

[FR] Google has no intention of paying neighbouring rights to French press publishers

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Taking note of the entry into force on 25 October this year of the Act of 24 July 2019 allocating a “neighbouring right” to press publishers and agencies when their content is taken up on on-line platforms and other aggregators, Google announced its intention to “make changes in the way news-related search results are displayed”. It should be recalled that although France is the first country to have transposed Article 15 of the new Copyright Directive, other countries should also be falling into line.

Under the new Act, the search engine’s use of article excerpts (‘snippets’) may be negotiated in the form of a licence agreement with the relevant publishers, if such excerpts are read rather than the original article. But Google has no intention of paying.

Currently, news-related search results display a title, with a link that goes directly to the relevant information site. In some cases, the search engine offers an overview of the article, such as a few lines of text or a small image (known as a ‘thumbnail’). Google has announced that it will stop posting in France overviews of European news publishers’ content, unless a publisher has taken steps to signify that it consents to Google displaying an overview. Publishers would be able to specify how much information they want to appear in an overview shown in a search result without any remuneration. This new form of display would apply in respect of the results of searches carried out using any of Google’s services (including its search engine and the French version of Google News).

Justifying the company’s decision, Google Vice-President of News Richard Gingras posted on his blog: “In Europe alone, people click on the news content Google links to more than 8 billion times a month - that’s 3,000 clicks per second ... We’ve also created advertising and subscription tools that help publishers grow new revenue.” He noted that Google had invested 300 million dollars over the past three years through the Google News Initiative, which he said was aimed at helping news publishers and thereby contributing to growth in on-line journalism.

France’s Minister for Culture, Franck Riester, reacted to the announcement by saying, “The political objective pursued by the creation of the neighbouring right, and its transition into law, are obvious: to allow the fair sharing of the value produced, for the benefit of platforms, by press content. From this point of view,

Google's proposal is not acceptable." The Minister is calling for "a genuine global negotiation between Google and publishers: the unilateral definition of the rules of the game is contrary to both the spirit of the Directive and to its text." Mr Riester has announced his intention to discuss the matter with his European counterparts.

Nouvelles règles de droit d'auteur en France : notre mise en conformité avec la loi. Google blog, 25 septembre 2019

<https://france.googleblog.com/2019/09/comment-nous-respectons-le-droit-dauteur.html>

