



EDRi comments on the amendments presented to the Draft opinion presented by Rapporteur Catherine Stihler on the 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 (COM(2014)0317 – 2014/2256(INI))

**Amendment 1
Antanas Guoga
Draft opinion
Paragraph 1**

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
1. Welcomes the appointment of two Commissioners who will work on further developing the EU digital agenda and copyright issues in the course of the new Commission mandate ; welcomes the Commission Work Programme for 2015 insofar as it promises to deliver a Digital Single Market Package which includes the objective of modernising copyright rules;	1. Welcomes the commitment of the Commission on further developing the EU digital agenda, including copyright issues; welcomes the Commission Work Programme for 2015 insofar as it promises to deliver a Digital Single Market Package which includes the objective of modernising copyright rules;

Or. en

Amendment 2
Inês Cristina Zuber
Draft opinion
Paragraph 1

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
<p>1. Welcomes the appointment of two Commissioners who will work on further developing the EU digital agenda and copyright issues in the course of the new Commission mandate; welcomes the Commission Work Programme for 2015 insofar as it promises to deliver a Digital Single Market Package which includes the objective of modernising copyright rules;</p>	<p>1. Notes the appointment of two Commissioners who will work on further developing the EU digital agenda and copyright issues in the course of the new Commission mandate; notes the Commission Work Programme for 2015, which includes the objective of updating copyright rules;</p>

Or. pt

Amendment 3
Róza Gräfin von Thun und Hohenstein
Draft opinion
Paragraph 1

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
<p>1. Welcomes the appointment of two Commissioners who will work on further developing the EU digital agenda and copyright issues in the course of the new Commission mandate; welcomes the Commission Work Programme for 2015 insofar as it promises to deliver a Digital Single Market Package which includes the objective of modernising copyright rules;</p>	<p>1. Welcomes the appointment of a Vice-President of the Commission and a Commissioner who will work on digital and copyright issues in the course of the new Commission mandate; welcomes the Commission Work Programme for 2015 insofar as it promises to deliver a Digital Single Market Package which would include the legislative proposal for modernising copyright rules;</p>

Or. en

Amendment 4
Jiří Maštálka
Draft opinion
Paragraph 1

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
<p>1. Welcomes the appointment of two Commissioners who will work on further developing the EU digital agenda and copyright issues in the course of the new Commission mandate; welcomes the Commission Work Programme for 2015</p>	<p>1. Takes note of the appointment of two Commissioners who will work on further developing the EU digital agenda and copyright issues in the course of the new Commission mandate; welcomes the Commission Work Programme for 2015</p>

insofar as it promises to deliver a Digital Single Market Package which includes the objective of modernising copyright rules;	insofar as it promises to deliver a Digital Single Market Package which includes the objective of modernising copyright rules; <i>which must safeguard a fair balance between all interested parties: consumers, users, creators and right holders;</i>
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Or. en

Amendment 5
Mylène Troszczynski
Draft opinion
Paragraph 1

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
1. <i>Welcomes</i> the appointment of two Commissioners who will work on further developing the EU digital agenda and copyright issues in the course of the new Commission mandate; <i>welcomes</i> the Commission Work Programme for 2015 insofar as it promises to deliver a Digital Single Market Package which includes the objective of modernising copyright rules;	1. <i>Notes</i> the appointment of two Commissioners who will work on further developing the EU digital agenda and copyright issues in the course of the new Commission mandate; <i>notes</i> the Commission Work Programme for 2015 insofar as it promises to deliver a Digital Single Market Package which includes the objective of modernising copyright rules;

Or. fr

Amendment 6
Kaja Kallas, Antanas Guoga, Eva Paunova, Dita Charanzová, Julia Reda
Draft opinion
Paragraph 1

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
1. Welcomes the appointment of two Commissioners who will work on further developing the EU digital agenda and copyright issues in the course of the new Commission mandate; welcomes the Commission Work Programme for 2015 insofar as it promises to deliver a Digital Single Market Package which includes the objective of modernising copyright rules;	1. Welcomes the appointment of two Commissioners who will work on further developing the EU digital agenda and copyright issues in the course of the new Commission mandate; welcomes the Commission Work Programme for 2015 insofar as it promises to deliver a Digital Single Market Package which includes the objective of modernising copyright rules <i>to make them fit for the digital age;</i>

Or. en

Amendment 7
Biljana Borzan
Draft opinion
Paragraph 1 a (new)

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
	<i>1a. Stresses that the comprehensive and coherent regulation of digital market is an essential precondition for economic growth;</i>

Or. en

Amendment 8
Sergio Gutiérrez Prieto
Draft opinion
Paragraph 2

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
2. Notes that Directive 2001/29/EC (Infosoc Directive) was adopted in 2001 and that the digital use of material subject to copyright has changed and dramatically increased since then;	2. Notes that Directive 2001/29/EC (Infosoc Directive) was adopted in 2001 and that the digital use of material subject to copyright has changed and dramatically increased since then; <i>stresses the need to adapt it in order to ensure fair remuneration and adequate protection for holders of copyright and related rights in view of new consumer demands and challenges posed by the digital economy and society;</i>

Or. es

Amendment 9
Philippe Juvin
Draft opinion
Paragraph 2

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
2. Notes that Directive 2001/29/EC (Infosoc Directive) was adopted in 2001 and that the digital <i>use</i> of material <i>subject to</i> copyright has changed and dramatically increased since then;	2. Notes that Directive 2001/29/EC (Infosoc Directive) was adopted in 2001 and that the digital <i>supply</i> of material <i>in accordance with</i> copyright <i>and the use thereof</i> has changed and dramatically increased since then, <i>with new operators emerging, resulting in an imbalance with regard to value sharing;</i>

Amendment 10
Antanas Guoga, Dita Charanzová
Draft opinion
Paragraph 2

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
2. Notes that Directive 2001/29/EC (Infosoc Directive) was adopted in 2001 and that the digital use of material subject to copyright has changed and dramatically increased since then;	2. Notes that Directive 2001/29/EC (Infosoc Directive) was adopted in 2001 and that the digital use of material subject to copyright has changed and dramatically increased since then; <i>highlights the need for the Commission to respond to technological developments and adapt current laws to economic realities;</i>

Or. en

Amendment 11
Antanas Guoga, Kaja Kallas, Dita Charanzová
Draft opinion
Paragraph 2 a (new)

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
	<i>2a. Highlights the fact that legislative differences in Member States cause legal uncertainties hindering the creation of Digital Single Market and cross-border accessibility of copyright content;</i>

Or. en

Amendment 12
Virginie Rozière
Draft opinion
Paragraph 2 a (new)

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
	<i>2a. Recalls that the primary objective of copyright is the protection of authors and their just rewards;</i>

Or. fr

Amendment 13
Philippe Juvin
Draft opinion
Paragraph 2 a (new)

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
	<i>2a. Recalls that the value generated in the digital economy by copyrighted works should be shared fairly with the rights holders; calls on the Commission to assess the extent and impact of this value transfer in favour of digital technical intermediaries;</i>
<p>This amendment is not clear enough to be approved. The concept of “value generated in the digital economy” can include a wide variety of things: user-generated content using copyrighted works, online music platforms, streaming services....</p>	

