

PRESS RELEASE

IMCO adopts Opinion on Copyright in the Digital Single Market: One Step Forward, Two Steps Back

Brussels, June 9th 2017 EDiMA* has long advocated for the creation of a forward-looking European copyright framework. The IMCO Committee's vote on MEP Stihler's opinion attempted to achieve a fit-for-purpose framework for copyright in the *Digital Single Market*. EDiMA regrets that despite the commendable efforts and leadership of MEP Stihler, yesterday morning the IMCO Committee chose to take one step forward and two steps back: having achieved a reasonable approach on Article 13 but sadly missing the potential to improve the proposals on Article 3 and Article 11.

MEP Stihler made significant progress in righting some of the most worrying aspects of the Commission's original proposal, having proposed a full deletion of Article 11. It is very unfortunate that her proposal to delete an unworkable provision introducing a neighbouring right for publishers did not receive adequate support in IMCO, despite [extensive evidence](#) and [academic consensus](#) that the proposed Article 11 poses numerous risks for the online ecosystem, media plurality and publishers themselves. Duplicating a legal framework which failed in two Member States at EU level will not make it a success. EDiMA urges Members of the JURI Committee to continue the efforts of MEP Stihler and support a full deletion of Article 11 in its final Report.

EDiMA furthermore welcomed MEP Stihler's intentions to expand the exception for text and data mining in Article 3. It is a missed opportunity that the IMCO Committee has elected to confine this exception and limit the growth potential of Europe through TDM. Text and data mining is essential to the realisation of a competitive and innovative Europe, and should be permitted to any organisation with lawful access to copyright-protected works.

EDiMA is encouraged by the progress made by the IMCO Committee on removing a proposal which mandates the use of mandatory content filtering technology and we welcome Members' efforts to reconcile the Commission's proposal with the e-Commerce Directive. We have [highlighted](#) how the proposal on Article 13 and its accompanying Recitals undermine the online ecosystem as we know it and can pose real dangers for users' fundamental rights. We hope that both Parliament and Council will continue the progress made yesterday in recognising the [value](#) generated for creators online by proposing a full deletion of Article 13 and Recital 38.

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* EDiMA is the European trade association representing online platforms and other innovative businesses. It is an alliance of new media and Internet companies whose members include Airbnb, Amazon EU, Apple, eBay, Expedia, Facebook, Google, King, LinkedIn, Microsoft, Mozilla, PayPal, TripAdvisor, Twitter, Yahoo! Europe, Yelp. EDiMA's members provide Internet and new media platforms offering European consumers a wide range of online services, including e-content, media, e-commerce, communications and information/search services.