

# **C4C COMMENTS AND VOTING RECOMMENDATIONS ON THE AMENDMENTS PRESENTED AT THE ITRE COMMITTEE**

**ON THE DRAFT OPINION 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**

*April, 2015*



**Support Compromise Amendments: 2, 3, 4, 5, 9 and 11**



**Oppose Compromise Amendments: 1, 6, 7 and 8**

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
CA1	1	Covering AMs 1-6 and 31  If adopted, AMs 1-6 and 31 fall	1. Stresses that the European cultural and creative industries are an engine for economic growth and job creation in the EU, as they employ more than 7 million people and generate more than 4.2 % of EU GDP; emphasises that cultural industries continued to create jobs during the economic crisis of 2008-2012;	1. <b>Notes the importance of European cultural and linguistic diversity, which provides opportunities rather than obstacles to the Single Market and</b> stresses that the European cultural and creative industries are an engine for economic growth, <b>innovation</b> and job creation in the EU, as they employ more than 7 million people and generate more than 4.2 % of EU GDP; emphasises that cultural <b>and creative</b> industries continued to create jobs during the economic crisis of 2008-2012 <b>and have played an important role in boosting European Union's competitiveness; highlights, that new business models and innovative services online have been created.</b>	-
1	1	Christian Ehler	1. Stresses that <b>the European</b> cultural and creative industries are an engine for economic growth and job creation in <b>the EU as they employ more than 7 million people and generate more than 4.2 % of EU GDP; emphasises that cultural industries continued to create jobs during the economic crisis of 2008-2012;</b>	1. Stresses that <b>Europe's</b> cultural and creative industries are an engine for economic growth and job creation in <b>Europe employing 3.3% of the EU's workforce and generating more than 4.2% of the EU's GDP; highlights however that recent economic growth in the sector has mainly been generated by its ICT-related activities whereas traditional</b>	+  <i>It is widely accepted that these "statistics" are based on deeply flawed methodologies. See <a href="http://copyright4creativity.eu/myths-facts/">http://copyright4creativity.eu/myths-facts/</a></i>  <i>The second part of the amendment does recognize in a positive manner the contribution of ICT-related activities.</i>

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
				<i>activities have featured a significant decrease of their economic contribution and employment rates;</i>	
2	1	Juan Carlos Girauta Vidal Kaja Kallas Philippe De Backer Pavel Telička Morten Helveg Petersen	1. Stresses that the European cultural and creative industries are an engine for economic growth and job creation in the EU as they employ more than 7 million people and generate more than 4.2 % of EU GDP; emphasises that cultural industries continued to create jobs during the economic crisis of 2008-2012;	1. Stresses that the European cultural and creative industries are an engine for economic growth and job creation in the EU as they employ more than 7 million people and generate more than 4.2 % of EU GDP; <b>stresses that new business models and innovative services online have been created and that according to the European Parliament's Cost of Non-Europe 223 000 jobs will be created by the Digital Single Market by 2020;</b> emphasises that cultural <b>creative and innovative</b> industries continued to create jobs during the economic crisis of 2008-2012 ;	<p style="text-align: center;"><b>No position</b></p> <p><i>It is widely accepted that these “statistics” are based on deeply flawed methodologies. See <a href="http://copyright4creativity.eu/myths-facts/">http://copyright4creativity.eu/myths-facts/</a></i></p> <p><i>The second part of the amendment does recognize in a positive manner the contribution of ICT-related activities.</i></p> <p><i>AM1 is clearer</i></p>

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
3	1	<b>Adina-Ioana Vălean</b> <b>Michał Boni</b> <b>Seán Kelly</b>	1. Stresses that the European cultural and creative industries are an engine for economic growth and job creation in the EU as they employ more than 7 million people and generate more than 4.2 % of EU GDP; emphasises that cultural industries continued to create jobs during the economic crisis of 2008-2012;	1. Stresses that the European cultural and creative industries are an engine for economic growth and job creation in the EU as they employ more than 7 million people and generate more than 4.2 % of EU GDP; emphasises that cultural industries continued to create jobs during the economic crisis of 2008-2012 <b>and have played an important role in boosting European Union's competitiveness;</b>	-
4	1	<b>Hans-Olaf Henkel</b> <b>Anneleen Van Bossuyt</b> <b>Branislav Škripek</b>	1. Stresses that the European cultural and creative industries are an engine for economic growth and job creation in the EU as they employ more than 7 million people and generate more than 4.2 % of EU GDP; emphasises that cultural industries continued to create jobs during the economic crisis of 2008-2012;	1. Stresses that the European cultural and creative industries are an engine for economic growth <b>innovation competitiveness</b> and job creation in the EU as they employ more than 7 million people and generate more than 4.2 % of EU GDP; emphasises that cultural industries continued to create jobs during the economic crisis of 2008-2012; <b>underlines the importance of the Digital Single Market for SMEs;</b>	-

*It is widely accepted that these "statistics" are based on deeply flawed methodologies. See <http://copyright4creativity.eu/myths-facts/>*

*It is widely accepted that these "statistics" are based on deeply flawed methodologies. See <http://copyright4creativity.eu/myths-facts/>*

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
5	1	András Gyürk	1. Stresses that the European cultural and creative industries are an engine for economic growth and job creation in the EU as they employ more than 7 million people and generate more than 4.2 % of EU GDP; emphasises that cultural industries continued to create jobs during the economic crisis of 2008-2012;	1. <b><i>Notes the importance of European cultural diversity which provides opportunities rather than obstacles to the Single Market and</i></b> stresses that the European cultural and creative industries are an engine for economic growth and job creation in the EU as they employ more than 7 million people and generate more than 4.2 % of EU GDP; emphasises that cultural industries continued to create jobs during the economic crisis of 2008-2012;	<p style="text-align: center;"><b>+</b></p> <p><i>While the statistics this amendment builds on are flawed, the addition at least recognizes that cultural diversity is not synonymous with barriers to the digital single market.</i></p>
6	1 a (new)	Theresa Griffin Mary Honeyball Catherine Stihler Jude Kirton-Darling		<b><i>1 a. Given the importance of creative and cultural industries (CCI) in Europe and given that employment in cultural industries cannot be easily outsourced stresses the importance of the role of creative and cultural industries both in job creation and as an engine of growth for the European economy;</i></b>	<p style="text-align: center;"><b>-</b></p> <p><i>We do not see what the added value of this bland claim is</i></p>
31	2 c (new)	Christian Ehler		<b><i>2 c. 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</i></b>	<p style="text-align: center;"><b>-</b></p> <p><i>Creating artificial barriers to access to cultural content has no justification and can certainly not be claimed to</i></p>

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
				<i>rather than an obstacle to the Single Market.</i>	<i>be a benefit to culture, to European integration, to worker mobility or to the single market.</i>
CA2	2	Covering AMs 7, 11, 14, 17-18, 25 and 51  If adopted, AMs 7, 11, 14, 17-18, 25 and 51 fall	2. Underlines that copyright and related rights constitute the legal framework for the European cultural and creative industries and form the basis for their ability to generate economic activity <b>and</b> employment;	2. Underlines that copyright and related rights constitute the legal framework for the European cultural and creative industries and form the basis for their ability to generate economic activity, <b>competitiveness, employment, creativity and innovation; highlights that the productivity of the sector continues to grow, and stresses that the current fragmented and outdated system is hindering the full development and functioning of the European digital single market;</b>	+
7	1 a (new)	Flavio Zanonato Patrizia Toia Enrico Gasbarra		<b>1 bis. Ritiene necessaria una riforma del diritto d'autore europeo capace di superare l'attuale stato di disomogeneità tra gli Stati Membri al fine di raggiungere un pieno sviluppo del Mercato Unico Digitale;</b>	+  <i>Harmonisation is indeed needed for a proper Digital Single Market.</i>

