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12-14 April 2010, [Conference Digitisation of cultural material. Digital libraries and copyright](#), Madrid/Spain

15 April 2010, [5th European Creators' Conference "Authors' Rights in the Digital Worlds"](#), Brussels/Belgium

2 June 2010, IFRRO Business Models Forum, Lisbon/Portugal

3 June 2010, IFRRO European Group, Lisbon/Portugal

21-25 June, [WIPO SCCR](#) (20th session), Geneva/Switzerland

25-26 June 2010, [TAA Conference on Text and Academic Authoring](#), Minneapolis/USA

8-12 November 2010, WIPO Standing Committee on Copyright and Related Rights (SCCR), Geneva/Switzerland

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CLA offers its first website licence

The Copyright Licensing Agency (CLA) has announced the introduction of its first licence to include website content copying, after rights holders gave the scheme their final approval in London last week.

This means CLA can now replace its current photocopying and scanning licence for schools with a new comprehensive digital licence that includes a significant number of enhanced rights for the schools sector, allowing use of content in teacher-generated materials and presentation via VLEs.

Launching in April, with new repertoire becoming available on 1 October, the new 'Schools Licence' will allow state funded and independent schools to copy from a range of digital material including paid-for digital publications and – for the first time– a range of free-to-view websites, reinforcing the copyright message that free-to-view does not mean free-to-copy.

The licence has been developed in response to market research that suggests a high proportion of the UK's 28,000 schools would find it useful to be able to copy from digital publications and websites in addition to printed books and magazines that are already permitted.

In a survey of more than 3,000 schools across all regions of the UK, responses from teachers and school administrators showed that 79% of schools would find it useful to be able to copy from digital publications while 88% wanted to copy content from free-to-view websites. Schools also provided examples of what material they would like to copy and how that material would be used to help them with lesson preparation and teaching.

The licence will cover text and still images only and permission to use other material, such as soundclips, interactive teaching and assessment materials and video will still have to be obtained from the rightholder.

CLA is working closely with the Publishers Licensing Society (PLS) who are building the repertoire, focusing on educational publishers whose material will be of most relevance to the sector. Schools are currently signing up to the new licence which will continue to enable teachers and students to make effective use of the latest information published for schools while ensuring respect for the rights of creators.

CLA has expressed its great appreciation for the support and shared experience of CAL and Kopinor during the development of this new licence, based on their experience of licensing website repertoire in very different legal contexts. ([Back to section](#))

German agreement on remuneration for PCs

VG WORT, VG Bild-Kunst and the collecting societies represented by the ZPÜ have achieved an agreement concerning the copyright remuneration for private copying with PCs. The [agreement](#) follows lengthy negotiations with industry. The press release issued informs that "in the period 01/01/2008 to 31/12/2010 the remuneration for PCs with integrated burners is EUR 13.65, and for PCs without burners EUR 12.15, in each case plus VAT. The collecting societies will publish tariffs for companies not bound by these agreements, at 25% above these rates. At the same time the parties agreed on remuneration for PCs for the period 01/01/2002 to 31/12/2007." The Collective

Management Organisations (CMOs) concerned which include the RROs VG Wort and VG Bildkunst will now negotiate a split of the levy. Distribution to rightholders is expected in 2011.

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ARROW System development. German pilot on its way

In the next few weeks, the first ARROW pilot, from Germany, will be operational. Indeed Germany will be the first country that will use ARROW as an interoperable system to clear copyright status and data about European literary works.

[ARROW](#) partners have been working with the relevant stakeholders over the past months to define the project workflow and system specifications. Libraries, publishers associations, books in print organisations, reproduction rights organisations, collecting societies representing authors, international organisations and technology developers have all been assisting in building the ARROW system. During the first semester of 2010, the ARROW consortium will deliver the first phase of the project pilot. At this stage, Germany, France, UK and Spain have been working closely to enable all technical requirements to make ARROW a sustainable project aiming to facilitate digital libraries within Europe.

