



The Consumer Voice in Europe

Consumer associations and digital industries call for balanced copyright reform for the Digital Single Market

Joint letter sent to Vice-President Andrus Ansip and Commissioner Günther Oettinger on April 23, 2015

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Vice-President Andrus Ansip
Commissioner Günther Oettinger
European Commission
Rue de la Loi 200

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Dear Vice-President Ansip,

Dear Commissioner Oettinger,

On behalf of BEUC, which represents 40 national consumer associations across Europe and Digital Europe, which represents digital industries, we write to you in relation to the forthcoming revision of the copyright legal framework.

Our organisations fully support a competitive and well-functioning Digital Single Market to the benefit of consumers and businesses in order to unleash the full potential of Europe's digital economy.

As expressed by President Juncker in his political guidelines for the new European Commission, we strongly agree that the European Union needs to modernise copyright rules in the light of the digital revolution and changed consumer behaviour.

Both our organisations strongly support Vice-President Ansip's announcement after the March 25 Digital Single Market orientation debate that the European Commission aims to ensure people can access and use online services and digital goods across borders.

The Copyright Directive dates from 2001, preceding mass distribution of copyrighted content over the internet and does not take into account the needs of the different parties involved in online distribution of copyrighted content and consumers - the final users of legal offers.

The European Union needs to strike a balance in the current copyright legal framework and we are convinced that if the **European Commission wants to deliver its promise to modernise EU copyright law, it cannot miss this opportunity to revise areas of the Copyright Directive in need of urgent update and which may go beyond territorial licencing practices and cross-border access to content.**

Therefore, our organisations urge the European Commission to revise the following areas of the Copyright Directive when preparing its proposal:

Copyright Levies

The existing national private copying levy systems are unfit for purpose in the digital environment and create burdens for consumers, including duplicate payments. The recommendations following Mr. Vitorino's mediation process overseen by the previous European Commission are first steps toward a considered reform of the current media-based compensation schemes. However, any changes in copyright levy systems must be made in the Copyright Directive if the EU aspires to bring more transparency and fairness to this compensation scheme before phasing levies out.

Exceptions and Limitations

Exceptions to and limitations on rights holders' exclusivity play fundamental roles in the digital economy as enablers of innovation. Additionally, divergences among current national systems do not provide legal certainty as to which actions are legal or illegal when using copyrighted content accessed online.

One way to ensure greater legal certainty would be with a uniform list of exceptions to be applied consistently across the Digital Single Market, especially when rights holders have not provided the means for a lawful use of legally purchased content. This would allow consistent and equal access to cultural diversity across borders and facilitate the distribution of content, devices and services within the single market to boost consumer choice and innovation. Additionally, such harmonisation should not give rise to compensation rights particularly not those based on the outdated model of copyright levies.

Finally, we acknowledge that the ultimate purpose of EU copyright law is to protect creators and generate incentives for the continued development of Europe's cultural identities. Likewise, our organisations firmly believe that creators must be appropriately remunerated for their work and that an effective Digital Single Market for online content will create opportunities for more competitive and wider legal offers across the EU.

We look forward to the forthcoming revision of the Copyright Directive.

Thank you for taking the views of consumers and digital industries into account when preparing the Commission's proposal.

Yours sincerely,

John Higgins
Director General, DIGITALEUROPE

Monique Goyens
Director General, BEUC