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**15 to 16 February 2011**, [The Culture in Motion Conference 2011](#), Brussels Belgium

**27 February to 1 March 2011**, [Conference "The Contribution of Culture to the Implementation of the Europe 2020 Strategy"](#), Brussels, Belgium

**10 March 2011**, ARROW Launch Conference, Brussels, Belgium

**31 March to 2 April 2011**, [World Book Summit 2011](#), Ljubljana/Slovenia

**31 March to 4 April 2011**, [UNESCO Regional Forum "Writing, publishing, translating: building cultural diversity in South-East Europe"](#) Ljubljana/Slovenia

**7 to 8 June 2011**, [World Copyright Summit 2011 "Creating value in the digital economy / Create-Connect-Respect"](#), Brussels, Belgium

**9 June 2011**, [IFRRO Business Models Forum](#), Brussels, Belgium

**10 June 2011**, [European Group meeting](#), Brussels, Belgium

**22 to 24 September 2011**, [PLR International Conference 2011](#) Brussels, Belgium

**24 to 27 October 2011**, [IFRRO World Congress 2011 \(AGM week\)](#), Ljubljana, Slovenia

**27 October**, [AGM 2011 session](#), Ljubljana, Slovenia

### **Links to other News:**

[IPA Newsletter Number 82](#)

### **IFRRO welcomes second Croatian RRO as 129<sup>th</sup> IFRRO Member**

The IFRRO Board has accepted the Croatian Writers' Association ([DHK](#)), the Croatian writers' Association and authors' RRO in Croatia as a new IFRRO member.

The Croatian legislation imposes separate RROs for authors and publishers. The publishers' RRO, [ZANA](#), is already an IFRRO member. A cooperation agreement has been signed between DHK and ZANA by which ZANA shall perform the collection of the copyright levy on reprographic devices established by law and distribute 50% of the collected remuneration to DHK.

This brings IFRRO membership up to 129, of which 74 administer collectively reproduction rights.

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### **IFRRO targets development of RROs in the Middle East**

The IFRRO Board has established a Middle East Development Committee encourage the development of RROs among the 22 states of the League of Arab States (LAS). Already plans for RROs are well advanced in UAE, Saudi Arabia and Egypt. Emma House, the Trade and International Director of the PA (UK) has been appointed to chair it.

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### **IFRRO establishes IFRRO Enforcement fund**

At its January 2011 meeting, the IFRRO Board has established an IFRRO Enforcement Fund. This fund aims at supporting direct costs incurred in pursuing litigation linked to the enforcement of copyright and related rights relevant to the text and image based sector in areas that directly relate to collective administration by RROs and in cases that have a transnational impact.

The purpose is to pursue infringement claims which for political reasons required group action or where the group benefits collectively.

The fund will be established with voluntary contributions from members and a set contribution from IFRRO centrally.

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### **Thousands of Counterfeit University Books Seized in Canada**

As part of an investigation into offences under the Copyright Act, officers of the Royal Canadian Mounted Police Federal Investigation Section conducted four searches in photocopy stores in Montréal in the last few weeks. Their objective was to put an end to the activities of groups involved in the illegal distribution and sale of photocopied university books. Some 2,700 counterfeit books and digests were seized as well as a significant quantity of material used for copying. The total value of the books seized is estimated at close to \$540,000.

As a result of mounting complaints from legitimate businesses in the university press industry, an investigative project was initiated to take a closer look at this phenomenon. The investigators found that it was a well-organized practice affecting all the local universities.

A total of 13 individuals were arrested in the course of the police operations. Charges under the Copyright Act could be filed at the end of the investigation. Early investigation information indicates that the businesses had been active for several years. Some of them used a legitimate front to engage in illegal photocopying of university books. Others rented premises in the vicinity of universities for the back-to-school period and advertised their services through various means, mainly word of mouth within university communities.

The subjects made photocopies based on university program course lists. All they had to do was to show their student card to obtain the course material. The books and digests in question could be sold at a quarter of the list price on average.

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#### **No Ads, Domain Seized and No Anonymity For Pirate Site, Judge Rules**

A U.S. District Court judge has issued a preliminary injunction against two advertising networks and a Whois protection service of a site that offers pirated e-books. Advertising networks Clicksor and Chitika are now prohibited from serving advertisements to the site, while Enom's Whois Privacy Protection Service was ordered to hand over all personal details of the site's owner and make the site inaccessible. [Read more at torrentfreak](#)

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#### **Federal Constitutional Court again decides in favour of VG WORT**

Following its ground-breaking decision of 30 August 2010 the Federal Constitutional Court (BVerfG) has now delivered judgement on three further constitutional complaints by VG WORT concerning copyright levies (1 BvR 2742/08; 1 BvR 506/09; 1 BvR 2760/08).

