European Parliament: The legal protection of databases

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On 14 December 1995, in a second reading, the European Parliament amended the common position of the Council on a directive on the legal protection of databases. Once the Directive has been adopted and transposed into the national laws of the EU Member States, makers or rightholders of a database may no longer prevent a lawful user of the database from extracting and re-utilizing insubstantial part-s, provided that such user does not unreasonably prejudice either the legitimate interests of the holder of the sui generis right or the holder of copyright or a related right in respect of the works or services contained in the database. It will not be permitted to repeatedly and systematically extract and/or re-utilize insubstantial parts of the contents of the database if this implies acts incompatible with normal exploitation of that database or causes unjustifiable damage to the legitimate maker of the database. The Directive will also apply to databases on a CD-ROM and CD-i.

Decision on the common position adopted by the Council with a view to adopting a European Parliament and Council directive on the legal protection of databases (C4-0470/95 - 00/0393 (COD). Minutes of the Sitting of 14 December 1995, provisional edition, PE 195.289: 28-31.

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