[SE] Amendments to the Swedish Copyright Act

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On 17 June 2013, the Swedish Parliament adopted amendments to the lag (1960:729) om upphovsrätt till litterära och konstnärliga verk (Act on Copyright in Literary and Artistic Works - CA). The amendments enter into force on 1 November 2013 and will improve the existing possibilities to exploit works after an agreement has been entered into with organizations that represent a large number of creators in the area - so called extended collective licensing.

The amendments include, among other things, a new general collective licensing option that will give actors an extended possibility of using collective licenses. This possibility will apply in cases where large amounts of copyrighted material is used by the same user and where the user cannot determine in advance which works will be used and where it, from an objective point of view, is not practically possible to enter into agreements directly with a rightsholder. Rightsholders will be able to object to this kind of exploitation.

Moreover, the amendments introduce the opportunity for all organizations that represent several rightsholders of works used in Sweden to enter into collective licenses for specific purposes. This means that from now on any organization covering several international rightsholders, whose works are used in Sweden, can enter into binding collective licenses.

The changes also include an extended possibility for companies and governmental organizations to enter into collective licensing agreements should they need to use copyright-protected works. These types of licenses are only admissible insofar as their objective is to satisfy the need for information within the company or organisation. Additionally, under such a collective licensing agreement, all radio and television companies are now provided with the opportunity to both (i) broadcast works, and (ii) communicate to the public works part of a radio or television broadcast in a way that individuals can access the same at a time and place of their choosing. The new regime thus allows for the possibility of online access to copyrighted material by individuals, while simultaneously providing copyright owners with the right to oppose this type of exploitation.

Another change that will be introduced in November relates to information being made available to the public. Libraries and certain archives will be given

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increased rights to make works available to the public.

Finally, in order to implement Directive 2011/77/EU of the European Parliament and of the Council of 27 September 2011 amending Directive 2006/116/EC on the term of protection of copyright and certain related rights, the protection for performers and producers of sound recording is extended from the existing protection of 50 years to 70 years.

SFS 2013:691 Lag om ändring i lagen (1960:729) om upphovsrätt till litterära och konstnärliga verk

http://www.lagboken.se/dokument/Andrings-SFS/1685894/SFS-2013_691-Lag-om-andring-i-lagen-1960_729-om-upphovsratt-till-litterara-och-konstnarliga-verk?id=24593

Act SFS 2013:691 amending the Act on Copyright in Literary and Artistic Works

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