[FR] Electronic Publishing Charter Signed

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The reaction of editors of the electronic press to the multiple reproductions of their articles with a view to their circulation on company intranets or on Internet sites has not been long in coming. In the hope of putting an end to the pillage of their content, Les Echos, L'Agefi, Investir, Libération, Le Monde, La Tribune and ZDNet have recently signed an Electronic Publishing Charter intended to guarantee the rights of Internet users, editors and authors.

In its preamble, the editors point out that on-line information is subject to the same statutory rules as conventional publishing. They undertake on this point to respect editorial rules scrupulously - checking information, respect of professional ethics on the part of journalists, informing readers whether content is editorial or advertising matter, respect for the rights and the dignity of private individuals, etc. The users of the sites of these newspapers are for their part invited to respect the rules of literary and artistic property - the Charter recalls that, apart from a single copy intended for personal use, any use of an article or publication is subject to prior authorisation from the editor. Thus, without prior authorisation from the editor, the following are prohibited: any use of content for reproduction on another site, making it available on an intranet or any other company network, creating archives on a digital or optical support, circulating it by means of an e-mail alert or including it in a press round-up, promotional leaflet or brochure. Similarly, summaries of articles require prior authorisation from the author; they must give the latter's name and the source and be sufficiently concise and distant from the original text not to be considered an infringement of copyright.

Analyses, quotations and press reviews are authorised on condition that they respect the conventional rules on copyright. Lastly, the signatories of the Charter would like to have a right of inspection as regards hypertext links. Thus it is possible to create a link to a site without the specific authorisation of the author, on the sole condition that the link opens a new window in the navigator. In other cases, the specific authorisation of the editor is required. Similarly, the editors reserve the right to call for the deletion of a link that they consider does not comply with its editorial policy.

The Syndicat national des journalistes (French national syndicate of journalists - SNJ) has reacted sharply to the signing of the Charter, pointing out that it is the journalists who are the true holders of copyright for their work. Criticising the initiative of the electronic press editors who, according to the SNJ, "cannot take

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the place of journalists even if they are their employers", the SNJ invited them to conclude agreements with the journalists concerned for the further exploitation of the journalists' work on a support of any kind with the greatest possible legal safeguards. This negotiation is a perfect illustration of the disputes currently pending before the courts between editors and journalists on the subject of the further use of articles on-line, and the Court of Appeal in Paris will moreover be making a statement on the subject on 10 May in the case of Le Figaro (see IRIS 1999-5: 3).

Charte d'édition électronique.

http://www.lesechos.fr/charte/charte.htm

Electronic publishing charter.

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