Or. fr

Amendment 14
Antanas Guoga, Dita Charanzová, Kaja Kallas
Draft opinion
Paragraph 2 b (new)

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
	<i>2b. Recognises the need for more harmonisation at the European Union level in order to improve free movement of services and products based on creative content;</i>

Or. en

Amendment 15
Inês Cristina Zuber
Draft opinion
Paragraph 3

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
<p>3. Recalls that copyright and related rights play an important role, as they protect and stimulate both the development and marketing of new products and services and the creation and exploitation of their creative content, thereby contributing to improved competitiveness, employment and innovation across several industry sectors in the EU;</p>	<p>3. Stresses that protecting copyright represents a fundamental recognition of the performance of creative work which promotes the creation of jobs in all the Member States and provides a guarantee of fair remuneration for creative work;</p>
<p>In a debate regarding the review of copyright “protecting copyright” might be understood as protectnig the statu quo. There are alternative ways to the existing copyright framework where jobs can also be created and ensure a better remuneration.</p>	

Or. pt

Amendment 16
Sergio Gutiérrez Prieto
Draft opinion
Paragraph 3

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
<p>3. Recalls that copyright and related rights play an important role, as they protect and stimulate both the development and marketing of new products and services and the creation and exploitation of their creative content, thereby contributing to improved competitiveness, employment and innovation across several industry sectors in the EU;</p>	<p>3. Recalls that copyright and related rights play a key role, as they protect and stimulate both the development and marketing of new products and services and the creation and exploitation of their creative content, thereby contributing to improved competitiveness, employment and innovation across several industry sectors in the EU; points out that the necessary adaptation of Directive 2001/29/EC to the digital era can generate new businesses and start-ups which would be a source of jobs of the future for young people;</p>

Or. es

Amendment 17
Antanas Guoga
Draft opinion
Paragraph 3

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
<p>3. Recalls that copyright and related rights play an important role, as they protect and stimulate both the development and marketing of new products and services and the creation and exploitation of their creative content, thereby contributing to improved competitiveness, employment and innovation across several industry sectors in the EU;</p>	<p>3. Recalls that copyright and related rights play an important role, as they protect and stimulate both the development and marketing of new products and services and the creation and exploitation of their creative content, thereby contributing to improved competitiveness, employment and innovation across several industry sectors in the EU, <i>therefore any harmonisation of copyright must be taken at a high level of protection;</i></p>

Or. en

Amendment 18
Robert Rochefort
Draft opinion
Paragraph 3

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
<p>3. Recalls that copyright and related rights play an important role, as they protect and stimulate both the development and marketing of new products and services and the creation and exploitation of their creative content, thereby contributing to improved competitiveness, employment and innovation across several industry sectors in the EU;</p>	<p>3. Recalls that copyright and related rights play an important role, as they protect and stimulate both the development and marketing of new products and services and the creation and exploitation of their creative content, thereby contributing to improved competitiveness, employment and innovation across several industry sectors in the EU; <i>stresses that the EU has strong creative potential and rich cultural diversity that must be protected on the internal market and at international level by a clear and precise legal framework;</i></p>

Or. fr

Amendment 19

Kaja Kallas, Antanas Guoga, Dita Charanzová, Julia Reda

Draft opinion

Paragraph 3

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
3. Recalls that copyright and related rights play an important role, as they protect and stimulate both the development and marketing of new products and services and the creation and exploitation of their creative content, thereby contributing to improved competitiveness, employment and innovation across several industry sectors in the EU;	3. Recalls that copyright and related rights can play an important role, if they acknowledge the changes of behaviours of users , as they protect and stimulate both the development and marketing of new products and services and the creation and exploitation of their creative content, thereby contributing to improved competitiveness, employment and innovation across several industry sectors in the EU;

Or. en

Amendment 20

Vicky Ford, Daniel Dalton, Eva Paunova

Draft opinion

Paragraph 3

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
3. Recalls that copyright and related rights play an important role, as they protect and stimulate both the development and marketing of new products and services and the creation and exploitation of their creative content, thereby contributing to improved competitiveness, employment and innovation across several industry sectors in the EU;	3. Recalls that copyright and related rights play an important role, as they protect and stimulate both the development and marketing of new products and services and the creation and exploitation of their creative content, thereby contributing to improved competitiveness, employment and innovation across several industry sectors in the EU; stresses that copyright is only as effective as the enforcement measures in place to protect it and that in order to ensure a flourishing and innovative creative sector copyright enforcement must be robust;
A “robust” enforcement may include some measures such as website-blocking, criminal sanctions and privatised law enforcement. A balanced approach to enforcement and a clear concept of which elements should be put in place and in which way are crucial.	

Or. en

Amendment 21
Inês Cristina Zuber
Draft opinion
Paragraph 3 a (new)

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
	<p><i>3a. Draws the Commission’s attention to the fact that the term of protection of copyright has been harmonised at European level by a directive that was revised in 2011 (Directive 2011/77/EU of 27 September 2011 amending Directive 2006/116/EC), under which protection lasts for 70 years after the author’s death, in line with average life expectancy in the European Union; highlights the economic importance of the cultural and creative industries, which account for more than 7 million jobs in the European Union and generate a total of 4.2% of EU GDP;</i></p>
<p>It is widely accepted that these “statistics” are based on deeply flawed methodologies. http://copyright4creativity.eu/myths-facts/</p>	

Or. pt

Amendment 22
Eva Paunova, Daniel Dalton, Vicky Ford, Ivan Štefanec, Marc Joulaud, Sabine Verheyen, Anna Maria Corazza Bildt, Antonio López-Istúriz White
Draft opinion
Paragraph 3 a (new)

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
	<p><i>3a. Believes that the modernisation of copyright rules in the EU would be incomplete without an update of Directive 2000/31/EC on electronic commerce and suggests that the European Commission should consider actions in this direction;</i></p>

Or. en

Amendment 23

Vicky Ford, Daniel Dalton, Eva Paunova

Draft opinion

Paragraph 4

MIXED POSITION	
Draft opinion	Amendment
<p>4. Recognises <i>the need to ensure appropriate remuneration and</i> to protect the rights of all categories of right holders in a better way; recalls that while the cultural and creative industries (CCI) employ more than seven million people and contribute 4.5% of EU GDP annually, and that even though the services, technologies and options permitting the general public to access creative works grow every day, the earnings of right holders in the CCI sector keep decreasing;</p>	<p>4. Recognises <i>that the purpose of copyright is</i> to protect the rights of all categories of right holders in a better way <i>and to allow creators to gain appropriate remuneration for their efforts through others making use of their work, and therefore to encourage future creativity;</i> recalls that while the cultural and creative industries (CCI) employ more than seven million people and contribute 4.5% of EU GDP annually, and that even though the services, technologies and options permitting the general public to access creative works grow every day, the earnings of right holders in the CCI sector keep decreasing;</p>
<p>Regarding the data used here, see for amendment 21 (and note that percentage of EU GDP is here is slightly different, which gives an idea of how data is misused). However, we support the mention to creators and to encourage creativity.</p>	

