Paragraph 10

##### *Motion for a resolution*

10. Views with concern the increasing impact of *differences* among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, *in view of the development of cross-border activities*;

##### *Amendment*

10. Views with concern, *in view of the development of cross-border activities*, the increasing impact of *the lack of uniformity* among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, *on the incentive to create and promote innovative industrial and trade models and on competition*;

Or. it

## Amendment 320

Sergio Gaetano Cofferati, Lidia Joanna Geringer de Oedenberg

### Motion for a resolution

#### Paragraph 10

##### *Motion for a resolution*

10. Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;

##### *Amendment*

10. Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty *for authors and users* and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;

Or. it

## Amendment 321

Julia Reda, Christian Ehler, Josef Weidenholzer

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

10. Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;

*Amendment*

10. Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities ***and EU global competitiveness and innovation;***

Or. en

**Amendment 322**  
**Pascal Durand**

**Motion for a resolution**  
**Paragraph 10 a (new)**

*Motion for a resolution*

*Amendment*

***10a. Emphasizes that industry geoblocking practices should not prevent cultural minorities living in EU Member States from accessing existing contents or services in their language that are either free or paid for;***

Or. en

**Amendment 323**  
**Christian Ehler, Sabine Verheyen, Marc Joulaud**

**Motion for a resolution**  
**Paragraph 10 b (new)**

*Motion for a resolution*

*Amendment*

***10b. Supports the initiatives aimed at***

*enhancing the portability, within the EU, of online services of legally acquired and legally made available content, whilst fully respecting copyrights and the interests of right-holders;*

Or. en

**Amendment 324**  
**Marietje Schaake**

**Motion for a resolution**  
**Paragraph 10 c (new)**

*Motion for a resolution*

*Amendment*

*10c. Calls for modern, harmonized EU wide copyright, to ensure innovative startups can flourish and roll out their services on a single European digital market;*

Or. en

**Amendment 325**  
**Christian Ehler, Sabine Verheyen, Marc Joulaud**

**Motion for a resolution**  
**Paragraph 10 d (new)**

*Motion for a resolution*

*Amendment*

*10d. Recalls that the European cultural markets are naturally heterogeneous because of the European cultural and linguistic diversity, notes that this diversity should be considered as a benefit rather than an obstacle to the Single Market;*

Or. en

**Amendment 326**  
**Christian Ehler, Sabine Verheyen, Marc Joulaud**

**Motion for a resolution**  
**Paragraph 10 e (new)**

*Motion for a resolution*

*Amendment*

***10e. Takes note of the importance of territorial licenses in the EU, particularly with regards to audiovisual and film production which is primarily based on broadcasters pre-purchase or pre-financing systems;***

Or. en

**Amendment 327**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

*Amendment*

***11. Calls on the Commission to make mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;***

*delete*

Or. el

**Amendment 328**  
**Constance Le Grip**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

*Amendment*

***11. Calls on the Commission to make***

*deleted*

*mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;*

Or. fr

**Amendment 329**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

*Amendment*

*11. Calls on the Commission to make mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;*

*deleted*

Or. fr

**Amendment 330**  
**Angelika Niebler**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

*Amendment*

*11. Calls on the Commission to make mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;*

*deleted*

Or. de



**Amendment 331**

**Kostas Chrysogonos**

on behalf of the GUE/NGL Group

**Jiří Maštálka**

**Motion for a resolution**

**Paragraph 11**

*Motion for a resolution*

*Amendment*

***11. Calls on the Commission to make mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;***

*deleted*

Or. en

**Amendment 332**

**Marie-Christine Boutonnet**

**Motion for a resolution**

**Paragraph 11**

*Motion for a resolution*

*Amendment*

***11. Calls on the Commission to make mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;***

*deleted*

Or. fr

**Amendment 333**

**Eva Paunova**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

**11. Calls on the Commission to make mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;**

*Amendment*

*deleted*

Or. en

**Amendment 334**  
**Axel Voss**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

11. Calls on the Commission to **make mandatory** all the exceptions and limitations referred to in Directive 2001/29/EC, **to allow** equal access to cultural diversity across borders within the internal market **and to improve** legal certainty;

*Amendment*

11. Calls on the Commission to **ensure that** all the exceptions and limitations referred to in Directive 2001/29/EC **are implemented appropriately, that** equal access to cultural diversity across borders within the internal market **is promoted and that** legal certainty **is improved, taking account of the subsidiarity principle, specific cultural and legal features in the Member States and the clearly demonstrated cross-border impact of the exceptions and limitations concerned;**

Or. de

**Amendment 335**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

11. Calls on the Commission to **make mandatory all** the exceptions and limitations **referred to in Directive 2001/29/EC, to allow** equal access to cultural diversity across borders within the internal market and to improve legal certainty;

*Amendment*

11. Calls on the Commission to **ensure the proper application of** the exceptions and limitations **and to provide all the information necessary to promote** equal access to cultural diversity across borders within the internal market and to improve legal certainty;

Or. fr

**Amendment 336**

**Tadeusz Zwiefka, Bogdan Brunon Wenta**

**Motion for a resolution**

**Paragraph 11**

*Motion for a resolution*

11. ***Calls on the Commission to make mandatory all*** the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;

*Amendment*

11. ***underlines that*** the exceptions and limitations referred to in Directive 2001/29/EC ***should be implemented in a way*** to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;

Or. en

**Amendment 337**

**Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López**

**Motion for a resolution**

**Paragraph 11**

*Motion for a resolution*

11. Calls on the Commission to **make mandatory** all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to

*Amendment*

11. Calls on the Commission to **examine a minimum of harmonisation of** all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal

cultural diversity across borders within the internal market and to improve legal certainty;

access to cultural diversity across borders within the internal market and to improve legal certainty;

Or. es

**Amendment 338**  
**Angel Dzhambazki, Sajjad Karim**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

11. Calls on the Commission to ***make mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and*** to improve legal certainty;

*Amendment*

11. Calls on the Commission to ***enhance the provision of information to creators and consumers regarding exceptions and limitations in all Member States*** to improve legal certainty;

Or. en

**Amendment 339**  
**József Szájer**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

11. Calls on the Commission to ***make mandatory*** all the exceptions and limitations referred to in Directive 2001/29/EC, ***to allow*** equal access to cultural diversity across borders within the internal market and to improve legal certainty;

*Amendment*

11. Calls on the Commission to ***ensure the proper implementation of*** all the exceptions and limitations referred to in Directive 2001/29/EC, ***and to provide all necessary information to promote an*** equal access to cultural diversity across borders within the internal market and to improve legal certainty, ***while ensuring respect for the principle of subsidiarity, cultural diversity and evidence of clear cross-border impact;***

**Amendment 340**  
**Cecilia Wikström**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

11. Calls on the Commission to **make mandatory all the** exceptions and limitations **referred to in** Directive 2001/29/EC, **to** allow equal access to cultural diversity across borders within the internal market and **to** improve legal certainty;

*Amendment*

11. Calls on the Commission to **propose a list of mandatory** exceptions and limitations **in its review of** Directive 2001/29/EC, **as this would** allow equal access to cultural diversity across borders within the internal market and improve legal certainty;

Or. en

**Amendment 341**  
**Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

11. Calls on the Commission to make mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;

*Amendment*

11. Calls on the Commission to make **uniform and** mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;

Or. pl

**Amendment 342**  
**Helga Trüpel, Heidi Hautala**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

11. Calls on the Commission to make mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;

*Amendment*

11. Calls on the Commission to make mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty; ***takes the view that any harmonisation of copyright and related rights must be based on a high level of protection, since these rights are crucial for intellectual creation; notes that protecting these rights helps to ensure the maintenance and development of creativity in the interests of creators, performers, producers, consumers, culture, industry and the public at large;***

Or. de

**Amendment 343**

**Therese Comodini Cachia, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Marc Joulaud, Pavel Svoboda, Jean-Marie Cavada, József Szájer, Giovanni Toti, Sabine Verheyen**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

11. Calls on the Commission to ***make mandatory*** all the exceptions and limitations referred to in Directive 2001/29/EC, ***to allow*** equal access to cultural diversity across borders within the internal market and to improve legal certainty;

*Amendment*

11. Calls on the Commission to ***ensure the proper implementation of*** all the exceptions and limitations referred to in Directive 2001/29/EC, ***and to provide all necessary information to promote an*** equal access to cultural diversity across borders within the internal market and to improve legal certainty, ***while ensuring respect for the principle of subsidiarity, cultural diversity and evidence of clear cross-border impact;***

**Amendment 344**  
**Mary Honeyball**

**Motion for a resolution**  
**Paragraph 11**

*Motion for a resolution*

11. Calls on the Commission to **make mandatory all** the exceptions and limitations referred to in Directive 2001/29/EC, **to allow** equal access to cultural diversity across borders within the internal market and to improve legal certainty;

*Amendment*

11. Calls on the Commission to **examine the application of minimum standards across the exceptions and limitations, and further to ensure the proper implementation of** the exceptions and limitations referred to in Directive 2001/29/EC, **and an** equal access to cultural diversity across borders within the internal market and to improve legal certainty;

Or. en

**Amendment 345**  
**Pascal Durand**

**Motion for a resolution**  
**Paragraph 11 a (new)**

*Motion for a resolution*

*Amendment*

**11a. Stresses that the "three-step test" of international copyright law should serve to encourage the establishment of a solid and flexible system of exceptions and limitations;**

Or. en

**Amendment 346**  
**Pascal Durand**

**Motion for a resolution**  
**Paragraph 11 b (new)**

*Motion for a resolution*

*Amendment*

***11b. Urges the European legislator to ensure that all citizens can enjoy at national level, judicial or administrative procedures enabling to request the implementation and expansion of exceptions and limitations to assure their constitutional and human rights;***

Or. en

**Amendment 347**  
**Ivan Jakovčić**

**Motion for a resolution**  
**Paragraph 11 c (new)**

*Motion for a resolution*

*Amendment*

***11c. Calls on the Commission to examine the present limitations and exceptions with a view to bringing about policies to boost the development of the existing market, an aim which can be achieved only by ensuring a proper reward for authors, that is to say, those who create the products offered on that market, and by providing legal certainty;***

Or. hr

**Amendment 348**  
**Marietje Schaake**

**Motion for a resolution**  
**Paragraph 11 d (new)**

*Motion for a resolution*

*Amendment*

***11d. Calls for expanding mandatory***



*exceptions beneficial for public interest institutions, such as libraries, museums and archives, which play a central role in facilitating online access to cultural heritage, and access to information that allows them to make protected works in their collections, that are not in commercial circulation anymore, or otherwise actively managed by their rights holders, available for online access by the public;*

Or. en

**Amendment 349**  
**Julia Reda**

**Motion for a resolution**  
**Paragraph 11 e (new)**

*Motion for a resolution*

*Amendment*

*11e. Temporary acts of reproduction, which are transient or incidental [and] an integral and essential part of a technological process and whose sole purpose is to enable:*

*(a) a transmission in a network between third parties by an intermediary, or*

*(b) a lawful use of a work or other subject-matter to be made, and which have no independent economic significance, should remain a mandatory exception.*

Or. en

**Amendment 350**  
**Sergio Gaetano Cofferati, Lidia Joanna Geringer de Oedenberg, Evelyn Regner**

**Motion for a resolution**  
**Paragraph 11 f (new)**

*Motion for a resolution*

*Amendment*

***11f. Considers it necessary to strengthen exceptions for institutions of public interest, such as libraries, museums and archives, in order to promote wide-ranging access to cultural heritage, including through online platforms;***

Or. it

**Amendment 351**

**Virginie Rozière, Mady Delvaux**

**Motion for a resolution**

**Paragraph 11 g (new)**

*Motion for a resolution*

*Amendment*

***11g. Calls on the Commission to consider with care the possibility of making certain exceptions mandatory where the purpose is to protect fundamental rights, particularly to combat discrimination or protect freedom of the press; recalls in this context that fair compensation should be provided for these exceptions;***

