

European Commission: Amended Proposal for a Directive on Copyright and Related Rights in the Information Society

IRIS 1999-6:1/3

*Marina Benassi
Attorney at law*

On 21 May 1999, the European Commission presented an amended proposal for a Directive on copyright and of related rights in the information society (concerning the original proposal see IRIS 1998-1:4). The proposed Directive aims at establishing a level playing field for copyright protection in the new environment. It will in particular address the rights of reproduction, communication to the public, and distribution, and also legal protection of anti-copying and rights management systems. It would ensure that films, music and other copyright protected material enjoy adequate protection in the single market. Thus, a new Directive would facilitate cross-border trade, with particular emphasis on new "information society services" (both on-line and on physical carriers).

The amended proposal includes most of the modifications suggested by the European Parliament in its February 1999 Opinion on the Commission's original proposal. It does not, however, include the requirement proposed by the European Parliament consisting of a specific limitation of the exemption to the reproduction right concerning 'cache' copies and similar acts of technical reproduction.

On the other hand, with regard to private copying, as well as scientific research and teaching-related copying, the Commission has followed the indications of the European Parliament, by ensuring a right of fair compensation for the rightholders and leaving the further determination of this right to the individual Member States. Furthermore, the amended proposal presents an enhanced legal protection on the issue of technical devices in order to comply with the need for certainty felt in the Information Society.

Amended proposal for a Directive on copyright and of related rights in the Information Society, presented by the European Commission on 21 May 1999.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:51999PC0250:EN:HTML>

