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**Volume 12 – Number 5 - November 2009**

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Boek.be has set up an eb-book portal to tap into Flemish market ([Read more](#))

### **IFRRO Digital Licenses questionnaire**

IFRRO follows up digital mandates survey with questionnaire to find link to licenses. ([Read more](#))

## **WIPO**

### **Cairo Conference addresses exceptions and limitations to exclusive rights ([Read more](#))**

Focus on education and people with print disabilities in joint Arab League/WIPO conference

## **EVENTS**

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

**18-19 November 2009, [International conference on trends in copyright protection](#), Wuhan/China**

**19-20 November 2009, [Mercosur Anti-piracy conference](#), Buenos Aires/Argentina**

**1st December 2009, [Conference "Content on line and creative rights"](#), Brussels/Belgium**

**8-10 December 2009, [Conference "Digital Strategies for Heritage"](#), Rotterdam/The Netherlands**

**14-18 December 2009, [Standing Committee on Copyright and Related Rights](#), Geneva/Switzerland**

**15-16 December 2009, [Conference "Enforcement of Intellectual Property Rights - With a Special Focus on Trademarks and Patents"](#), Stockholm/Sweden**

**19-20 January 2010, [Academic Publishing in Europe](#): "Researchers, Librarians & Publishers", Berlin/Germany**

## **Links to other News:**

[ACAP October Newsletter](#)

### **IFRRO's Silver Anniversary AGM**

Over 200 delegates and guests joined in the celebration of IFRRO's 25th Anniversary at the IFRRO Annual General Meeting hosted by KOPINOR in Oslo. Deputy Secretary of State for Foreign Affairs, Elisabeth Walaas, welcomed delegates on behalf of the Norwegian Minister of Culture. She stressed the importance of copyright in protecting the rights of authors and in promoting cultural diversity. Her support for properly managed access for the disabled and digitization, and for development training were echoed in the words of encouragement also offered from WIPO, ARIPO, OAPI and IFLA. In a special ceremony to mark the 25th Anniversary, delegates heard from some of the leading lights in IFRRO's first years - Joe Allen, Paul Asser and John-Willy Rudolph – as they discussed IFRRO's early trials and triumphs with Monica Seeber, who wrote the official history of IFRRO: "Enabling Access – 25 Years of IFRRO".

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### **Google Book Settlement: Amended Settlement Agreement Filed**

On November 13, 2009, the parties in Authors Guild, et al. v. Google Inc. filed an amendment to the Original Settlement in response to discussions with the United States Department of Justice and objections to the Original Settlement. The Amended Settlement Agreement, awaiting Court approval, may be found at the [Google Settlement site](#). For US works, the definition of Books remains largely unchanged: US works must have been published and registered with the US Copyright Office by January 5, 2009 to be included in the Amended Settlement. However, if the works are not US works, they are only included in the Amended Settlement if they were published by January 5, 2009 and either were registered with the US Copyright Office by that date or their place of publication was in Canada, the UK, or Australia. The deadline to claim Books and Inserts for Cash Payments has been extended from January 5, 2010 to March 31, 2011. The Removal deadline as to Google has been extended from April 5, 2011 to March 9, 2012. (The Removal deadline as to the libraries' digital copies remains April 5, 2011.)

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### **EU Telecoms bill opens way to disconnecting internet pirates**

A last minute agreement on the EU Telecoms package, between member government representatives, the European Parliament and the European Commission, leaves Internet users suspected of infringing copyright laws facing suspension of their connections or other administrative measures without the need for a court ruling. However suspects will have the right to "a prior, fair and impartial procedure..., including the right to be heard". It is expected that the bill will now be signed without further amendments.

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### **Leading media monitoring organisations complete NLA licence**

The NLA has completed web database licence agreements with leading media monitoring organisations - Digital Media Services, Durrants, MediaGen, Precise Media, Press Data, PressIndex and TNS Media Intelligence. The new licences give these organisations the right to create and deliver paid media monitoring services including content from over 1,000 UK newspaper websites. The licences form part of the NLA extension of services and licences to newspaper website content. The NLA expects to complete licence agreements with other providers of paid monitoring services in the near future and with users of these services from January 2010. Licensed media monitoring agencies will be recorded at [www.nla.co.uk](http://www.nla.co.uk). [\(Back to section\)](#)

### **Integrated Ibero-American data base established**

CEDRO (Spain), CADRA (Argentina), CDR (Colombia) and CeMPro (Mexico) have set up a joint data base giving access to their combined repertoires - the Ibero-American RROs Integrated Repertoire, (RIEDRI). The database is open to all Spanish and Portuguese RROs and users can search titles at one of the individual repertoires or at all of them at the same time. RIEDRI is intended mainly to help developing RROs in Latin America by providing a basic repertoire management tool and as a marketing aid to support licensing efforts.

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### **VISCOPY launches exhibition space and announces new annual prize for artists**

Australasia's not-for-profit rights collecting society for visual arts, VISCOPY, opened a new exhibition centre at its new premises in Sydney on 9 November. At the same time it announced an annual prize, worth 10,000 Australian dollars, for professional artists with two years experience but not yet recognised by a commercial gallery. The prize is in remembrance of John Fries, a Director of VISCOPY who died earlier this year in an accident.

