

HELLENIC COPYRIGHT ORGANIZATION'S NEWSLETTER

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NEWS

France: ISPs and Internet Piracy

- On 23rd of November 2007, the French Government announced its intention to establish an independent supervisory body, which with the help of internet service providers, will send out warnings to those who exchange illegal files on the internet and consequently infringe copyright law. In case the offenders refuse to comply, the independent body will have the right to suspend or terminate the internet accounts. The plan was put forward by Dennis Olivennes who will also be the head of the Committee.

Source: <http://www.managingip.com/Article.aspx?ArticleID=1775203>

Creative content online in Europe's Single Market – Communication from the European Committee and Public Consultation

- On 3rd of January 2008, the European Commission adopted a Communication on "Creative Content Online in Europe's Single Market". The text is a starting point for new measures from the EU with the aim to support new business models, new multi-territory services and new consumer-friendly offers. In this text the Commission pinpoints four areas in need of action in European level: a) availability of creative content, b) multi-territory licensing for creative content, c) Interoperability and transparency of Digital Rights Management systems (DRMs) and d) internet piracy. At the same time the Committee has launched a public consultation with all the interested parties, which will end on February 29, 2008. The outcome of the public consultation will help in the preparation for the adoption of a Recommendation on Creative Content Online by the Council and the European Parliament in 2008.

Source: http://ec.europa.eu/avpolicy/other_actions/content_online/index_en.htm

European Court of Justice: Governments may ask ISPs to disclose information on Internet Piracy

- On 29th January 2008, the European Court of Justice issued a ruling according to which governments can, but are not required to, ask Internet Service Providers to disclose personal data about subscribers suspected of internet piracy. The case arose when Spanish music producers group Promusicae asked telecommunications provider Telefonica to disclose personal data of subscribers, who according to Promusicae, were downloading music tracks illegally from the Kazaa network. The Spanish court granted Promusicae's request, Telefonica appealed, saying that Spanish law allows ISP's to reveal personal data only in criminal investigations or for public safety or national defense purposes. The Spanish court sought a ruling from the ECJ, which held that member states are allowed but not required to disclose personal data in civil proceedings. The European Court also mentioned that governments must ensure that property and privacy rights are fairly balanced, and whatever laws they enact are not in conflict with other general principles of Community law.

Source: <http://ip-watch.org/weblog/index.php?p=901>

Fourth Global Congress on Combating Counterfeiting and Piracy

- From 3-5 February 2008, the 4th Global Congress on Combating Counterfeiting and Piracy was held in Dubai. The Congress was organized by Dubai Customs in cooperation with the World Customs Organization (WCO), the International Criminal Police Organization (INTERPOL) and the World Intellectual Property Organization (WIPO). The aim of the Congress was the cooperation between the public and the private sector in order to find and apply practical solutions in combating counterfeit products and piracy.

Source : <http://www.ccapcongress.net/index.htm>

Directive 98/84/EU on the legal protection of services based on, or consisting of, conditional access: Study of the European Commission and Public Consultation

- On 11th February, the European Commission issued a study on the impact of Directive 98/84/EU on the legal protection of services based on, or consisting of, conditional access. The study analyses the effectiveness of the Directive on combating piracy in the above mentioned field. Its aim is to indicate the benefits and shortcomings of the Directive and offer to the European Commission new information concerning the economics of the media sector and the objectives of its regulation. The study was carried out at the Commission's request by KEA and CERNA. The European Commission is launching a public consultation on the implementation of Directive 98/84/EU, that will remain open until April 4, 2008 and it is asking all interested parties to submit information on services that use conditional-access systems. The Commission will use this information and the results of the afore mentioned study in order to draw up its second report on the implementation of the Directive 98/84/EU ten years after it was adopted. The Commission is now asking all interested parties to submit their observations and opinions on the conditional-access sector, focusing on six main areas: a) the development of cross-border services, b) how effectively the Directive is being implemented in the Member States, c) new services covered by the Directive, d) how the Directive has contributed to protecting copyright holders, e) digital rights management (DRM) systems, f) the use of conditional access for purposes other than to protect pay-services.