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
11	2	Hans-Olaf Henkel Anneleen Van Bossuyt Branislav Škripek	2. Underlines that copyright and related rights constitute the legal framework for the European cultural and creative industries and form the basis for their ability to generate economic activity and employment;	2. Underlines that copyright and related rights constitute the legal framework for the European cultural and creative industries and form the basis for their ability to generate economic activity and employment <b>and develop new products and services; emphasises therefore the importance of respecting the contribution of stakeholders to the Digital Single Market; recognises the role of effective enforcement in protecting the rightsholders;</b>	- <i>Enforcement is outside of the scope of this Report</i>
14	2	Catherine Stihler Theresa Griffin	2. Underlines that copyright and related rights constitute the legal framework for the European cultural and creative industries and form the basis for their ability to generate economic activity and employment;	2. Underlines that copyright and related rights constitute the legal framework for the European cultural and creative industries and form the basis for their ability to generate economic activity and employment <b>thereby contributing to improved competitiveness enhanced creativity and innovation across several industry sectors.</b>	<b>No opinion</b>
17	2	Adina-Ioana Vălean Christian Ehler	2. Underlines that copyright and related rights constitute the legal framework for the European cultural and creative industries and form the basis for their ability to generate economic activity <b>and employment;</b>	2. Underlines that copyright and related rights constitute the legal framework for the European cultural and creative industries and form the basis for their ability to generate economic activity <b>employment creativity and</b>	- <i>AM16 is more balanced.</i>

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
		Seán Kelly		<i>innovation;</i>	
18	2	Pervenche Berès José Blanco López Juan Carlos Girauta Vidal	2. Underlines that copyright and related rights constitute the legal framework for the European cultural and creative industries and form the basis for their ability to generate economic activity and employment;	2. Underlines that copyright and related rights constitute the legal framework for the European cultural and creative industries and form the basis for their ability to generate economic activity and employment; <b>competitiveness</b>	- <i>AM16 is more balanced.</i>
25	2 a (new)	Pervenche Berès Christian Ehler		<b><i>2 a. Reassesses that copyright is one of the driving forces of innovation and creativity;</i></b>	<b>No opinion</b> <i>Do not see the added value of this statement</i>
51	3 b (new)	Adina-Ioana Vălean Michał Boni		<b><i>3 b. Notes that the application of the European Union legal framework for copyright and related rights is varying widely among Member States which may create obstacles to the full development and functioning of the Digital Single Market;</i></b>	<b>+</b> <i>Though 'may' is an understatement, this AM goes in the right direction</i>



AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
8	1 a (new)	Fredrick Federley		<i>1 a. Welcomes the great interest shown as well as the contributions made by EU citizens in the European Commission Public Consultation round on the Review of the EU Copyright Rules;</i>	+
CA11	3 b (new)	Covering AMs 9, 47, 52, 54, 59, 65, 69, 105, 111, 125, 133  If adopted, AMs 9, 47, 52, 54, 59, 65, 69, 105, 111, 125, 133 fall		<i>3b (new paragraph)</i>  <i>a. Reminds that exceptions and limitations to copyright are a key aspect of the copyright system and notable contribution to the economic growth, innovation, and job creation in the EU is generated by institutions relying on exceptions and limitations to copyright,</i>  <i>Calls on the Commission to propose a harmonised framework for exceptions and limitations to address the fragmented market, improve legal security and foster cross-border accessibility of copyright content, to allow equal access to cultural diversity across the EU and to conform to consumer expectations.</i>  <i>b. Recalls that when Member States provide for exceptions and limitations, they should ensure that the exceptions or limitations</i>	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
				<p><i>do not conflict with a normal exploitation of the work or subject-matter and do not unreasonably prejudice the legitimate interests of the right holder,</i></p> <p><i>c. Calls for reassessment of exceptions for research and education purposes, which should cover educational and research activities linked to an educational establishment or institution recognised by national authorities or legislation or within the purview of an educational or research programme,</i></p> <p><i>d. Urges the Commission to find ways for public and research libraries to lend books to the public in digital formats for personal use, irrespective of the place of access and ensuring a fair remuneration to right holders.</i></p>	
9	1 a (new)	Michał Boni		<p><i>1 a. Reminds that notable contribution to the economic growth innovation and job creation in the EU is also generated by institutions relying on exceptions and limitations to copyright;</i></p>	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
47	3 a (new)	Edouard Martin		<i>3 bis. Considère que cette révision se justifie également par le nombre d'exceptions optionnelles prévues en annexe de la directive actuelle aboutissant à une multitude de combinaisons nationales nuisible à la lisibilité et à la sécurité juridique à l'échelle européenne; estime qu'il conviendrait par conséquent d'harmoniser cette liste d'exceptions autant que possible.</i>	+
52	3 b (new)	José Blanco López		<i>3 ter. Llama a la Comisión a estudiar una armonización de mínimos de las excepciones y limitaciones contempladas en la Directiva 2001/29/CE como vía además para garantizar una mayor seguridad jurídica;</i>	+
54	4	András Gyürk	4. Considers it necessary to develop a legal framework to strengthen the negotiating and contractual position of authors and performers in relation to other right holders and intermediaries;	4. Considers it necessary to develop a legal framework to strengthen the negotiating and contractual position of authors and performers in relation to other right holders and intermediaries <b>while keeping the interpretation of exceptions and limitations on the level of Member States to permit the adaptation of the copyright</b>	-

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
				<i>system to different national circumstances and social needs;</i>	
59	4 a (new)	Michał Boni		<i>4 a. Considers the necessity of strengthening the legal framework of exceptions and limitations for education and research which in particular supports new educational services and innovative research. The law should also clarify that researchers are allowed to read and analyse all available information also through text and data mining – taking into account economic added value and competitiveness of European research;</i>	+
65	5	Catherine Stihler Mary Honeyball	5. Welcomes the multi-territorial licensing of rights under Directive 2014/26/EU as an example and a way of overcoming the fragmented internal market; encourages the development of balanced and flexible solutions that help overcome the existing barriers to cross-border access	5. Welcomes the multi-territorial licensing of rights under Directive 2014/26/EU as an example and a way of overcoming the fragmented internal market; encourages the development of balanced and flexible solutions that help overcome the existing barriers to cross-border access	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
			and availability of products and services;	and availability of products and services; <b><i>stresses that territorial fragmentation and differences in limitations and exceptions often create additional legal costs and exacerbate legal uncertainty; highlights that in order to allow equal access to cultural diversity and to improve legal certainty within the internal market and across borders the Commission should consider making certain optional exceptions and limitations referred to in Directive 2001/29/EC mandatory.</i></b>	
69	5		5. Welcomes the multi-territorial licensing of rights under Directive 2014/26/EU as an example and a way of overcoming the fragmented internal market; encourages the development of balanced and flexible solutions that help overcome the existing barriers to cross-border access and availability of products and services;	5. Welcomes the multi-territorial licensing of rights under Directive 2014/26/EU as an example and a way of overcoming the fragmented internal market; encourages the development of balanced and flexible solutions that help overcome the existing barriers to cross-border access and availability of products and services; <b><i>Also insists that exceptions and limitations to copyright are a key aspect of the copyright system and an important avenue to overcome such barriers;</i></b>	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
105	7 a (new)	Juan Carlos Girauta Vidal Pavel Telička Kaja Kallas José Blanco López Morten Helveg Petersen Philippe De Backer		<i>7 a. Calls on the Commission to propose an harmonised framework for exceptions and limitations to address the fragmented market improve legal security and foster cross-border accessibility of copyright content to allow equal access to cultural diversity accross the EU and to conform to consumer expectations;</i>	<b>+</b>
111	7 b (new)	Juan Carlos Girauta Vidal Pavel Telička José Blanco López Morten Helveg Petersen		<i>7 b. Recalls that when Member States provide for exceptions and limitations they should ensure 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;</i>	<b>-</b> <i>This states a legal fact already established in the International Berne Convention.</i>

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
125	8 a (new)	José Blanco López Marco Zullo Juan Carlos Girauta Vidal		<i>8 a. Calls for a broad exception for research and education purposes which should cover educational and research activities linked to an educational establishment or institution recognised by national authorities or legislation or within the purview of an educational or research programme.</i>	+
133	8 b (new)	José Blanco López Marco Zullo		<i>8 b. Urges the Commission to find ways for public and research libraries to lend books to the public in digital formats irrespective of the place of access and ensuring a fair remuneration to rightholders</i>	+
10	2	Fredrick Federley	2. Underlines that copyright and related rights constitute <b>the</b> legal framework for the European cultural and creative industries <b>and form the basis for their ability to generate economic activity and employment;</b>	2. Underlines that copyright and related rights <b>should</b> constitute <b>a balanced</b> legal framework for the European cultural and creative industries <b>to generate economic activity and employment; however stresses that the current fragmented and outdated levy system causes major problems for the development of the European digital single market and therefore is a threat to growth and economic</b>	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
				<i>development;</i>	
12	2	Cornelia Ernst	2. Underlines that copyright and related rights constitute the legal framework for the European cultural and creative industries <b>and form the basis for their ability to generate economic activity and employment;</b>	2. Underlines that copyright and related rights constitute the legal framework for the European cultural and creative industries <b>but in their current form have become an obstacle to creativity and innovation in particular with respect to transformative uses of works of art;</b>	+
13	2	Theresa Griffin Mary Honeyball	2. Underlines that copyright and related rights constitute the legal framework for the European <b>cultural and creative industries</b> and form the basis for their ability to generate economic activity and employment;	2. Underlines that copyright and related rights constitute the legal framework for the European <b>CCI sector</b> and form the basis for their ability to generate economic activity and employment. <b>Highlights that while the productivity of the CCI sector continues to grow the earnings of rights-holders in the sector are decreasing;</b>	-  <i>Earnings that decrease as such can simply mean better prices for consumers so without context, this statement has no added value. Moreover, getting a source for this statement would be interesting.</i>



AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
15	2	Enrico Gasbarra Patrizia Toia Flavio Zanonato	2. evidenza che il diritto d'autore e i diritti connessi costituiscono il quadro giuridico per le industrie culturali e creative e formano la base che consente loro di creare attività economica e posti di lavoro;	2. evidenza che il diritto d'autore e i diritti connessi costituiscono il quadro giuridico per le industrie culturali e creative e formano la base che consente loro di creare attività economica e posti di lavoro; <b>osserva con interesse il dibattito in corso in merito all'introduzione di un titolo unico europeo sul diritto d'autore basato sull'articolo 118 del TFUE;</b>	<b>No opinion</b> <i>While we are supportive of more harmonization, a Single Copyright Title seems a very ambitious step at a time where reform is urgently needed.</i>
16	2	Michał Boni	2. Underlines that copyright and related rights constitute the legal framework for the European cultural and creative industries and form the basis for their <b>ability to generate economic</b> activity and employment;	2. Underlines that copyright and related rights constitute the legal framework for the European cultural and creative industries <b>as well as the educational and research sector and for the sector benefiting from exceptions and limitations these rights</b> and form the basis for their activity and employment;	<b>+</b>
CA3	3	Covering AMs 19, 22, 23, 26, 33-42, 50, 107  If adopted, AMs 19, 22, 23, 26, 33-43, 50, 107 fall	3. Acknowledges the need to review Directive 2001/29/EC in order to ensure appropriate remuneration for copyright holders and appropriate protection of these rights in a changing and constantly evolving technological environment, which brings <b>both</b> opportunities and challenges;	3. <b>Welcomes the commitment of the Commission on further developing the EU Digital Agenda, including the objective of modernising copyright rules.</b> Acknowledges the need to review Directive 2001/29/EC in order to ensure appropriate remuneration for <b>authors, performers, and other</b> copyright holders, appropriate protection of these rights, <b>and a fair balance in the</b>	<b>+</b>

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
				<p><i>European cultural economy between all parties involved: SME's, consumers, users, creators and right holders in a Digital Era which is a changing and constantly evolving technological environment and brings <b>about changes in user's behaviours, with</b> opportunities and challenges;</i></p> <p><i>this review <b>should provide the necessary legal clarity, stability and certainty, as well as the flexibility needed to foster investment and growth in the creative and cultural sector whilst removing legal uncertainties and inconsistencies that adversely affect the functioning of the digital single market;</b></i></p> <p><i>Also asks for a strong engagement on the principle to re-open as soon as possible by coherence, the Directive 2000/31/EC on electronic commerce,</i></p> <p><i>One of the main aims of this review should be copyright modernization in order to facilitate cross-border access to services and content, while preserving high level of</i></p>	

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
				<i>protection of intellectual property rights, serving development and cultural diversity.</i>	
19	2 a (new)	Christian Ehler Pervenche Berès		<i>2 a. Emphasizes that any reform of the copyright framework should take as a basis a high level of protection since rights are crucial to intellectual creation and provide a stable clear and flexible legal base that fosters investment and growth in the creative and cultural sector whilst removing legal uncertainties and inconsistencies that adversely affect the functioning of the internal market;</i>	-  <i>The need for a « high level of protection » does not seem to have a significant meaning. In any event, enforcement is not the subject of this Report.</i>
22	2 a (new)	Adina-loana Vălean Christian Ehler José Blanco López		<i>2 a. Reiterates that the European Union should support its cultural and creative sectors through a stable clear and flexible legislative framework allowing these industries to produce invest and grow;</i>	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
23	2 a (new)			<i>2 a. Underlines the need for a modernised copyright that will provide innovative individuals and SMEs the flexibility to contribute to a European single digital market;</i>	<b>+</b>
26	2 b (new)	Adina-Ioana Vălean Christian Ehler		<i>2 b. Emphasizes that the reform of the EU copyright framework should ensure a high level of protection for the rightholders provide the necessary legal clarity and certainty as well as the flexibility needed to foster investment and growth in the creative and cultural sector; highlights the necessity of removing the legal uncertainties and inconsistencies that adversely affect the functioning of the internal market;</i>	<b>No opinion</b>
33	3	Christian Ehler Pervenche Berès	<i>3. Acknowledges the need to review Directive 2001/29/EC in order to ensure appropriate remuneration for copyright holders and appropriate protection of these rights in a changing and constantly evolving technological environment which brings both opportunities and challenges;</i>	<i>3. Deems it indispensable to strengthen the position of authors and creators and improve their remuneration with regard to the digital distribution and exploitation of their works.</i>	<b>+</b>

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
34	3	Michał Boni	3. Acknowledges the need to review Directive 2001/29/EC in order to ensure appropriate remuneration for copyright holders and appropriate protection of these rights in a changing and constantly evolving technological environment which brings both opportunities and <b>challenges</b> ;	3. Acknowledges the need to review Directive 2001/29/EC in order to ensure appropriate remuneration for copyright holders and appropriate protection of these rights <b>as well the rights of users</b> in a changing and constantly evolving technological environment which brings both opportunities and <b>challenges. One of the main aim should be copyright modernization in order to facilitate cross-border access to services and content while preserving high level of protection of intellectual property rights serving development and cultural diversity</b> ;	+
35	3	Kaja Kallas	3. Acknowledges the need to review Directive 2001/29/EC in order to ensure <b>appropriate remuneration for copyright holders and</b> appropriate protection of these rights <b>in a changing and</b> constantly evolving technological environment which brings <b>both opportunities</b> and challenges;	3. <b>Welcomes the commitment of the Commission on further developing the EU Digital Agenda including the objective of modernising copyright rules.</b> Acknowledges the need to review Directive 2001/29/EC in order to ensure <b>fair</b> remuneration for <b>authors performers and other copyright holders</b> appropriate protection of these rights <b>and to adapt to</b> a constantly evolving	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
				technological environment which brings <b>about changes in user's behaviours</b> <b>with opportunities</b> and challenges;	
36	3		3. Acknowledges the need to review Directive 2001/29/EC in order to ensure appropriate remuneration for copyright holders and appropriate protection of these rights in a changing and constantly evolving technological environment which brings both opportunities and challenges;	3. Acknowledges the need to review Directive 2001/29/EC in order to ensure appropriate remuneration for copyright holders and appropriate protection of these rights in a changing and constantly evolving technological environment which brings both opportunities and challenges; <b>In this regards emphasizes the need to ensure a fair balance between the different categories of rightholders as well as between the different categories of rightholders and users of protected subject-matters;</b>	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
37	3	Pervenche Berès	3. Acknowledges the need to review Directive 2001/29/EC in order to ensure appropriate remuneration for copyright holders and appropriate protection of these rights in a changing and constantly evolving technological environment which brings both opportunities and challenges;	3. Acknowledges the need to review Directive 2001/29/EC in order to ensure appropriate remuneration for copyright holders and appropriate protection of these rights in a changing and constantly evolving technological environment which brings both opportunities and challenges; <b>but also asks for a strong engagement on the principle to re-open as soon as possible by coherence the Directive 2000/31/EC on electronic commerce or at the very least Articles 12 to 15 of this legislation.</b>	-  <i>The Ecommerce Directive is not the one at stake in this Report.</i>
38	3	Juan Carlos Girauta Vidal Fredrick Federley Philippe De Backer Pavel Telička Morten Helveg Petersen	3. Acknowledges the need to review Directive 2001/29/EC in order to ensure appropriate remuneration for copyright holders and appropriate protection of these rights in a changing and constantly evolving technological environment which brings both opportunities and challenges;	3. <b>Welcomes the commitment of the Commission on further developing the EU Digital Agenda including the objective of modernising copyright rules;</b> acknowledges the need to review Directive 2001/29/EC in order to ensure appropriate remuneration for copyright holders and appropriate protection of these rights in a changing and constantly evolving technological environment which brings both opportunities and challenges;	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
39	3	Catherine Stihler Mary Honeyball Theresa Griffin	3. Acknowledges the need to review Directive 2001/29/EC in order to ensure appropriate remuneration for copyright holders and appropriate protection of these rights in a changing and constantly evolving technological environment which brings both opportunities and challenges;	3. Acknowledges the need to review Directive 2001/29/EC in order to ensure appropriate remuneration for copyright holders and appropriate protection of these rights in a changing and constantly evolving technological environment which brings both opportunities and challenges; <b>stresses that modernised copyright rules should achieve a fair balance between all parties involved: consumers users creators and right holders.</b>	+
40	3	Flavio Zanonato Patrizia Toia Enrico Gasbarra	3. riconosce l'esigenza di riesaminare la direttiva 2001/29/EC per garantire un compenso appropriato ai titolari del diritto d'autore e una protezione adeguata di tali diritti <b>in un contesto tecnologico in continua mutazione ed evoluzione che comporta</b> opportunità come anche sfide;	3. riconosce l'esigenza di riesaminare la direttiva 2001/29/EC per garantire un compenso appropriato ai titolari del diritto d'autore e una protezione adeguata di tali diritti <b>rispetto alla diffusione di nuove tecnologie ed ai comportamenti di utenti e consumatori, che comportano</b> opportunità come anche sfide;	No opinion
41	3	Cornelia Ernst	3. Acknowledges the need to review Directive 2001/29/EC in order to ensure appropriate remuneration for <b>copyright holders</b> and appropriate protection of these rights in a changing and constantly evolving	3. Acknowledges the need to review Directive 2001/29/EC in order to ensure appropriate remuneration for <b>authors and performers</b> and appropriate protection of these rights in a changing and constantly evolving	+



AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
			<i>technological environment</i> which brings both opportunities and challenges;	<i>world</i> which brings both opportunities and challenges;	
42	3	Pilar del Castillo Vera	3. <b>Acknowledges</b> the need to review Directive 2001/29/EC in order to <b>ensure</b> appropriate remuneration for copyright holders and appropriate protection of these rights in a changing and constantly evolving technological environment which brings both opportunities and challenges;	3. <b>Stresses</b> the need to review Directive 2001/29/EC in order to <b>adapt it to the Digital Era ensuring</b> appropriate remuneration for copyright holders and appropriate protection of these rights in a changing and constantly evolving technological environment which brings both opportunities and challenges;	<p style="text-align: center;"><b>No opinion</b></p> <p><i>Whilst the AM adds an important point, it does not improve the original text as well as AMs 39, 40 and 41.</i></p>
43	3	Theresa Griffin Mary Honeyball Catherine Stihler Jude Kirton-Darling	3. Acknowledges the need to review Directive 2001/29/EC in order to ensure <b>appropriate</b> remuneration for copyright holders and appropriate protection of these rights in a changing and constantly evolving technological environment which brings both opportunities and challenges;	3. Acknowledges the need to review Directive 2001/29/EC in order to ensure <b>an unwaiverable right to fair</b> remuneration for copyright holders and appropriate protection of these rights in a changing and constantly evolving technological environment which brings both opportunities and challenges;	<p style="text-align: center;">-</p> <p><i>One would hope that people can still decide to produce content for free, if they wish to. This is one of the options available under Creative Commons.</i></p>

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
50	3 a (new)	Pilar del Castillo Vera		<i>3 a. Welcomes the European Commission commitment to modernise EU legislation on copyright and on audiovisual media service.</i>	<b>No opinion</b>
107	7 a (new)	Nadine Morano		<i>7 bis. Insiste sur le fait que tout changement législatif dans ce domaine doit contribuer à améliorer la sécurisation de la rémunération des titulaires des droits d'auteur ainsi que l'équilibre de l'économie culturelle européenne.</i>	<b>No opinion</b>
20	2 a (new)	Theresa Griffin Jude Kirton-Darling		<i>2 a. Copyright and related rights are the rights on which the whole creative industries and this value chain are built upon; therefore calls on the Commission to support and protect creators' intellectual property rights to enable creative industries in Europe to flourish.</i>	<b>No opinion</b>
21	2 a (new)	Kaja Kallas		<i>2 a. Stresses that cultural and creative contents online are key drivers of development of the information society information technologies and investments in digital infrastructure and services which thereby foster innovation growth and creativity.</i>	<b>No opinion</b>

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
24	2 a (new)	Krišjānis Kariņš		<i>2 a. Underlines that the modernisation of the existing copyright rules is an integral part of the Digital Economy;</i>	<b>No opinion</b> <i>AM 23 seems clearer</i>
27	2 b (new)	Pervenche Berès José Blanco López Juan Carlos Girauta Vidal		<i>2 b. Recognizes that the development of e-commerce and online activities has brought benefits for society as a whole but has changed the way IPR enforcement should be considered particularly because it affords new possibilities for infringement and for spreading tolerance for the idea that IPR infringements could be considered legitimate especially among the young generation;</i>	- <i>Enforcement is out of scope and the statements made in this amendment are both biased and unfounded in terms of concrete evidence.</i>
28	2 b (new)	Theresa Griffin Catherine Stihler Jude Kirton- Darling		<i>2 b. Innovation in creativity and technological advances can have a significant impact on people's lives by enabling different groups to communicate creatively and work collaboratively thereby both improving the existing skills of creative people and creating added value. This contribute to improved competitiveness employment and innovation across Europe;</i>	<b>+</b>

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
29	2 b (new)	Christian Ehler Pervenche Berès		<b>2 b. Recognizes that commercial copyright infringing activities pose a serious threat to the functioning of the digital single market and to the development of the legal offer of diversified cultural and creative content online;</b>	- <i>Enforcement is out of scope and the statements made in this amendment are both biased and unfounded in terms of concrete evidence.</i>
30	2 b (new)			<b>2 b. Calls on the Comission to propose a copyright reform built around the indispensable moral rights of authors and creators;</b>	+
32	2 c (new)	Pervenche Berès José Blanco López Juan Carlos Girauta Vidal		<b>2 c. Stresses that enforcement of intellectual property rights plays a significant role in ensuring consumers' confidence and safety whereas counterfeiting is very often linked with a black economy cybercrime and terrorism;</b>	- <i>Enforcement is out of scope and the statements made in this amendment are both biased and unfounded in terms of concrete evidence.</i>

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
44	3 a (new)	Kaja Kallas		<i>3 a. Calls on the Commission to carry out an assessment of the different private copying mechanisms in Europe taking into account the effectiveness and transparency of levies and the changes in the use of private copying ; Considers that the Commission should address the divergences of private copying mechanisms to ensure the free movement of goods and services in the internal market the fair remuneration of creative and cultural contents and to facilitate the development of new and innovative business models</i>	+
45	3 a (new)	Christian Ehler		<i>3 a. Emphasises that a reform of the EU's copyright acquis should continue to strengthen Europe's cultural and creative industries by improving legal certainty in the digital sphere for all involved parties including rightsholders businesses and users and by setting incentives for innovative licensing schemes online and new business models for online distribution of content thus allowing the sector to benefit from the digital revolution while safeguarding a balanced value chain.</i>	-

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
CA6	6	Covering AMs 46, 74, 83, 84, 86-88, 124  If adopted, AMs 46, 74, 83, 84, 86-88, 124 fall	6. Stresses that protection of copyright and related rights must <b>respect technological neutrality</b> ;	6. <b>Points out that the rapid rate of technological development and business models' change in the digital market calls for a technologically neutral legal legislative framework for copyrights</b> ; stresses that protection of copyright and related rights must <b>be respected both online and offline but also notes that the digital environment is not the same as the analogue world and stresses the need to closely examine the list of exceptions and limitation and whether additional or alternative forms of copyright protection are needed to address this and to contribute to economic growth, competitiveness and the full development of the Digital Single Market</b> ;	-

