



EUROPEAN PARLIAMENT

2014 - 2019

Committee on Legal Affairs

2014/2256(INI)

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AMENDMENTS

1 - 280

Draft report

Julia Reda

(PE546.580v02-00)

on the implementation of Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society (2014/2256(INI))

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Amendment 1
József Szájer
Motion for a resolution
Citation 1

Motion for a resolution

– having regard to Articles 4, 26, 34, 114 **and 118** of the Treaty on the Functioning of the European Union (TFEU),

Amendment

– having regard to Articles 4, 26, 34, 114, **118 and 167** of the Treaty on the Functioning of the European Union (TFEU),

Or. en

Amendment 2
Constance Le Grip, Christian Ehler
Motion for a resolution
Citation 1

Motion for a resolution

– vu les articles 4, 26, 34, 114 et **118** du traité sur le fonctionnement de l'Union européenne (traité FUE),

Amendment

– vu les articles 4, 26, 34, 114 et **167** du traité sur le fonctionnement de l'Union européenne (traité FUE),

Or. fr

Amendment 3
Axel Voss, Christian Ehler
Motion for a resolution
Citation 1

Motion for a resolution

– unter Hinweis auf Artikel 4, 26, 34, 114 **und 118** des Vertrags über die Arbeitsweise der Europäischen Union (AEUV),

Amendment

– unter Hinweis auf Artikel 4, 26, 34, 114, **118 und 167** des Vertrags über die Arbeitsweise der Europäischen Union (AEUV),

Or. de

Amendment 4
Jean-Marie Cavada, Therese Comodini Cachia, Virginie Rozière

Motion for a resolution
Citation 1

Motion for a resolution

– vu les articles 4, 26, 34, 114 et **118** du traité sur le fonctionnement de l'Union européenne (traité FUE),

Amendment

– vu les articles 4, 26, 34, 114 et **167** du traité sur le fonctionnement de l'Union européenne (traité FUE),

Or. fr

Amendment 5

Therese Comodini Cachia, Marc Joulaud, Tadeusz Zwiefka, Jean-Marie Cavada, Giovanni Toti, Mary Honeyball, Bogdan Brunon Wenta, József Szájer, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Milan Zver, Sabine Verheyen

Motion for a resolution
Citation 1

Motion for a resolution

– having regard to Articles 4, 26, 34, 114 **and 118** of the Treaty on the Functioning of the European Union (TFEU),

Amendment

– having regard to Articles 4, 26, 34, 114, **118 and 167** of the Treaty on the Functioning of the European Union (TFEU),

Or. en

Amendment 6

Tadeusz Zwiefka, Bogdan Brunon Wenta, Therese Comodini Cachia

Motion for a resolution
Citation 1 a (new)

Motion for a resolution

Amendment

- heaving regards to TRIPS Agreement of 1994,

Or. en

Amendment 7

Jean-Marie Cavada, Therese Comodini Cachia

Motion for a resolution
Citation 1 a (new)

Motion for a resolution

Amendment

- vu la Convention de l'UNESCO du 20 octobre 2005 sur la protection et la promotion de la diversité des expressions culturelles,

Or. fr

Amendment 8

József Szájer

Motion for a resolution

Citation 2

Motion for a resolution

– having regard to Articles 11, 13, 14, 16, 17 **and** 52 of the Charter of Fundamental Rights of the European Union,

Amendment

– having regard to Articles 11, 13, 14, 16, 17, **22 and** 52 of the Charter of Fundamental Rights of the European Union,

Or. en

Amendment 9

Constance Le Grip, Christian Ehler

Motion for a resolution

Citation 2

Motion for a resolution

– vu les articles 11, 13, 14, 16, 17 et 52 de la charte des droits fondamentaux de l'Union européenne,

Amendment

– vu les articles 11, 13, 14, 16, 17, **22, 47** et 52 de la charte des droits fondamentaux de l'Union européenne,

Or. fr

Amendment 10

Axel Voss, Christian Ehler

Motion for a resolution

Citation 2

Motion for a resolution

– unter Hinweis auf die Artikel 11, 13, 14, 16, 17 und 52 der Charta der Grundrechte der Europäischen Union,

