

Copyright Review Group,
Copyright Review,
Room 517,
Department of Enterprise,
Jobs and Innovation,
23 Kildare Street,
Dublin 2,
Republic of Ireland.
8th July, 2011

Dear Members of the Copyright Review Group,

Re: Copyright is key to providing professional news content on all platforms

We are writing to you to highlight some priorities for the newspaper and news media sector in the context of the current Review of the Copyright and Related Rights Act, undertaken by the Department of Enterprise, Jobs and Innovation in Ireland.

The European Newspaper Publishers' Association (ENPA) is an international non-profit association, advocating the interests of the European news media sector on all platforms, in both the print and digital environment. Newspaper companies are linked to ENPA through our 29 member associations representing newspaper publishers at national level, including the National Newspapers of Ireland (NNI). In total, ENPA represents over 5,200 national regional and local newspapers read by more than 300 million Europeans daily.

Ireland is a country known for its culturally rich and diverse newspaper sector comprising national, regional and local titles, closely linked to the communities in which they are based. Newspapers offer citizens a daily menu of professional information, opinion and analysis on the "Grand Challenges" facing society today, including economic recovery, climate change and quality of life issues for an ageing population. In doing so, they play an essential role in stimulating open debate and engaged citizenship in democratic society.

The current Copyright Review comes at a time when the news media sector is going through a crucial restructuring phase and facing many economic challenges. Publishers are innovating and investing in business models to take full advantage of the opportunities provided by new technology to serve their readers on a multitude of platforms.

The news media sector is providing digital offers and services that both anticipate and satisfy customers' demands and changing reading habits. Yet, along with many other creative and media industries, publishers are working to develop paid-for offers in the digital environment at a time when the Internet is too often characterised by free, unauthorised content. Effective copyright protection and enforcement is therefore essential to allow publishers to continue to invest in providing professional news content on all platforms – print and digital.

In light of discussions on whether there is a need to make radical changes to the existing copyright framework, newspaper publishers believe that the current EU legislative framework is fit for purpose in the 21st century. The existing "acquis" functions well and provides an appropriate balance between right holders and users in terms of rights and exceptions. Changing this equilibrium would undermine publishers' investment in editorial content, challenge their commercial activities and hinder the development of new business models.

Newspaper publishers are therefore not in favour of reopening exceptions and limitations in copyright law, as the current legislation has been sufficient in order to ensure legal certainty and a balance of interests between right holders and users.


We already see today that news content, financed and developed by publishers, is too often used by third parties as an added value for their commercial services. In this context, the need for news aggregators and technology platforms to respect newspaper copyrights on the Internet is a high priority for the news media sector. Otherwise, press content could be used extensively by third parties for their own commercial advantage, without having asked prior permission or negotiated with publishers for use of their content.

The current discussion over mass digitisation by public libraries or by private companies, such as Google, is also very significant for the newspaper sector. Archives constitute an increasingly important part of newspapers' online business models and are a key part of the commercial offer to clients. Mass digitisation of newspaper content by third parties, to offer parallel on demand access to archives, would therefore undermine the normal exploitation of the work unless there has been an individual agreement between the parties subject to commercial negotiation.

In short, the goal of allowing citizens to enjoy commercial services and culture across borders cannot be achieved without placing copyright and value of content at the centre of the digital agenda for industry in Ireland.

Please do not hesitate to contact us if you require any additional information or have any questions about the newspaper sector in Europe.

Yours sincerely,



Francine Cunningham
Executive Director
ENPA