Or. en

Amendment 24

Julia Reda, Josef Weidenholzer, Kaja Kallas, Antanas Guoga

Draft opinion

Paragraph 4

SUPPORT	
Draft opinion	Amendment
<p>4. Recognises the need to ensure appropriate remuneration and to protect the rights of all categories of right holders in a better way; recalls that while the cultural and creative industries (CCI) <i>employ more than seven million people and contribute 4.5% of EU GDP annually,</i> and that even though the services, technologies and options permitting the general public to access creative works grow every day, the earnings of right holders in the CCI sector keep decreasing;</p>	<p>4. Recognises the need to ensure appropriate remuneration and to protect the rights of all categories of right holders in a better way; recalls that while the cultural and creative industries (CCI) <i>are a significant source of employment, and according to the European Parliament's Cost of Non-Europe study 223 000 jobs will be created by the digital single market by 2020</i> and that even though the services, technologies and options permitting the general public to access creative works grow every day, the earnings of right holders in the CCI sector keep decreasing;</p>

Or. en

Amendment 25
Antanas Guoga
Draft opinion
Paragraph 4

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
<p>4. Recognises the need to ensure appropriate remuneration and to protect the rights of all categories of right holders in a better way; recalls that while the cultural and creative industries (CCI) employ more than seven million people and contribute 4.5% of EU GDP annually, and that even though the services, technologies and options permitting the general public to access creative works grow every day, the earnings of right holders in the CCI sector keep decreasing;</p>	<p>4. Recognises the need to ensure appropriate remuneration and to protect the rights of all categories of right holders in a better way; recalls that while the cultural and creative industries (CCI) employ more than seven million people and contribute 4.5% of EU GDP annually, and that even though the services, technologies and options permitting the general public to access creative works grow every day, the earnings of right holders in the CCI sector keep decreasing; <i>notes that effective system for the protection of copyright is necessary to ensure the return of the investment required to produce copyright works;</i></p>
<p>For the data used, please see comments above.</p>	

Or. en

Amendment 26
Virginie Rozière
Draft opinion
Paragraph 4

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
<p>4. Recognises the need to ensure appropriate remuneration and to protect the rights of all categories of right holders in a better way; recalls that while the cultural and creative industries (CCI) employ more than seven million people and contribute 4.5% of EU GDP annually, and that even though the services, technologies and options permitting the general public to access creative works grow every day, the earnings of right holders in the CCI sector keep decreasing;</p>	<p>4. Recognises the need to ensure appropriate remuneration and to protect the rights of all categories of right holders in a better way; recalls that while the cultural and creative industries (CCI) employ more than seven million people and contribute 4.5% of EU GDP annually, and that even though the services, technologies and options permitting the general public to access creative works grow every day, the earnings of right holders in the CCI sector keep decreasing; <i>stresses that this trend is largely due to the excessive value absorbed by intermediaries within the meaning of Directive 2001/29/CE;</i></p>
<p>Using the same wrong data does not help to provide a good analysis.</p>	

Or. fr

Amendment 27
Robert Rochefort
Draft opinion
Paragraph 4

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
<p>4. Recognises the need to ensure appropriate remuneration and to protect the rights of all categories of right holders in a better way; recalls that while the cultural and creative industries (CCI) employ more than seven million people and contribute 4.5% of EU GDP annually, and that even though the services, technologies and options permitting the general public to access creative works grow every day, the earnings of right holders in the CCI sector keep decreasing;</p>	<p>4. Recognises the need to ensure appropriate remuneration and to protect the rights of all categories of right holders in a better way; recalls that while the cultural and creative industries (CCI) employ more than seven million people and contribute 4.5% of EU GDP annually, and that even though the services, technologies and options permitting the general public to access creative works grow every day, the earnings of right holders in the CCI sector keep decreasing; <i>stresses the need to raise consumer awareness of the consequences of infringement of copyright and related rights;</i></p>
<p>For the data, see previous comments. Regarding the new addition, what is needed is to know the consequences of such infringement and look for a model that can be fair and respected by consumers.</p>	

Or. fr

Amendment 28
Inês Cristina Zuber
Draft opinion
Paragraph 4

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
<p>4. Recognises the need to ensure appropriate remuneration and to protect the rights of all categories of right holders in a better way; recalls that while the cultural and creative industries (CCI) employ more than seven million people and contribute 4.5% of EU GDP annually, and that even though the services, technologies and options permitting the general public to access creative works grow every day, the earnings of right holders in the CCI sector keep decreasing;</p>	<p>4. Recognises the need to ensure appropriate remuneration and to protect the rights of all categories of right holders in a better way; recalls that while the cultural and creative industries (CCI) employ more than seven million people and contribute 4.5% of EU GDP annually, and that even though the services, technologies and options permitting the general public to access creative works grow every day, the earnings of right holders in the CCI sector keep decreasing, <i>in contrast to the growing profits made by intermediaries;</i></p>
<p>Same as for amendment 26</p>	

Or. pt

Amendment 29
Sergio Gutiérrez Prieto
Draft opinion
Paragraph 4 a (new)

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
	4a. Stresses the need to strengthen the bargaining position of authors and creators in the value chain in the digital age;

Or. es

Amendment 30
Inês Cristina Zuber
Draft opinion
Paragraph 5

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
5. Highlights the fact that Member States' provisions on copyright and related rights vary considerably, and that the exclusivity which copyright grants its owner is, in principle, limited to the territorial boundaries of the Member State where the right has been granted, which leads to market fragmentation across the EU;	5. Takes the view that creating 'European authors' rights' through a single European system of copyright would impose a formality that would stand in the way of fair remuneration for creative work;
There is no evidence that that could be the case.	

Or. pt

Amendment 31
Philippe Juvin
Draft opinion
Paragraph 5

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
5. Highlights the fact that Member States' provisions on copyright and related rights vary <i>considerably</i>, and <i>that the exclusivity which copyright grants its owner is, in principle, limited to the territorial boundaries of the Member State where the right has been granted, which leads to market fragmentation across the EU;</i>	5. Highlights the fact that Member States' provisions on copyright and related rights vary; <i>recalls that the European market is not homogeneous and that national markets evolve at different rates; recalls also that consumption patterns, and hence content also, correspond to specific expectations in each Member State;</i>
The fact that the market is not homogeneous is not a justification for consumers being unable to access content in the same conditions. In the case of migrant workers, this inequality to	

access to culture is difficult to justify.

Or. fr

Amendment 32
Róza Gräfin von Thun und Hohenstein
Draft opinion
Paragraph 5

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
5. Highlights the fact that Member States' provisions on copyright and related rights vary considerably, and that <i>the exclusivity which copyright grants its owner is</i> , in principle, limited to the territorial boundaries of the Member State where the right has been granted, <i>which leads</i> to market fragmentation across the EU;	5. Highlights the fact that Member States' provisions on copyright and related rights vary considerably, and that <i>they are</i> , in principle, limited to the territorial boundaries of the Member State where the right has been granted; <i>believes that such territorial restrictions lead often</i> to market fragmentation across the EU; <i>considers that it should be assessed whether they are justified and proportional to the goals of safeguarding intellectual property protection and cultural diversity; considers that alternative solutions, allowing for a broader access to a culturally diverse offer, while respecting these objectives, should also be taken into consideration;</i>

Or. en

Amendment 33
Virginie Rozière
Draft opinion
Paragraph 5

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
5. Highlights the fact that Member States' provisions on copyright and related rights vary considerably, and that the exclusivity which copyright grants its owner is, in principle, limited to the territorial boundaries of the Member State where the right has been granted, which leads to market fragmentation across the EU;	5. Highlights the fact that Member States' provisions on copyright and related rights vary considerably, and that the exclusivity which copyright grants its owner is, in principle, limited to the territorial boundaries of the Member State where the right has been granted, which leads to market fragmentation across the EU; <i>points out that territoriality is built into copyright, endowing Member States with their cultural policy instruments;</i>
The possibility of Member States to enforce their own cultural policies should not be in contradiction with the need of a digital single market and with equal access to cultural content across the EU.	