Source: http://ec.europa.eu/internal_market/media/elecpay/index_en

Equitable remuneration under private copyright on a national level: The European Commission issues a public consultation

- The European Commission issued a public consultation on the subject of equitable remuneration under private copyright on a national level. The system of equitable remuneration allows private copying of works protected by copyright, imposing in exchange, levies on technical means used for reproduction for private use, such as printers, hard disks, MP3 players, blank CDs, mobile phones etc. The levies are paid back to the authors through

the collecting societies. There is however, little coherence among member states concerning the level of the levies and how these levies are applied. The aim of the Commission is to collect comments on how to relate the level of levies to the loss suffered through private copying. All interested parties are invited to send their comments to the European Commission by April 18, 2008.

Sources: Agence Europe,

http://ec.europa.eu/internal_market/copyright/levy_reform/index_en.htm#stakeholder

Extension of copyright protection for performing artists: Announcement by the European Commission

- On February 14th, 2008 the Internal Market Commissioner Charlie McCreevy announced that the European Commission will propose the extension of copyright protection for performing artists taking part in music recordings from 50 to 95 years. The proposal will be submitted in the summer of 2008. The aims of the Committee are two: a) to align copyright protection for performing artists with that for other composers and b) to offer to the European music industry the same level of copyright protection as that in the United States. The Commission wishes for the new rules to apply by the beginning of the next decade.

Sources: Agence Europe,

<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/08/240&format=HTML&aged=0&language=EN&guiLanguage=en>

EVENTS – ACTIVITIES OF THE HELLENIC COPYRIGHT ORGANIZATION

Conference: “The protection of copyright in the Information Society”

- The Hellenic Copyright Organization is organizing a conference with the subject “The Protection of Copyright in the Information Society” with the aim of presenting the project “Integrated Informational System for the Protection of Copyright in Greece” which was realized in the framework of measure 1.3 of the Operational Program “Information Society” of the 3rd CSF.

The conference will take place on Thursday, 27th of March at the conference hall of the Athens Bar Association.

The above mentioned project is financed by both ERDF and National Public Expenditure (80% and 20 % accordingly).

During the conference, participants will be given printed and digital material relevant to copyright and Hellenic Copyright Organization’s Integrated Informational System. A small reception will follow.

Pan-Hellenic Students Contests

- The Hellenic Copyright Organization (HCO) organizes two **Pan-Hellenic Students Contests**, one for high school students and, in co-operation with Microsoft, one for pupils of the sixth grade of elementary school.

The subject of the high school contest is the creation of a **slogan** for the protection of copyright.

The contest's subject for the **sixth grade of elementary school** is the creation of a **poster** for the promotion of copyright.

The objective of the contests is to raise public awareness on the protection of copyright as well as on the negative consequences of the theft of spiritual works.

Moreover, a website referring to these two contests has been created www.lavmeros.gr where interested parties can find additional information. The students' entries for the two contests should be sent to the premises of HCO (5 Metsovou str. – 106 82 Athens) **until the 17th of March 2008**. The entries will be evaluated by committees which will be established for this purpose. The prizes will be awarded during the celebration **of the World Intellectual Property Day** that will take place **on April 19th 2008** in the Syntagma Metro Station Hall.

World Intellectual Property Day 2008

- The Hellenic Copyright Organization is organizing a series of events on the 19th of April 2008 to celebrate the World Intellectual Property Day. Because of the great importance of copyright, the Ministries of Development, Foreign Affairs, the Collecting Societies and the Industrial Property Organization will all participate in the events. The celebration will take place in Syntagma Metro Station Hall and it will include a press conference, greetings from several officials and the awards of prizes to the winners of the Students' Competitions "Lavmeros". The celebration will continue with live performances from Nikos Touliatos and his band Ihodrasis, a children's choir, and a jazz quartet. In the framework of the events, elementary school pupils will have the chance to participate in a visual arts happening.