Amendment

– unter Hinweis auf die Artikel 11, 13, 14, 16, 17, **22** und 52 der Charta der Grundrechte der Europäischen Union,

Or. de

Amendment 11

Jean-Marie Cavada, Therese Comodini Cachia

Motion for a resolution

Citation 2

Motion for a resolution

– vu les articles 11, 13, 14, 16, 17 et 52 de la charte des droits fondamentaux de l'Union européenne,

Amendment

– vu les articles 11, 13, 14, 16, 17, **22** et 52 de la charte des droits fondamentaux de l'Union européenne,

Or. fr

Amendment 12

Therese Comodini Cachia, Marc Joulaud, Tadeusz Zwiefka, Bogdan Brunon Wenta, Giovanni Toti, Jean-Marie Cavada, Mary Honeyball, József Szájer, Rosa Estaràs Ferragut, Luis de Grandes Pascual, Milan Zver, Sabine Verheyen

Motion for a resolution

Citation 2

Motion for a resolution

– having regard to Articles 11, 13, 14, 16, 17 **and** 52 of the Charter of Fundamental Rights of the European Union,

Amendment

– having regard to Articles 11, 13, 14, 16, 17, **22 and** 52 of the Charter of Fundamental Rights of the European Union,

Or. en

Amendment 13

József Szájer

Motion for a resolution

Citation 4

Motion for a resolution

– having regard to the Berne Convention for the Protection of Literary and Artistic Works,

Amendment

– having regard to the Berne Convention for the Protection of Literary and Artistic Works, **and expressly to the Three Steps Test,**

Or. en

Amendment 14

Axel Voss, Christian Ehler

Motion for a resolution

Citation 4

Motion for a resolution

– unter Hinweis auf die Berner Übereinkunft zum Schutz von Werken der Literatur und der Kunst,

Amendment

– unter Hinweis auf die Berner Übereinkunft zum Schutz von Werken der Literatur und der Kunst **und dem Drei-Stufen-Test,**

Or. de

Amendment 15

Jean-Marie Cavada, Therese Comodini Cachia

Motion for a resolution

Citation 4

Motion for a resolution

– vu la Convention de Berne pour la protection des œuvres littéraires et artistiques,

Amendment

– vu la Convention de Berne pour la protection des œuvres littéraires et artistiques, **notamment le test des trois étapes,**

Or. fr

Amendment 16

Therese Comodini Cachia, Pavel Svoboda, Marc Joulaud, Jean-Marie Cavada, Mary Honeyball, Constance Le Grip, József Szájer, Giovanni Toti, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Milan Zver, Sabine Verheyen

Motion for a resolution

Citation 4

Motion for a resolution

– having regard to the Berne Convention for the Protection of Literary and Artistic Works,

Amendment

– having regard to the Berne Convention for the Protection of Literary and Artistic Works, **and expressly to the Three Steps Test,**

Or. en

Amendment 17

József Szájer

Motion for a resolution

Citation 5 a (new)

Motion for a resolution

Amendment

- Having regard to the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions of the 20th October 2005,

Or. en

Amendment 18

Therese Comodini Cachia, Marc Joulaud, Giovanni Toti, Jean-Marie Cavada, Mary Honeyball, Constance Le Grip, Tadeusz Zwiefka, Bogdan Brunon Wenta, József Szájer, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Milan Zver, Sabine Verheyen

Motion for a resolution

Citation 5 a (new)

Motion for a resolution

Amendment

- Having regard to the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions of the 20th October 2005,

Or. en

Amendment 19

Constance Le Grip, Marc Joulaud, Sabine Verheyen

Motion for a resolution

Citation 7 a (new)

Motion for a resolution

Amendment

- Vu l'Accord sur les aspects des droits de propriété intellectuelle qui touchent au commerce (ADPIC),

Or. fr

Amendment 20

Jean-Marie Cavada, Therese Comodini Cachia

Motion for a resolution

Citation 7 a (new)

