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13 October 2009, Conference ["Enhancing the Culture of Reading and Books in the Digital Age"](#), Frankfurt/Germany

13 October 2009, [31st International Supply Chain Seminar](#), Frankfurt/Germany

19 October 2009, Seminar: ["Human Rights, Authors' Rights and Publishers' Rights"](#), Oslo/Norway

19-23 October 2009, [IFRRO Annual General Meeting](#), Oslo/Norway

17-18 November 2009, [1st Annual European E-Commerce Conference](#) -The New E-Commerce Pathway, Brussels/Belgium

Links to other News:

[PLS Publisher Accessibility Newsletter](#)

[ACAP September Newsletter](#)

<http://www.editeur.org/files/about/EDitEUR%20Sept09%20Newsletter.pdf>

Spanish pharmaceutical licenses signed

CEDRO has just licensed Roche Farma pharmaceutical laboratory in Spain to allow its employees to photocopy, scan and make available on an intranet fragments books and magazines. Roche has had a similar authorization for photocopying only since 2006.

There are already over 30 pharmaceutical companies in Spain having such licenses from CEDRO, including Celgene, GlaxoSmithKline, Lilly laboratories, Merck Sharp & Dohme, Novartis, Pfizer and Teva Genéricos Española. Authors and editors of works used by these pharmaceutical laboratories will now be able receive their due remuneration to through CEDRO. ([Back to section](#))

French "3 strikes law" strikes again

The French lower house approved the "three-strikes" bill (<http://www.assemblee-nationale.fr/13/ta/ta0332.asp>, in French) allowing authorities to cut off internet access and impose fines on those found to have downloaded copyrighted material without authorisation. The measure to create an agency, HADOPI, was amended by the French Constitutional Council in June on grounds that it did not meet due process requirements. The French Senate approved a new law ("HADOPI 2") in July after providing for courts to intervene, and the National Assembly approved (<http://www.assemblee-nationale.fr/13/scrutins/jo0421.asp>, in French) it on 15 September 2009. A commission of seven senators and seven lower chamber deputies must now combine the two houses' versions of the law into a single bill. ([Back to section](#))

Belgian Constitutional court rejects copyright law amendment

On 16 July 2009, the Constitutional Court of Belgium a December 2008 amendment of the Belgian Copyright Act regarding the partial or complete reproduction of sheet music by way of illustration in publications for teaching purposes) as null and void. The Court ruled in favour of *Société des Editeurs de Musique (SEMU) et al.* who had filed the lawsuit, and found that the amendment of the law constitutes an infringement of the Belgian Constitution by introducing a difference in the treatment between publishers of sheet music (i.e. works which, on the basis of the amended law, could be reproduced completely for teaching purposes) and comparable works, fixed on a graphic or similar medium, like books (where only short excerpts could be reproduced). ([Back to section](#))

CeMPro appoints new Chair and General Manager

The Mexican RRO, CeMPro has recently appointed a new Chairman, Mr. Julio Sanz Crespo, to succeed Fedro Guillén as from 22 June. Earlier Valeria Sánchez had replaced Maria Fernandez Mendoza as General Manager. ([Back to section](#))

Want to locate a Spanish author or editor?

CEDRO has launched a new service to individuals and companies or institutions which need locate and contact particular authors, translators and publishers anywhere in the world. For example, this service could help publishers communicate with a rightholders, whose work they want to publish or enable a library to locate authors and editors of books that it wants to digitalise or an organization to contact a writer to invite him or her to an event. After receiving the request, CEDRO locates the rightholder and, after receiving confirmation that an approach by the user or company is acceptable, facilitates contact. CEDRO will never pass on rightholders' contact without their authorization.

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RROs in Argentina and Malawi sign agreement

CADRA, the Argentinean RRO, reports that it signed a bilateral agreement with COSOMA, its counterpart in Malawi on 13 June. This is the 28th such agreement that CADRA has signed with foreign RROs. [\(Back to section\)](#)

M. Luisa Simpson to Head AAP's International Copyright Enforcement Program

The Association of American Publishers (AAP) has appointed M. Luisa Simpson, an attorney with a strong background in intellectual property, trade law, and technology policy, as Executive Director, International Copyright Enforcement and Trade Policy to succeed Patricia Judd. Ms. Simpson comes to AAP from the Entertainment Software Association where, as Senior Counsel for Intellectual Property Policy, she has been responsible for developing and guiding the video game industry association's work in the area of copyright and trade policy. [\(Back to section\)](#)

Norwegian rightholders: Sharing – not stealing

37 rightholder organisations and 2300 individual creators, performers, publishers and producers have signed the petition *Dele – ikke stjele* ("Sharing – not stealing"). The petition was made public 1 September, at the height of the Norwegian electoral campaign. Through advertising, news articles and a top level political meeting, the Norwegian politicians were asked to take a stand against pirate copying. No "Pirate Party" has emerged in Norwegian politics, but some political parties have endorsed the idea of legal non-commercial file-sharing.