The system aims to offer tools for discovering rightholders and models and procedures for clearing rights on current orphan and out of print works, and will start its first public pilot phase with the collaboration of the German stakeholders: DNB for the library domain, VLB for the Books in print one, VG Wort for the RRO. [\(Back to section\)](#)

IFRRO welcomes ZANA as a new member of IFRRO

The Croatian Publishers Reprographic Rights Organisation (ZANA) has been admitted as an Associate member of IFRRO. ZANA has been set up by the Croatian publishers association and is supported and mandated by the majority of the publishers including the major ones. It has also been approved by the relevant government Ministry as the publishers RRO in Croatia. The Croatian legislation provides for separate RROs for authors and publishers and ZANA is the publishers RRO. It collects already the levy on reprographic devices for publishers. [\(Back to section\)](#)

Dutch RRO gets new CEO

Hein van Leeuwen started as Chief Executive Officer of Cedar B.V. as of 1 March 2010. He used to work for Universal Music Group, at first with PolyGram Filmed Entertainment, then the Corporate Consolidation Group and finally at the Global Artist Royalty and Copyright Clearing house. In this last position he was Vice President Global Royalties UMG. Hein has extensive experience in running a shared service centre in a dynamic global environment with many different interests at stake. He is also the founder of UMG's Global digital reporting system based in the Netherlands.

Cedar represents the Centre for Service to Authors' and related Rights (Centrum voor Dienstverlening Auteurs- en aanverwante Rechten). It is responsible for managing several foundations including the Netherlands RRO Stichting Reprorecht. [\(Back to section\)](#)

Kathy Moore, CEO, resigns after 15 and a half years with CLL.

Kathy Moore recently announced her resignation as CEO of CLL, effective 1 April 2010 to look for new challenges in the South Pacific. She was with CLL when the company set up its first office and signed licences with the first universities and has developed a wealth of knowledge and of expertise in the area of copyright over the years.

She lobbied for changes to copyright law in both New Zealand and Fiji and had studied copyright law through the University of Auckland and the World Intellectual Property Organisation (WIPO) Worldwide Academy and provided numerous seminars and workshops encouraging copyright compliance in educational and other institutions in New Zealand. The IFRRO community thanks Kathy in particular for organising so successfully the IFRRO AGM in Auckland in 2006. ([Back to section](#))

IFRRO makes submission on EC consultation "Creative Content Online"

On 5 January 2010, IFRRO submitted a [position paper on the European Commission's consultation "Creative Content Online"](#). The consultation addresses the role of legal online markets and explores a variety of copyright management models. The main points in the IFRRO submission are:

- 1. Text- and image-based sector, digitisation and making available:** Concerning digitisation, a distinction needs to be made between the sectors.
- 2. Collective management of rights:** A sector-based approach is needed. For the text and images, the main activities of the RROs concern the administration of secondary uses of rights.
- 3. Consumer access:** Legal access to intellectual property is provided through direct licensing by rightholders (publishers and authors) or through collective licensing through RROs, when authors or publishers cannot or do not want to licence directly themselves. The current legislation offers an adequate legal framework to work out practicable solutions for the digitisation and making available of copyright works by libraries.
- 4. Commercial users' access:** For the text and image based sector, current legislation is no hindrance to the development of multi-territorial solutions. Also, the publication of books, journals, newspapers and the like is to a large extent language-dependent.
- 5. Protection of rightholders:** IFRRO welcomes the Reflection Document's acknowledgement that the development of business models to enable appropriate access to copyright works requires adequate protection of rightholders. Collaboration with Internet Service Providers (ISPs) to address copyright infringement and enforcement issues is welcome. ([Back to section](#))

IFRRO makes submission on EC consultation "EU 2020: A new strategy to make the EU a smarter, greener social market"

IFRRO welcomes the European Commission Consultation on the EU 2020 as being timely and agrees that the EU's future will have to be built on Intellectually Property based activities. The Commission intends to hear views on some suggested broad policy considerations for the future EU2020 strategy, which are contained in the consultation document. On 14 January 2010, IFRRO submitted a position paper on the consultation document which encourages the Commission to engage in a dialogue with stakeholders in which IFRRO will be pleased to take part. The main points made in the IFRRO submission are:

- 1. Providing access to Intellectual Property in education and research:** Intellectual Property is indispensable to knowledge, education and research. Throughout the EU, there are purchase opportunities, individual licensing schemes and collective management services available, adapted

and especially suited for dealing with access to text- and image-based works for teaching and research purposes

2. Fully exploiting the Single Market; Cross-border access to content: Current legislation is of no hindrance to the development of multi-territorial solutions. In the text- and image-based works sector there are business models, channels and licensing mechanisms which allow broad access to works in a variety of forms and formats, both nationally and across borders.