Or. fr

**Amendment 352**

**Jean-Marie Cavada, Mary Honeyball**

**Motion for a resolution**

**Paragraph 11 h (new)**

*Motion for a resolution*

*Amendment*

***11h. Recalls the importance of SMEs in the cultural and creative industries in terms of job creation and growth in the European Union; stresses that the vast majority of SMEs in the cultural and***

*creative industries take advantage of the flexibility of copyright rules to produce, invest and distribute cultural and creative works but also to develop innovative solutions which enable users to gain access to creative works on line adapted to the preferences and specificities of local markets;*

Or. fr

**Amendment 353**  
**Marietje Schaake**

**Motion for a resolution**  
**Paragraph 11 i (new)**

*Motion for a resolution*

*Amendment*

*11i. Calls on the Commission to introduce new mandatory exceptions, such as for user-generated content, text and data mining;*

Or. en

**Amendment 354**  
**Julia Reda**

**Motion for a resolution**  
**Paragraph 11 j (new)**

*Motion for a resolution*

*Amendment*

*11j. Exceptions or limitations should be made mandatory in the following cases:*

*(a) in respect of reproductions on paper or any similar medium, effected by the use of any kind of photographic technique or by some other process having similar effects, with the exception of sheet music, provided that the rightholders receive fair compensation;*

*(b) in respect of reproductions on any medium made by a natural person for private use and for ends that are neither directly nor indirectly commercial, on condition that the rightholders receive fair compensation;*

*(c) in respect of acts of reproduction made by publicly accessible libraries, educational establishments or museums, or by archives, which are not for direct or indirect economic or commercial advantage;*

*(d) in respect of ephemeral recordings of works made by broadcasting organisations by means of their own facilities and for their own broadcasts; the preservation of these recordings in official archives should, on the grounds of their exceptional documentary character, be permitted;*

*(e) in respect of reproductions of broadcasts made by social institutions pursuing non-commercial purposes, such as hospitals or prisons, on condition that the rightholders receive fair compensation.*

*(f) use for the sole purpose of illustration for teaching or scientific research, as long as the source, including the author's name, is indicated, unless this turns out to be impossible and to the extent justified by the non-commercial purpose to be achieved;*

*(g) uses, for the benefit of people with a disability, which are directly related to the disability and of a non-commercial nature, to the extent required by the specific disability;*

*(h) reproduction by the press, communication to the public or making available of published articles on current economic, political or religious topics or of broadcast works or other subject-matter of the same character, in cases where such use is not expressly reserved, and as*

*long as the source, including the author's name, is indicated, or use of works or other subject-matter in connection with the reporting of current events, to the extent justified by the informatory purpose and as long as the source, including the author's name, is indicated, unless this turns out to be impossible;*

*(i) quotations for purposes such as criticism or review, provided that they relate to a work or other subject-matter which has already been lawfully made available to the public, that, unless this turns out to be impossible, the source, including the author's name, is indicated, and that their use is in accordance with fair practice, and to the extent required by the specific purpose;*

*(j) use for the purposes of public security or to ensure the proper performance or reporting of administrative, parliamentary or judicial proceedings;*

*(k) use of political speeches as well as extracts of public lectures or similar works or subject-matter to the extent justified by the informatory purpose and provided that the source, including the author's name, is indicated, except where this turns out to be impossible;*

*(l) use during religious celebrations or official celebrations organised by a public authority;*

*(m) use of works, such as works of architecture or sculpture, made to be located permanently in public places;*

*(n) incidental inclusion of a work or other subject-matter in other material;*

*(o) use for the purpose of advertising the public exhibition or sale of artistic works, to the extent necessary to promote the event, excluding any other commercial use;*

*(p) use for the purpose of caricature, parody or pastiche;*

*(q) use in connection with the demonstration or repair of equipment;*

*(r) use of an artistic work in the form of a building or a drawing or plan of a building for the purposes of reconstructing the building;*

*(s) use by communication or making available, for the purpose of research or private study, to individual members of the public by dedicated terminals on the premises of establishments referred to in paragraph 2(c) of works and other subject-matter not subject to purchase or licensing terms which are contained in their collections;*

*(t) use in certain other cases of minor importance where exceptions or limitations already exist under national law, provided that they only concern analogue uses and do not affect the free circulation of goods and services within the Community, without prejudice to the other exceptions and limitations contained in this paragraph;*

Or. en

**Amendment 355**  
**Marietje Schaake**

**Motion for a resolution**  
**Paragraph 11 k (new)**

*Motion for a resolution*

*Amendment*

***11k. Urges increased legal certainty with regards to sharing copyright protected content through 'peer-to-peer' (P2P) networks;***

Or. en

**Amendment 356**  
**Marietje Schaake**

**Motion for a resolution**  
**Paragraph 11 I (new)**

*Motion for a resolution*

*Amendment*

***11I. Calls for broad exceptions for non-commercial use of protected works for educational organizations, teachers and students;***

Or. en

**Amendment 357**  
**Constance Le Grip**

**Motion for a resolution**  
**Paragraph 12**

*Motion for a resolution*

*Amendment*

12. Notes with interest the development of new forms of use of works on digital networks, in particular transformative uses;

12. Notes with interest the development of new forms of use of works on digital networks, in particular transformative uses, ***and calls for fair remuneration solutions linked to new forms of exploitation of works on platforms and networks in the digital environment;***

Or. fr

**Amendment 358**  
**József Szájer**

**Motion for a resolution**  
**Paragraph 12**

*Motion for a resolution*

*Amendment*

12. Notes with interest the development of new forms of use of works on digital networks, in particular transformative uses;

12. Notes with interest the development of new forms of use of works on digital networks, in particular transformative uses,

*and stresses that these should be subject to the same level of copyright protection while keeping the best balance between an efficient protection that provides for a proper remuneration for creators and the objective of the public interest for access to cultural goods and knowledge.*

Or. en

**Amendment 359**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Paragraph 12**

*Motion for a resolution*

12. Notes with interest the development of new forms of use of works on digital networks, in particular transformative uses;

*Amendment*

12. Notes with interest the development of new forms of use of works on digital networks, in particular transformative uses, *and stresses in this connection the need for service-providers and technical intermediaries on the Internet to remunerate rightholders for the use of works on their platforms and networks;*

Or. fr

**Amendment 360**  
**Juan Fernando López Aguilar, José Blanco López, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial**

**Motion for a resolution**  
**Paragraph 12**

*Motion for a resolution*

12. Notes with interest the development of new forms of use of works on digital networks, in particular transformative uses;

*Amendment*

12. Notes with interest the development of new forms of use of works on digital networks, in particular transformative uses; *emphasises the need to ensure copyright is protected to the same extent as in the analogue world;*



**Amendment 361**

**Therese Comodini Cachia, Eva Paunova, Pavel Svoboda, Marc Joulaud, Jean-Marie Cavada, József Szájer, Giovanni Toti, Rosa Estaràs Ferragut, Luis de Grandes Pascual, Milan Zver, Sabine Verheyen**

**Motion for a resolution**

**Paragraph 12**

*Motion for a resolution*

12. Notes with interest the development of new forms of use of works on digital networks, in particular transformative uses;

*Amendment*

12. Notes with interest the development of new forms of use of works on digital networks, in particular transformative uses, ***and stresses that these should be subject to the same level of copyright protection while keeping the best balance between an efficient protection that provides for a proper remuneration for creators and the objective of the public interest for access to cultural goods and knowledge;***

**Amendment 362**

**Mary Honeyball**

**Motion for a resolution**

**Paragraph 12**

*Motion for a resolution*

12. Notes with interest the development of new forms of use of works on digital networks, in particular transformative uses;

*Amendment*

12. Notes with interest the development of new forms of use of works on digital networks, in particular transformative uses, ***and stresses that these should be subject to the same level of copyright protection while keeping the best balance between an efficient protection that provides for proper remuneration and fair compensation for creators and the objective of the public interest for access to cultural goods and knowledge;***

**Amendment 363**  
**Isabella Adinolfi**

**Motion for a resolution**  
**Paragraph 12 a (new)**

*Motion for a resolution*

*Amendment*

*12a. Acknowledges the importance of full exploitation of new technologies in order to increase the legal offer of content by encouraging re-use mechanisms and the birth of a digital second-hand market;*

Or. en

**Amendment 364**  
**Marietje Schaake**

**Motion for a resolution**  
**Paragraph 12 b (new)**

*Motion for a resolution*

*Amendment*

*12b. Calls for broad exceptions also for informal educational purposes;*

Or. en

**Amendment 365**  
**Marietje Schaake**

**Motion for a resolution**  
**Paragraph 12 c (new)**

*Motion for a resolution*

*Amendment*

*12c. Calls for open access in publishing, in particular for publicly funded research;*

**Amendment 366**  
**Marietje Schaake**

**Motion for a resolution**  
**Paragraph 12 d (new)**

*Motion for a resolution*

*Amendment*

***12d. Calls for making relevant existing exceptions such as parody, quotation and incidental use and private copying mandatory across all Member States;***

**Amendment 367**  
**Tadeusz Zwiefka, Bogdan Brunon Wenta**

**Motion for a resolution**  
**Paragraph 13**

*Motion for a resolution*

*Amendment*

***13. Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;***

***deleted***

**Amendment 368**  
**Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López**

**Motion for a resolution**  
**Paragraph 13**

*Motion for a resolution*

*Amendment*

**13. Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;** *deleted*

Or. es

**Amendment 369**

**Angel Dzhambazki, Sajjad Karim**

**Motion for a resolution**

**Paragraph 13**

*Motion for a resolution*

*Amendment*

**13. Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;** *deleted*

Or. en

**Amendment 370**

**Virginie Rozière**

**Motion for a resolution**

**Paragraph 13**

*Motion for a resolution*

*Amendment*

**13. Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and** *deleted*

*limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;*

Or. fr

**Amendment 371**  
**Angelika Niebler**

**Motion for a resolution**  
**Paragraph 13**

*Motion for a resolution*

*Amendment*

*13. Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;*

*deleted*

Or. de

**Amendment 372**  
**Marie-Christine Boutonnet**

**Motion for a resolution**  
**Paragraph 13**

*Motion for a resolution*

*Amendment*

*13. Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;*

*deleted*

**Amendment 373**  
**Constance Le Grip, Marc Joulaud, Sabine Verheyen**

**Motion for a resolution**  
**Paragraph 13**

*Motion for a resolution*

*Amendment*

**13. Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;**

**deleted**

**Amendment 374**  
**Isabella Adinolfi**

**Motion for a resolution**  
**Paragraph 13**

*Motion for a resolution*

*Amendment*

**13. Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;**

**13. Calls for the adoption of a *de minimis* exception and limitation to analogically apply the discipline already provided in Article 5.3, in cases that are not regulated, especially bearing in mind the swift technological evolution. Such *de minimis* exception should be evaluated in light of the qualitative and quantitative parameters of three-step test, as provided for by Article 5.5 of the Directive;**

### Amendment 375

Therese Comodini Cachia, Eva Paunova, Jean-Marie Cavada, József Szájer, Giovanni Toti, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Sabine Verheyen

#### Motion for a resolution

##### Paragraph 13

###### *Motion for a resolution*

13. ***Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;***

###### *Amendment*

13. ***Recalls that the exceptions and limitations should not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder, while keeping the interpretation of exceptions and limitations on the level of Member States to permit the adaptation of the copyright system to different national circumstances and social needs;***

Or. en

### Amendment 376

Julia Reda, Mary Honeyball, Josef Weidenholzer

#### Motion for a resolution

##### Paragraph 13

###### *Motion for a resolution*

13. ***Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;***

###### *Amendment*

13. ***Calls for a flexible interpretation of exceptions and limitations to exclusive rights, allowing to apply exceptions and limitations to uses that are similar to the ones in the original legal provisions, thereby ensuring that exceptions and limitations can be adapted to new forms of usage emerging due to technological change; such flexibility would be subject to the three-step-test, which grants limitations and exceptions in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;***

**Amendment 377**  
**József Szájer**

**Motion for a resolution**  
**Paragraph 13**

*Motion for a resolution*

13. ***Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;***

*Amendment*

13. ***Recalls that the exceptions and limitations should not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder, while keeping the interpretation of exceptions and limitations on the level of Member States to permit the adaptation of the copyright system to different national circumstances and social needs;***