Motion for a resolution

Amendment

- vu l'Accord TRIPS sur certains aspects des droits de propriété intellectuelle,

Or. fr

Amendment 21

Constance Le Grip, Christian Ehler

Motion for a resolution

Citation 7 b (new)

Motion for a resolution

Amendment

- vu l'étude concernant les droits de propriété intellectuelle réalisée conjointement par l'Office européen des brevets (OEB) et l'Office de l'harmonisation dans le marché intérieur (OHMI) : "Secteurs à forte intensité de droits de propriété intellectuelle: contribution aux résultats économiques et à l'emploi dans l'UE de septembre 2013", qui montre que l'activité économique globale de l'Union (dont la valeur atteint environ 4 700 milliards d'euros annuels) est générée à hauteur de 39 % environ par des secteurs à forte intensité de DPI, lesquels fournissent en outre 26 % d'emplois directs (soit 56 millions) et 9 % d'emplois indirects sur le nombre total d'emplois que compte l'UE,

Amendment 22
Helga Stevens, Julia Reda
Motion for a resolution
Citation 7 b (new)

Motion for a resolution

Amendment

- Having regard to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled,

Amendment 23
Helga Trüpel, Heidi Hautala
Motion for a resolution
Citation 8 a (new)

Motion for a resolution

Amendment

- . Member States shall allow companies to build reserves in accordance with their articles of association.

Amendment 24
Constance Le Grip
Motion for a resolution
Citation 9

Motion for a resolution

Amendment

– vu la directive 2013/37/UE du Parlement européen et du Conseil du mercredi 26 juin 2013 modifiant la directive 2003/98/CE du Conseil concernant la réutilisation des informations du secteur public³ ,

supprimé

³ JO L 175 du 27.6.2013, p. 1.

(Cet amendement concerne le secteur public et non le droit d'auteur, il est hors de propos)

Or. fr

Amendment 25
József Szájer
Motion for a resolution
Citation 9

Motion for a resolution

Amendment

– having regard to Directive 2013/37/EU of the European Parliament and of the Council of 26 June 2013 amending Directive 2003/98/EC on the re-use of public sector information³,

deleted

³ OJ L 175, 27.6.2013, p. 1.

Or. en

Amendment 26
Axel Voss
Motion for a resolution
Citation 9

Motion for a resolution

Amendment

– unter Hinweis auf die Richtlinie 2013/37/EU des Europäischen Parlaments und des Rates vom 26. Juni 2013 zur Änderung der Richtlinie 2003/98/EG über die Weiterverwendung von Informationen des öffentlichen Sektors³,

entfällt

³ ABl. L 175 vom 27.6.2013, S. 1.

Or. de

Amendment 27

Therese Comodini Cachia, Pavel Svoboda, Marc Joulaud, Bogdan Brunon Wentz, Tadeusz Zwiefka, Jean-Marie Cavada, Mary Honeyball, Rosa Estaràs Ferragut, Luis de Grandes Pascual, Giovanni Toti, József Szájer, Sabine Verheyen

Motion for a resolution

Citation 9

Motion for a resolution

Amendment

– having regard to Directive 2013/37/EU of the European Parliament and of the Council of 26 June 2013 amending Directive 2003/98/EC on the re-use of public sector information³,

deleted

³ OJ L 175, 27.6.2013, p. 1.

Or. en

Amendment 28

Jean-Marie Cavada, Therese Comodini Cachia

Motion for a resolution

Citation 9

Motion for a resolution

Amendment

– vu la directive 2013/37/UE du Parlement européen et du Conseil du mercredi 26 juin 2013 modifiant la directive 2003/98/CE du Conseil concernant la réutilisation des informations du secteur public³,

supprimé

³ JO L 175 du 27.6.2013, p. 1.