3. Business model development requires stable framework conditions: The European copyright legislative framework is well-equipped to foster innovation in the knowledge-based economy sectors. It also provides the necessary conditions to encourage related uses. There is therefore no need for additional Community rules to foster cross-border access to text- and image-based content.

4. Efficient protection of rights promotes business model development in the IP sectors: The establishment of a sustainable legal offer of content, reflecting the cultural diversity of the European written sector, can only take place in an environment ensuring the full respect of copyright.

5. A well-functioning IPR system: The current European and international legal framework offers sufficient flexibility and a workable equilibrium between the rights of copyright holders and the interests of users to address challenges posed by changing technological environments. Focus needs to be on the application of the existing framework and the deployment of solutions available.

6. Efficient and transparent rights management: It is in the interest of both rightholders and users that there is a maximum of transparency around rights management. The IFRRO Board has adopted a Code of Conduct, principles for exchangeable mandates between RROs and basic criteria to comply with when soliciting negotiations of agreements with other RROs, in which transparency and information exchange are key elements.

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The Committee on Culture and Education of the European Parliament urges EU States to enlarge Europeana while respecting copyright

A report drafted by MEP Helga Trüpel and approved unanimously by the European Parliament on 22 February 2010 urges the EU Member States to provide more and better content to Europeana while copyright needs to be observed.

The draft report "Europeana, the next steps" highlights the need of the EU governments and cultural institutions to co-operate closely in speeding up digitisation, and "not to restrict availability to the territory of their country".

One of the main issues concerning content for Europeana raised by the report is the copyright status of the works. In that field, references to the out of print and orphan works were included in the document and [ARROW](#) has been noted as a "very useful tool(s) in facilitating the rights clearance for orphan works."

The document also states that the European Parliament "welcomes and supports initiatives, such as the ARROW project, partnered by both rights-holders and library representatives, in particular since these seek to identify rights-holders and their rights, and clarify the rights' status of works including whether these are orphan or out of print." Read the full report [here](#).

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EU Commission Public hearing on Collective Rights Management

The European Commission plans to hold a hearing on the governance of collective rights management. The aim of the hearing is to explore how these relationships have evolved over time and what efforts might be needed to further develop the benefits of the collective management of copyright and neighbouring rights. The Commission regards the hearing as timely because effective relationships between the owners of copyright, the collective managers of copyright and the commercial users of copyright are crucial for the development of artistic creativity.

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Visual Arts Management at heart of WIPO/IFRRO ARIPO training

The 2010 Harare III training course in Zimbabwe in January extended the field of study to include management of visual arts and raised the prospect of the future involvement of the music sector. Representatives of visual arts organisations from Mauritius, Namibia, Uganda and Zambia as well as representatives of RROs and Copyright Offices from a total of 12 African countries attended the training which was the third in the series in the tripartite cooperation agreements between IFRRO, WIPO and ARIPO, and built on the success of the Harare I and Harare II events in 2007 and 2008.

RROs in Ghana, Kenya, Malawi and Zimbabwe provided resource persons and the event was led by Tarja Koskinen-Olsson and Mats Lindberg (for the visual materials organisations). James Boyd represented IFRRO and informed of the IFRRO and RROs activities. Rob Hooijer of CISAC attended as an observer and provided valuable insights into how musical rights are managed on the African continent. [\(Back to section\)](#)

Jakarta seminar prepares way for viable Indonesian RRO

A seminar in Jakarta in January organised by the Indonesian Publishers Association (IKAPI) mapped out the first steps for making the Indonesian RRO (YRCI) viable. YRCI (Yayasan Reproduksi Cipta Indonesia) was established in 2008 but has not yet started any RRO activities. The driving force behind YRCI is IKAPI, which has 960 members representing some 60% of all publishing houses in the country.