**Amendment 378**  
**Axel Voss**

**Motion for a resolution**  
**Paragraph 13**

*Motion for a resolution*

13. ***Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;***

*Amendment*

13. ***Stresses that exceptions and limitations should not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder; takes the view that, where necessary, the Member States should be able to adapt the exceptions and limitations in individual cases;***



**Amendment 379**

**Jean-Marie Cavada, Therese Comodini Cachia, Virginie Rozière**

**Motion for a resolution**

**Paragraph 13**

*Motion for a resolution*

13. *Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;*

*Amendment*

13. **Recalls that** exceptions and limitations **must** not conflict with the normal exploitation of the work **or** unreasonably prejudice the legitimate interests of the author or rightholder; **they are created for quite specific reasons and must be strictly applied by Member States;**

Or. fr

**Amendment 380**

**Enrico Gasbarra, Silvia Costa**

**Motion for a resolution**

**Paragraph 13**

*Motion for a resolution*

13. Calls for the adoption of **an open** norm **introducing flexibility** in the interpretation of exceptions and limitations in **certain special** cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;

*Amendment*

13. Calls for the adoption of **a certain** norm in the interpretation of exceptions and limitations in cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;

Or. it

**Amendment 381**

**Helga Trüpel, Heidi Hautala**

**Motion for a resolution**

**Paragraph 13**

*Motion for a resolution*

13. Calls for ***the adoption of*** an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;

*Amendment*

13. Calls for ***consideration to be given to*** an open norm ***making it possible to react promptly to new technologies and content and*** introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder, ***in accordance with the three-step test***;

Or. de

**Amendment 382**

**Angel Dzhambazki, Sajjad Karim**

**Motion for a resolution**

**Paragraph 13 a (new)**

*Motion for a resolution*

13a. ***Calls for exceptions and limitations which have an appropriate level of flexibility and are technologically neutral***;

*Amendment*

13a. ***Calls for exceptions and limitations which have an appropriate level of flexibility and are technologically neutral***;

Or. en

**Amendment 383**

**Virginie Rozière, Mady Delvaux**

**Motion for a resolution**

**Paragraph 14**

*Motion for a resolution*

14. ***Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence***; considers,

*Amendment*

14. Considers that the exception for quotation should ***continue to be strictly defined, while including the possibility of its extension to*** audio-visual quotations;

*in particular*, that the exception for quotation should *expressly include* audio-visual quotations *in its scope*;

Or. fr

**Amendment 384**  
**Tadeusz Zwiefka, Bogdan Brunon Wenta**

**Motion for a resolution**  
**Paragraph 14**

*Motion for a resolution*

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence; *considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope*;

*Amendment*

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence;

Or. en

**Amendment 385**  
**József Szájer**

**Motion for a resolution**  
**Paragraph 14**

*Motion for a resolution*

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations *by taking due account of the effects of media convergence; considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope*;

*Amendment*

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations *while serving the public interest by fostering incentives to create, finance and distribute new works and to make those works available to the public in new, innovative and compelling ways*;

Or. en

**Amendment 386**

**Axel Voss**

**Motion for a resolution**

**Paragraph 14**

*Motion for a resolution*

14. Urges the European legislator to ensure the technological neutrality and future compatibility of exceptions and limitations *by taking due account of the effects of media convergence; considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;*

*Amendment*

14. Urges the European legislator to ensure the technological neutrality and future compatibility of exceptions and limitations;

Or. de

**Amendment 387**

**Enrico Gasbarra**

**Motion for a resolution**

**Paragraph 14**

*Motion for a resolution*

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence; *considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;*

*Amendment*

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence;

Or. it

**Amendment 388**

**Angelika Niebler**

**Motion for a resolution**  
**Paragraph 14**

*Motion for a resolution*

14. Urges the European legislator to ensure the technological neutrality and future compatibility of exceptions and limitations by taking due account of the effects of media convergence; *considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;*

*Amendment*

14. Urges the European legislator to ensure the technological neutrality and future compatibility of exceptions and limitations by taking due account of the effects of media convergence;

Or. de

**Amendment 389**  
**Victor Negrescu**

**Motion for a resolution**  
**Paragraph 14**

*Motion for a resolution*

14. Urges the European legislator to ensure *the* technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence; *considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;*

*Amendment*

14. Urges the European legislator to ensure technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence; *therefore calls on the EU legislator to expressly include audio-visual quotations in the existing quotation exception in order to enable the use of quotations in new media formats; these quotations should be adequate in terms of length in relation to the type of source material;*

Or. en

**Amendment 390**  
**Constance Le Grip, Marc Joulaud, Sabine Verheyen**

**Motion for a resolution**  
**Paragraph 14**

*Motion for a resolution*

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence; ***considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;***

*Amendment*

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence;

Or. fr

**Amendment 391**

**Julia Reda, Victor Negrescu, Josef Weidenholzer**

**Motion for a resolution**

**Paragraph 14**

*Motion for a resolution*

14. Urges the European legislator to ensure ***the*** technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence; ***considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;***

*Amendment*

14. Urges the European legislator to ensure technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence; ***therefore calls on the EU legislator to expressly include audio-visual quotations in the existing quotation exception in order to enable the use of quotations in new media formats; these quotations should be adequate in terms of length in relation to the type of source material;***

Or. en

**Amendment 392**

**Therese Comodini Cachia, Eva Paunova, Jean-Marie Cavada, Constance Le Grip, Rosa Estaràs Ferragut, József Szájer, Giovanni Toti, Luis de Grandes Pascual, Milan Zver, Sabine Verheyen**

**Motion for a resolution**

**Paragraph 14**

*Motion for a resolution*

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations **by taking due account of the effects of media convergence; considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;**

*Amendment*

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations **while serving the public interest by fostering incentives to create, finance and distribute new works and to make those works available to the public in new, innovative and compelling ways;**

Or. en

**Amendment 393**

**Mary Honeyball, Silvia Costa**

**Motion for a resolution**

**Paragraph 14**

*Motion for a resolution*

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations **by taking due account of the effects of media convergence; considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;**

*Amendment*

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations **while fostering incentives to create, finance and distribute new works and to make those works available to the public in new, innovative and compelling ways;**

Or. en

**Amendment 394**

**Jean-Marie Cavada, Therese Comodini Cachia**

**Motion for a resolution**

**Paragraph 14**

*Motion for a resolution*

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations

*Amendment*

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations

by taking due account of the effects of media convergence; *considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;*

by taking due account of the effects of media convergence;

Or. fr

**Amendment 395**  
**Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**  
**Paragraph 14**

*Motion for a resolution*

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence; considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;

*Amendment*

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence; considers, in particular, that the exception for quotation should expressly include *all content, including* audio-visual quotations in its scope;

Or. pl

**Amendment 396**  
**Enrico Gasbarra**

**Motion for a resolution**  
**Paragraph 14 a (new)**

*Motion for a resolution*

*14a. Notes with interest the recent United States regulations regarding net neutrality, just launched by the US Federal Communications Commission; calls on the Commission to assess what inspiration it can draw from these new rules in the context of the revision of Directive 2001/29;*

*Amendment*



**Amendment 397**  
**Marie-Christine Boutonnet**

**Motion for a resolution**  
**Paragraph 15**

*Motion for a resolution*

*Amendment*

*15. Stresses that the ability to freely link from one resource to another is one of the fundamental building blocks of the internet; calls on the EU legislator to make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public<sup>12</sup>;*

*deleted*

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<sup>12</sup> Order of the Court of Justice of 21 October 2014 in Case C-348/13, *BestWater International GmbH v Michael Mebes and Stefan Potsch* (request for a preliminary ruling from Germany's Bundesgerichtshof).

**Amendment 398**  
**Constance Le Grip**

**Motion for a resolution**  
**Paragraph 15**

*Motion for a resolution*

*Amendment*

15. Stresses that the ability to *freely* link from one resource to another is one of the fundamental building blocks of the internet; *calls on the EU legislator to make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a*

15. Stresses that the ability to link from one resource to another, *particularly by means of a hyperlink*, is one of the fundamental building blocks of the internet, *and recalls that these hyperlinks may lead either to protected works or to content which is free of rights;*

*communication to a new public*<sup>12</sup>;

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<sup>12</sup> *Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).*

Or. fr

#### **Amendment 399**

**Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López**

#### **Motion for a resolution**

#### **Paragraph 15**

##### *Motion for a resolution*

15. Stresses that the ability to freely link *from* one resource to another is one of the fundamental building blocks of the internet; calls on the EU legislator to *make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public*<sup>12</sup>;

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<sup>12</sup> Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

##### *Amendment*

15. Stresses that the ability to freely link one resource to another is one of the fundamental building blocks of the internet; calls on the EU legislator to *provide clarification on cases in which the establishment of links does not constitute an act of communication to the original public in line with the judgment of the Court of Justice in C-466/12 of 13 February 2014, the Svensson case;*

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<sup>12</sup> Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

Or. es

#### **Amendment 400**

**József Szájer**

**Motion for a resolution**  
**Paragraph 15**

*Motion for a resolution*

15. ***Stresses*** that the ability to ***freely*** link from one resource to another is one of the fundamental building blocks of the internet; ***calls on the EU legislator to make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public***<sup>12</sup> ;

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<sup>12</sup> Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

*Amendment*

15. ***Notes*** that the ability to link from one resource to another is one of the fundamental building blocks of the internet ***and underlines that any further legislation must accurately reflect the existing definitions and principles set in the European case law, stating that when the hyperlink allows the recipients to circumvent the restrictions on access to the protected work, so that can access the protected work, which was otherwise unavailable to them, then this constitutes a communication to a new public and it is subject to exclusive rights;***

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<sup>12</sup> Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

Or. en

**Amendment 401**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Paragraph 15**

*Motion for a resolution*

15. Stresses that the ability to ***freely*** link from one resource to another is one of the fundamental building blocks of the internet; ***calls on the EU legislator to make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a***

*Amendment*

15. Stresses that the ability to link from one resource to another ***by means of a hyperlink is indeed*** one of the fundamental building blocks of the internet, ***but that, in certain cases, the link and the incorporation may be regarded as a communication to a new public and, by***

communication to a new public<sup>12</sup>;

*virtue of that very fact, constitute a breach of copyright;*

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<sup>12</sup> *Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).*

Or. fr

**Amendment 402**  
**Angelika Niebler**

**Motion for a resolution**  
**Paragraph 15**

*Motion for a resolution*

15. Stresses that the ability to freely link from one resource to another *is one of* the fundamental building blocks of the internet; *calls on the EU legislator to make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public*<sup>12</sup>;

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<sup>12</sup> Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

*Amendment*

15. Stresses that the ability to freely link from one resource to another *and the protection of intellectual property are among* the fundamental building blocks of the internet; *notes that the Court of Justice of the European Union has established a fair balance on the basis of Directive 2001/29/EC*<sup>12</sup>;

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<sup>12</sup> Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

Or. de

**Amendment 403**  
**Mary Honeyball**

**Motion for a resolution**  
**Paragraph 15**

*Motion for a resolution*

15. Stresses that the ability to freely link from one resource to another is ***one of the fundamental building blocks*** of the internet; ***calls on the EU legislator to make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public***<sup>12</sup> ;

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<sup>12</sup> Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

*Amendment*

15. Stresses that the ability to freely link from one resource to another is ***an important feature*** of the internet, ***but stresses that under certain circumstances, embedding and linking may be prejudicial to the rights of the creator; further stresses the need to accurately reflect the existing definitions and principles set out in European case law***;

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<sup>12</sup> Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

Or. en

**Amendment 404**  
**Axel Voss**

**Motion for a resolution**  
**Paragraph 15**

*Motion for a resolution*

15. ***Stresses*** that the ability to ***freely*** link from one resource to another is ***one of the fundamental building blocks of the internet***; ***calls on the EU legislator to make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public***<sup>12</sup>;

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<sup>12</sup> Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and