Or. fr

Amendment 29

Constance Le Grip, Marc Joulaud, Sabine Verheyen

Motion for a resolution

Citation 12 a (new)

Motion for a resolution

Amendment

**- Vu la directive 2004/48/CE du
Parlement européen et du Conseil relative
au respect des droits de propriété
intellectuelle,**

Or. fr

Amendment 30
Constance Le Grip, Marc Joulaud, Sabine Verheyen
Motion for a resolution
Citation 13

Motion for a resolution

Amendment

– vu la directive **92/100/CEE** du Conseil
du **19 novembre 1992** relative au droit de
location et de prêt et à certains droits
voisins du droit d'auteur dans le domaine
de la propriété intellectuelle⁷,

– vu la directive **2006/115/CE du
Parlement européen et du Conseil du 12
décembre 2006 modifiant la directive
92/100/CEE** relative au droit de location et
de prêt et à certains droits voisins du droit
d'auteur dans le domaine de la propriété
intellectuelle⁷,

⁷ JO L 346 du 27.11.1992, p. 61.

⁷ JO L 346 du 27.11.1992, p. 61.

Or. fr

Amendment 31
Constance Le Grip, Marc Joulaud, Sabine Verheyen
Motion for a resolution
Citation 13 a (new)

Motion for a resolution

Amendment

**- vu la directive 2001/84/CE relative au
droit de suite au profit de l'auteur d'une
œuvre d'art originale,**

Or. fr

Amendment 32
Enrico Gasbarra

Motion for a resolution
Citation 15 a (new)

Motion for a resolution

Amendment

- Vista la sua risoluzione del 3 giugno 2010 sull'applicazione dei diritti di proprietà intellettuale nel mercato interno,

Or. it

Amendment 33
Enrico Gasbarra
Motion for a resolution
Citation 16 a (new)

Motion for a resolution

Amendment

- vista la sua risoluzione del 16 febbraio 2012 sull'accesso delle persone non vedenti ai libri e ad altri prodotti a stampa,

Or. it

Amendment 34
Constance Le Grip
Motion for a resolution
Citation 17 a (new)

Motion for a resolution

Amendment

- Vu le Livre vert du 13 juillet 2011 sur la distribution en ligne d'œuvres audiovisuelles,

Or. fr

Amendment 35
József Szájer
Motion for a resolution
Citation 17 a (new)

Motion for a resolution

Amendment

- Having regard to the Green Paper of the Commission on the online distribution of audiovisual works in the European Union: opportunities and challenges towards a digital single market (COM(2011)427)),

Or. en

Amendment 36

Jean-Marie Cavada, Therese Comodini Cachia

Motion for a resolution

Citation 17 a (new)

Motion for a resolution

Amendment

- vu le livre vert de la Commission sur la distribution en ligne d'oeuvres audiovisuelles intitulé "Vers un marché unique du numérique : possibilités et obstacles"(COM(2011) 427 final),

Or. fr

Amendment 37

Therese Comodini Cachia, Marc Joulaud, Tadeusz Zwiefka, Bogdan Brunon Went, Giovanni Toti, Rosa Estaràs Ferragut, Luis de Grandes Pascual, József Szájer, Jean-Marie Cavada, Mary Honeyball, Milan Zver, Sabine Verheyen

Motion for a resolution

Citation 17 a (new)

Motion for a resolution

Amendment

- Having regard to the Green Paper of the Commission on the online distribution of audiovisual works in the European Union: opportunities and challenges towards a digital single market (COM(2011)427)),

Or. en

Amendment 38
József Szájer
Motion for a resolution
Citation 17 b (new)

Motion for a resolution

Amendment

- Having regard to its resolution of 11 September 2012 on the online distribution of audiovisual works in the European Union (2011/2313(INI)),

Or. en

Amendment 39
Constance Le Grip
Motion for a resolution
Citation 17 b (new)

Motion for a resolution

Amendment

- vu sa résolution du 11 Septembre 2012 sur la distribution en ligne d'œuvres audiovisuelles dans l'Union européenne (2011/2313 (INI)),

Or. fr

Amendment 40
Therese Comodini Cachia, Marc Joulaud, Tadeusz Zwiefka, Bogdan Brunon Wenta, Mary Honeyball, József Szájer, Giovanni Toti, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Milan Zver, Sabine Verheyen
Motion for a resolution
Citation 17 b (new)

Motion for a resolution

Amendment

- Having regard to its resolution of 11 September 2012 on the online distribution of audiovisual works in the European Union (2011/2313(INI)),

