[FR] Piracy on the Internet - Government action plan

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Amélie Blocman
Légipresse

On 11 March 2015, Minister for Culture and Communication Fleur Pellerin presented the Government's strategy for combating piracy on the Internet to the Council of Ministers. Apart from the graduated response applied to illegal downloading implemented by France's high authority for the distribution of works and the protection of rights on the Internet (Haute Autorité pour la Diffusion des Oeuvres et la Protection des Droits sur Internet - HADOPI), which remains in place, the action plan is also aimed at streaming sites and referencing, which benefit from pirated works. Three series of measures were presented.

Firstly, measures to decrease the financing of sites specialising in infringing copyright on works distributed on the Internet, as recommended by Ms Imbert-Quaretta in her report on the tools to combat commercial online piracy presented to the Minister in May 2014 should be implemented. A charter bringing together the representatives of advertising rightsholders and stakeholders, to achieve an undertaking from the latter to voluntarily evict sites which fail to respect copyright and neighbouring rights should be signed at the end of March, under the auspices of the national centre for cinematography (Centre National de la Cinématographie - CNC). Negotiation should then begin with a view to the stakeholders in online payment signing a charter by next June.

Secondly, the Government also intends to 'make use of every possible court procedure to monitor, in a sustained fashion, the effectiveness of all the sanctions, including blocking, imposed on technical intermediaries'. It recalls that rightsholders must re-apply to the courts if the measures ordered by a court have not been complied with. The Minister has also announced the appointment next June of 'contact judges' (magistrats référents) competent to deal with complex cases involving infringement of copyright. The follow-up of reports on Pharos, the public platform dedicated to reporting illegal content, will also be reinforced.

The third and final series of measures is aimed at video-sharing platforms which, in addition to hosting, also distribute and 'editorialise' some content. The Minister repeated that it was necessary to start thinking about their status, to be able to establish a number of simple, effective undertakings, starting with their legal domiciliation. The procedures for reporting illegal content, withdrawal and monitoring should also be simplified and made accessible to rightsholders. This should also be carried out on a European scale, as the Government feels it is necessary to redefine the perimeter of the status of hosts. In his report on the

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revision of Directive 2001/29/EC on copyright, Pierre Sirinelli advocated not accepting the principle of this revision without also considering revising Directive 2001/31/EC on e-commerce, particularly Articles 12 to 15, so that a new status could be created for certain technical intermediaries. Fleur Pellerin said, 'We will not be able to agree to the Directives being amended without this subject being dealt with.'

Communiqué de presse, ministère de la culture et de la Communication, 11 Mars 2015

http://www.culturecommunication.gouv.fr/Presse/Communiques-de-presse/Lutte-contre-le-piratage

Press release, Ministry of Culture and Communication, 11 March 2015

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