

EBLIDA, copyright, and related rights

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For several years copyright has been a major concern of EBLIDA. The reasons are:

- the steady stream of EC Directives relating to copyright and related rights
- the major impact that rights issues often have on the use of information
- The concern of EBLIDA's members that information should be as freely available as possible in their libraries (and indeed, freely available generally).

A list of Directives relating to information includes the following:

Ø	14 May 1991 - Legal protection of computer programs
Ø	19 November 1992 - Rental right and lending right
Ø	27 September 1993 - Copyright applicable to satellite and cable
Ø	29 October 1993 - Term of protection of copyright
Ø	11 March 1996 - Legal protection of databases
Ø	22 May 2001 - 'The Copyright Directive' or 'Information Society' Directive
Ø	31 December 2003 - Re-use of Public Sector Information
Ø	29 April 2004 - Enforcement of intellectual property right

Associated with these are studies by the European Commission on digital rights management systems and on the scientific publications market, subjects where librarians similarly wish to influence the policy of the Commission.

The main reason for European interest in copyright and related rights is their economic importance to the 'creative industries', which include advertising, architecture, arts/antiques, craft, design, fashion, film, leisure software, music, performing arts, publishing, and TV/radio. The Commission's Directorate-General for the internal market has always regarded these businesses as vital, particularly in relation to the EU's competitive trade position compared with the USA. Unfortunately, policymakers fail to appreciate that libraries are part of the creative industries too, as are educational institutions. The Information Society Directorate seems to have relatively little bargaining power when these matters are negotiated within the Commission. Yet, as EBLIDA often argues, good access by citizens and businesses to information is very important for economic prosperity. The legislative proposals are generally in favour of the entertainment industries, and tend to restrict access to copyright material, in order to increase the potential for profits by rights-based companies.

This outline shows the opposing interests of many large European businesses on the one hand, and of libraries, education, and the 'information society' on the other. But we need to note that EBLIDA has worked hard, with various other pressure groups, to influence European Directives. With very little money and few people, EBLIDA has for example helped to achieve improved scope for exceptions to copyright in the 'Information Society' Directive of 2001. This has made possible greater use of copyright material (i.e. information) in cases where the holder of the copyright suffers no harm. EBLIDA also helped to secure exemption for educational and cultural institutions from the Directive on the Re-use of Public Sector Information. Without the exemption, libraries (and other cultural institutions) would have had to surrender the information they hold, to companies, for commercial exploitation of the information. Such a situation would have been very difficult for libraries and would have made the work of universities impossible.

EBLIDA provides an excellent service for the good of the information society in Europe, by raising arguments that individual citizens would never think about. Yet these matters are important for everyone. Libraries are champions of the socially- useful dissemination of information. EBLIDA intends to continue influencing public policy in the copyright area, for the benefit of everyone.