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
46	3 a (new)	José Blanco López Juan Carlos Girauta Vidal		<i>3 bis. Considera que el entorno digital genera nuevas formas de producción distribución y consumo que demandan una adaptación de las limitaciones y excepciones vigentes en el mundo analógico a la realidad y las necesidades del entorno digital de cara a poder responder al crecimiento y nueva demanda de productos y servicios online al tiempo que garantizar una adecuada protección de los derechos de autor y derechos conexos y una remuneración equitativa a sus titulares;</i>	+
74	5 a (new)	Adina-Ioana Vălean		<i>5 a. Notes that subject to exceptions and limitations the rights of the creators should be identical in the analogue and digital world; acknowledges that the list of exceptions and limitations requires further consideration so that it is appropriate for the digital era thus contributing to economic growth the full development of the Digital Single Market and competitiveness;</i>	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
83	6	Christian Ehler Pervenche Berès	6. <i>Stresses that protection of copyright and related rights must respect technological neutrality;</i>	6. <i>Points out that the rapid rate of technological development in the digital market calls for a technologically neutral legislative framework for copyrights;</i>	+
84	6	Theresa Griffin Catherine Stihler Jude Kirton-Darling	6. Stresses that protection of copyright and related rights must respect technological neutrality;	6. Stresses that protection of copyright and related rights must respect technological neutrality; <b><i>But also notes that the digital environment is not the same as the analogue world and stresses the need to closely examine whether additional or alternative forms of copyright protection are needed to address this;</i></b>	-  <i>While we are not necessarily against a departure of the notion that offline rules should always apply online, we are of the opinion that in the digital society many of the rationales for copyright become untenable to such an extent that additional copyright protection would be exactly the wrong direction.</i>
86	6	Cornelia Ernst	6. Stresses that protection of copyright and related rights must respect technological neutrality;	6. Stresses that protection of copyright and related rights must respect technological neutrality; <b><i>furthermore stresses that all rights and limitations in the digital environment should be equal to those granted in the analogue world;</i></b>	+



AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
87	6	Sampo Terho	6. Stresses that protection of copyright and related rights must respect technological neutrality;	6. Stresses that protection of copyright and related rights must respect technological neutrality <b>and be respected both online and offline</b>	-  <i>The value of adding a technological distinction in an amendment stressing technological neutrality escapes us.</i>
88	6	Pervenche Berès Christian Ehler	6. Stresses that protection of copyright and related rights must respect technological neutrality;	6. Stresses that protection of copyright and related rights must respect technological neutrality <b>and be respected both online and offline;</b>	
124	8 a (new)	Hans-Olaf Henkel Anneleen Van Bossuyt Branislav Škripek		<b>8 a. Stresses that business models in the cultural and creative industries are constantly changing and the aim of the legal framework should be to ensure technological neutrality and facilitate the adjustment process to stimulate future growth competitiveness and innovation of the Digital Single Market;</b>	+
48	3 a (new)	Adina-Ioana Vălean José Blanco		<b>3 a. Recognises that an appropriate adaptation of Directive 2001/29/EC to the digital era may give rise to entrepreneurship and new</b>	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
		López Michał Boni Seán Kelly		<i>business models thus fostering innovation and employment.</i>	
49	3 a (new)	Fredrick Federley		<i>3 a. Calls on the Commission to explore the possibility to significantly shorten the duration of the harmonised terms of protections of copyright within the framework of a modern trade policy agenda;</i>	+
CA4	4	Covering AMs 53, 55, 56, 57, 58  If adopted, AMs 53, 55, 56, 57, 58 fall	4. Considers it necessary to develop a legal framework <b>to strengthen</b> the negotiating and contractual position of <b>authors and performers</b> in relation to other right holders and intermediaries;	4. <b>Underlines the importance of contractual freedom for all right holders, who should be able to freely exercise their rights;</b> considers it necessary to develop a legal framework <b>that will be evidence-based, taking into account the experience of all relevant stakeholders, while also strengthening</b> the negotiating and contractual position of <b>all creatives</b> in relation to other right holders and intermediaries;	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
53	4	Juan Carlos Girauta Vidal Pavel Telička Morten Helveg Petersen	4. Considers it necessary to develop a legal framework to strengthen the negotiating and contractual position of authors <b>and performers</b> in relation to other right holders and intermediaries;	4. <b><i>Underlines the importance of contractual freedom for all rightholders who should be able to freely exercise and transfer their rights;</i></b> considers it necessary to develop a legal framework to strengthen the negotiating and contractual position of authors <b><i>performers and other creators</i></b> in relation to other right holders and intermediaries <b><i>in particular in view of ensuring an equitable remuneration;</i></b>	+
55	4	Adina-Ioana Vălean	4. Considers it necessary to develop a legal framework <b>to strengthen</b> the negotiating and contractual position of authors and performers in relation to other right holders and intermediaries;	4. Considers it necessary to develop a legal framework <b>that will be evidence-based taking into account the experience of all relevant stakeholders while also strengthening</b> the negotiating and contractual position of authors and performers in relation to other right holders and intermediaries;	No opinion
56	4	Flavio Zanonato Patrizia Toia Enrico Gasbarra	4. ritiene necessario sviluppare un quadro giuridico per rafforzare la posizione negoziale e contrattuale di autori e interpreti o esecutori nei confronti di altri titolari di diritti e intermediari;	4. <b><i>Considera importante che si riconosca la necessità di una remunerazione adeguata per gli autori e per questo</i></b> ritiene necessario sviluppare un quadro giuridico <b><i>europeo</i></b> per rafforzare la posizione negoziale e contrattuale di autori e interpreti o esecutori nei confronti di altri titolari di diritti e intermediari;	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
57	4	Hans-Olaf Henkel Branislav Škripek	4. Considers it necessary to develop a legal framework to <b>strengthen the negotiating and contractual position of authors and performers in relation to other right holders and intermediaries;</b>	4. Considers it necessary to develop a legal framework to <b>provide legal protection and appropriate remuneration for authors and performers;</b>	-
58	4	Theresa Griffin Catherine Stihler	4. Considers it necessary to develop a legal framework to strengthen the negotiating and contractual position of <b>authors and performers</b> in relation to other right holders and intermediaries;	4. Considers it necessary to develop a legal framework to strengthen the negotiating and contractual position of <b>all creatives</b> in relation to other right holders and intermediaries;	<b>No opinion</b> <i>Not sure if 'all creatives' is a well-defined concept.</i>
62	4 a (new)			<b>4 a. Acknowledges that Internet users are increasingly becoming content creators and vectors in opening the knowledge to the general public thus requiring more legal flexibility when generating new content remixing or sharing copyright protected content online;</b>	+
63	4 b (new)	Michał Boni		<b>4 b. Considers it necessary to provide a clear updated framework for cultural institutions that allow libraries to conduct e-lending and allows libraries archives and museums to make available online</b>	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
				<i>protected works that are no longer in commercial circulation;</i>	
CA5	5	<p><b>Covering AMs 64, 66, 67, 68, 71-73, 92, 128</b></p> <p><b>If adopted, AMs 64, 66, 67, 68, 70-73, 92, 128 fall</b></p>	<p>5. Welcomes the multi-territorial licensing of rights under Directive 2014/26/EU as an example and a way of overcoming the fragmented internal market; encourages the development of balanced and flexible solutions that help overcome <b>the</b> existing barriers to cross-border access and availability of products and services;</p>	<p>5. <b>Believes that citizens should be able to access and buy online content from another Member State and considers that the practice to restrict access to online content based on the location of the users hinders the development of the single digital market,</b> welcomes the multi-territorial licensing of rights under Directive 2014/26/EU as an example and a way of overcoming the fragmented internal market; encourages the development of balanced, flexible <b>and market-driven</b> solutions that help overcome <b>any</b> existing barriers to cross-border access and availability of products and services <b>while respecting cultural diversity and including the development of mechanisms enhancing the cross-border portability within the EU of lawfully acquired and lawfully made available content;</b></p>	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
64	5	Hans-Olaf Henkel Anneleen Van Bossuyt Branislav Škripek	5. Welcomes the multi-territorial licensing of rights under Directive 2014/26/EU as an example and a way of overcoming the fragmented internal market; encourages the development of balanced and flexible solutions that help overcome the existing barriers to cross-border access and availability of products and services;	5. Encourages the development of balanced and flexible solutions that help overcome the existing barriers to cross-border access and availability of products and services since territorial fragmentation may require commercial operators aspiring to offer content related services across the EU to secure multiple licenses for the same content in different geographical areas;	-
66	5	Kaja Kallas Juan Carlos Girauta Vidal Fredrick Federley	5. Welcomes the multi-territorial licensing of rights under Directive 2014/26/EU as an example and a way of overcoming the fragmented internal market; <b>encourages the development of balanced and flexible solutions that help overcome</b> the existing barriers to cross-border access and availability of products and services;	5. Welcomes the multi-territorial licensing of rights under Directive 2014/26/EU as an example and a way of overcoming the fragmented internal market; <b>recalls however that users are often denied access to certain content services ; Believes that they should be able to access online content from another Member state and calls therefore on the Commission to address</b> the existing barriers to cross-border access and availability of products and services;	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
67	5	Adina-Ioana Vălean José Blanco López	5. Welcomes the multi-territorial licensing of rights under Directive 2014/26/EU as an example and a way of overcoming the fragmented internal market; encourages the development of balanced and flexible solutions that help overcome the existing barriers to cross-border access and availability of products and services;	5. <b><i>Believes that citizens should be able to access and buy online content from another Member State when it is not accessible from a provider in their own Member State;</i></b> welcomes the multi-territorial licensing of rights under Directive 2014/26/EU as an example and a way of overcoming the fragmented internal market; encourages the development of balanced and flexible solutions that help overcome the existing barriers to cross-border access and availability of products and services;	-  <i>Choice by users even if a product is available in their own country should be a given in a digital single market. If content is available in your own country at an outrageous price, why would you not be able to buy it in another Member State at better conditions?</i>
68	5	Esther de Lange	5. Welcomes the multi-territorial licensing of rights under Directive 2014/26/EU as an example and a way of overcoming the fragmented internal market; encourages the development of balanced and flexible solutions that help overcome the existing barriers to cross-border access and availability of products and services;	5. Welcomes the multi-territorial licensing of rights under Directive 2014/26/EU as an example and a way of overcoming the fragmented internal market; encourages the development of balanced and flexible solutions that help overcome the existing barriers to cross-border access and availability of products and services <b><i>including the development of mechanisms for the cross-border portability of lawfully acquired audio-visual content;</i></b>	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
71	5	András Gyürk	5. Welcomes <b>the multi-territorial licensing of rights under</b> Directive 2014/26/EU as an example and a way of overcoming the fragmented internal market; encourages the development of balanced <b>and flexible</b> solutions that help overcome the existing barriers to cross-border access and availability of products and services;	5. Welcomes Directive 2014/26/EU as an example and a way of overcoming the fragmented internal market; encourages the development of balanced <b>flexible and market-driven</b> solutions that help overcome the existing barriers to cross-border access and availability of products and services;	<b>No opinion</b>
72	5	Enrico Gasbarra Patrizia Toia Flavio Zanonato	5. accoglie con favore la concessione di licenze multiterritoriali per i diritti prevista dalla direttiva 2014/26/UE quale esempio da seguire e modalità per superare la frammentazione del mercato interno; incoraggia lo sviluppo di soluzioni equilibrate e flessibili che contribuiscano al superamento degli attuali ostacoli all'accesso e alla disponibilità di prodotti e servizi a livello transfrontaliero;	5. accoglie con favore la concessione di licenze multiterritoriali per i diritti prevista dalla direttiva 2014/26/UE quale esempio da seguire e modalità per superare la frammentazione del mercato interno; incoraggia lo sviluppo di soluzioni equilibrate e flessibili che contribuiscano al superamento degli attuali ostacoli all'accesso e alla disponibilità di prodotti e servizi a livello transfrontaliero <b>nel rispetto della diversità culturale;</b>	-



AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
73	5	José Blanco López	5. Welcomes the multi-territorial licensing of rights under Directive 2014/26/EU as an example and a way of overcoming the fragmented internal market; encourages the development of balanced and flexible solutions that help overcome <b>the</b> existing barriers to cross-border access and availability of products and services;	5. Welcomes the multi-territorial licensing of rights under Directive 2014/26/EU as an example and a way of overcoming the fragmented internal market; encourages the development of balanced and flexible solutions that help overcome <b>any</b> existing barriers to cross-border access and availability of products and services;	<b>No opinion</b>
92	6 a (new)	Adina-Ioana Vălean José Blanco López		<b>6 a. Recognises the necessity and benefits of ensuring portability of online services of legally acquired and legally made available content within the European Union;</b>	<b>+</b>
128	8 a (new)	Christian Ehler Pervenche Berès		<b>8 a. 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;</b>	<b>No opinion</b>

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
70	5	Cornelia Ernst	5. <i>Welcomes the multi-territorial licensing of rights under Directive 2014/26/EU</i> as an example and a way of overcoming the fragmented internal market; <i>encourages the development of balanced and flexible</i> solutions that help overcome the existing barriers to cross-border access and availability of products and services;	5. <i>Considers a single European Copyright Title</i> as an example and a way of overcoming the fragmented internal market <b>and as a balanced</b> solutions that <b>would</b> help overcome the existing barriers to cross-border access and availability of products and services;	<b>No opinion</b> <i>While we are supportive of more harmonization, a Single Copyright Title seems a very ambitious step at a time where reform is urgently needed.</i>
75	5 a (new)	Christian Ehler		<i>5 a. 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;</i>	-
76	5 a (new)			<i>5 a. 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;</i>	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
77	5 b (new)			<i>5 b. 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 of the directive 2001/29/CE 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;</i>	<b>+</b>
78	5 b (new)	Christian Ehler		<i>5 b. 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</i>	<b>No opinion</b>

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
				<i>musical works for online use in the internal market;</i>	
79	5 c (new)			<i>5 c. Calls for a mandatory exception for research and education purposes which should cover any kind of educational and research activities including distance education; This should cover not only educational establishments and institutions but also non-governmental organisations recognised by national authorities or legislation or within the purview of an educational or research programme as well as digital education;</i>	+
80	5 d (new)			<i>5 d. 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;</i>	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
81	5 e (new)			<i>5 e. Stresses the need to enable automated analytical techniques for text and data ('text and data mining') for all purposes provided that the permission to read the work has been acquired as a mandatory exception;</i>	<b>+</b>
82	5 f (new)			<i>5 f. Considers that the practice to restrict access to online content based on the location of the users that had previously paid for the service to access that content is harmful to the functioning of the networks and hinders the development of the single digital market;</i>	<b>+</b>
85	6	András Gyürk	6. Stresses that protection of copyright and related rights must respect technological neutrality;	6. Stresses that protection of copyright and related rights must respect technological neutrality <b>while providing for a high level of protection of intellectual property to foster investment in creativity and innovation and to safeguard employment and encourage job creation;</b>	<b>-</b> <i>The need for a 'high level of protection' does not seem to have a significant meaning. In any event, enforcement is not the subject of this Report.</i>
89	6 a (new)	Juan Carlos Girauta Vidal Kaja Kallas Fredrick Federley		<i>6 a. Highlights the need to promote greater interoperability in particular for software and terminal as lack of interoperability hampers innovation reduces competition and harms consumer; believes</i>	<b>No opinion</b>

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
		José Blanco López Pavel Telička Morten Helveg Petersen		<i>that lack of interoperability leads to market dominance of one particular product or service which in turn stifles competition and limits consumer choice in the EU;</i>	
90	6 a (new)			<i>6 a. Recommends that the EU legislator should while protecting personal information further lower the barriers for re-use of public sector information by exempting official works which are produced by government employees as part of their official duty within the political legal and administrative process from copyright protection;</i>	+
91	6 a (new)	Theresa Griffin Catherine Stihler Jude Kirton- Darling		<i>6 a. Recalls that copyright protection is only as effective as the enforcement measures which protect it. Therefore in order to ensure that the CCI sector in Europe can flourish and to protect innovation copyright protection must be robust;</i>	-  <i>Enforcement is not the subject of this Report.</i>
93	6 b (new)	Juan Carlos Girauta Vidal		<i>6 b. Notes that the current highly fragmented system of national private copy levies constitutes a</i>	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
		Fredrick Federley Morten Helveg Petersen		<i>deeply unfair and outdated system for compensating rightholders for what amounts to an ordinary and perfectly harmless use by consumers of legally acquired content and that there are no objective and fair methods to redistribute the so-called compensation; therefore calls on the Commission to phase out private copy levies to fully realise the Digital Single Market;</i>	
94	6 b (new)	Adina-Ioana Vălean		<i>6 b. Acknowledges that the wide roll-out of internet coverage has given rise to the development of new forms of use of works and calls for adequate return solutions for the rightholders in the digital environment while also ensuring citizens' access to cultural goods and knowledge;</i>	-  <i>The emphasis is on rightholders and we are not sure how the current framework is inadequate in terms of their returns.</i>
95	6 b (new)			<i>6 b. Stresses that private entities eg Internet Service Providers and platform owners should not be obliged to participate in extra-judiciary copyright enforcing;</i>	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
CA9	6 a (new)	Covering AMs 96, 106, 109, 126, 132  If adopted, 96, 106, 109, 126, 132 fall		<i>6. a (new paragraph) Calls on the Commission to assess and propose solutions for automated analytical techniques for text and data ('text and data mining') for scientific research purposes, especially for non-commercial purposes, provided that permission to read the work has been obtained and taking into account options such as the licensing model, already developed in some Member States to allow researchers to maintain Europe's competitive edge in a global environment;</i>	+
96	6 c (new)	Adina-Ioana Vălean José Blanco López		<i>6 c. Calls on the Commission to assess the available solutions for text and data mining for non-commercial scientific research purposes taking into account options such as the licensing model already developed in some Member States;</i>	-  <i>Licensing is not the solution in this area.</i>
106	7 a (new)	Theresa Griffin Mary Honeyball		<i>7 a. Stresses the importance of allowing for content mining (also known as text and data mining) for research projects including both commercial and non-commercial purposes provided that permission to read the work has been obtained.</i>	+



AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
109	7 a (new)	Kaja Kallas Fredrick Federley		<i>7 a. Calls on the Commission to propose a mandatory exception for text and data mining to allow researchers to maintain Europe's competitive edge in a global environment.</i>	<b>+</b>  AM 106 is a good complement to this amendment as it covers both commercial and non-commercial
126	8 a (new)	Juan Carlos Girauta Vidal Pavel Telička Morten Helveg Petersen		<i>8 a. Acknowledges that text and data mining is an emerging and promising practice in particular for research; recalls that innovative licensing solutions are established but that preferential treatment should be applied for non-commercial prupose;</i>	<b>-</b>
132	8 b (new)	Christian Ehler		<i>8 b. 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.</i>	<b>-</b>
97	6 d (new)	Adina-loana Vălean		<i>6 d. With full respect to the principle of subsidiarity calls on the Commission to explore whether measures to ensure the fair compensation of rightholders in respect of reproductions made by natural persons for private use such as the private copying levies are up-to-date and efficient</i>	<b>-</b>

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
				<i>solutions;</i>	
98	6 e (new)	Adina-Ioana Vălean		<i>6 e. Encourages libraries and archives to engage in voluntary agreements with rightholders which would enable them to fulfil their public mission in the digital society while respecting the rights of rightholders;</i>	<p style="text-align: center;">-</p> <p><i>This seems to state that this is not the case today? Moreover it ignores the imbalance in negotiating powers between these parties.</i></p>
CA7	7	Covering AMs 99-104  If adopted, AMs 99-104  fall	7. Stresses that any legislative change in this area should ensure accessibility for people with disabilities to products and services protected by copyright and related rights;	7. Stresses that any legislative change in this area should ensure accessibility for <b>all and especially for</b> people with disabilities to products and services protected by copyright and related rights <b>and adapt accordingly to the digital environment; recognises that the inability to purchase content in an appropriate format for users with disabilities may create a barrier to trade for enterprises as well as reduce the cultural output and content offer available across the Member States;</b>  <i>Urges the EU to ratify the Marrakesh Treaty to Facilitate Access to Published Works by Visually Impaired Persons and Persons with Print Disabilities which requires to have a mandatory exception for the non-</i>	<p style="text-align: center;">-</p>

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
				<i>commercial uses to the benefit of persons with a disability, which are directly related to the disability, to the extent required by the specific disability;</i>	
99	7	Juan Carlos Girauta Vidal Kaja Kallas Fredrick Federley Pavel Telička Morten Helveg Petersen	7. Stresses that any legislative change in this area should ensure accessibility for people with disabilities to products and services protected by copyright and related rights;	7. Stresses that any legislative change in this area should ensure accessibility for people with disabilities to products and services protected by copyright and related rights; <i>in particular urges the EU to ratify the Marrakesh Treaty to Facilitate Access to Published Works by Visually Impaired Persons and Persons with Print Disabilities which requires to have a mandatory exception for the non-commercial uses to the benefit of persons with a disability which are directly related to the disability to the extent required by the specific disability;</i>	+
100	7	Catherine Stihler Theresa Griffin	7. Stresses that any legislative change in this area should ensure accessibility for people with disabilities to products and services protected by copyright and related rights;	7. Stresses that any legislative change in this area should ensure accessibility for people with disabilities to products and services protected by copyright and related rights <i>and adapt accordingly to the digital environment; recognises that the</i>	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
				<i>inability to purchase content in an appropriate format for users with disabilities may create a barrier to trade for enterprises as well as reduce the cultural output and content offer available across the Member States.</i>	
101	7	Theresa Griffin Mary Honeyball Catherine Stihler Jude Kirton-Darling	7. Stresses that any legislative change in this area should ensure accessibility for people with disabilities to products and services protected by copyright and related rights;	7. Stresses that any legislative change in this area should ensure accessibility for people with disabilities to products and services protected by copyright and related rights; <b><i>Notes the conclusion of the Marrakesh Treaty and requests that an exception be made to allow any person who cannot access a library because of their disability to receive library loans electronically.</i></b>	+
102	7	Hans-Olaf Henkel Anneleen Van Bossuyt	7. Stresses that any legislative change in this area should ensure accessibility for people with disabilities to products and services protected by copyright and related rights;	7. Stresses that any legislative change in this area should ensure accessibility for people with disabilities to products and services protected by copyright and related rights; <b><i>in this regard notes the importance of the Marrakesh Treaty; underlines 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;</i></b>	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
103	7	Enrico Gasbarra Patrizia Toia Flavio Zanonato	7. pone l'accento sul fatto che qualsiasi modifica legislativa in questo ambito dovrebbe garantire alle persone con disabilità l'accessibilità dei prodotti e dei servizi protetti dal diritto d'autore e dai diritti connessi;	7. pone l'accento sul fatto che qualsiasi modifica legislativa in questo ambito dovrebbe garantire alle persone con disabilità l'accessibilità dei prodotti e dei servizi protetti dal diritto d'autore e dai diritti connessi; <i>esprime preoccupazione e rammarico per gli ostacoli politici in seno al Consiglio che ancora ritardano la ratifica del Trattato di Marrakesh per i Non Vedenti già firmato dall'Unione Europea nel 2013;</i>	+
104	7	Nadine Morano	7. insiste sur le fait que tout changement législatif dans ce domaine doit garantir <b>que les personnes handicapées aient accès</b> aux produits et aux services protégés par le droit d'auteur et les droits voisins;	7. insiste sur le fait que tout changement législatif dans ce domaine doit garantir <b>le meilleur accès à tous en particulier aux personnes handicapées</b> aux produits et aux services protégés par le droit d'auteur et les droits voisins;	+
108	7 a (new)	Cornelia Ernst		<b><i>7 a. Underlines the need for a broad and mandatory exception for research purposes text and data mining which should cover any kind of research activity.</i></b>	+
					<i>AM 106 is a good complement to this amendment as it covers both commercial and non-commercial</i>
110	7 b (new)	Cornelia Ernst		<b><i>7 b. Calls for a flexible interpretation of exceptions and limitations to exclusive rights allowing to apply exceptions and limitations to uses that are</i></b>	+

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
				<i>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;</i>	
112	7 b (new)	Theresa Griffin		<i>7 b. As copyright protection is only as effective as the enforcement measures which protect it. Therefore in order to ensure that the CCI sector in Europe can flourish and to protect innovation copyright protection must be robust;</i>	- Enforcement is not the subject of this Report.
113	8		8. Urges the Commission to take into account the rapidly growing user-created content on the internet when reviewing copyright rules; any new proposal should aim to find a fair balance between protecting IPR and fostering a dynamic and creative internet.	8. Urges the Commission to take into account the rapidly growing user-created content on the internet when reviewing copyright rules; any new proposal should aim to find a fair balance between protecting IPR and fostering a dynamic and creative internet. <i>For instance the Commission should propose a legal definition of 'public domain' works that are by definition not subject to copyright protection giving to authors the freedom to dedicate their works to the public domain and making sure that these works to be protected against private appropriation either through digitisation or</i>	<b>No opinion</b> Whilst the intention of this amendment seems good, the end of the last sentence is unclear.