In these cases, which concern levies on PCs and printers/plotters under the old German Copyright law (in force until the end of 2007), the Highest Federal Court (BGH), must reconsider its judgement. Only in one case, concerning the obligation to pay a levy on so called "copy stations", did the BVerfG not accept the constitutional complaint by VG WORT (1 BvR 3461/08). In the view of the BVerfG, the BGH had not taken sufficient account of the constitutional provisions on intellectual property (article 14 German Constitution). In particular the BGH should have taken into account the danger of an "absolute gap in protection" to the disadvantage of the rightsholders due to the rapid development of digital reproduction technology. The BVerfG reinforced its argument against the "consent argument" of the BGH: the BGH had based its argument on the contention that there is no obligation to pay remuneration for digital copies under the levy system if the author had consented to the copying.

The decisions of the BVerfG are also significant because they contain important considerations for the interpretation of European law. The European Court, in response to questions submitted

concerning the wording of the Spanish law, recently decided that the indiscriminate application of the private copy levy to devices acquired by persons other than natural persons for purposes clearly unrelated to private copying does not comply with European law. The BVerfG concluded that private copying---and therefore the obligation to pay copyright remuneration----does not appear to be excluded in the case of the sale of devices to business enterprises and freelancers.

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### **Moldova introduces a levy for reprography in its legislation**

On 1 January 2011 revised Copyright legislation came into force in Moldova. One of the new provisions concerns the introduction of an exception for reprography with a right to remuneration.

The law also establishes an equipment levy and an operator levy to compensate the rightholders with some minimum provision regarding the amount that has to be paid by the importers of copying devices.

On 20 January 2011, IFRRO attended the first assembly where Moldovan authors and publishers adopted the statute of an RRO - the first step towards the exercise of this right.

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### **STM responds to signing into law of America COMPETES Act Public Access Provision**

STM have welcomed a new piece of US legislation which requires the Interagency Public Access Committee. The Committee is responsible for coordinating Federal agency policies concerning stewardship and dissemination of the results of research, including digital data and peer-reviewed scholarly publications, supported by funding from the Federal science agencies. For more details see [press release](#).

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### **PLS announce new Chair**

The Publishers Licensing Society (PLS) is pleased to announce the appointment of Mark Millar as its new Chair. Mark takes over from Graham Taylor who has made an invaluable contribution to PLS during his 3 years as Chairman and who has agreed to continue to serve as a director on the PLS board. Mark has been a director of the PLS and of the Copyright Licensing Agency (CLA) since 2008. He is also Company Secretary and General Counsel at Future plc and Chairman of the Government and Regulatory Affairs Committee of the Periodical Publishers Association (PPA). In that role he has represented the UK magazine industry in Westminster and Brussels. For more details see [press release](#).

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### **Reflection Group findings are good basis for future discussions on cultural heritage digitization**

The recently published findings of the [Comité des Sages \(Reflection Group\)](#) have much to recommend them and will provide a basis for fruitful discussions on digitisation of European cultural

heritage. In a comment on the Report IFRRO's CEO Olav Stokkmo noted that he shares the Group's hope that European countries can transform a challenge – how to avoid the disappearance of our heritage – into an opportunity for cultural development, artistic creation and economic growth.

The Group has recognised that collective management, notably through RROs, has an important role – particularly in the case of out of commerce works (OCW) - and has emphasised the need for an adequate remuneration of creators and publishers. It is important for creators, publishers and RROs to be involved at the initiation of any OCW project to ensure that such projects observe moral rights, respect the author's and / or publisher's wish to exploit works commercially and to avoid duplication. Stakeholders – libraries and other cultural institutions, creators, publishers and RROs – now need to work together to agree on guidelines to address relevant issues in OCW digitising projects. These should also take account of the model licensing agreements as agreed by the stakeholders under the [EC i2010 digital libraries](#) High Level Expert Group (HLG) for the digitisation and making available to the public of OCW.

Stokkmo added that IFRRO agree with the Group's emphasis on the need for national solutions for Orphan Works, which are mutually recognised among the EU Member States. He welcomed strongly the recognition of the [ARROW project](#) as an integral part of EUROPEANA and crucial to its success stressing the need for ARROW as an independent stakeholder governed body delivering appropriate services to EUROPEANA and its partners.