*Amendment*

15. ***Notes*** that the ability to link from one resource to another is ***a feature of internet use and stresses that hyperlinks must be used in accordance with the relevant European case law, i.e. they must not be used to circumvent restrictions on access to a work that was originally protected and not accessible to users***<sup>12</sup>;

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<sup>12</sup> Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and

Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof). *See also: Judgment of the Court of Justice of 13 February 2014 in Case 466/12, Svensson.*

Or. de

**Amendment 405**  
**Angel Dzhambazki, Sajjad Karim**

**Motion for a resolution**  
**Paragraph 15**

*Motion for a resolution*

15. **Stresses** that the ability to freely link from one resource to another is one of the fundamental building blocks of the internet; calls on the EU legislator to make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public<sup>12</sup> ;

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<sup>12</sup> Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

*Amendment*

15. **Notes** that the ability to freely link **content lawfully made available** from one resource to another is one of the fundamental building blocks of the internet; **highlights the importance of enhanced user information regarding obligations for anyone who knowingly provides hyperlinks to unauthorised content or links that circumvent paywalls**; calls on the EU legislator to make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public<sup>12</sup>;

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<sup>12</sup> Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

Or. en

**Amendment 406**  
**Cecilia Wikström**

**Motion for a resolution**  
**Paragraph 15**

*Motion for a resolution*

15. Stresses that the ability to freely link from one resource to another is one of the fundamental building blocks of the internet; calls on the EU legislator to ***make it clear*** that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public<sup>12</sup> ;

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<sup>12</sup> Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

*Amendment*

15. Stresses that the ability to freely link from one resource to another is one of the fundamental building blocks of the ***free and open*** internet; calls on the EU legislator to ***further clarify*** that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public<sup>12</sup>;

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<sup>12</sup> Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

Or. en

**Amendment 407**

**Therese Comodini Cachia, Pavel Svoboda, Marc Joulaud, Constance Le Grip, József Szájer, Giovanni Toti, Rosa Estaràs Ferragut, Luis de Grandes Pascual, Milan Zver, Sabine Verheyen**

**Motion for a resolution**  
**Paragraph 15**

*Motion for a resolution*

15. ***Stresses*** that the ability to ***freely*** link from one resource to another is one of the fundamental building blocks of the internet; ***calls on the EU legislator to make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public***<sup>12</sup> ;

*protected work which was otherwise unavailable to them, then this constitutes a communication to a new public and it is subject to exclusive rights.*

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<sup>12</sup> *Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).*

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<sup>12</sup>

Or. en

**Amendment 408**  
**Enrico Gasbarra, Silvia Costa**

**Motion for a resolution**  
**Paragraph 15**

*Motion for a resolution*

15. Stresses that the ability to freely link from one resource to another is one of the fundamental building blocks of the internet; calls on the EU legislator to ***make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public***<sup>12</sup>;

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<sup>12</sup> Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

*Amendment*

15. Stresses that the ability to freely link from one resource to another is one of the fundamental building blocks of the internet; calls on the EU legislator to ***clarify the status of works that can be accessed through a hyperlink, also by taking account of recent Court of Justice case law***;

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<sup>12</sup> Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

Or. it

**Amendment 409**  
**Virginie Rozière, Mady Delvaux**



**Motion for a resolution**  
**Paragraph 15**

*Motion for a resolution*

15. Stresses that the ability to freely link from one resource to another is one of the fundamental building blocks of the internet; calls on the EU legislator to ***make it clear*** that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public<sup>12</sup>;

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<sup>12</sup> Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

*Amendment*

15. Stresses that the ability to freely link from one resource to another is one of the fundamental building blocks of the internet; calls on the EU legislator to ***incorporate the case-law of the Court of Justice into its positive law*** so that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public<sup>12</sup>; ***observes that this option must be strictly limited to links which lead to freely available content; observes that the online intermediaries liability regime applicable to links to illicit content should be tightened up, particularly by revising the e-commerce directive;***

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<sup>12</sup> Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

Or. fr

**Amendment 410**  
**Julia Reda, Josef Weidenholzer**

**Motion for a resolution**  
**Paragraph 15**

*Motion for a resolution*

15. Stresses that the ability to freely link from one resource to another is one of the fundamental building blocks of the internet; calls on the EU legislator to ***make it clear*** that reference to works by means of

a hyperlink is not subject to exclusive rights, as it does not consist in a communication to *a new* public<sup>12</sup> ;

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<sup>12</sup> Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

a hyperlink is not subject to exclusive rights, as it does not consist in a communication to *the* public;

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<sup>12</sup> Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

Or. en

**Amendment 411**  
**Christian Ehler, Sabine Verheyen, Marc Joulaud**

**Motion for a resolution**  
**Paragraph 15 a (new)**

*Motion for a resolution*

*Amendment*

***15a. Suggests a review of the liability of service providers and intermediaries in order to clarify their legal status and liability with regards to copyrights, to guarantee that due diligence is exercised throughout the creative process and supply chain, and to ensure a fair remuneration for creators and rightholders within the European Union.***

Or. en

**Amendment 412**  
**Marietje Schaake**

**Motion for a resolution**  
**Paragraph 15 b (new)**

*Motion for a resolution*

*Amendment*

***15b. Calls for an end to geoblocking, as it prevents the emergence of a single digital***

*market and hinders citizens access to information for which they have already paid taxes;*

Or. en

**Amendment 413**  
**Marie-Christine Boutonnet**

**Motion for a resolution**  
**Paragraph 16**

*Motion for a resolution*

*16. Calls on the EU legislator to ensure that the use of photographs, video footage or other images of works which are permanently located in public places is permitted;*

*Amendment*

*16. Notes that the mere presence of a work in the public domain does not deprive the author of his rights;*

Or. fr

**Amendment 414**  
**Ivan Jakovčić**

**Motion for a resolution**  
**Paragraph 16**

*Motion for a resolution*

*16. Calls on the EU legislator to ensure that the use of photographs, video footage or other images of works which are permanently located in public places is permitted;*

*Amendment*

*16. Calls on the EU legislator to ensure that this initiative on copyright makes for wider understanding of artistry and creativity and their importance for the development of society and to prevent the parasitic development of new commercial interests at the expense of authors and their rights;*

Or. hr

**Amendment 415**  
**József Szájer**

**Motion for a resolution**  
**Paragraph 16**

*Motion for a resolution*

16. ***Calls on*** the EU legislator to ***ensure*** that the use of photographs, video footage or other images of works which are permanently located in public places ***is permitted***;

*Amendment*

16. ***Invites*** the EU legislator to ***recognise*** that the use of photographs, video footage or other images of works, which are permanently located in public places ***shall be considered to be in the public domain, where that use is for a non-commercial purpose or scale***;

Or. en

**Amendment 416**  
**Constance Le Grip**

**Motion for a resolution**  
**Paragraph 16**

*Motion for a resolution*

16. ***Calls on the EU legislator to ensure*** that the use of photographs, video footage or other images of works which are permanently located in public places ***is permitted***;

*Amendment*

16. ***Stresses*** that the ***commercial*** use of photographs, video footage or other images of works which are permanently located in public places ***should always be subject to prior authorisation from the authors or their authors' society***;

Or. fr

**Amendment 417**  
**Axel Voss**

**Motion for a resolution**  
**Paragraph 16**

*Motion for a resolution*

16. ***Calls on the EU legislator to ensure***

*Amendment*

16. ***Acknowledges*** that the use of

that the use of photographs, video footage or other images of works which are permanently located in public places is permitted;

photographs, video footage or other images of works ***considered to be in the public domain*** which are permanently located in public places is permitted ***for non-commercial purposes***;

Or. de

**Amendment 418**  
**Angel Dzhambazki, Sajjad Karim**

**Motion for a resolution**  
**Paragraph 16**

*Motion for a resolution*

16. Calls on the ***EU legislator to ensure that the*** use of photographs, video footage or other images of works which are permanently located in public places ***is permitted***;

*Amendment*

16. Calls ***for the Commission to report on the implementation of the Directive with regard to progress on increasing awareness for consumers regarding exceptions and limitations, in particular with regard to differences across the EU, including*** use of photographs, video footage or other images of works which are permanently located in public places;

Or. en

**Amendment 419**  
**Cecilia Wikström**

**Motion for a resolution**  
**Paragraph 16**

*Motion for a resolution*

16. Calls on the ***EU legislator to ensure*** that the use of photographs, video footage or other images of works which are permanently located in public places ***is*** permitted;

*Amendment*

16. Calls on the ***Commission to propose in the review of Directive 2001/29/EC*** that the use of photographs, video footage or other images of works which are permanently located in public places ***shall be*** permitted;

Or. en

**Amendment 420**  
**Tonino Picula**

**Motion for a resolution**  
**Paragraph 16**

*Motion for a resolution*

16. Calls on the EU legislator to ensure that the use of photographs, video footage or other images of works which are permanently located in public places is permitted;

*Amendment*

16. Calls on the EU legislator to ensure that the use of photographs, video footage or other images of works which are permanently located in public places is permitted and that *this initiative on copyright makes for wider understanding of artistry and creativity and their importance for the development of society, and to regulate the development of new commercial interests posing a threat to copyright*;

Or. hr

**Amendment 421**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Paragraph 16**

*Motion for a resolution*

16. *Calls on the EU legislator to ensure* that the use of photographs, video footage or other images of works which are permanently located in public places *is permitted*;

*Amendment*

16. *Considers* that the *commercial* use of photographs, video footage or other images of works which are permanently located in *physical* public places *should always be subject to prior authorisation from the authors or any proxy acting for them*;

Or. fr

**Amendment 422**  
**Therese Comodini Cachia, Marc Joulaud, Constance Le Grip, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Giovanni Toti, József Szájer, Milan Zver, Sabine Verheyen**

**Motion for a resolution**  
**Paragraph 16**

*Motion for a resolution*

16. ***Calls on*** the EU legislator to ***ensure*** that the use of photographs, video footage or other images of works which are permanently located in public places is permitted;

*Amendment*

16. ***Invites*** the EU legislator to ***recognise*** that the use of photographs, video footage or other images of works which are permanently located in public places is permitted ***shall considered to be in the public domain, where that use is for a non-commercial purpose or scale.***

Or. en

**Amendment 423**  
**Mary Honeyball**

**Motion for a resolution**  
**Paragraph 16**

*Motion for a resolution*

16. ***Calls on*** the EU legislator to ***ensure*** that the use of photographs, video footage or other images of works which are permanently located in public places is permitted;

*Amendment*

16. ***Invites*** the EU legislator to ***recognise*** that the use of photographs, video footage or other images of works which are permanently located in ***physical*** public places is permitted ***and should be considered to be in the public domain, where that use is for a non-commercial purpose or scale;***

Or. en

**Amendment 424**  
**Angelika Niebler**

**Motion for a resolution**  
**Paragraph 16**

*Motion for a resolution*

16. Calls on the EU legislator to ensure that

*Amendment*

16. Calls on the EU legislator to ensure that

the use of photographs, video footage or other images of works which are permanently located in public places is permitted;

the use of photographs, video footage or other images of works which are permanently located in public places is permitted, *unless this material is itself already protected by copyright*;

Or. de

**Amendment 425**  
**Inês Cristina Zuber**

**Motion for a resolution**  
**Paragraph 16**

*Motion for a resolution*

16. Calls on the EU legislator to ensure that the use of photographs, video footage or other images of works which are permanently located in public places is permitted;

*Amendment*

16. Calls on the EU legislator to ensure that the use of photographs, video footage or other images of works which are permanently located in public places is permitted *for non-commercial purposes*;

Or. pt

**Amendment 426**  
**Virginie Rozière, Mady Delvaux**

**Motion for a resolution**  
**Paragraph 16**

*Motion for a resolution*

16. Calls on the EU legislator to ensure that the use of photographs, video footage or other images of works which are permanently located in public places is permitted;

*Amendment*

16. Calls on the EU legislator to ensure that the *non-commercial* use of photographs, video footage or other images of works which are permanently located in public places is permitted;

Or. fr

**Amendment 427**  
**Julia Reda**



**Motion for a resolution**  
**Paragraph 16**

*Motion for a resolution*

16. Calls on the EU legislator to ensure that the use of photographs, video footage or other images of works which are permanently located in public places is permitted;

