# Private copying levies

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The Commission presents a communication on content in the Digital Single Market.

In 2010, in its Digital Agenda for Europe, the Commission endeavoured to open up access to content as part of its strategy to achieve a vibrant Digital Single Market and identified a number of actions in the field of copyright. In 2011, in its Intellectual Property Strategy "A Single Market for Intellectual Property Rights", the Commission recognised the strategic importance of copyright for the development of the Digital Single Market.

In the **Compact for Growth and Jobs in June 2012**, the Heads of State or Government underlined, among other measures needed to achieve a well-functioning Digital Single Market by 2015, the importance of modernising Europe's copyright regime and facilitating licensing, while ensuring a high level of protection of intellectual property rights and taking into account cultural diversity.

Whilst good progress has been made in delivering the copyright-related actions identified in the Digital Agenda and the Intellectual Property Strategy, there **remains work to be done to ensure an effective single market in the area of copyright**.

The Commission will therefore work on two parallel tracks of action.

**1. Structured stakeholder dialogue**: a structured stakeholder dialogue will be launched by the Commission, with the assigned objective of delivering by the end of **2013 practical industry-led solutions to these issues**, without prejudice to further public policy action, including legislative reform, as appropriate. Under the name of "**Licensing Europe**", this process will seek to tap the potential and explore the possible limits of innovative licensing and technological solutions in making EU copyright law and practice fit for the digital age.

"Licensing Europe" will comprise **four parallel work strands**, tasked with delivering effective market-led solutions. The process will cover the following issues:

- ***Cross-border access and the portability of services***: the Commission's objective is to foster cross-border on-line access and "portability" across borders of content. It also concerns cross-border legal access to cloud-stored content and services which should also be facilitated.
- ***User-generated content and licensing for small-scale users of protected material***: the Commission's objective is to foster transparency and ensure that end-users have greater clarity on legitimate and non-legitimate uses of protected material, and easier access to legitimate solutions.
- ***Audiovisual sector and cultural heritage institutions***: the Commission's objective is to facilitate the deposit and online accessibility of films in the EU both for commercial purposes and non-commercial cultural and educational uses.
- ***Text and data mining***: the Commission's objective is to promote the efficient use of text and data mining (TDM) for scientific research purposes.
- In addition to these areas, during 2012 the issue of **private copying levies** has been the subject of an industry mediation process, fostered by the Commission and led by former Commissioner António Vitorino. Mr. Vitorino is expected to deliver a report on this issue at the beginning of next year, including a number of recommendations.

**2. Review of the copyright framework**: in parallel the Commission will **complete its on-going review of the EU copyright framework**, based on market studies and impact assessment and legal drafting

work, with a view to a decision in 2014 whether to table the resulting legislative reform proposals. The following elements will be addressed:

- territoriality in the Internal Market; harmonisation, limitations and exceptions to copyright in the digital age;
- fragmentation of the EU copyright market;
- how to improve the effectiveness and efficiency of enforcement while underpinning its legitimacy in the wider context of copyright reform.

Lastly, over the next two years, the Commission will continue to : (i) work for a modern copyright framework that remains fit for purpose and seeks to foster innovative market practices in order to guarantee effective recognition and remuneration of rights holders; (ii) provide sustainable incentives for creativity, cultural diversity and innovation; (iii) increase the choice of and open up access to legal offers by end users; (iv) allow new business models to emerge; (v) more effectively contribute to combating illegal offers and piracy.