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
				<i>through other means;</i>	
CA8	8	Covering AMs 114-120  If adopted, AMs 114-120 fall	8. Urges the Commission to take into account the rapidly growing <i>user-created</i> content on the internet when reviewing copyright <i>rules</i> ; any new proposal should aim to find a <i>fair balance between</i> protecting IPR and fostering a dynamic and creative internet.	8. Urges the Commission to take into account the rapidly growing <i>usage of creative works on user-generated content and social media platforms</i> on the internet <i>and to enhance user information regarding obligations for anyone who knowingly provides hyperlinks to unauthorised content or links that circumvent paywalls,</i> when reviewing copyright <i>framework</i> ; any new proposal should aim to find a <i>way to</i> protect IPR and <i>the end-users while also</i> fostering a dynamic internet <i>where technology and internet access can continue to empower individuals to be innovative</i> and creative.  <i>Moreover, the Commission could propose a legal definition of 'public domain' works and making sure that these works to be protected against private appropriation, either through digitisation or through other</i>	-

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
				<i>means;</i>	
114	8	Pervenche Berès José Blanco López	8. Urges the Commission to take into account the rapidly growing <i>user-created</i> content on the internet when reviewing copyright rules; any new proposal should aim to find a <i>fair balance between</i> protecting IPR and fostering a dynamic and creative internet.	8. Urges the Commission to take into account the rapidly growing <i>usage of creative works on user-generated</i> content <i>and social media platforms</i> on the internet <i>that benefit from public's access to those works without remunerating their creators</i> when reviewing copyright rules; any new proposal should aim to find a <i>way to address this transfer of value to fairly remunerate creators</i> protecting IPR and fostering a <i>more</i> dynamic and creative internet.	- <i>Pointing at specific platforms is no way to establish future-proof principles.</i>



AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
115	8	Sampo Terho	8. Urges the Commission to take into account the rapidly growing <b>user-created</b> content on the internet when reviewing copyright rules; any new proposal should aim to find a <b>fair balance between protecting IPR and fostering a</b> dynamic and creative internet.	8. Urges the Commission to take into account the rapidly growing <b>usage of creative works on user generated content and social media platforms</b> on the internet <b>that benefit remarkably from public's access to those works without remunerating their creators</b> when reviewing copyright rules; any new proposal should aim to find a <b>way to address this transfer of value to fairly remunerate creators to foster a more</b> dynamic and creative internet.	
116	8	Hans-Olaf Henkel	8. Urges the Commission to take into account the rapidly growing user-created content on the internet when reviewing copyright rules; any new proposal should aim to find a fair balance between protecting IPR and fostering a dynamic and creative internet.	8. Urges the Commission to take into account the rapidly growing user-created content on the internet <b>and the importance of enhanced user information regarding obligations for anyone who knowingly provides hyperlinks to unauthorised content or links that circumvent paywalls</b> when reviewing copyright rules; any new proposal should aim to find a fair balance between protecting IPR and fostering a dynamic and creative internet.	<p style="text-align: center;">-</p> <p><i>Linking never requires a rightsholder's permission. Also, as the UK government discovered, the target of a link can change, as shown by this case : <a href="http://www.itworld.com/article/2771577/networking-hardware/uk-gov-t-webpage-links-to-porn-site.html">http://www.itworld.com/article/2771577/networking-hardware/uk-gov-t-webpage-links-to-porn-site.html</a></i></p>

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
117	8	Adina-Ioana Vălean Seán Kelly	8. Urges the Commission to take into account the rapidly growing user-created content on the internet when reviewing copyright <b>rules</b> ; any new proposal should aim to find a fair balance between protecting IPR and fostering a dynamic <b>and creative internet</b> .	8. Urges the Commission to take into account the rapidly growing user-created content on the internet when reviewing <b>the copyright framework</b> ; any new proposal should aim to find a fair balance between protecting IPR and fostering a dynamic <b>internet where technology and internet access can continue to empower individuals to be innovative and creative</b> .	<b>No opinion</b>
118	8	Cornelia Ernst	8. Urges the Commission to take into account the rapidly growing user-created content on the internet when reviewing copyright rules; any new proposal should aim to find a fair balance between <b>protecting IPR</b> and fostering a dynamic and creative internet.	8. Urges the Commission to take into account the rapidly growing user-created content on the internet when reviewing copyright rules; any new proposal should aim to find a fair balance between <b>copyright</b> and fostering a dynamic and creative internet <b>by making limitations and exceptions mandatory thereby achieving greater harmonisation</b> .	<b>+</b>
119	8	Juan Carlos Girauta Vidal Pavel Telička Kaja Kallas Morten Helveg	8. Urges the Commission to take into account the rapidly growing <b>user-created</b> content on the internet when reviewing copyright rules; any new proposal should aim to find a fair balance between protecting <b>IPR</b> and fostering a dynamic and creative internet.	8. Urges the Commission to take into account the rapidly growing <b>user-generated</b> content on the internet <b>and text and data mining</b> when reviewing copyright rules; any new proposal should aim to find a fair balance between protecting <b>copyrights and intellectual property rights</b> and fostering a dynamic and creative	<b>+</b>

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
		Petersen		internet.	
120	8	Krišjānis Kariņš	8. Urges the Commission to take into account the rapidly growing user-created content on the internet when reviewing copyright rules; any new proposal should aim to find a fair balance between protecting IPR and fostering a dynamic and creative internet.	8. Urges the Commission to take into account the rapidly growing user-created content on the internet when reviewing copyright rules; any new proposal should aim to find a fair balance between protecting IPR and <b>the end-users while also</b> fostering a dynamic and creative internet <b>with wide variety of content.</b>	+
121	8 a (new)	Pervenche Berès Christian Ehler		<b>8 a. Notes with concern that the value generated in the digital economy from the exploitation of copyright protected works is not fairly shared including because of the taxation regime of services providers with the rightholders; calls on the Commission to investigate the extent and the impact of this transfer of value to the internet intermediaries;</b>	- <i>Taxation is outside the scope.</i>

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
122	8 a (new)	Adina-Ioana Vălean Michał Boni Seán Kelly		<i>8 a. Encourages the Commission to continue dialogue and collaboration with the United States on the respective copyright legislative frameworks within the Transatlantic Trade and Investment Partnership negotiations to address potential market access barriers and trade obstacles;</i>	-
123	8 a (new)			<i>8 a. Deplores the introduction of statutory licenses in some MS 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 have caused significant damage to the digital economy;</i>	+
127	8 a (new)	Enrico Gasbarra Patrizia Toia Flavio Zanonato		<i>8 bis. invita la Commissione ad adattare e a uniformare le eccezioni e limitazioni consentite nel quadro normativo del mondo analogico al nuovo scenario rappresentato dal paradigma digitale ed in particolare dalle tecnologie di cloud computing;</i>	No opinion

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
129	8 a (new)	Edouard Martin		<i>8 bis. Invite la Commission à reprendre ses travaux sur l'amélioration des procédures de "notice-and-action" afin d'aboutir à une proposition législative sans passer par une révision de la directive 2000/31/CE (e-commerce).</i>	-
CA10	8 b (new)	Covering AMs 130, 134  If adopted, AMs 130, 134  fall		<i>8 b.(new paragraph) Believes that common effort should be made in combatting copyright infringements in the EU in order to ensure the protection of copyright and fair remuneration; stresses the need to raise consumer awareness of the consequence of infringement of copyright and related rights and urges to find a proper solution to ensure that no one should make a profit out of copyright infringements;</i>	<b>No position</b>
130	8 b (new)	Juan Carlos Girauta Vidal Pavel Telička Philippe De Backer José Blanco López		<i>8 b. Believes that common effort should be made in combatting copyright infringements in the EU in order to ensure the protection of copyright and fair remuneration; stresses the need to raise consumer awareness of the consequence of infringement of copyright and related rights;</i>	-

AM	Ref. Text	MEP(s)	Draft Opinion	Amendment	Voting Recommendation & Comments
		Morten Helveg Petersen			
134	8 b (new)	Pervenche Berès Christian Ehler		<i>8 b. Urges to find a proper solution to ensure that no one should make a profit out of copyright infringements;</i>	-
131	8 b (new)	Hans-Olaf Henkel Anneleen Van Bossuyt Branislav Škripek		<i>8 b. whereas the Directive 2013/37/EU on 26 June 2013 on the re-use of public sector information which provides a common legal framework for an EU market for government-held data (public sector information) and also includes provision on transparency and competition;</i>	+