*Amendment*

16. Calls on the EU legislator to ensure that the use of photographs, video footage or other images of works which are permanently located in public places is permitted, *as a mandatory exception*;

Or. en

**Amendment 428**  
**Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**  
**Paragraph 16**

*Motion for a resolution*

16. Calls on the EU legislator to ensure that the use of photographs, video footage or other images of *works* which are permanently located in public places is permitted;

*Amendment*

16. Calls on the EU legislator to ensure that the use of photographs, video footage or other images of *any objects* which are permanently located in public places is permitted;

Or. pl

**Amendment 429**  
**Ivan Jakovčić**

**Motion for a resolution**  
**Paragraph 16 a (new)**

*Motion for a resolution*

*Amendment*

***16a. Maintains that the development of the digital market is impossible unless creative and cultural industries are developed alongside it;***

Or. hr

**Amendment 430**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 16 b (new)**

*Motion for a resolution*

*Amendment*

***16b. Calls on Member States to consider incorporating into their national law the ‘panorama’ exception to the extent that works permanently located in public places are produced by the public sector;***

Or. fr

**Amendment 431**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Paragraph 17**

*Motion for a resolution*

*Amendment*

***17. Emphasises that the exception for caricature, parody and pastiche should apply regardless of the purpose of the parodic use;***

***deleted***

Or. fr

**Amendment 432**  
**Constance Le Grip**

**Motion for a resolution**  
**Paragraph 17**

*Motion for a resolution*

*Amendment*

***17. Emphasises that the exception for caricature, parody and pastiche should apply regardless of the purpose of the***

***deleted***

*parodic use;*

Or. fr

**Amendment 433**  
**Enrico Gasbarra**

**Motion for a resolution**  
**Paragraph 17**

*Motion for a resolution*

*Amendment*

**17. Emphasises that the exception for caricature, parody and pastiche should apply regardless of the purpose of the parodic use;**

*deleted*

Or. it

**Amendment 434**  
**Julia Reda, Josef Weidenholzer**

**Motion for a resolution**  
**Paragraph 17**

*Motion for a resolution*

*Amendment*

**17. Emphasises that** the exception for caricature, parody and pastiche should **apply regardless of the purpose** of the **parodic use;**

**17. Highlights the importance of** the exception for caricature, parody and pastiche **for the protection of authors' freedom of expression, which should therefore be made mandatory; notes with concern the implication of the Deckmyn ruling (C-201/13) that rightholders other than the author of a work can claim moral rights, and therefore calls on the legislator to clarify that moral rights are rights of the author of a work, that cannot be transferred to third-party rightholders;**

Or. en

**Amendment 435**  
**József Szájer**

**Motion for a resolution**  
**Paragraph 17**

*Motion for a resolution*

17. Emphasises that the exception for caricature, parody and pastiche ***should apply regardless of the purpose of the parodic use;***

*Amendment*

17. Emphasises that the ***existing limitation on the*** exception for caricature, parody and pastiche ***must be kept to strike a fair balance between the interests and rights of the creators and original characters and the freedom of expression of the user of a protected work who is relying on the exception for parody, and to avoid uncontrolled abuse;***

Or. en

**Amendment 436**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 17**

*Motion for a resolution*

17. Emphasises ***that*** the exception for caricature, parody and pastiche ***should apply regardless of the purpose of the parodic use;***

*Amendment*

17. Emphasises ***the importance of*** the exception for caricature, parody and pastiche ***as a factor in the vitality of democratic debate;***

Or. fr

**Amendment 437**  
**Angelika Niebler**

**Motion for a resolution**  
**Paragraph 17**

*Motion for a resolution*

17. Emphasises that ***the exception*** for

*Amendment*

17. Emphasises that ***existing exceptions*** for

caricature, parody and pastiche *should apply regardless of the purpose of the parodic use*;

caricature, parody and pastiche *have allowed a fair balance to be struck between the interests of rightholders and users*;

Or. de

#### **Amendment 438**

**Axel Voss**

#### **Motion for a resolution**

##### **Paragraph 17**

###### *Motion for a resolution*

17. Emphasises that the exception for caricature, parody and pastiche *should apply regardless of the purpose of the parodic use*;

###### *Amendment*

17. Emphasises that the *existing* exception for caricature, parody and pastiche *must be maintained in order to ensure a fair balance between the interests of rightholders on the one hand and the freedom of opinion of users on the other*;

Or. de

#### **Amendment 439**

**Therese Comodini Cachia, Mary Honeyball, Marc Joulaud, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Giovanni Toti, József Szájer, Milan Zver, Sabine Verheyen**

#### **Motion for a resolution**

##### **Paragraph 17**

###### *Motion for a resolution*

17. Emphasises that the exception for caricature, parody and pastiche *should apply regardless of the purpose of the parodic use*;

###### *Amendment*

17. Emphasises that the *existing limitation on the* exception for caricature, parody and pastiche *must be kept to strike a fair balance between the interests and rights of the creators and original characters and the freedom of expression of the user of a protected work who is relying on the exception for parody, and to avoid uncontrolled abuse<sup>12 a</sup>* ;

Or. en

**Amendment 440  
Mary Honeyball**

**Motion for a resolution  
Paragraph 17**

*Motion for a resolution*

17. Emphasises that the exception for caricature, parody and pastiche *should apply regardless* of the *purpose of the parodic use*;

*Amendment*

17. Emphasises that the *existing limitation on the* exception for caricature, parody and pastiche *must be kept to strike a fair balance between the interests and rights of the creators and original characters and the freedom of expression* of the user of a protected work who is relying on the exception for parody, and to avoid uncontrolled abuse;

Or. en

**Amendment 441  
Constance Le Grip, Marc Joulaud, Sabine Verheyen**

**Motion for a resolution  
Paragraph 18**

*Motion for a resolution*

18. *Stresses the need to enable automated analytical techniques for text and data (e.g. ‘text and data mining’) for all purposes, provided that permission to read the work has been acquired*;

*Amendment*

18. *Encourages solutions such as the licensing model for* text and data mining for *scientific research* purposes;

Or. fr

**Amendment 442**  
**József Szájer**

**Motion for a resolution**  
**Paragraph 18**

*Motion for a resolution*

18. *Stresses the need to enable automated analytical techniques for text and data (e.g. ‘text and data mining’) for all purposes*, provided that permission to read the work has been acquired;

*Amendment*

18. *Invites the Commission to assess whether data analysis activities could be covered by the exception for scientific research contained in Article 5.3.a) of the current Directive, which provides for an exception to the right of reproduction, (Article 2) when the protected work is used, and whether it enables automated analytical techniques for text and data*, provided that permission to read the work has been acquired;

Or. en

**Amendment 443**  
**Therese Comodini Cachia, Pavel Svoboda, Mary Honeyball, Rosa Estaràs Ferragut, Luis de Grandes Pascual, Giovanni Toti, József Szájer, Sabine Verheyen**

**Motion for a resolution**  
**Paragraph 18**

*Motion for a resolution*

18. *Stresses the need to enable automated analytical techniques for text and data (e.g. ‘text and data mining’) for all purposes*, provided that permission to read the work has been acquired;

*Amendment*

18. *Invites the Commission to assess whether data analysis activities could be covered by the exception for scientific research contained in Article 5.3.a) of the current Directive, which provides for an exception to the right of reproduction (Article 2) when the protected work is used, and whether it enables automated analytical techniques for text and data*, provided that permission to read the work has been acquired;

Or. en

**Amendment 444**  
**Axel Voss**

**Motion for a resolution**  
**Paragraph 18**

*Motion for a resolution*

18. **Stresses the need to** enable automated analytical techniques for text and data (e.g. ‘text and data mining’) **for all purposes**, provided that permission to read the work has been acquired;

*Amendment*

18. **Welcomes the fact that Member States may, on a voluntary basis and subject to licensing**, enable automated analytical techniques for text and data (e.g. ‘text and data mining’), provided that permission to read the work has been acquired;

Or. de

**Amendment 445**  
**Angel Dzhambazki, Sajjad Karim**

**Motion for a resolution**  
**Paragraph 18**

*Motion for a resolution*

18. Stresses the need to **enable automated analytical techniques** for text and data (e.g. ‘text and data mining’) **for all purposes**, **provided that permission to read the work has been acquired**;

*Amendment*

18. Stresses the need to **facilitate formats** for text and data (e.g. ‘text and data mining’) for **research** purposes, **while recognising the investment that this requires by rightholders; highlights that exceptions for text and data should not facilitate the publication or sharing of copies made under the exception**;

Or. en

**Amendment 446**  
**Angelika Niebler**

**Motion for a resolution**  
**Paragraph 18**



*Motion for a resolution*

18. Stresses the need to enable automated analytical techniques for text and data (e.g. ‘text and data mining’) **for all purposes, provided that permission to read the work has been acquired;**

*Amendment*

18. Stresses the need to enable automated analytical techniques for text and data (e.g. ‘text and data mining’) **through licensing agreements;**

Or. de

**Amendment 447**  
**Laura Ferrara**

**Motion for a resolution**  
**Paragraph 18**

*Motion for a resolution*

18. Stresses the need to enable automated analytical techniques for text and data (e.g. ‘text and data mining’) for all purposes, provided that permission to **read** the work has been acquired;

*Amendment*

18. Stresses the need to enable automated analytical techniques for text and data (e.g. ‘text and data mining’) for all purposes, provided that permission to **use** the work has been acquired;

Or. it

**Amendment 448**  
**Virginie Rozière, Mady Delvaux**

**Motion for a resolution**  
**Paragraph 18**

*Motion for a resolution*

18. Stresses the need to enable automated analytical techniques for text and data (e.g. ‘text and data mining’) for **all** purposes, provided that permission to read the work has been acquired;

*Amendment*

18. Stresses the need to enable automated analytical techniques for text and data (e.g. ‘text and data mining’) for purposes **which are not directly commercial**, provided that permission to read the work has been acquired;

Or. fr

**Amendment 449**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Paragraph 18**

*Motion for a resolution*

18. Stresses the need to enable automated analytical techniques for text and data (e.g. ‘text and data mining’) **for all purposes**, provided that permission to read the work has been acquired;

*Amendment*

18. Stresses the need to enable automated analytical techniques for text and data (e.g. ‘text and data mining’), provided that permission to read the work has been acquired **and that the rightholders have been remunerated**;

Or. fr

**Amendment 450**  
**Julia Reda**

**Motion for a resolution**  
**Paragraph 18**

*Motion for a resolution*

18. Stresses the need to enable automated analytical techniques for text and data (e.g. ‘text and data mining’) for all purposes, provided that permission to read the work has been acquired;

*Amendment*

18. Stresses the need to enable automated analytical techniques for text and data (e.g. ‘text and data mining’) for all purposes, provided that permission to read the work has been acquired, **as a mandatory exception**;

Or. en

**Amendment 451**  
**Tonino Picula**

**Motion for a resolution**  
**Paragraph 18 a (new)**

*Motion for a resolution*

*Amendment*

***18a. Maintains that the development of the digital market is closely linked to, and has to go hand in hand with, the development of creative and cultural industries, this being the only way to achieve lasting prosperity;***

Or. hr

**Amendment 452**

**Christian Ehler, Sabine Verheyen, Marc Joulaud**

**Motion for a resolution  
Paragraph 18 b (new)**

*Motion for a resolution*

*Amendment*

***18b. Acknowledges that Text and data Mining is an emerging and promising practice, in particular for the research field, recalls that innovative licensing solutions are established, but that any preferential treatment should only be applied for non-commercial use.***

Or. en

**Amendment 453  
Angelika Niebler**

**Motion for a resolution  
Paragraph 19**

*Motion for a resolution*

*Amendment*

***19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but any kind of educational or research activity, including non-formal education;***

*delete*

**Amendment 454**  
**Cecilia Wikström**

**Motion for a resolution**  
**Paragraph 19**

*Motion for a resolution*

*Amendment*

**19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but any kind of educational or research activity, including non-formal education;**

*deleted*

**Amendment 455**  
**Jytte Guteland**

**Motion for a resolution**  
**Paragraph 19**

*Motion for a resolution*

*Amendment*

**19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but any kind of educational or research activity, including non-formal education;**