The Seminar involved some 80 participants including authors, publishers, government and ministry representatives as well as representatives from the user communities, mainly from the libraries, universities and schools. Sessions covered the acquiring of mandates, licensing - including strategies and conditions; revenue collection; the distribution of the proceeds and running a RRO.

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Successful WIPO-IFRRO-LAS seminar for authors and publishers in the Middle East

IFRRO collaborated with WIPO and the League of Arab States (LAS) in organising a seminar on 2 and 3 March in Abu Dhabi on the collective management of rights in text and image based works.

The seminar which was organised as a part of the Abu Dhabi book fair was attended by authors and publishers representatives from 11 Middle East countries as well as publishers from Armenia, Colombia, Georgia, Indonesia, FYROM, Nigeria, Uganda and APNET (African Publishers Network). In Algeria and Tunisia there are provisions in the law for compensating authors and publishers for the reprographic and similar reproduction of their works through a levy on reprographic devices. The implementation decrees are pending in both countries but the levies clearly provide a basis for RRO activities. Other countries in the region have also expressed clear interest for the establishment of RROs. During the visit to Abu Dhabi an IFRRO delegation met with representatives of the Emirates

Publishers Association led by H.E. Sheikha Bodour bint Sultan Al Quasimi and of the Emirates Writers Union led by Dr. Habib Al Sayegh to discuss the details on the setting up a RRO in membership of IFRRO in the Emirates. (<http://www.eyeofdubai.com/v1/news/newsdetail-40483.htm>) ([Back to section](#))

Changes made to the Copyright Law in Taiwan

A modified Copyright Collective Management Organization Act in Taiwan, was promulgated on February 10, 2010. The changes of most significance to the RRO COLCIA are: 1) their members are now allowed to license their works in parallel to licensing by COLCIA; 2) their tariffs are no longer required to be pre-approved by the Intellectual Property Office of Taiwan (TIPO). A CMO is allowed to declare a new or modified tariff and make it effective by filing with TIPO. TIPO would intervene to examine a tariff only upon objections from a copyright user, and during the period of tariff examination, the copyright users may pay a temporary licensing fee to avoid criminal and civil prosecution. The licensing fee is to be adjusted according to the outcome of the tariff examination.

Other significant changes in the Law regarding collective management are:

1. The term Copyright Collective Management Organization (CMO) replaces the previous term of Copyright Intermediary Organization for an organization managing copyrights on rightholders' behalf.
2. A CMO is now allowed to manage multiple categories of copyrights.
3. Multiple CMOs of the same copyright category must provide a single licensing window with a unified licensing tariff.

5. The full text of the modified Copyright Collective Management Organization Act can be accessed at:

http://law.moj.gov.tw/Eng/news/news_detail.aspx?id=5044

Corresponding changes and other changes have also been made to Copyright Act, whose modified full text can be accessed at

http://law.moj.gov.tw/Eng/news/news_detail.aspx?id=5041

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Australian ISP not guilty of copyright infringement – companies appeal

On 25 February 2010, 34 Film companies lodged an appeal against the judgement of an Australian Federal Court Justice that iiNet, Australia's third largest Internet Service Provider, did not authorise copyright infringement despite knowing that its clients downloading protected material.

The claim had been brought forward by the 34 applicants, who represent major motion picture studios both in Australia and the United States. For practical purposes the group was represented by AFACT – The Australian Federation Against Copyright Theft. AFACT, on behalf of the film companies, said there were good grounds of appeal from a judgment that has left an unworkable online environment for content creators and content providers and represents a serious threat to Australia's digital economy.

The [judgement](#) that infringement was not authorised was based on three reasons: "first because the copyright infringements occurred directly as a result of the use of the BitTorrent system, not the use of the internet, and the respondent did not create and does not control the BitTorrent system; second because the respondent did not have a relevant power to prevent those infringements occurring; and third because the respondent did not sanction, approve or countenance copyright infringement." ([Back to section](#)).