European Commission: Final Report on the Content Online Platform

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To support the cross-border delivery of online content, the European Commission launched the "Creative Content Online in the Single Market" initiative (see IRIS 2008-2: 5). This initiative is aimed at enhancing the availability of online content and ensuring that all players in the value chain receive adequate revenues. In the short term, these goals may be realised through pragmatic solutions, but the Commission is examining whether, in the medium term, regulatory intervention is needed.

To help identify the main challenges and set future priorities, the Commission set up the Content Online Platform, i.e., a stakeholders' discussion and cooperation platform, in which 77 high-level experts participated. They looked at key issues such as new business models, licensing of copyright, the fight against piracy, protection of minors and cultural diversity. In May 2009, they presented their final report.

The report offers valuable insights into the position of the different players in the value chain and the practices that they adopted. It shows, for example, that, while creative content is generally a high-risk investment sector, business models mostly vary according to the production budget of the various types of creative content (e.g., free or premium content). It appears that consumers are increasingly willing to pay for legal online offerings, provided they are priced accurately. Moreover, consumers expect content to be easily accessible and cross-platform available.

As regards management of copyright, cross-border rights clearance continues to be a problematic issue. While in the music sector there is a need to reassess cross-border licensing, in other sectors there is more of a need for a European database for creative content, to help identify rightsholders and deliver all necessary information for licensing and rights management. Furthermore, to the extent that DRMs are used, they should allow interoperability (i.e., portability of content from one device to another), while consumers must duly be informed of any copy restrictions they contain.

The European Commission is preparing a Second Commission Communication on Creative Content that it plans to adopt in September/October 2009. In this communication, the findings and results of the Creative Content Online initiative

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will be summarised and analysed. Moreover, it shall define a set of principles for action by stakeholders and public authorities and offer a continuing framework for discussions with stakeholders. Also, the Commission has mandated a study on multi-territory licensing of audiovisual content, the results of which are expected in early 2010.

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http://ec.europa.eu/avpolicy/docs/other_actions/col_platform_report.pdf

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