

PRESS RELEASE

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OFE welcomes the European Parliament draft report kicking off the EU Copyright debate

On 20 January, MEP Julia Reda presented her [draft report](#) to the JURI Committee of the European Parliament on the evaluation of the Copyright Directive (2001/29/EC). This is an important first step in what has been announced as one of the key priorities of the Juncker Commission.

The “openness model” has and continues to revolutionise the way we develop and use technology. Copyright has alternatively been seen as a hurdle and an opportunity to help establish this model, as is the case for example with open-source software which uses copyright to guarantee certain freedoms to its users and developers. It is crucial that our legal system recognises and adapts to these technological and societal evolutions. Copyright rules need to offer the right level of simplicity and flexibility to unlock innovation and creativity, while ensuring all creators can enjoy the fruits of their labour.

The Report itself puts forward an ambitious reform of the EU copyright rules, addressing a number of points previously raised by OFE in [reply](#) to the public consultation organised by the previous Commission. Some of the main suggestions made in the Report include the creation of a Single European Copyright Title, making existing exceptions and limitations mandatory in all Member States, and harmonising the copyright term of protection in alignment with the Berne Convention (50 years after the death of the author).

On some of the more specific points, OFE welcomes the recommendation for a clarification and positive recognition of hyperlinking as a fundamental building block of the

Internet, which should not be subject to any copyright authorisations. OFE also appreciates the recommendation that in the context of automated analytical techniques, once permission to read the work has been acquired, no further legal or technological hindrance should be imposed.

Remaining cautious on the issue of private copying levies, the Report simply calls for “the adoption of harmonised criteria for the definition of the harm caused to rightholders” and for harmonised transparency measures. OFE would welcome a more ambitious approach, which would explicitly exclude levies on cloud computing storage. We also regret that software interoperability, a key legal achievement enshrined in the Software Directive (2009/24/EC), was not brought up in the Report outside of the context of digital rights management (DRM).

“This draft report constitutes a positive first milestone in a long path ahead”, said OFE’s Director in charge of European Policy & Government Relations, Maël Brunet. “Copyright rules need to be adapted to the modern age to unlock creativity, innovation and growth”, he added.

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