Legal protection of databases

1992/0393(COD) - 13/12/1995

The rapporteur, Mrs PALACIO VALLELERSUNDI (EPP, E), stated that the common position incorporated Parliament’s proposal to increase the duration (from 10 to 15 years) of protection under the ‘sui generis’ right in question (Amendment No 24). It also clarified, to some extent in line with Amendment No 3, the concept of a ‘database’. Finally, in accordance with Amendment No 26, it provided for the possibility of renewing protection in the case of any substantial change to the database. Even the minimum rights of legitimate users, demanded by Parliament, were for the most part incorporated in the common position. In conclusion, the rapporteur considered that Parliament, together with the other Community institutions, had demonstrated audacity and perseverance in the face of one of the greatest challenges of contemporary law in a cultural and economic area so vast that it certainly merited the definition of a ‘Gutenberg Galaxy’. Commissioner Monti stated that he could accept the technical changes in the amendments adopted by Parliament at second reading. He, too, was certain that through this legislation the European Union would find itself ahead of its international partners.