*deleted*

**Amendment 456**  
**Constance Le Grip**

**Motion for a resolution**  
**Paragraph 19**

*Motion for a resolution*

19. *Calls for a broad exception for research and education purposes, which should cover not only educational establishments but any kind of educational or research activity, including non-formal education;*

*Amendment*

19. *Stresses the need for a sound economic and legal analysis of the use of protected works in education and research, and considers that any fresh exception to, or restriction of, copyright should be studied in depth;*

Or. fr

**Amendment 457**

**Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López**

**Motion for a resolution**

**Paragraph 19**

*Motion for a resolution*

19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but any kind of educational or research activity, *including non-formal education;*

*Amendment*

19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but any kind of educational or research activity *run under the aegis of educational programmes or institutions;*

Or. es

**Amendment 458**

**József Szájer**

**Motion for a resolution**

**Paragraph 19**

*Motion for a resolution*

19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but *any kind of educational or research activity, including non-formal education;*

*Amendment*

19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but *also educational or research activities linked to an educational establishment or institution recognised by national*

*authorities or legislation or within the purview of an educational programme;*

Or. en

**Amendment 459**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 19**

*Motion for a resolution*

19. Calls *for a broad* exception for research and education purposes, *which should cover not only educational establishments but any kind of educational or research activity, including non-formal education;*

*Amendment*

19. Calls *on the Commission to consider making the* exception for research and education purposes *compulsory, and observes that this exception should be strictly defined;*

Or. fr

**Amendment 460**  
**Axel Voss**

**Motion for a resolution**  
**Paragraph 19**

*Motion for a resolution*

19. Calls for *a broad* exception for research and education purposes, which should cover *not only* educational establishments *but any kind of* educational *or* research *activity, including non-formal education;*

*Amendment*

19. Calls for *an* exception for research and education purposes, which, *alongside* educational establishments should *also* cover educational *and* research *programmes;*

Or. de

**Amendment 461**  
**Enrico Gasbarra**

**Motion for a resolution**  
**Paragraph 19**

*Motion for a resolution*

19. Calls for ***a broad exception*** for research and education purposes, which should cover not only educational establishments but any kind of educational or research activity, including non-formal education;

*Amendment*

19. Calls for ***very careful consideration to be given to the importance of exceptions*** for research and education purposes; ***notes with interest, in this regard, the discussion under way on the drafting of a new international treaty governing exceptions for libraries and archives;***

Or. it

**Amendment 462**  
**Angel Dzhambazki, Sajjad Karim**

**Motion for a resolution**  
**Paragraph 19**

*Motion for a resolution*

19. Calls for ***a broad exception*** for research and education purposes, ***which should cover not only educational establishments but any kind of educational or research activity, including non-formal education;***

*Amendment*

19. Calls for ***targeted exceptions*** for research and education purposes;

Or. en

**Amendment 463**  
**Laura Ferrara**

**Motion for a resolution**  
**Paragraph 19**

*Motion for a resolution*

19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but any kind of educational or research

*Amendment*

19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments, ***universities and institutions specialising***

activity, including non-formal education;

*in high-level artistic, musical and dance training* but any kind of educational or research activity, including non-formal education *and the digitalisation of cultural traditions and heritage*;

Or. it

#### **Amendment 464**

**Victor Negrescu**

#### **Motion for a resolution**

##### **Paragraph 19**

###### *Motion for a resolution*

19. Calls for a ***broad*** exception for research and education purposes, which should ***cover*** not only educational establishments ***but any kind of*** educational ***or*** research ***activity, including non-formal*** education;

###### *Amendment*

19. Calls for a ***mandatory*** exception for research and education purposes, which should not only ***cover*** educational establishments, ***but also amateur*** educational ***and*** research ***activities conducted by non-governmental organisations outside*** education ***institutions as well as digital education, for example in the form of so-called massive open online courses (MOOC), provided that they are not aimed at making a profit***;

Or. en

#### **Amendment 465**

**Marie-Christine Boutonnet**

#### **Motion for a resolution**

##### **Paragraph 19**

###### *Motion for a resolution*

19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but any kind of educational or research activity, ***including non-formal education***;

###### *Amendment*

19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but any kind of educational or research activity;



**Amendment 466**

**Sergio Gaetano Cofferati, Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**

**Paragraph 19**

*Motion for a resolution*

19. Calls for a broad exception for research and education purposes, **which** should cover not only educational establishments but any kind of educational or research activity, including non-formal education;

*Amendment*

19. Calls for a broad exception for research and education purposes, **in the general public interest and in order to promote a virtuous circulation of knowledge; takes the view that this** should cover not only educational establishments but any kind of educational or research activity, including non-formal education;

Or. it

**Amendment 467**

**Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**

**Paragraph 19**

*Motion for a resolution*

19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but any kind of educational or research activity, including non-formal education;

*Amendment*

19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments **in cross-border use**, but any kind of educational or research activity, including non-formal education;

Or. pl

**Amendment 468**

**Julia Reda, Victor Negrescu, Josef Weidenholzer**

**Motion for a resolution**  
**Paragraph 19**

*Motion for a resolution*

19. Calls for a ***broad*** exception for research and education purposes, which should ***cover*** not only educational establishments ***but any kind of*** educational ***or*** research ***activity, including non-formal*** education;

*Amendment*

19. Calls for a ***mandatory*** exception for research and education purposes, which should not only ***cover*** educational establishments, ***but also amateur*** educational ***and*** research ***activities conducted by non-governmental organisations outside*** education ***institutions as well as digital education, for example in the form of so-called massive open online courses (MOOC), provided that they are not aimed at making a profit;***

Or. en

**Amendment 469**

**Therese Comodini Cachia, Eva Paunova, Jean-Marie Cavada, Mary Honeyball, Luis de Grandes Pascual, József Szájer, Giovanni Toti, Rosa Estaràs Ferragut, Sabine Verheyen**

**Motion for a resolution**  
**Paragraph 19**

*Motion for a resolution*

19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but ***any kind of*** educational ***or research*** ***activity, including non-formal*** education;

*Amendment*

19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but ***also educational or research activities linked to an*** educational establishment ***or institution recognised by national authorities or legislation or within the purview of an educational programme;***

Or. en

**Amendment 470**  
**Inês Cristina Zuber**

**Motion for a resolution**  
**Paragraph 19**

*Motion for a resolution*

19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but any kind of educational or research *activity*, including non-formal education;

*Amendment*

19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but any kind of educational or research *institute*, including non-formal education;

Or. pt

**Amendment 471**  
**Tadeusz Zwiefka, Bogdan Brunon Wenta**

**Motion for a resolution**  
**Paragraph 19 a (new)**

*Motion for a resolution*

*Amendment*

*19a. stresses that any new exceptions or limitations introduced to the EU copyright legal system needs to be duly justified by a sound and objective economic and legal analysis*

Or. en

**Amendment 472**  
**Constance Le Grip**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

*20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;*

*Amendment*

*deleted*

*(Lending books to the public remotely in digital formats would again favour commercial providers in the digital*

*environment, to the detriment of the protection of authors and of the actual content of the works. From the technical point of view too, this raises numerous piracy issues.)*

Or. fr

**Amendment 473**  
**Cecilia Wikström**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

*Amendment*

**20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;**

**deleted**

Or. en

**Amendment 474**  
**József Szájer**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

*Amendment*

**20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;**

**20. Recognizes the importance of libraries for access to knowledge and encourages the rightholders to identify appropriate market-based solutions to enable libraries to realise their potential in the digital environment while respecting the interests of all stakeholders, including consumers;**

Or. en

**Amendment 475**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

*20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;*

*Amendment*

*20. Recognises the importance of libraries for access to knowledge; encourages the parties concerned to work out appropriate solutions to enable libraries to realise their potential in the digital environment, while respecting the interests of rightholders;*

Or. fr

**Amendment 476**  
**Angel Dzhambazki, Sajjad Karim**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

*20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;*

*Amendment*

*20. Stresses the importance of taking into account the conclusions of the numerous experiments being undertaken by the book industry to establish fair, balanced and viable business models;*

Or. en

**Amendment 477**  
**Axel Voss, Christian Ehler**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

**20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;**

*Amendment*

**20. Recognises the importance of libraries for access to knowledge and calls for appropriate market-based solutions to be developed that allow libraries to develop their potential in the digital environment while respecting the interests of all stakeholders, including consumers;**

Or. de

**Amendment 478**

**Therese Comodini Cachia, Eva Paunova, Pavel Svoboda, Marc Joulaud, Rosa Estaràs Ferragut, Luis de Grandes Pascual, József Szájer, Giovanni Toti, Milan Zver, Sabine Verheyen**

**Motion for a resolution  
Paragraph 20**

*Motion for a resolution*

**20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;**

*Amendment*

**20. Recognizes the importance of libraries for access to knowledge and encourages the rightholders to identify appropriate market-based solutions to enable libraries to realise their potential in the digital environment while respecting the interests of all stakeholders included consumers;**

Or. en

**Amendment 479**

**Mary Honeyball**

**Motion for a resolution  
Paragraph 20**

*Motion for a resolution*

20. *Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;*

*Amendment*

20. *Recognises the importance of libraries for access to knowledge and encourages all stakeholders to enable libraries to realise their potential in the digital environment while respecting the rights of creators;*

Or. en

**Amendment 480**  
**Angelika Niebler**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

20. *Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;*

*Amendment*

20. *Emphasises the importance, in the age of digitisation, of licensing agreements in order to allow libraries to lend books legally to the public in digital formats;*

Or. de

**Amendment 481**  
**Jiří Maštálka, Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

20. Calls for the adoption of **a mandatory** exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;

*Amendment*

20. Calls for the adoption of **an** exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;

Or. en

**Amendment 482**  
**Victor Negrescu**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;

*Amendment*

20. Calls for the adoption of a mandatory exception allowing **public and research** libraries to lend books to the public in digital formats **for personal use**, irrespective of the place of access; **recommends that authors should be compensated for e-lending through a statutory licence to the same extent as this is the case for the lending of physical books;**

Or. en

**Amendment 483**  
**Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

20. Calls **for the adoption of a mandatory exception allowing** libraries **to** lend books to the public in digital formats, **irrespective of the place of access;**

*Amendment*

20. Calls **on the Commission to examine ways for** libraries to lend books to the public in digital formats **in compliance with copyright law and guaranteeing a fair remuneration for said rights;**

Or. es

**Amendment 484**  
**Helga Trüpel, Heidi Hautala**

**Motion for a resolution**  
**Paragraph 20**



*Motion for a resolution*

20. Calls **for the adoption of a mandatory** exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;

*Amendment*

20. ***Calls on the Commission to consider the introduction of an*** exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access, ***provided financial compensation (library royalties) is provided;***

Or. de

**Amendment 485**

**Sergio Gaetano Cofferati, Lidia Joanna Geringer de Oedenberg, Evelyn Regner**

**Motion for a resolution  
Paragraph 20**

*Motion for a resolution*

20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;

*Amendment*

20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access, ***so that their public interest duty of disseminating knowledge can be fulfilled effectively and in an up-to-date manner;***

Or. it

**Amendment 486**

**Julia Reda, Victor Negrescu, Josef Weidenholzer**

**Motion for a resolution  
Paragraph 20**

*Motion for a resolution*

20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;

*Amendment*

20. Calls for the adoption of a mandatory exception allowing ***public and research*** libraries to lend books to the public in digital formats ***for personal use,*** irrespective of the place of access; ***recommends that authors should be***

*compensated for e-lending through a statutory licence to the same extent as this is the case for the lending of physical books;*

Or. en

**Amendment 487**  
**Pascal Durand**

**Motion for a resolution**  
**Paragraph 20 a (new)**

*Motion for a resolution*

*Amendment*

*20a. Stresses the need to ensure the swift ratification of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled, without making the ratification conditional to the revision of the EU legal framework on copyright, and then ensure that the copyright laws of Member States contain adequate exceptions to facilitate the availability of works in formats accessible to persons with visual impairments and other disabilities, such as deafness.*

