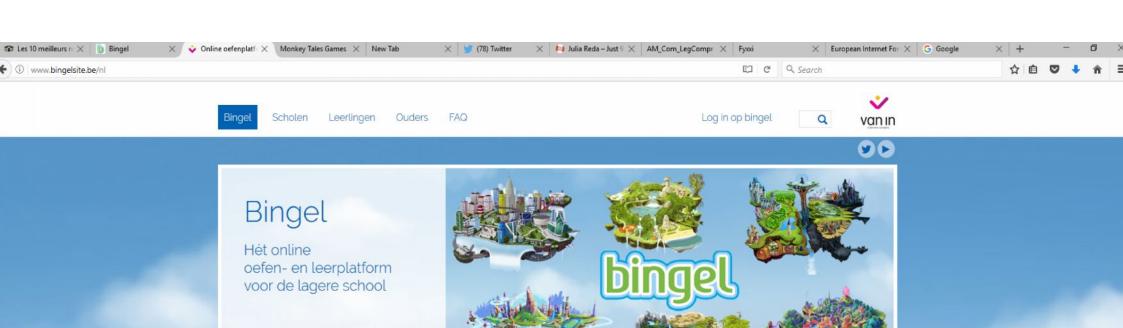
Use of works and other subject matter in digital and cross-border activities