Or. en

Amendment 41
Constance Le Grip, Marc Joulaud, Sabine Verheyen
Motion for a resolution
Citation 18 a (new)

Motion for a resolution

Amendment

- vu le Protocole d'accord du 20 septembre 2011 sur les principes clés de la numérisation et la mise à disposition des œuvres indisponibles, pour faciliter la numérisation et la mise à disposition de livres et de revues savantes pour les bibliothèques européennes et les autres institutions similaires,

Or. fr

Amendment 42
Jean-Marie Cavada
Motion for a resolution
Citation 19 a (new)

Motion for a resolution

Amendment

- vu le rapport sur la distribution en ligne d'œuvres audiovisuelles dans l'Union européenne (A7-0262/2012),

Or. fr

Amendment 43
Jean-Marie Cavada
Motion for a resolution
Citation 20 a (new)

Motion for a resolution

Amendment

- vu l'étude conjointe de l'OEB et de l'OHMI de septembre 2013 intitulée "Secteurs à forte densité de droits de propriété intellectuelle : contributions aux résultats économiques et à l'emploi dans l'Union européenne",

Or. fr

Amendment 44
Marietje Schaake
Motion for a resolution
Citation 20 a (new)

Motion for a resolution

Amendment

**- Having regard to articles 27 of the
Universal Declaration of Human Rights;**

Or. en

Amendment 45
Marietje Schaake
Motion for a resolution
Citation 20 b (new)

Motion for a resolution

Amendment

**- Having regard to the E-Commerce
Directive,**

Or. en

Amendment 46
Kostas Chrysogonos
Motion for a resolution
Recital A

Motion for a resolution

Amendment

A. λαμβάνοντας υπόψη ότι το ευρωπαϊκό νομικό πλαίσιο για το δικαίωμα δημιουργού και τα συγγενικά δικαιώματα είναι καίριας σημασίας για την προώθηση της δημιουργικότητας και της καινοτομίας, **καθώς και** για την πρόσβαση στη γνώση και τις πληροφορίες·

A. λαμβάνοντας υπόψη ότι το ευρωπαϊκό νομικό πλαίσιο για το δικαίωμα δημιουργού και τα συγγενικά δικαιώματα είναι καίριας σημασίας για την προώθηση της δημιουργικότητας και της καινοτομίας, για την πρόσβαση στη γνώση και τις πληροφορίες, **και για την αναγνώριση και προστασία των δικαιωμάτων πνευματικής ιδιοκτησίας των δημιουργών;**

Or. el

Amendment 47
József Szájer
Motion for a resolution
Recital A

Motion for a resolution

A. whereas the European legal framework for copyright and related rights is central to the promotion of creativity and innovation, and to access to knowledge and information;

Amendment

A. whereas the European legal framework for copyright and related rights is central to the promotion of creativity and innovation, ***cultural diversity, economical growth*** and to access to knowledge and information;

Or. en

Amendment 48
Jiří Maštálka, Kostas Chrysogonos
Motion for a resolution
Recital A

Motion for a resolution

A. whereas the European legal framework for copyright and related rights is central to the promotion of creativity and innovation, and to access to knowledge and information;

Amendment

A. whereas the European legal framework for copyright and related rights is central to the promotion of creativity and innovation, and to access to knowledge and information, ***while at the same time also providing authors of literary and artistic works with sufficient recognition and protection of their intellectual property rights;***

Or. en

Amendment 49
Laura Ferrara
Motion for a resolution
Recital A

Motion for a resolution

A. considerando che il quadro giuridico europeo per i diritti d'autore e connessi ***riveste ha un ruolo decisivo per la promozione della*** creatività e ***dell'innovazione e per*** l'accesso alla

Amendment

A. considerando che il quadro giuridico europeo per i diritti d'autore e connessi ***ha come finalità primaria l'incentivo alla*** creatività e ***all'innovazione e*** l'accesso alla conoscenza, ***alla cultura e***

conoscenza e all'informazione;

all'informazione, *attraverso la disseminazione delle opere dell'ingegno*;