Or. en

**Amendment 488**  
**Laura Ferrara**

**Motion for a resolution**  
**Paragraph 20 b (new)**

*Motion for a resolution*

*Amendment*

*20b. Calls for the adoption of a mandatory exception allowing libraries to digitalise content for the purposes of consultation, cataloguing and archiving;*

Or. it

**Amendment 489**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

*Amendment*

**21. Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;** *delete*

Or. el

**Amendment 490**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

*Amendment*

**21. Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;** *deleted*

Or. fr

**Amendment 491**  
**Tadeusz Zwiefka, Bogdan Brunon Wenta**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

*Amendment*

**21. Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;**

*deleted*

Or. en

**Amendment 492**

**Jiří Maštálka, Kostas Chrysogonos**

**Motion for a resolution**

**Paragraph 21**

*Motion for a resolution*

*Amendment*

**21. Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;**

*deleted*

Or. en

**Amendment 493**

**Marie-Christine Boutonnet**

**Motion for a resolution**

**Paragraph 21**

*Motion for a resolution*

*Amendment*

**21. Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;**

**21. Considers that the licensing system currently in use should be improved with care;**

Or. fr

**Amendment 494**  
**József Szájer**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

21. *Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;*

*Amendment*

21. *Invites the Commission to analyse the necessity of measures, if any, to be implemented by Member States so as to provide compensation to rightholders for the harm caused by acts made permissible by an exception, while they should ensure that rightholders receive fair compensation and that the exceptions or limitations do not conflict with a normal exploitation of the work or subject-matter and do not unreasonably prejudice the legitimate interests of the rightholders ;*

Or. en

**Amendment 495**

**Therese Comodini Cachia, Mary Honeyball, Marc Joulaud, József Szájer, Giovanni Toti, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Sabine Verheyen**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

21. *Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;*

*Amendment*

21. *Invites the Commission to analyse the necessity of measures, if any, to be implemented by Member States so as to provide compensation to rightholders for the harm caused by acts made permissible by an exception while they should ensure that rightholders receive fair compensation and that the exceptions or limitations do not conflict with a normal exploitation of the work or subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder;*

Or. en

**Amendment 496**  
**Constance Le Grip**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

21. Calls on the EU legislator to ***preclude*** Member States ***from introducing statutory licences for the compensation of rightholders*** for the harm caused by acts made permissible by an exception;

*Amendment*

21. Calls on the EU legislator to ***ensure that*** Member States ***make provision for measures which are necessary in order to provide compensation*** for the harm caused ***to rightholders*** by acts made permissible by an exception;

Or. fr

**Amendment 497**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

21. Calls on the EU legislator to ***preclude*** Member States ***from introducing statutory licences for the compensation of rightholders*** for the harm caused by acts made permissible by an exception;

*Amendment*

21. Calls on the EU legislator to ***continue to guarantee to*** Member States ***the option of compensating*** rightholders for the harm caused by acts made permissible by an exception;

Or. fr

**Amendment 498**  
**Angelika Niebler**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

21. ***Calls on the EU legislator to preclude***

*Amendment*

21. ***Respects the possibility available to***

Member States *from* introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;

Member States *of* introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;

Or. de

#### **Amendment 499**

**Axel Voss**

#### **Motion for a resolution**

##### **Paragraph 21**

###### *Motion for a resolution*

21. *Calls on* the EU legislator *to preclude* Member States *from introducing statutory licences* for the compensation of rightholders for the harm caused by acts made permissible by an exception;

###### *Amendment*

21. *Proposes that* the EU legislator *examine whether* Member States *should take measures* for the compensation of rightholders for the harm caused by acts made permissible by an exception;

Or. de

#### **Amendment 500**

**Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López**

#### **Motion for a resolution**

##### **Paragraph 21**

###### *Motion for a resolution*

21. Calls on the EU legislator to *preclude Member States from introducing statutory licences for the compensation of* rightholders for the harm caused by acts made permissible by an exception;

###### *Amendment*

21. Calls on the EU legislator to *guarantee* rightholders *fair remuneration* for the harm caused by acts made permissible by an exception;

Or. es

#### **Amendment 501**

**Victor Negrescu**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

21. Calls on the EU legislator to preclude Member States from introducing *statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception*;

*Amendment*

21. *Deplores the introduction of statutory licenses in some member states aimed at news aggregators for acts already made permissible by an exception and* calls on the EU legislator to preclude Member States from *unilaterally* introducing *such schemes, which can cause significant damage to the digital economy*;

Or. en

**Amendment 502**  
**Helga Trüpel, Heidi Hautala**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

21. Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for *the harm caused by acts made permissible by an exception*;

*Amendment*

21. Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for *alleged harm in the form of neighbouring rights for press publishers*;

Or. de

**Amendment 503**  
**Julia Reda, Victor Negrescu, Josef Weidenholzer**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

21. Calls on the EU legislator to preclude Member States from introducing *statutory*

*Amendment*

21. *Deplores the introduction of statutory licenses in some member states aimed at*



*licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;*

*news aggregators for acts already made permissible by an exception and calls on the EU legislator to preclude Member States from **unilaterally** introducing **such schemes, which can cause significant damage to the digital economy;***

Or. en

**Amendment 504**  
**Mary Honeyball**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

21. ***Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;***

*Amendment*

21. ***Invites the Commission to analyse the necessity of measures, if any, to be implemented by Member States so as to provide compensation to rightholders for the harm caused by acts made permissible by an exception while they should ensure that rightholders receive fair compensation and that the exceptions of limitations do not conflict with a normal exploitation of the work or subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder;***

Or. en

**Amendment 505**  
**Cecilia Wikström**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

21. ***Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts***

*Amendment*

21. ***Calls on the EU legislator to protect consumers by precluding Member States from introducing statutory licences for the compensation of rightholders for the harm***

made permissible by an exception;

caused by acts made permissible by an exception;

Or. en

**Amendment 506**  
**Enrico Gasbarra**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

21. Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;

*Amendment*

21. Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception ***that is legally permitted under that country's own legislation;***

Or. it

**Amendment 507**  
**Pascal Durand**

**Motion for a resolution**  
**Paragraph 21 a (new)**

*Motion for a resolution*

***21a. Requests the Commission to explore the various legal bases at EU level that are necessary to allow, as EU rule or in Member States, the legalization of non-commercial private sharing between individuals of digital works, which is a right of EU citizens that should not be jeopardized by copyright rules;***

Or. en

**Amendment 508**  
**Marietje Schaake**

**Motion for a resolution**  
**Paragraph 21 b (new)**

*Motion for a resolution*

*Amendment*

***21b. Calls for ensuring access to information for persons with a disability, which is directly related to the disability and of a non-commercial nature;***

Or. en

**Amendment 509**  
**Julia Reda, Christian Ehler, Josef Weidenholzer**

**Motion for a resolution**  
**Paragraph 21 c (new)**

*Motion for a resolution*

*Amendment*

***21c. Deplores the lack of harmonisation between Member States as regards the interpretation of Article 5.2 b of Directive 2001/29/EC on exceptions for reproductions on any medium made by a natural person for private use, and as regards the remuneration schemes to compensate for the prejudice to rightholders put in place in some Member States to allow for the fair compensation of the rightholders in relation to these acts of copying, which affects the functioning of the internal market;***

Or. en

**Amendment 510**  
**Jean-Marie Cavada**

**Motion for a resolution**  
**Paragraph 22**

*Motion for a resolution*

**22. Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures as regards the private copying levies put in place in some Member States<sup>13</sup>;**

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<sup>13</sup> As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.

*Amendment*

**22. Believes that the private copying system is a virtuous system that balances the exception for copying for private use with the right to fair remuneration of rightholders, and that it is a system worth preserving;**

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<sup>13</sup> As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.

Or. fr

**Amendment 511**  
**Marie-Christine Boutonnet**

**Motion for a resolution**  
**Paragraph 22**

*Motion for a resolution*

**22. Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures as regards the private copying levies put in place in some Member States<sup>13</sup>;**

---

<sup>13</sup> As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation

*Amendment*

**22. Considers that the right balance should be struck between the interests of the author and those of the public;**

***the right of reproduction and adaption and the right to make back-up copies should be granted where the source of the copy is legal;***

*process conducted by the Commission in respect of private copying and reprography levies.*

Or. fr

**Amendment 512**  
**Cecilia Wikström**

**Motion for a resolution**  
**Paragraph 22**

*Motion for a resolution*

*22. Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures as regards the private copying levies put in place in some Member States<sup>13</sup> ;*

*Amendment*

*22. Underlines that citizens in all Member States should have a legal right to make private copies for their own use of legally acquired content without having to pay extra compensation to right holders through cumbersome and illogical levies on technical devices; thus urges the commission to propose a fully harmonised private copy exception which would not cause harm to right holders and which would thus not need to be compensated through a levy system;*

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<sup>13</sup> *As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.*

Or. en

**Amendment 513**  
**Helga Trüpel**

**Motion for a resolution**  
**Paragraph 22**

*Motion for a resolution*

**22. Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures as regards the private copying levies put in place in some Member States<sup>13</sup>;**

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<sup>13</sup> *As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.*

*Amendment*

**22. Urges the legislator to secure the right to (digital) private copying coupled with a levy for a reasonable remuneration that may not be technically limited;**

Or. de

**Amendment 514**

**Constance Le Grip, Marc Joulaud, Jean-Marie Cavada, Sabine Verheyen**

**Motion for a resolution  
Paragraph 22**

*Motion for a resolution*

**22. Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures as regards the private copying levies put in place in some Member States<sup>13</sup>;**

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<sup>13</sup> As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.

*Amendment*

**22. Recalls the European Parliament resolution of February 2014 which underlined the importance of the system of remuneration for private copying in seeking to strike a balance between the interests of consumers and those of rightholders;**

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<sup>13</sup> As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.

**Amendment 515**  
**Mary Honeyball**

**Motion for a resolution**  
**Paragraph 22**

*Motion for a resolution*

**22. Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures as regards the private copying levies put in place in some Member States<sup>13</sup> ;**

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<sup>13</sup> As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.

*Amendment*

**22. Suggests a review of the liability of service providers and intermediaries in order to clarify their legal status and liability with regards to copyright, in order to guarantee and to ensure a fair remuneration for creators and rightholders within the EU;**

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<sup>13</sup> As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.

**Amendment 516**  
**Axel Voss**

**Motion for a resolution**  
**Paragraph 22**

*Motion for a resolution*

**22. Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures as regards the private copying levies put in place in some Member States<sup>13</sup>;**

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*Amendment*

**22. Notes that a further examination of the transparent implementation of measures such as the private copying levy for the fair compensation of rightholders in respect of reproductions made by a natural person for private use *is necessary for the protection of authors' and users' rights*;**

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*<sup>13</sup> As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.*

Or. de

**Amendment 517**

**Therese Comodini Cachia, Eva Paunova, Rosa Estaràs Ferragut, József Szájer, Giovanni Toti, Luis de Grandes Pascual, Sabine Verheyen**

**Motion for a resolution  
Paragraph 22**

*Motion for a resolution*

*22. Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures as regards the private copying levies put in place in some Member States<sup>13</sup> ;*

*Amendment*

*22. Notes that further analysis is necessary on the viability of measures to the fair compensation of rightholders in respect of reproductions made by natural persons for private use, in particular in regard to more transparency and better optimisation for the existing measures as digital levies to safeguard rightholder and consumer rights;*

---

*<sup>13</sup> As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.*

Or. en

**Amendment 518**  
**József Szájer**

**Motion for a resolution  
Paragraph 22**

PE549.469v01-00

112/131

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*Motion for a resolution*

**22. Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures as regards the private copying levies put in place in some Member States<sup>13</sup> ;**

---

<sup>13</sup> As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.

*Amendment*

**22. Notes that further analysis is necessary on the viability of measures to the fair compensation of rightholders in respect of reproductions made by natural persons for private use, in particular in regard to more transparency and better optimisation for the existing measures as digital levies to safeguard rightholder and consumer rights;**

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<sup>13</sup> As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.