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### **DELL fined for Belgian levy infringement**

The Court of First Instance in Brussels has sentenced Dell (Dell Netherlands and Dell Belgium) to pay approximately 1.2 million EUR for overdue equipment levies to Reprobel. The case centred on whether the level of the levy should be based on "normal" quality or maximum achievable copy speed. The Court ruled that the maximum or draft mode speed should be taken into account. It also stated that the Belgian Copyright Legislation - which also takes into account unauthorised copies when fixing the remuneration - was compatible with the European Directive and noted that the spirit of the Directive aimed at providing a "high level" of protection of intellectual property. Dell has one month in which to appeal against this judgement.

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### **EU launches Public Consultation on "Creative Content Online"**

A new EU consultation paper outlines the content online-related challenges for three groups of stakeholders – rightholders, consumers and commercial users – and invites them to start a reflection on possible European responses. With this public consultation the Commission's services wish to launch "a wide-ranging debate on how to develop vibrant online markets for goods and services protected by intellectual property rights". The [consultation](#) addresses the role of legal online markets and explores a variety of copyright management models. A [Reflection Document](#) of DG INFSO and DG MARKT is also available. The deadline for responses is 5 January 2010. IFRRO is preparing a submission.

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## **EU Commission calls on stakeholders to solve E-Commerce barriers**

The Commission has published a Communication on Cross-Border Business to Consumer e-Commerce in the EU, [COM\(2009\)557](#), which pinpoints copyright levies as one impediment to E-Commerce. The communication is linked to its "[The Mystery Shopping Evaluation of Cross-Border E-Commerce in the EU report](#)" which has concluded that 60% of cross-border internet shopping orders are refused. In its [FAQ on Dismantling barriers to cross-border online shopping](#), the Commission states that there are many problems now with cross-border management of copyright levies on sales of blank media and recording devices and calls upon stakeholders to redouble their efforts to find practical solutions.

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## **IFRRO positions on post i2010 and European consultations**

IFRRO responses have been submitted in reply to two EU consultations - "Post-i2010: Priorities For a New Strategy for European Information Society (2010-2015)" and "EUROPEANA – next steps". The responses both stress the importance of making content available legally and relying on stakeholder-led solutions rather than legislation in addressing disputes. The submissions can be found under European Union on the submissions page of the [IFRRO website](#).

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## **ARROW – a key to enabling digital libraries – towards a prototype**

ARROW (<http://www.arrow-net.eu/>) is a EU sponsored project run by a consortium which includes European national libraries, publishers, writers, collective management organisations and IFRRO. It aims at facilitating the identification across border of rights, rightholders and right status in a work as well as building a registry for orphan works. The value of ARROW for the future of digital libraries and in particular Europeana is increasingly recognized in the EU institutions and Member States and by professionals of the book sector. Recent European Commission documents and hearings refer to it and national ministers including the French Minister of Culture Frédéric Mitterand have expressed interest in being kept informed of the evolution of the project. A prototype is under construction and scheduled to be piloted in early 2010. The consortium hopes to offer use of the system across Europe in 2011.

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## **New IFRRO members**

The IFRRO Board approved two new IFRRO Members at its Board meeting in Oslo in October. KOPITAN, the RRO for Tanzania has become a RRO Member and the Korean Society of Authors (KOSA), becomes an Associate Member.

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## **First Belgian E-Book Portal launched**

Boek.be - the Belgian umbrella association of Dutch language book publishers and booksellers, has launched its e-book portal [www.e-boek.org](http://www.e-boek.org) on 22 October. The e-boek.org model is based on the German approach, in that a percentage of the proceedings of e-book sales is paid to physical "reference" book shops, to be chosen during the registration phase by the customer. Boek.be, which sells the e-books directly to end customers, aims to launch the e-book market in Flanders. Already around 3.000 titles - are offered in the ePub-format, allowing access through various e-readers such as BeBook, Cybook, Sony Ereader, etc. [\(Back to section\)](#)

## **RROs and the Digital Environment**

A questionnaire to the membership in June/July IFRRO showed that nearly all responding RROs hold mandates to authorise digitisation, such as scanning of analogue material for the printing out of a hard copy or for the posting to secure networks. Several also licence copying from digital originals for internal use; downloads from Internet and similar sources including for the making of further hard copies or for posting to internal networks; downloads and re-use of paid-for digital content; downloads and re-use of free-to-view web pages; projection of material to whiteboards, the inclusion of copyright material in power point presentations, etc. Licensing of education frequently includes Virtual Learning Environments (VLE), also for digital uses. Nearly 50% include the licensing of the use of orphan works, some also out-of-commerce works and/or the transformation of material to alternate formats readable by visually impaired. A second questionnaire was launched in November to try to make the link to licensing. The aim would be to produce a cross matrix showing whether the mandate had resulted in a license and on what basis.

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## **Cairo Conference addresses exceptions and limitations to exclusive rights**

On 2 November the League of Arab States and WIPO co-organised a conference in Cairo on copyright, copyright management and exceptions/limitations to exclusive rights. Representatives came from all over the Arab region and from African countries such as Nigeria, Somalia and Senegal. Access to copyright works is clearly on the political agenda and the conference focused in particular exceptions in favour of education and people with print disabilities. IFRRO's CEO Olav Stokkmo was on the panel that discussed accessibility for the print disabled. He stressed that access to copyright works is most comprehensively achieved through licensing in which collective licensing through RROs is indispensable to complement direct licensing in order to offer a complete solution. The shortage of RROs in Middle East countries is a challenge to be addressed by authors and publishers in the region as well as by IFRRO.

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