Amendment 34
Robert Rochefort
Draft opinion
Paragraph 5

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
5. Highlights the fact that Member States' provisions on copyright and related rights vary considerably, and that the exclusivity which copyright grants its owner is, in principle, limited to the territorial boundaries of the Member State where the right has been granted, which leads to market fragmentation across the EU;	5. Highlights the fact that Member States' provisions on copyright and related rights vary considerably, and that the exclusivity which copyright grants its owner is, in principle, limited to the territorial boundaries of the Member State where the right has been granted, which leads to market fragmentation across the EU; <i>recalls that this fragmentation is also the result of consumer preferences and market adaptation to them;</i>
This statement does not seem to be based on evidence. See also previous comment in amendment 33.	

Amendment 35
Mylène Troszczyński
Draft opinion
Paragraph 5

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
5. Highlights the fact that Member States' provisions on copyright and related rights vary considerably, and that the exclusivity which copyright grants its owner is, in principle, limited to the territorial boundaries of the Member State where the right has been granted, <i>which leads to market fragmentation across the EU;</i>	5. Highlights the fact that Member States' provisions on copyright and related rights vary considerably, and that the exclusivity which copyright grants its owner is, in principle, limited to the territorial boundaries of the Member State where the right has been granted;
The last sentence was needed.	

Amendment 36**Eva Paunova, Marc Joulaud, Vicky Ford, Daniel Dalton, Sabine Verheyen, Antonio López-Istúriz White****Draft opinion****Paragraph 5**

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
5. Highlights the fact that Member States' provisions on copyright and related rights vary considerably, and that the exclusivity which copyright grants its owner is, in principle, limited to the territorial boundaries of the Member State where the right has been granted, which leads to market fragmentation across the EU;	5. Highlights the fact that Member States' provisions on copyright and related rights vary considerably, and that the exclusivity which copyright grants its owner is, in principle, limited to the territorial boundaries of the Member State where the right has been granted, which may lead to market fragmentation across the EU;

Or. en

Amendment 37**Kaja Kallas, Antanas Guoga, Julia Reda****Draft opinion****Paragraph 5**

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
5. Highlights the fact that Member States' provisions on copyright and related rights vary considerably, and that the exclusivity which copyright grants its owner is, in principle, limited to the territorial boundaries of the Member State where the right has been granted, which leads to market fragmentation across the EU;	5. Highlights the fact that Member States' provisions on copyright and related rights vary considerably, and that the exclusivity which copyright grants its owner is, in principle, limited to the territorial boundaries of the Member State where the right has been granted, which leads to market fragmentation and major divergences in enforcement across the EU;

Or. en

Amendment 38
Biljana Borzan
Draft opinion
Paragraph 5 a (new)

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
	<i>5a. Highlights the importance of clear communication to consumers about the performances of the content they are buying in line with the EU Consumer Rights Directive;</i>

Or. en

Amendment 39
Eva Paunova, Vicky Ford, Daniel Dalton, Marc Joulaud, Ivan Štefanec, Sabine Verheyen, Anna Maria Corazza Bildt, Catherine Stihler, Antonio López-Istúriz White
Draft opinion
Paragraph 5 a (new)

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
	<i>5a. 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 for authors of copyrighted online content;</i>
This amendment does not take into consideration fundamental questions such as a establish counterbalances to ensure the right to access to culture and to information.	

Or. en

Amendment 40
Inês Cristina Zuber
Draft opinion
Paragraph 6

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
<p>6. Stresses that territorial fragmentation may require users aspiring to offer content-related services across the EU to secure multiple licenses; emphasises the fact that differences in limitations and exceptions create additional legal costs and legal uncertainty; recalls that consumers may be denied access to certain content services on geographical grounds;</p>	<p>deleted</p>
<p>The paragraph expressed an important problem that needs to be addressed.</p>	

Or. pt

Amendment 41
Philippe Juvin
Draft opinion
Paragraph 6

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
<p>6. Stresses that territorial fragmentation may require users aspiring to offer content-related services across the EU to secure multiple licenses; emphasises the fact that differences in limitations and exceptions create additional legal costs and legal uncertainty; recalls that consumers may be denied access to certain content services on geographical grounds;</p>	<p>6. Notes that today it is possible to grant contractual multi-territorial licences subject to market conditions; notes, however, that in view of the specific nature of the audiovisual and film sectors with their high production costs, different distribution and financing methods may be justified, depending on the place of consumption;</p>
<p>The problem of fragmentation when trying to access content on line has been raised by users in the EC consultation on copyright: https://edri.org/summary-report-responses-copyright-consultation/</p>	

Or. fr

Amendment 42
Vicky Ford, Daniel Dalton, Eva Paunova
Draft opinion
Paragraph 6

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
<p>6. Stresses that territorial fragmentation may require users aspiring to offer content-related services across the EU to secure multiple licenses; <i>emphasises the fact</i> that differences in limitations and exceptions create additional legal costs and legal uncertainty; recalls that consumers may be denied access to certain content services on geographical grounds;</p>	<p>6. Stresses that territorial fragmentation may require users aspiring to offer content-related services across the EU to secure multiple licenses; <i>notes</i> that differences in limitations and exceptions <i>may</i> create additional legal costs and legal uncertainty; recalls that consumers may be denied access to certain content services on geographical grounds; <i>believes that consumers should be able to buy online content from another Member State when it is not easily accessible from a home provider; stresses that clear information should be provided to consumers at the time of purchase of a digital content license on the geographical limitations of the use of that content; highlights that Europe's creative output is one of its richest resources, and those who want to enjoy it should be able to pay to do so, even when it is only sold in another Member State;</i></p>
<p>User should be able to access to content equally across the EU when it is available in several Member States or only in one of them.</p>	

Or. en

Amendment 43
Virginie Rozière
Draft opinion
Paragraph 6

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
<p>6. Stresses that territorial fragmentation may require users aspiring to offer content-related services across the EU to secure multiple licenses; emphasises the fact that differences in limitations and exceptions create additional legal costs and legal uncertainty; recalls that consumers may be denied access to certain content services on geographical grounds</p>	<p>6. Stresses that territorial fragmentation may require users aspiring to offer content-related services across the EU to secure multiple licenses; notes that <i>this option is available to operators wishing for it; points out also</i> that consumers may be denied access to certain content services on geographical grounds; urges the Member States and operators to introduce content portability mechanisms for European consumers;</p>
<p>The fact raised on the problems with exceptions and limitations needs to be addressed and it does not concern only portability of services.</p>	