Or. en

**Amendment 519**  
**Virginie Rozière, Jean-Marie Cavada**

**Motion for a resolution**  
**Paragraph 22**

*Motion for a resolution*

**22. Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures as regards the private copying levies put in place in some Member States<sup>13</sup>;**

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***<sup>13</sup> As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.***

*Amendment*

**22. Recalls the importance of fair compensation for the harm caused to rightholders in respect of reproductions made by a natural person for private use;**

**Amendment 520**  
**Angel Dzhambazki, Sajjad Karim**

**Motion for a resolution**  
**Paragraph 22**

*Motion for a resolution*

22. Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures as regards the private copying levies put in place in some Member States<sup>13</sup> ;

---

<sup>13</sup> As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.

*Amendment*

22. Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, ***taking into account recital 35 of the Directive, which recognises that harm to rightholders in some circumstances is minimal and no payment is made***, and for harmonised transparency measures as regards the private copying levies put in place in some Member States<sup>13</sup> ; ***Draws attention to the the discretion of Member States to provide alternative modes of compensation to levies***;

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<sup>13</sup> As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.

**Amendment 521**  
**Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**  
**Paragraph 22**

*Motion for a resolution*

22. Calls for the adoption of harmonised criteria for defining the harm caused to

*Amendment*

22. Calls for the adoption of harmonised criteria for defining the harm caused to

rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures *as regards* the private copying levies put in place in some Member States<sup>13</sup>;

---

<sup>13</sup> As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.

rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures *concerning the expenditure algorithm for funds gained from* the private copying levies put in place in some Member States<sup>13</sup>;

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<sup>13</sup> As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.

Or. pl

**Amendment 522**  
**Laura Ferrara**

**Motion for a resolution**  
**Paragraph 22**

*Motion for a resolution*

22. Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures as regards the private copying levies put in place in some Member States<sup>13</sup>;

---

<sup>13</sup> As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.

*Amendment*

22. Calls for the adoption of harmonised criteria, *established on the basis of scientifically proven studies*, for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures as regards the private copying levies put in place in some Member States<sup>13</sup>;

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<sup>13</sup> As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.

Or. it

**Amendment 523**  
**Laura Ferrara**

**Motion for a resolution**  
**Paragraph 22 a (new)**

*Motion for a resolution*

*Amendment*

**22a. Notes that the right to impose private copying levies should be governed in such a way as to inform citizens of the actual amount of the levy, its purpose and how it is going to be used;**

Or. it

**Amendment 524**  
**Christian Ehler, Sabine Verheyen, Marc Joulaud**

**Motion for a resolution**  
**Paragraph 22 b (new)**

*Motion for a resolution*

*Amendment*

**22b. Stresses that digital levies should be made more transparent and optimised to safeguard rightholder and consumer rights and by taking into account Directive 2014/26/EU of the European Parliament and of the Council of 26 February 2014 on collective management of copyright and related rights and multi-territorial licensing of rights in musical works for online use in the internal market;**

Or. en

**Amendment 525**  
**Evelyn Regner, Josef Weidenholzer**

**Motion for a resolution**  
**Paragraph 22 c (new)**

*Motion for a resolution*

*Amendment*

***22c. Invites the Commission to include alternative types of remuneration in the Directive 2001/29/EG to ensure a fair balance between the copyright owner and the user;***

Or. en

**Amendment 526**  
**Marietje Schaake**

**Motion for a resolution**  
**Paragraph 22 d (new)**

*Motion for a resolution*

*Amendment*

***22d. Cautions against private enforcement of copyright to ensure a clear separation of powers, and the appropriate judicial and democratic oversight;***

Or. en

**Amendment 527**  
**Julia Reda, Josef Weidenholzer, Dietmar Köster**

**Motion for a resolution**  
**Paragraph 22 e (new)**

*Motion for a resolution*

*Amendment*

***22e. Proposes to strengthen authors' rights by making remuneration rights tied to exceptions and limitations non-transferable to other rightholders;***

Or. en

**Amendment 528**  
**Evelyn Regner, Josef Weidenholzer**

**Motion for a resolution**  
**Paragraph 22 f (new)**

*Motion for a resolution*

*Amendment*

***22f. Asks for further clarification that in the light of a fair balance, no double remuneration should be charged, if the user makes a backup copy, where no harm is caused. The remuneration should refer to the actual damage.***

Or. en

**Amendment 529**  
**Constance Le Grip**

**Motion for a resolution**  
**Paragraph 23**

*Motion for a resolution*

*Amendment*

***23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be hindered by technological measures;***

***deleted***

Or. fr

**Amendment 530**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 23**

*Motion for a resolution*

*Amendment*

***23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or***

***deleted***

*related rights protection, should not be hindered by technological measures;*

Or. fr

**Amendment 531**  
**Angelika Niebler**

**Motion for a resolution**  
**Paragraph 23**

*Motion for a resolution*

*23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be hindered by technological measures;*

*Amendment*

*23. Stresses that, especially in the digital age, the use of technological protection measures should be allowed to redress the balance between free reproduction (e.g. in the context of private copying) and the exclusive right to reproduction;*

Or. de

**Amendment 532**  
**Cecilia Wikström**

**Motion for a resolution**  
**Paragraph 23**

*Motion for a resolution*

23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be hindered by technological measures;

*Amendment*

23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be hindered by technological measures **and that member states should have sufficient enforcement measures in place to deter any such actions;**

Or. en

**Amendment 533**  
**Jean-Marie Cavada, Virginie Rozière**

**Motion for a resolution**  
**Paragraph 23**

*Motion for a resolution*

23. ***Stresses*** that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, ***should not be hindered by technological measures;***

*Amendment*

23. ***Notes*** that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, ***is guaranteed by Article 6(4) of Directive 2001/29/EC;***

Or. fr

**Amendment 534**  
**Marie-Christine Boutonnet**

**Motion for a resolution**  
**Paragraph 23**

*Motion for a resolution*

23. ***Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be hindered by technological measures;***

*Amendment*

23. ***Considers that the concept of the principle of territoriality should be respected;***

Or. fr

**Amendment 535**  
**Julia Reda, Josef Weidenholzer**

**Motion for a resolution**  
**Paragraph 23**

*Motion for a resolution*

23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be

*Amendment*

23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be



hindered by technological measures;

hindered by technological measures *or contractual terms*;

Or. en

**Amendment 536**  
**Pascal Durand**

**Motion for a resolution**  
**Paragraph 23**

*Motion for a resolution*

23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be hindered by technological measures;

*Amendment*

23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be *waived by contract or* hindered by technological measures *of protection or online contracts in the digital environment*;

Or. en

**Amendment 537**  
**Angel Dzhambazki, Sajjad Karim**

**Motion for a resolution**  
**Paragraph 23**

*Motion for a resolution*

23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be hindered by technological measures;

*Amendment*

23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be *unduly* hindered by technological measures;

Or. en

**Amendment 538**  
**Christian Ehler, Sabine Verheyen, Marc Joulaud**

**Motion for a resolution**  
**Paragraph 23 a (new)**

*Motion for a resolution*

*Amendment*

**23a. Points out that the rapid rate of technological development in the digital market calls for a technologically neutral legislative framework for copyrights;**

Or. en

**Amendment 539**  
**Kostas Chrysogonos**

**Motion for a resolution**  
**Paragraph 24**

*Motion for a resolution*

*Amendment*

**24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;**

*delete*

Or. el

**Amendment 540**  
**Constance Le Grip**

**Motion for a resolution**  
**Paragraph 24**

*Motion for a resolution*

*Amendment*

**24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;** *deleted*

Or. fr

**Amendment 541**

**Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López**

**Motion for a resolution**

**Paragraph 24**

*Motion for a resolution*

*Amendment*

**24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;** *deleted*

Or. es

**Amendment 542**  
**József Szájer**

**Motion for a resolution**  
**Paragraph 24**

*Motion for a resolution*

*Amendment*

**24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;** *deleted*

Or. en

**Amendment 543**  
**Angel Dzhambazki, Sajjad Karim**

**Motion for a resolution**  
**Paragraph 24**

*Motion for a resolution*

*Amendment*

**24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;** *deleted*

**Amendment 544**

**Jiří Maštálka, Kostas Chrysogonos**

**Motion for a resolution**

**Paragraph 24**

*Motion for a resolution*

*Amendment*

**24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;** *deleted*

**Amendment 545**

**Enrico Gasbarra**

**Motion for a resolution**

**Paragraph 24**

*Motion for a resolution*

*Amendment*

**24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed,** *deleted*

*technological means to achieve such authorised circumvention must be available;*

Or. it

**Amendment 546**  
**Axel Voss**

**Motion for a resolution**  
**Paragraph 24**

*Motion for a resolution*

*Amendment*

*24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;* *delete*

Or. de

**Amendment 547**  
**Jean-Marie Cavada, Therese Comodini Cachia**

**Motion for a resolution**  
**Paragraph 24**

*Motion for a resolution*

*Amendment*

*24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which* *deleted*

*technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;*

Or. fr

**Amendment 548**

**Therese Comodini Cachia, Eva Paunova, Marc Joulaud, Pavel Svoboda, Jean-Marie Cavada, Mary Honeyball, József Szájer, Giovanni Toti, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Sabine Verheyen**

**Motion for a resolution**

**Paragraph 24**

*Motion for a resolution*

*Amendment*

*24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;*

*deleted*

Or. en

**Amendment 549**

**Angelika Niebler**

**Motion for a resolution**

**Paragraph 24**

*Motion for a resolution*

**24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;**

*Amendment*

**24. Stresses that, especially in the digital age, the use of technological protection measures should be allowed which redress the balance between free reproduction (e.g. in the context of private copying) and the exclusive right to reproduction;**

Or. de

**Amendment 550**

**Marie-Christine Boutonnet**

**Motion for a resolution**

**Paragraph 24**

*Motion for a resolution*

**24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;**

*Amendment*

**24. Notes that the aims of the 2001 directive have not been attained; technologies which make it possible to limit unauthorised use of works, with the exception of software, must ensure interoperability;**

Or. fr

**Amendment 551**

**Inês Cristina Zuber**



**Motion for a resolution**  
**Paragraph 24**

*Motion for a resolution*

24. Recommends *making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;*

*Amendment*

24. Recommends *that the rules governing file-sharing for non-commercial purposes be studied with a view to establishing arrangements requiring intermediaries to pay fair compensation for creative work;*

Or. pt

**Amendment 552**  
**Isabella Adinolfi**

**Motion for a resolution**  
**Paragraph 24 a (new)**

*Motion for a resolution*

*24a. Urges to establish that the orders against intermediaries to protect copyright are given only by the competent judicial authority with reference to the limits imposed by Directive 2004/48 (ex Art. 11), the Charter of Fundamental Rights of the European Union, Article. 51, par. 1, and Article 6 TEU;*

*Amendment*

Or. en

**Amendment 553**  
**Mary Honeyball**

**Motion for a resolution**  
**Paragraph 24 b (new)**

*Motion for a resolution*

*Amendment*

**24b. Recognises the role of proportionate and effective enforcement in supporting creators, rightholders and consumers;**

Or. en

**Amendment 554**  
**Virginie Rozière**

**Motion for a resolution**  
**Paragraph 24 c (new)**

*Motion for a resolution*

*Amendment*

**24c. Calls on distributors to publish all available information concerning the technological measures necessary to ensure interoperability of their content;**

Or. fr

**Amendment 555**  
**Enrico Gasbarra, Silvia Costa, Lidia Joanna Geringer de Oedenberg**

**Motion for a resolution**  
**Paragraph 24 d (new)**

*Motion for a resolution*

*Amendment*

**24d. Expresses concern and regret with regard to the political obstacles in the Council which are still delaying ratification of the Treaty of Marrakesh for the Blind, which was already signed by the European Union in 2013;**

Or. it

**Amendment 556**

**Constance Le Grip, Marc Joulaud, Jean-Marie Cavada, Sabine Verheyen**

**Motion for a resolution**

**Paragraph 24 e (new)**

*Motion for a resolution*

*Amendment*

***24e. Calls on the Commission and the legislature to consider solutions for the displacement of value from content to services; stresses the need to adjust the definition of the status of intermediary in the current digital environment;***

Or. fr