The Group recognises that “Today's wealth of cultural expressions and knowledge will be our common cultural heritage tomorrow”. Stokkmo believed that it should be possible to go further than that and assert that the support and protection of today's creators will be essential for future cultural wellbeing of Europe.

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### **EU launches consultation on the enforcement of intellectual property rights**

The European Commission has launched on 11 January 2011 a public consultation on the findings of a report assessing the application of Directive 2004/48/EC on the enforcement of intellectual property rights in the Member States. The report shows that certain provisions of the Directive have given rise to different interpretations and application in practice across the Member States. Furthermore, it addresses the challenges of enforcing intellectual property rights on the Internet and in relation to new technologies. The replies to the public consultation will feed into the Commission's evaluation on whether a review of the Directive is needed. The report is available [here](#).

Interested parties are invited to send their comments to the Commission by 31 March 2011. IFRRO is currently examining whether an IFRRO submission is appropriate.

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### **ISNI International Agency incorporated**

The ISNI International Agency (ISNI-IA) was incorporated as a company in the United Kingdom on 22 December. This clears the way for the publication of the International Standard Name Identifier ISO 27729 by the International Organization for Standardization (ISO) and the appointment of the ISNI-IA as the official ISNI Registration Authority charged with administering the allocation of ISNIs.

The ISNI-IA was established by a consortium consisting of CISAC (International Confederation of Authors and Composers Societies), IFRRO (International Federation of Reproduction Rights Organizations), CENL (Conference of European National Librarians) Representing National Libraries (Bibliothèque nationale de France, British Library), OCLC (Online computer Library Center), IPDA (International Performers Database Association) and ProQuest. Already a proof of concept has been developed and an initial database is being established based on the VIAF database and cross referenced with the data from the founder members. For further details see [joint press release](#).

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### **ISTC announces new RAS**

The International ISTC Agency, the official Registration Authority for the International Standard Text Code (ISTC), has appointed and signed contracts with four new official registration agencies (ISTC-RAs) in two continents. All will start operating in the first four months of 2011.

In Australasia, two ISTC-RAs have been appointed - Thorpe-Bowker, based in Australia and Nielsen Book Asia Pacific (NBAP), based in New Zealand. Thorpe Bowker started operation on 1 January 2011. NBAP will commence at the beginning of February 2011.

There are also two new ISTC-RAs in Europe – Boekenbank in Belgium and the Federation of Intellectual Property Rights (FIPR) in Russia. Boekenbank starts in April while FIPR began operation on 17 January.

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### **ONIX for RROs: publication of expanded Dictionary for UK RROs**

The ONIX for RROs message standards are supported by an ONIX-IFRRO Dictionary of coded values intended for international use between reproduction rights agencies. The standards also enable agencies to define additional values in a 'local' namespace, partly to cover specialised requirements which are not relevant to international communication, and partly to ensure that new implementations are not delayed by the approval process for extensions to the main Dictionary. When implementation is complete, locally-defined values are reviewed for international adoption.

In 2010, the UK RROs (Authors' Licensing and Collecting Society, Copyright Licensing Agency and Publishers Licensing Society) completed a successful implementation of new systems based on ONIX for Distributions and ONIX for Repertoire. Their work resulted in the addition of a number of new terms to the international ONIX-IFRRO Dictionary. These are included in Issue 2 of the Dictionary, published on the EDItEUR website in May 2010.

By agreement with the UK RROs, EDItEUR has now published on the EDItEUR website a copy of an expanded Dictionary including terms from the 'ukrro' namespace. This will ensure that a canonical version of the namespace is maintained at an accessible location, as well as providing a model for other organisations for the development and maintenance of a local namespace for ONIX for RROs.

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### **Europeana, Oxford University and German National Library create Great War library**

Europeana is working with die Deutsche Nationalbibliothek and the Great War Archive at Oxford University to create an archive of stories from the different sides of the First World War. One of the

objectives for the alliance is to bring important User Generated Content into Europeana; another is to begin to co-ordinate information in advance of the centenary of the 1914-18 conflict. For more details see press release.

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### **PERU REPRO, the Peruvian RRO is born**

Peruvian authors and publishers have just launched PERU REPRO, the Peruvian Reprographic Rights Organisation. IFRRO is delighted by the news as it has provided support for this initiative for a number of years, along with other RROs in the Spanish speaking countries.

IFRRO CEO, Olav Stokkmo, particularly welcomes the establishment of the RRO as an important step forward to provide appropriate legal access to copyright works and to fight against unauthorized copying in Peru. It is vital to encourage the further establishment of RROs in Latin America in order to protect copyright and promote creativity.

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