Or. fr

Amendment 44
Kaja Kallas, Dita Charanzová, Julia Reda
Draft opinion
Paragraph 6

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
<p>6. Stresses that territorial fragmentation may require users aspiring to offer content-related services across the EU to secure multiple licenses; emphasises the fact that differences in limitations and exceptions create additional legal costs and legal uncertainty; recalls that consumers may be denied access to certain content services on geographical grounds;</p>	<p>6. Stresses that territorial fragmentation may require users aspiring to offer content-related services across the EU to secure multiple licenses; emphasises the fact that differences in limitations and exceptions create additional legal costs and legal uncertainty, thereby undermining innovation and investment, and contributing in some cases to market concentration; recalls that consumers are too often denied access to certain content services on geographical grounds; therefore urges the Commission to propose adequate solutions for better cross-border accessibility of services for consumers;</p>

Or. en

Amendment 45
Ildikó Gáll-Pelcz
Draft opinion
Paragraph 6

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
<p>6. Stresses that territorial fragmentation may require users aspiring to offer content-related services across the EU to secure multiple licenses; emphasises the fact that differences in limitations and exceptions create additional legal costs and legal uncertainty; recalls that consumers may be denied access to certain content services on geographical grounds;</p>	<p>6. Stresses that territorial fragmentation may require users aspiring to offer content-related services across the EU to secure multiple licenses; emphasises the fact that differences in limitations and exceptions create additional legal costs and legal uncertainty; <i>calls therefore on the Commission to examine which of the optional exceptions and limitations referred to in Directive 2001/29/EC could be transformed to mandatory ones, to allow equal access to cultural diversity across borders within the internal market and to improve legal security</i>; recalls that consumers may be denied access to certain content services on geographical grounds;</p>
<p>Exceptions and limitations in the current Directive are there because they comply with the 3-step test. Therefore there is no justification for not making them mandatory.</p>	

Or. en

Amendment 46
Julia Reda, Josef Weidenholzer, Kaja Kallas
Draft opinion
Paragraph 6

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
<p>6. Stresses that territorial fragmentation may require users aspiring to offer content-related services across the EU to secure multiple licenses; emphasises the fact that differences in limitations and exceptions create additional legal costs and legal uncertainty; recalls that consumers may be denied access to certain content services on geographical grounds;</p>	<p>6. Stresses that territorial fragmentation may require users aspiring to offer content-related services across the EU to secure multiple licenses; emphasises the fact that differences in limitations and exceptions create additional legal costs and legal uncertainty; recalls that consumers may be denied access to certain content services on geographical grounds, <i>which runs counter to the objective of Directive 2001/29/EC of implementing the four freedoms of the internal market</i>;</p>

Or. en

Amendment 47
Biljana Borzan
Draft opinion
Paragraph 6

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
6. Stresses that territorial fragmentation may require users aspiring to offer content-related services across the EU to secure multiple licenses; emphasises the fact that differences in limitations and exceptions create additional legal costs and legal uncertainty; recalls that consumers may be denied access to certain content services on geographical grounds;	6. Stresses that territorial fragmentation may require users aspiring to offer content-related services across the EU to secure multiple licenses; emphasises the fact that differences in limitations and exceptions create additional legal costs and legal uncertainty; recalls that consumers may be denied access to certain content services on geographical grounds and therefore are obligated to pay again for the same services;

Or. en

Amendment 48
Antanas Guoga, Dita Charanzová
Draft opinion
Paragraph 6

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
6. Stresses that territorial fragmentation may require users aspiring to offer content-related services across the EU to secure multiple licenses; emphasises the fact that differences in limitations and exceptions create additional legal costs and legal uncertainty; recalls that consumers may be denied access to certain content services on geographical grounds;	6. Stresses that territorial fragmentation may require users aspiring to offer content-related services across the EU to secure multiple licenses; emphasises the fact that differences in limitations and exceptions create additional legal costs and legal uncertainty; recalls that consumers may be denied access to certain content services on geographical grounds; therefore urges the Commission to propose adequate solutions for the better cross-border accessibility to copyright content for consumers;

Or. en

Amendment 49
Mylène Troszczynski
Draft opinion
Paragraph 6

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
6. Stresses that territorial fragmentation may require users aspiring to offer content-related services across the EU to secure multiple licenses; emphasises the fact that differences in limitations and exceptions create additional legal costs and legal uncertainty; recalls that consumers may be denied access to certain content services on geographical grounds;	6. Stresses that disparities between the Member States may require users aspiring to offer content-related services across the EU to secure multiple licenses; emphasises the fact that differences in limitations and exceptions create additional legal costs and legal uncertainty; recalls that consumers may be denied access to certain content services on geographical grounds;

Or. fr

Amendment 50
Eva Paunova, Ivan Štefanec, Marc Joulaud, Sabine Verheyen, Antonio López-Istúriz White
Draft opinion
Paragraph 6

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
6. Stresses that territorial fragmentation may require users aspiring to offer content-related services across the EU to secure multiple licenses; emphasises the fact that differences in limitations and exceptions create additional legal costs and legal uncertainty; recalls that consumers may be denied access to certain content services on geographical grounds;	6. Stresses that territorial fragmentation may require users aspiring to offer content-related services across the EU to secure multiple licenses; notes that differences in limitations and exceptions may create additional legal costs and legal uncertainty; recalls that consumers may be denied access to certain content services on geographical grounds;
The chaotic system of exceptions and limitations do create legal uncertainty, for example, in the millions of ways that the Directive may be implemented in every Member State: https://edri.org/edriagramnumber9-22copyright-combinatronics/	

Or. en

Amendment 51
Róza Gräfin von Thun und Hohenstein
Draft opinion
Paragraph 6 a (new)

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
	<i>6a. Believes that although there is a need to find solutions which would ensure services portability i.e. when consumers travel between different Member States, it is of the utmost importance to preserve consumer choice in regard to access to different, including linguistically, cultural content;</i>

Or. en

Amendment 52
Kaja Kallas, Dita Charanzová, Julia Reda
Draft opinion
Paragraph 6 a (new)

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
	<i>6a. Stresses the importance of bringing more clarity and transparency of the copyright regime for copyright users, in particular with regard to user-generated content and copyright levies, to foster creativity, the further development of online platforms, and ensure appropriate remuneration of copyright holders;</i>

Or. en

Amendment 53
Sergio Gutiérrez Prieto
Draft opinion
Paragraph 6 a (new)

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
	<i>6a. Highlights the importance of making headway in the tax harmonisation of the cultural sector within the EU, in order to reduce disparities between Member States and to ensure balanced competition that moves beyond the existence of 28 different tax regimes;</i>

Or. es

Amendment 54
Marlene Mizzi, Catherine Stihler
Draft opinion
Paragraph 6 a (new)

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
	<i>6a. Reiterates the importance of a modern pro-competitive and consumers friendly copyright framework responding to the challenges of the digital environment; recognises the need of a holistic approach in the modernisation of the copyright rules to address the existent market fragmentations in particular for online rights management and to guarantee a safe, adequate and secure environment for consumers, creators and copyright users;</i>

