

# EU copyright overhaul sparks cultural 'apocalypse' warnings

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European Council President Donald Tusk (L) talks with President of the European Commission Jean-Claude Juncker as they walk across the ground for a group picture prior to a dinner banquet at the G20 Summit in Hangzhou on September 4, 2016

Is the EU, with Brexit and migration already in its cross-hairs, about to launch war on Europe's digital start-ups and entertainers?

The commission, the EU's powerful executive arm, is preparing to unveil a radical overhaul of copyright law in Europe, a leaked draft of which has already attracted the fury of artists and investors who see it as a threat to European culture and innovation.

Across the 28-nation European Union, production of books, music, newspapers and cinema is very much separated into national spheres and the commission, led by the federalist Jean-Claude Juncker, is driven to bring them closer.

To do so, the EU will next week unveil a controversial revamp of copyright laws that will include several bold proposals to change the way content, including big ticket sports games, are both accessed and paid for in Europe, according to the draft seen by AFP.

But film producers and sports leagues are dead set against the changes, arguing that entertainment on the continent should not become pan-European, but continue to be channelled through national markets.

## **'Buy one, get 27 free'**

One of the most divisive proposals is a push to make national broadcasters, such as Sky in the UK or RTL in Germany, to provide online content—including films or sports—Europe-wide, instead of just at home.

"I can't see how you can abolish geo-blocking and continue to protect copyright," Martin Moszkowicz, of Germany's Constantin Film told the Hollywood Reporter, referring to web users that are denied access to content from their home websites when outside their country.

For broadcasters "it becomes a buy one (EU territory), get 27 for free. It would be catastrophic for all creative industries," added Moszkowicz, a

producer of the hugely popular Resident Alien films.



One of the most divisive proposals is a push to make national broadcasters, such as Sky in the UK or RTL in Germany, to provide online content across Europe

Film producers also warn that geo-blocking is crucial to financing European cinema, which survives on national subsidies that are often financed by the success of Hollywood blockbusters.

But consumer advocates dismiss the criticism as exaggerated.

"This is not a choice between the current bad situation and the apocalypse the content providers describe," said Agustin Reyna of BEUC, the European consumer organisation.

Another change would force internet portals such as Google or Reddit to pay newspaper publishers a licence fee when using small extracts or snippets of news content—most notably on Google News or Huffington Post.

Critics say this idea is highly ineffective, as proven when both Germany and Spain granted similar payments with neither case producing the badly needed life support to starved newspapers.

"We believe ancillary copyright is bad, full stop, no matter how you look at it," said Diana Cocoru, head of Policy at OpenForum Europe, a Google-backed lobby group that promotes an open internet.

In addition, "the term of protection is incredibly long: 20 years," she added.

-'Devastating effects'-

In another highly criticised change, the commission is asking that video platforms, such as Youtube or even Facebook, use technology that can track violations of copyright and shut them down.



The EU's proposed copyright law would stop citizens from posts that included copyrighted content, like a hit song played at a wedding or photos of the latest teen heart-throb on sites like Youtube and Facebook

"This law would have devastating effects on European startups," said MEP Julia Reda, a key figure in European Parliament on digital matters.

If the popular music site SoundCloud "had to comply with such onerous restrictions when they launched, they would have likely been overtaken by a non-EU-based competitor who didn't," she said on her blog.

This law would also stop everyday citizens from posts that included copyrighted content, like a hit song played at a wedding or photos of the latest teen heart-throb.

It comes "with no safeguards for citizens and at the expense of

fundamental rights such as freedom of expression," said OpenForum Europe's Cocoru.

But cracking down on Google-owned Youtube is a key demand of some the world's biggest music artists—including Coldplay and Lady Gaga—who said in a letter to Juncker last June that Youtube was stealing value from streaming services, such as Spotify.

The new [copyright law](#) "is a unique opportunity for Europe's leaders to address the value gap," the letter said.

The package of proposals will prove to be highly contentious and is due to be released by the Commission on September 14.

It would then go to the European Parliament and EU states for approval, which could take months, if not years, given the push back.

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