Federation of European Publishers EPP hearing – 8/06/2017







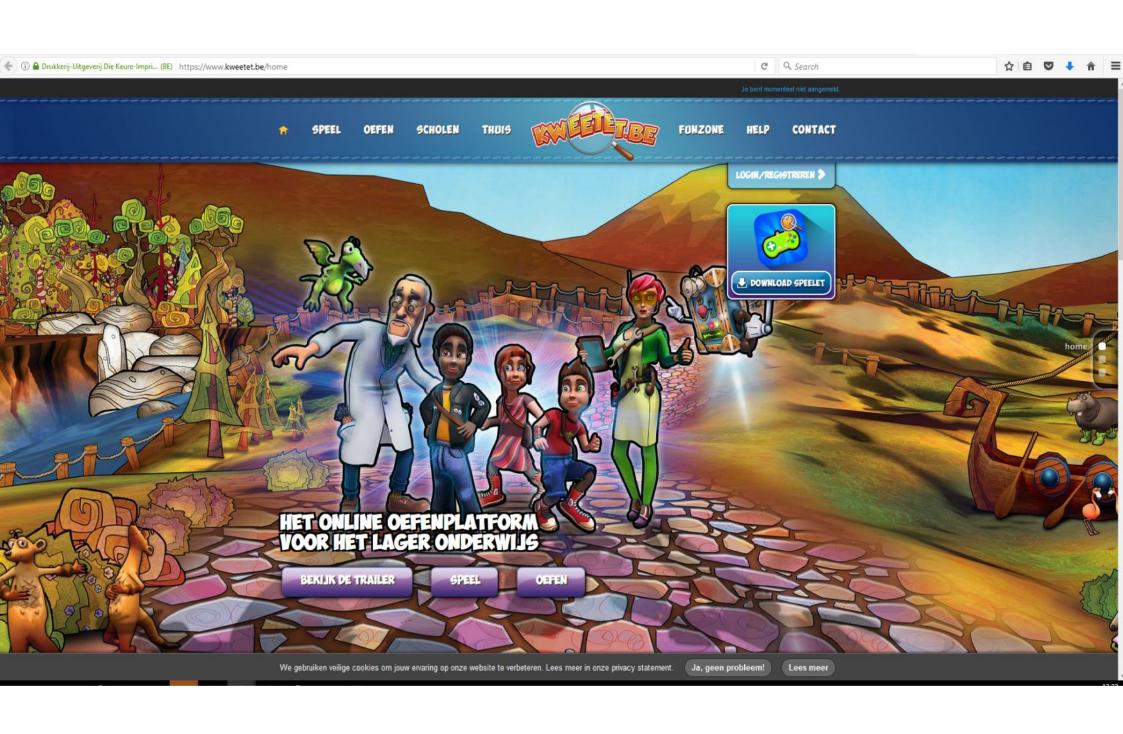
Filmpje in de kijker



Alle how to-filmpjes



X



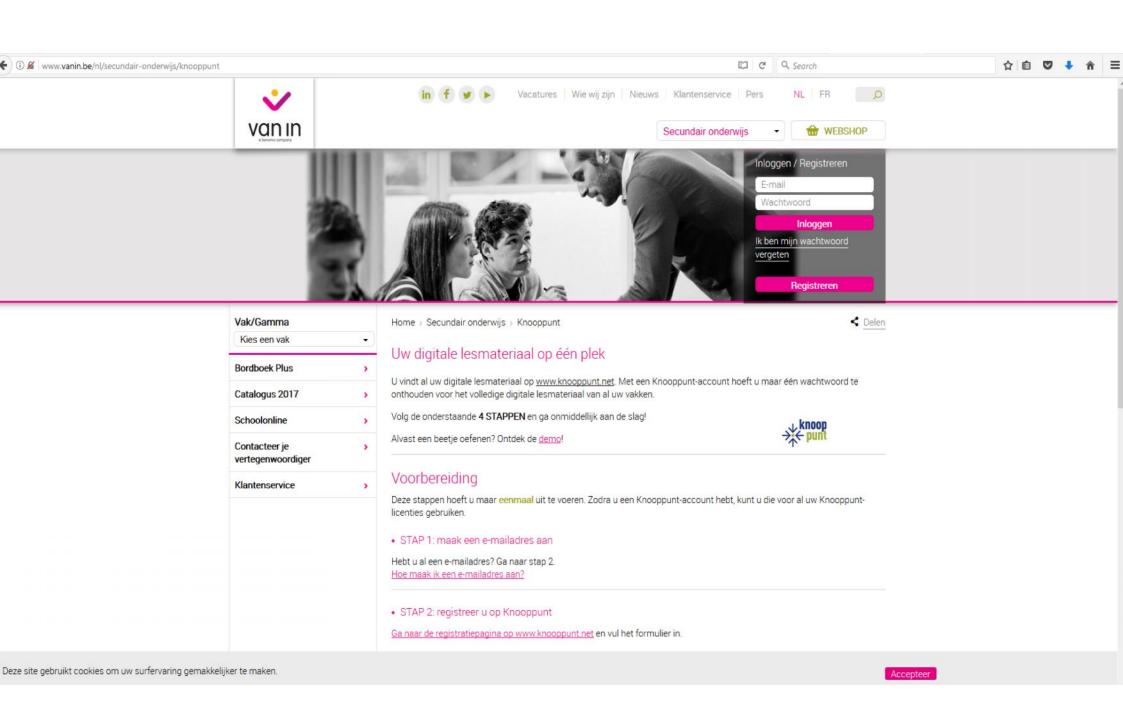


Illustration for teaching – what is it?

- The uploading of a few pages of a novel or of a school book on the intranet of a school
- The video projection of some press articles
- The viewing of a video or an extract of a film
- The listening of a song and the uploading of the lyrics

- They are complementing the lesson by diversifying the resources for the students
- They should not substitute sales of the work (this could be particularly true for school books)

Illustration for teaching in Europe

- All EU countries have developed solutions to facilitate uses of copyrighted material from our sector, in education
 - Through extended collective licences
 - Through licences
 - Through exceptions:
 - in some cases excluding pedagogical material from the scope of the exception
 - in some cases remunerating the rights holders
- The objective of the proposed Directive
 - To define an European framework for educational establishments to use copyrighted works in situ and online in secured networks, including when there are cross-border accesses.

Illustration for teaching – what is important for authors and publishers?

- Concept of short extracts for written works
- Compulsory prevalence of licences
- Possibility for Member States to exclude pedagogical works
- Mandatory fair compensation when there is an exception

Illustration for teaching - Concept of short extracts

- To be coherent with the current legal framework of 22 EU countries extracts of works (13 Member States – short extracts)
- To encourage the primary market
 - Books and other written publications are the works most used by the teachers
 - Textbooks (pedagogical works) are an important segment of publishing (20% of the industry turnover in Europe) and are crucial for the entire book ecosystem
 - Enable teachers to use works while making it possible to continue investing in these works, especially pedagogical works

Illustration for teaching – Prevalence of the licences

- Some EU Member States have developed licences to enable teachers to illustrate their teaching with short extracts of copyrighted works
- The exception should only be applicable in case of market failure, hence licences should systematically prevail
 - Advantages of the licences
 - Legal security for the users (teachers, students)
 - Flexible systems which respond to the needs of education
 - Cover cross border uses
 - Negotiated and fair remuneration for the rights holders

Illustration for teaching – exception for pedagogical works

- In several EU Member States, the exception for illustration for teaching does not cover pedagogical works (textbooks) for obvious reasons:
 - The sole market for these works is education
 - National market only (sometimes even regional)
 - It is crucial to allow Member States to safeguard this provision that encourages authors and publishers of pedagogical works to invest in these works

Illustration for teaching mandatory exception → mandatory compensation

- A fair compensation constitutes
 - For authors, a recognition and a remuneration for the re-use of their works
 - For publishers, a contribution to the investments especially in developing new pedagogical tools
 - A mandatory fair compensation contributes to support authors and publishers in their endeavors

Illustration for teaching

- Support
 - Concept of short extracts for written works
 - Compulsory prevalence of licences
 - Possibility for MS to exclude pedagogical works
 - Mandatory fair compensation when there is an exception
- Please do not broaden the exception to cover uses that are not illustration for teaching – these uses can be licensed by rights holders and/or their collective management organisations
- Please do not allow uses taking place outside secured networks for (un)registered students