Or. en

Amendment 55
Jiří Maštálka
Draft opinion
Paragraph 7

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
<p>7. Welcomes, therefore, the adoption of Directive 2014/26/EU on collective rights management and multi-territorial licensing of rights, and believes that implementation of this directive will lead to a clearer set of EU-wide standards resulting in a faster and more flexible licensing infrastructure;</p>	<p>7. Welcomes, therefore, the adoption of Directive 2014/26/EU on collective rights management and multi-territorial licensing of rights, <i>which provides the right balance between public's access to cultural works, ease for rights clearance for users and adequate remuneration of creators</i> and believes that implementation of this directive will lead to a clearer set of EU-wide standards resulting in a faster and more flexible licensing infrastructure <i>adapted to specific usage;</i></p>

Or. en

Amendment 56
Julia Reda, Josef Weidenholzer, Kaja Kallas, Antanas Guoga
Draft opinion
Paragraph 7

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
<p>7. Welcomes, therefore, the adoption of Directive 2014/26/EU on collective rights management and multi-territorial licensing of rights, and believes that implementation of this directive will lead to a clearer set of EU-wide standards resulting in a faster and more flexible licensing infrastructure;</p>	<p>7. Welcomes, therefore, the adoption of Directive 2014/26/EU on collective rights management and multi-territorial licensing of rights, and believes that implementation of this directive will lead to a clearer set of EU-wide standards resulting in a faster and more flexible licensing infrastructure; <i>notes however that fragmentation still remains and further legislative action is required, including harmonisation of exceptions, which are necessary for the completion of the digital single market;</i></p>

Or. en

Amendment 57
Mylène Troszczynski
Draft opinion
Paragraph 7

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
7. Welcomes , therefore, the adoption of Directive 2014/26/EU on collective rights management and multi-territorial licensing of rights, and believes that implementation of this directive will lead to a clearer set of EU-wide standards resulting in a faster and more flexible licensing infrastructure;	7. Notes therefore, the adoption of Directive 2014/26/EU on collective rights management and multi-territorial licensing of rights, and believes that implementation of this directive will lead to a clearer set of EU-wide standards resulting in a faster and more flexible licensing infrastructure;

Or. fr

Amendment 58
Sergio Gutiérrez Prieto
Draft opinion
Paragraph 8

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
8. Believes that there is a need to further improve cross-border access and the portability of services which are essential for consumers to be able to get the services they want , where and when they want them;	8. Believes it is necessary to provide balanced solutions which help to move beyond and/or to improve cross-border access and the portability of products and services which are essential for consumers to be able to get the services and products where and when they want them, in accordance with the latest consumer demands ;

Or. es

Amendment 59
Inês Cristina Zuber
Draft opinion
Paragraph 8

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
8. Believes that there is a need to further improve cross-border access and the portability of services which are essential for consumers to be able to get the services they want, where and when they want them ;	8. Believes that there is a need to further improve cross-border access and the portability of services which are essential for beneficiaries to be able to access knowledge, without discrimination ;
“Access to knowledge” could be interpreted narrowly and leaving behind other aspects of the right to access to culture which may not be accounted as “knowledge”.	

Amendment 60
Eva Paunova
Draft opinion
Paragraph 8

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
8. Believes that there is a need to further improve cross-border access and the portability of services which are essential for consumers to be able to get the services they want, where and when they want them;	8. Believes that there is a need to further improve cross-border access and the portability of services which are essential for consumers to be able to get the services they want, where and when they want them; <i>believes that Europe's cultural diversity lies in the heart of European identity and should be fostered and promoted between Member States;</i>

Or. en

Amendment 61
Sabine Verheyen
Draft opinion
Paragraph 8

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
8. Believes that there is a need to further improve cross-border access and the portability of services which are essential for consumers to be able to get the services they want, where and when they want them;	8. Believes that there is a need to further improve cross-border access and the portability of services which are essential for consumers to be able to get the services they want, where and when they want them <i>in a legal and authorised manner;</i>

Or. en

Amendment 62
Sergio Gutiérrez Prieto
Draft opinion
Paragraph 8 a (new)

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
	<i>8a. Stresses that any legislative change in this area should ensure accessibility for people with disabilities to works and services that are protected by copyright and related rights and should adapt to the digital environment;</i>

Or. es

Amendment 63
Marlene Mizzi, Catherine Stihler
Draft opinion
Paragraph 8 a (new)

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
	<i>8a. Stresses that consumers often face various limitations and the notion of consumers' rights in the copyright framework is very often absent; calls on the Commission to assess the effectiveness of the current copyright law from a consumers' perspective and to develop a set of clear and comprehensive consumers' rights;</i>

Or. en

Amendment 64
Eva Paunova, Ivan Štefanec, Marc Joulaud, Anna Maria Corazza Bildt, Sabine Verheyen, Antonio López-Istúriz White
Draft opinion
Paragraph 9

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
9. Urges the Commission to promote a <i>flexible</i> and balanced framework for exceptions and limitations that does not cause any harm to right holders and that conforms with consumer expectations; emphasises the important role that exceptions and limitations agreed on for public-interest reasons, for the purpose of education and teaching, play in providing	9. Urges the Commission to promote a <i>higher level of harmonisation that does not weaken copyright protection</i> and balanced framework for exceptions and limitations that does not cause any harm to right holders and that conforms with consumer expectations; emphasises the important role that exceptions and limitations agreed on for public-interest

<p>access to knowledge as well as in encouraging cultural and societal participation; urges the Commission and the Member States to consider e-books as part of public lending schemes, provided that all necessary agreements with the relevant right holders have been reached beforehand;</p>	<p>reasons, for the purpose of education and teaching, play in providing access to knowledge as well as in encouraging cultural and societal participation; urges the Commission and the Member States to consider e-books as part of public lending schemes, provided that all necessary agreements with the relevant right holders have been reached beforehand;</p>
<p>The original text provided a flexibility clause which is needed to adopt copyright to innovation in technologies.</p>	

Or. en

Amendment 65
Kaja Kallas, Antanas Guoga, Julia Reda
Draft opinion
Paragraph 9

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
<p>9. Urges the Commission to <i>promote a flexible and balanced</i> framework for exceptions and limitations that does not cause any harm to right holders <i>and</i> that conforms with consumer expectations; emphasises the important role that exceptions and limitations agreed on for public-interest reasons, for the purpose of education and teaching, play in providing access to knowledge as well as in encouraging cultural and societal participation; urges the Commission and the Member States to consider e-books as part of public lending schemes, provided that all necessary agreements with the relevant right holders have been reached beforehand;</p>	<p>9. Urges the Commission to <i>propose an harmonised</i> framework for exceptions and limitations that does not cause any harm to right holders, that conforms with consumer expectations, <i>that fosters both creativity and innovation, and adapts to the technology advances in the digital environment</i>; emphasises the important role that exceptions and limitations agreed on for public-interest reasons, for the purpose of education and teaching, play in providing access to knowledge as well as in encouraging cultural and societal participation; urges the Commission and the Member States to consider e-books as part of public lending schemes, provided that all necessary agreements with the relevant right holders have been reached beforehand;</p>