Kopinor, the Norwegian RRO, together with its member organisations, have supported the petition. An unofficial translation of the petition can be found here:

<http://www.eca.dk/news/sharenotsteal.htm> [\(Back to section\)](#)

KOPIKEN organizes Legal Officers Forum

On 1 September 2009, Kopiken organised a Legal Officers Forum in Nairobi, with several legal officers from public and private Kenyan universities attending the meeting. Speeches were held, *inter alia*, by representatives from the Kenya Copyright Board, Hans-Petter Fuglerud (Deputy Executive Director, Kopinor) and Anita Huss (General Counsel, IFRRO). The participants discussed the international and national legal framework, and the Kenyan university representatives and Kopiken agreed to have

follow-up meetings in autumn 2009 to discuss further details of possible future licences with the higher educational institutions. ([Back to section](#))

CeMPro successes in piracy crack-down and new licenses

Police in Mexico City have launched a series of 6 raids on booksellers suspected of distributing counterfeit books. The raids were initiated by CeMPro and resulted in the seizure of three tons of books. In addition CeMPro signed 28 new licenses in or around colleges and schools. ([Back to section](#))

European Court decision on Danish press monitoring Agency

The European Court of Justice (ECJ) has published a judgment on the interpretation of Articles 2 and 5(1) of Directive 2001/29/EC ([Case C-5/08, Infopaq International A/S v Danske Dagblades Forening, 16 July 2009](#)). The case concerns Infopaq, a Danish press monitoring agency, which was scanning newspaper articles for commercial purposes without the permission from rightholders. The ECJ held that Infopaq's data capture process did come within the concept of reproduction as set out in Article 2 of the Directive 2001/29/EC, if the elements reproduced were the "expression of the intellectual creation of their author". The ECJ also ruled that the act of printing out an extract of 11 words, during such a data capture process, was not transient in nature as required by Article 5(1) of the same Directive. Therefore, that process could not be carried out without the relevant rightholders' consent. ([Back to section](#))

EU Communications/public consultations recently launched by the European Commission

1. Consultation on "Europeana – next steps"

The European Commission adopted the Communication "Europeana – next steps" on 28 August 2009 (link to the [Commission Communication](#)); link to the accompanying [Staff Working Document](#), incl. questions for consultation. The public consultation launches a debate on the further development of Europeana (deadline for comments: 15 November 2009).

2. Consultation on "Post i2010: priorities for a new strategy for European information society (2010-2015)"

The European Commission has published Europe's Digital Competitiveness Report (link to the [Commission Communication](#); link to the [Commission's press release](#)) and opened a public consultation on what future strategy the EU should adopt to make the digital economy run at full speed (deadline: 9 October 2009.)

3. Communication on "Enhancing the enforcement of intellectual property rights in the internal market"

The European Commission adopted on 14 September 2009 a Communication on enhancing the enforcement of intellectual property rights in the internal market (link to the [Commission Communication](#); link to the [Commission's press release](#)). ([Back to section](#))

Google Book Search Settlement: Fairness Hearing postponed and Settlement may be modified

On 24 September 2009, the US District Court Judge in the Google Book Search case granted the Parties' motion to postpone the Fairness Hearing scheduled for 7 October 2009. The Court will, however, conduct a status conference on 7 October 2009 at 10.00 am to determine how to proceed with the case as expeditiously as possible. Additional details are included in the Order (http://www.googlebooksettlement.com/r/home?cfe_set_lang=1&hl=en). The Settlement website has been updated in English; other languages are being translated as soon as possible. ([Back to section](#))

IFRRO addresses Commission hearing on Google settlement

Olav Stokkmo, IFRRO CEO, told participants at the European Commission hearing on the Google settlement in Brussels on 7 September, that the Books Rights Registry will operate in a compatible way to RROs and will probably cooperate with the ARROW Digital Library Project. The hearing was called by DG Internal Market to air European concerns about the Google settlement and addressed consumer, research, education, and access issues as well as the notion of "commercial availability". [See full notes and IFRRO intervention.](#) ([Back to section](#))

Justice Department Submits Views on Proposed Google Book Search Settlement

The Department of Justice's advice to US District Court fell short of suggesting acceptance of the Google Settlement but encouraged the parties to continue their ongoing discussions. While reiterating the US concerns about class action, copyright and antitrust issue in the proposed settlement, it stated that the opportunity should not be lost to obtain a properly structured settlement, which would bring important societal benefits.

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New RRO established in Uganda

A new RRO, the Uganda Reproduction Rights Organization (URRO), was established at an IFRRO sponsored workshop in Kampala on 25 June. Mr. James Tumusiime, the Chairman of the National Book Trust of Uganda (NABOTU), chaired the Workshop. He welcomed the initiative which had come about just as, on one hand, Uganda's publishing industry had gathered a critical mass of rightholders and, on the other, there was a great increase in enrolments in schools and colleges which called for easier legal access to copyrighted works. IFRRO was represented by Mr Chilongo Greenfield from Zimcopy. ([Back to section](#))