

[LV] Amendments to the Copyright Law: restricting access to websites with illegally published copyrighted content

IRIS 2025-2:1/19

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Amendments to the Latvian Copyright Law were adopted on 12 December 2024, and came into force on 11 January 2025. These amendments to the Copyright Law expand the powers of the National Electronic Mass Media Council (the Council – NEMMC) to monitor the use of copyright and related rights objects in the online environment and to restrict access to websites where these objects are published without proper authorisation.

The Copyright Law is supplemented with Chapter XI, which establishes the procedure for restricting access to websites where copyrighted or related rights objects are illegally published.

The amendments to the law establish four groups of persons who will have the right to apply to the NEMMC with a request to terminate the illegal publication of copyright or related rights objects. Firstly, these are copyright and related rights holders who are individuals or organisations owning copyrights or related rights to specific works. Secondly, collective management organisations, which manage copyrights and related rights on behalf of multiple authors or rights holders. Thirdly, non-exclusive licensees, who are individuals or companies that have received permission to use copyright or related rights objects with the written consent of the rights holders. Fourthly, exclusive licensees, who are individuals or companies granted exclusive rights to use copyright or related rights objects.

The amendments also specify the content of the application, which must include the applicant's and representative's details, the domain name of the website, the copyrighted or related rights objects that have been published illegally, and a request to terminate this publication.

The NEMMC can make several decisions and take various actions to protect copyright and related rights in the online environment. When the Council receives an application to terminate the illegal publication of copyright or related rights objects, it requests the content provider or hosting service provider to submit documents within seven days that prove the right to publish the respective objects. If the content provider or hosting service provider terminates the illegal publication or submits the necessary documents, the Council makes a decision to

close the case.

However, if the content provider or hosting service provider does not terminate the illegal publication or does not submit the documents, the Council makes a decision requiring the termination of the publication of the respective objects within seven days. If the illegal publication is not then terminated or the documents are not submitted, the Council can decide to restrict access to the website where the copyright or related rights are being violated.

Furthermore, if a copy of the website is found, the Council can decide to restrict access to such a copy, evaluating its compliance with the specified criteria. To ensure the implementation of these decisions, the Council maintains and updates a list of websites with restricted access on its website.

The Council's decisions can be appealed to the District Administrative Court; the appeal does not suspend the operation of these decisions. These decisions and actions ensure effective protection of copyright and related rights in the online environment.

According to the *ex ante* annotation to the amendments, it is planned that these amendments to the Copyright Law will significantly strengthen the protection of copyright and related rights in the online environment. They should ensure more effective oversight and quicker action against the unlawful publication of copyrighted works, thereby protecting the interests of authors and rights holders. Furthermore, by granting the NEMMC the authority to restrict access to websites that infringe copyrights, these amendments should promote the lawful use of content and create a safer online environment for both content creators and users.

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Amendment to the Copyright Law