Or. en

Amendment 66
Vicky Ford, Daniel Dalton
Draft opinion
Paragraph 9

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
<p>9. Urges the Commission to promote a flexible and balanced framework for exceptions and limitations that does not cause any harm to right holders and that conforms with consumer expectations; emphasises the important role that exceptions and limitations agreed on for public-interest reasons, for the purpose of education and teaching, play in providing access to knowledge as well as in encouraging cultural and societal participation; urges the Commission and the Member States to consider e-books as part of public lending schemes, provided that all necessary agreements with the relevant right holders have been reached beforehand;</p>	<p>9. Urges the Commission to promote a higher level of common approaches towards narrow, targeted and format-neutral exceptions and limitations that do not weaken copyright protection as part of a balanced framework for exceptions and limitations that does not cause any harm to right holders and that conforms with consumer expectations; encourages Member States to make use of those exceptions in a narrow, targeted and technology-neutral way where evidence demonstrates they would be necessary to promote access to creative content and support creativity; emphasises the important role that exceptions and limitations agreed on for public-interest reasons, for the purpose of education and teaching, play in providing access to knowledge as well as in encouraging cultural and societal participation; highlights the importance of copyright exceptions that allow enhanced accessibility to digital content for persons with disabilities; urges the Commission and the Member States to consider e-books as part of public lending schemes, provided that all necessary agreements with the relevant right holders have been reached beforehand;</p>
<p>The amendment mixes positive changes such as access to digital content for persons with disabilities with the use of “narrow exceptions”, which could produce a rigid framework which is not fit to the increasing changes in the technological environment.</p>	

Amendment 67
Jiří Maštálka
Draft opinion
Paragraph 9

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
<p>9. Urges the Commission to promote a flexible and balanced framework for exceptions and limitations that does not cause any harm to right holders and that conforms with consumer expectations; emphasises the important role that exceptions and limitations agreed on for public-interest reasons, for the purpose of education and teaching, play in providing access to knowledge as well as in encouraging cultural and societal participation; urges the Commission and the Member States to consider e-books as part of public lending schemes, provided that all necessary agreements with the relevant right holders have been reached beforehand;</p>	<p>9. Urges the Commission to promote a flexible and balanced framework for exceptions and limitations that does not cause any harm to right holders and that conforms with consumer expectations; emphasises the important role that exceptions and limitations agreed on for public-interest reasons, for the purpose of education and teaching, play in providing access to knowledge as well as in encouraging cultural and societal participation; urges the Commission and the Member States to consider e-books as part of public lending schemes, provided that all necessary agreements with the relevant right holders have been reached beforehand; <i>stresses that digital rights management should not be used to limit or impede the exercise of the exceptions and limitations;</i></p>

Or. en

Amendment 68
Catherine Stihler
Draft opinion
Paragraph 9

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
<p>9. Urges the Commission to promote a flexible and balanced framework for exceptions and limitations that does not cause any harm to right holders and that conforms with consumer expectations; emphasises the important role that exceptions and limitations agreed on for public-interest reasons, for the purpose of education and teaching, play in providing access to knowledge as well as in encouraging cultural and societal participation; urges the Commission and the Member States to consider e-books as part of public lending schemes, provided that all necessary agreements with the relevant right holders have been reached</p>	<p>9. Urges the Commission to promote a flexible and balanced framework for exceptions and limitations that does not cause any harm to right holders and that conforms with consumer expectations; emphasises the important role that exceptions and limitations agreed on for public-interest reasons, for the purpose of education and teaching, play in providing access to knowledge as well as in encouraging cultural and societal participation; urges the Commission and the Member States to consider e-books as part of public lending schemes, provided that all necessary agreements with the relevant right holders have been reached</p>

beforehand;	beforehand; <i>urges the Commission and Member States to provide for an updated exception that allows libraries, archives and museums to make protected works in their collections, that are no more in commercial circulation or otherwise actively managed by their right holders, available for online access by the public;</i>
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Or. en

Amendment 69
Julia Reda, Josef Weidenholzer
Draft opinion
Paragraph 9

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
9. Urges the Commission to promote a flexible and balanced framework for exceptions and limitations that does not cause any harm to right holders and that conforms with consumer expectations; emphasises the important role that exceptions and limitations agreed on for public-interest reasons, for the purpose of education and teaching, play in providing access to knowledge as well as in encouraging cultural and societal participation; urges the Commission and the Member States to consider e-books as part of public lending schemes, <i>provided that all necessary agreements with the relevant right holders have been reached beforehand;</i>	9. Urges the Commission to promote a flexible and balanced framework for exceptions and limitations that does not cause any harm to right holders and that conforms with consumer expectations; emphasises the important role that exceptions and limitations agreed on for public-interest reasons, for the purpose of education and teaching, play in providing access to knowledge as well as in encouraging cultural and societal participation; urges the Commission and the Member States to consider e-books as part of public lending schemes;

Or. en

Amendment 70
Inês Cristina Zuber
Draft opinion
Paragraph 9

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
9. Urges the Commission to promote a flexible and balanced framework for exceptions and limitations that does not cause any harm to <i>right</i> holders and that conforms <i>with consumer expectations;</i> emphasises the important role that exceptions and limitations agreed on for public-interest reasons, for the purpose of	9. Urges the <i>Member States and the Commission</i> to promote a flexible and balanced framework for exceptions and limitations that does not cause any harm to <i>copyright</i> holders and that conforms <i>to the right of access to knowledge;</i> emphasises the important role that exceptions and limitations agreed on for public-interest

education and teaching, play in providing access to knowledge as well as in encouraging cultural and societal participation; urges the Commission and the Member States to consider e-books as part of public lending schemes, provided that all necessary agreements with the relevant right holders have been reached beforehand;	reasons, for the purpose of education and teaching, play in providing access to knowledge as well as in encouraging cultural and societal participation; urges the Commission and the Member States to consider e-books as part of public lending schemes, provided that all necessary agreements with the relevant right holders have been reached beforehand;
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Or. pt

Amendment 71
Sergio Gutiérrez Prieto
Draft opinion
Paragraph 9

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
<p>9. Urges the Commission to promote a flexible and balanced framework for exceptions and limitations that does not cause any harm to right holders and that conforms with consumer expectations; emphasises the important role that exceptions and limitations agreed on for public-interest reasons, for the purpose of education and teaching, play in providing access to knowledge as well as in encouraging cultural and societal participation; urges the Commission and the Member States to consider e-books as part of public lending schemes, provided that all necessary agreements with the relevant right holders have been reached beforehand;</p>	<p>9. Urges the Commission to promote a flexible and balanced framework for exceptions and limitations that does not cause any harm to right holders and that conforms with consumer expectations; emphasises the important role that exceptions and limitations agreed on for public-interest reasons, for the purpose of research, education and teaching, play in providing access to knowledge as well as in encouraging cultural and societal participation; urges the Commission and the Member States to facilitate the inclusion of e-books in public lending schemes, provided that all necessary agreements have been reached beforehand to ensure fair remuneration and respect for the rights of the right holders;</p>
<p>Exceptions and limitations in the current Directive are there because they comply with the 3-step test. Therefore there is no justification for not making them mandatory.</p>	

Or. es

Amendment 72
Inês Cristina Zuber
Draft opinion
Paragraph 9 a (new)

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
	<i>9a. Recommends studying the rules governing file-sharing for non-commercial purposes, which should provide mechanisms to ensure that intermediaries pay fair compensation for creative work;</i>

Or. pt

Amendment 73
Julia Reda, Josef Weidenholzer
Draft opinion
Paragraph 10

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
10. Welcomes the structured stakeholder dialogue ‘Licenses for Europe’, launched by the Commission in 2013; believes that relevant stakeholder engagement and sharing of best practices is essential if a more homogenous implementation of copyright laws across the EU is to be reached;	10. Welcomes the <i>idea of a</i> structured stakeholder dialogue <i>that would build on the experiences of</i> ‘Licenses for Europe’, launched by the Commission in 2013; <i>notes the fact that ‘Licences for Europe’ was unable to reach consensus thereby highlighting the need for legislative measures;</i> believes that relevant stakeholder engagement and sharing of best practices is essential if a more homogenous <i>and evidence based</i> implementation of copyright laws across the EU is to be reached;

Or. en

Amendment 74
Kaja Kallas
Draft opinion
Paragraph 10

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
10. Welcomes the structured stakeholder dialogue ‘Licenses for Europe’, launched by the Commission in 2013; believes that relevant stakeholder engagement and sharing of best practices is essential if a more homogenous implementation of copyright laws across the EU is to be reached;	10. Welcomes the structured stakeholder dialogue ‘Licenses for Europe’, launched by the Commission in 2013; notes however that this dialogue did not reach a consensus and remains without prejudice to the possible need for policy action; believes that relevant stakeholder engagement and sharing of best practices is essential if a more homogenous implementation of copyright laws across the EU is to be reached;
The previous amendments is more complete than this one.	

Or. en

Amendment 75
Jiří Maštálka
Draft opinion
Paragraph 10

OPPOSE	
<i>Draft opinion</i>	<i>Amendment</i>
10. Welcomes the structured stakeholder dialogue ‘Licenses for Europe’, launched by the Commission in 2013; believes that relevant stakeholder engagement and sharing of best practices is essential if a more homogenous implementation of copyright laws across the EU is to be reached;	10. Welcomes the structured stakeholder dialogue ‘Licenses for Europe’, launched by the Commission in 2013 that showed that there are no copyright-related problems as regards cross-border availability and portability of music; believes that relevant stakeholder engagement and sharing of best practices is essential if a more homogenous implementation of copyright laws across the EU is to be reached;
Consumer have expressed in the EC consultation on copyright that there are indeed problems accessing to content: https://edri.org/summary-report-responses-copyright-consultation/	

Or. en

Amendment 76
Antanas Guoga
Draft opinion
Paragraph 10

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
<p>10. Welcomes the structured stakeholder dialogue ‘Licenses for Europe’, launched by the Commission in 2013; believes that relevant stakeholder engagement and sharing of best practices is essential if a more homogenous implementation of copyright laws across the EU is to be reached;</p>	<p>10. Welcomes the structured stakeholder dialogue ‘Licenses for Europe’, launched by the Commission in 2013; believes that relevant stakeholder engagement and sharing of best practices is essential if a more homogenous implementation of copyright laws across the EU is to be reached; <i>calls the Commission to monitor and report on the implementation of the Licenses for Europe’ pledges;</i></p>

Or. en

Amendment 77
Inês Cristina Zuber
Draft opinion
Paragraph 10

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
<p>10. Welcomes the structured stakeholder dialogue ‘Licenses for Europe’, launched by the Commission in 2013; believes that relevant stakeholder engagement and sharing of best practices is essential if a <i>more homogenous</i> implementation of copyright laws across the EU is to be reached;</p>	<p>10. Welcomes the structured stakeholder dialogue ‘Licenses for Europe’, launched by the Commission in 2013; believes that relevant stakeholder engagement and sharing of best practices is essential if a <i>fair</i> implementation of copyright laws across the EU is to be reached;</p>

Or. pt

Amendment 78
Inês Cristina Zuber
Draft opinion
Paragraph 11

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
<p>11. Highlights the importance of promoting greater interoperability for software, as lack of interoperability hampers innovation and reduces competition in the EU; believes that lack of interoperability may lead to market dominance of one particular product, which in turn stifles competition and limits consumer choice in the EU.</p>	<p>11. Highlights the importance of promoting the use of free software, as the use of private software poses obstacles in terms of interoperability, which in turn hampers access to knowledge and information.</p>

Or. pt

Amendment 79
Eva Paunova, Ivan Štefanec, Marc Joulaud, Sabine Verheyen, Anna Maria Corazza Bildt, Antonio López-Istúriz White
Draft opinion
Paragraph 11

NO POSITION	
<i>Draft opinion</i>	<i>Amendment</i>
<p>11. Highlights the importance of promoting greater interoperability for software, as lack of interoperability hampers innovation and reduces competition in the EU; believes that lack of interoperability may lead to market dominance of one particular product, which in turn stifles competition and limits consumer choice in the EU.</p>	<p>11. Highlights the importance of promoting greater interoperability for software, as lack of interoperability hampers innovation and reduces competition in the EU; believes that lack of interoperability may lead to market dominance of one particular product, which in turn stifles competition and limits consumer choice in the EU; recognises that a number of these issues are linked to competition law and highlights that healthy competition along with the protection of intellectual property rights are essential for doing business with legal content.</p>

Or. en

Amendment 80
Philippe Juvin
Draft opinion
Paragraph 11

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
<p>11. Highlights the importance of promoting greater interoperability for software, as lack of interoperability hampers innovation and reduces competition in the EU; believes that lack of interoperability may lead to market dominance of one particular product, which in turn stifles competition and limits consumer choice in the EU.</p>	<p>11. Highlights the importance of promoting greater interoperability for software and terminals, as lack of interoperability hampers innovation and reduces competition in the EU and slows down innovation; the resulting lack of interoperability is hampering the development of new content services at the expense of artists seeking a broader public throughout Europe; believes that lack of interoperability may lead to market dominance of one particular product, which in turn stifles competition and limits consumer choice in the EU.</p>

Or. fr

Amendment 81
Vicky Ford, Daniel Dalton
Draft opinion
Paragraph 11

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
<p>11. Highlights the importance of promoting greater interoperability for software, as lack of interoperability hampers innovation and reduces competition in the EU; believes that lack of interoperability may lead to market dominance of one particular product, which in turn stifles competition and limits consumer choice in the EU.</p>	<p>11. Highlights the importance of promoting greater interoperability for software, as lack of interoperability hampers innovation and reduces competition in the EU; believes that lack of interoperability may lead to market dominance of one particular product, which in turn stifles competition and limits consumer choice in the EU; highlights the importance of copyright exceptions that allow enhanced accessibility to digital content for persons with disabilities; recognises that the inability to purchase content in an appropriate format for users with disabilities also creates a barrier to trade for enterprises; recognises that a number of these issues are linked to competition law and highlights that healthy competition along with the protection of intellectual property rights are essential for doing business with legal content; further recognises that the inability to</p>

	<i>purchase content in an appropriate format that can support users with disabilities reduces the cultural output and content offer available across the Member States.</i>
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Or. en

Amendment 82
Jiří Maštálka
Draft opinion
Paragraph 11 a (new)

SUPPORT	
<i>Draft opinion</i>	<i>Amendment</i>
	<i>11a. Enforcement of copyright rules should be proportionate and respect user's fundamental rights and freedoms, such as the right to presumption of innocence, the right to fair trial, confidentiality of communications. Any restrictions to user's rights must be foreseen by law.</i>

Or. en