Or. it

Amendment 50

Enrico Gasbarra

Motion for a resolution

Recital A

Motion for a resolution

A. considerando che *il* quadro giuridico europeo per i diritti d'autore e connessi *riveste* ha un ruolo decisivo per la promozione della creatività *e* dell'innovazione e per l'accesso alla conoscenza e all'informazione;

Amendment

A. considerando che *la riforma del* quadro giuridico europeo per i diritti d'autore e connessi ha un ruolo decisivo per la promozione della creatività, dell'innovazione, *delle industrie culturali e creative* e per l'accesso alla conoscenza e all'informazione;

Or. it

Amendment 51

Juan Fernando López Aguilar, José Blanco López, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial

Motion for a resolution

Recital A

Motion for a resolution

A. Considerando que el marco jurídico europeo de los derechos de autor y derechos afines es primordial para la promoción de la creatividad y la innovación, *así como para* el acceso a conocimientos e información;

Amendment

A. Considerando que el marco jurídico europeo de los derechos de autor y derechos afines es primordial para la promoción de la creatividad y la innovación, el acceso a conocimientos e información *y que la adaptación de la Directiva 2001/29/CE a la era digital puede generar el nacimiento de nuevas empresas y start-ups las cuales serían una fuente de empleos del futuro para los jóvenes*;

Or. es

Amendment 52
Axel Voss, Christian Ehler
Motion for a resolution
Recital A

Motion for a resolution

A. in der Erwägung, dass der europäische Rechtsrahmen zum Schutz des Urheberrechts und der verwandten Schutzrechte für die Förderung von Kreativität und Innovation und für den Zugang zu Wissen und Informationen von zentraler Bedeutung ist;

Amendment

A. in der Erwägung, dass der europäische Rechtsrahmen zum Schutz des Urheberrechts und der verwandten Schutzrechte für die Förderung von Kreativität und Innovation, **kultureller Vielfalt, wirtschaftlichen Wachstums** und für den Zugang zu Wissen und Informationen von zentraler Bedeutung ist;

Or. de

Amendment 53
Constance Le Grip, Christian Ehler, Jean-Marie Cavada
Motion for a resolution
Recital A

Motion for a resolution

A. considérant que le cadre juridique européen relatif au droit d'auteur et aux droits voisins est essentiel à la promotion de la créativité et de l'innovation, ainsi que pour accéder à la connaissance et à l'information;

Amendment

A. considérant que le cadre juridique européen relatif au droit d'auteur et aux droits voisins est essentiel à la promotion de la créativité et de l'innovation, **à la préservation de la diversité culturelle** ainsi que pour accéder à la connaissance et à l'information;

Or. fr

Amendment 54
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Recital A

Motion for a resolution

A. whereas the European legal framework for copyright and related rights is central to the promotion of creativity **and innovation**, and to access to knowledge

Amendment

A. whereas the European legal framework for copyright and related rights is central to the promotion of creativity, **innovation, economic growth, competitiveness, the**

and information;

Digital Single Market and to access to knowledge and information;

Or. en

Amendment 55

Therese Comodini Cachia, Marc Joulaud, Eva Paunova, Bogdan Brunon Wentă, Tadeusz Zwiefka, Mary Honeyball, Constance Le Grip, József Szájer, Giovanni Toti, Rosa Estaràs Ferragut, Luis de Grandes Pascual, Sabine Verheyen

Motion for a resolution

Recital A

Motion for a resolution

A. whereas the European legal framework for copyright and related rights is central to the promotion of creativity and innovation, and to access to knowledge and information;

Amendment

A. whereas the European legal framework for copyright and related rights is central to the promotion of creativity and innovation, **cultural diversity, economical growth** and to access to knowledge and information;

Or. en

Amendment 56

Helga Trüpel, Heidi Hautala

Motion for a resolution

Recital A a (new)

Motion for a resolution

Amendment

A a. in der Erwägung, dass ein harmonisierter Rechtsrahmen zum Schutz des Urheberrechts und der verwandten Schutzrechte durch erhöhte Rechtssicherheit und durch die Wahrung eines hohen Schutzniveaus substantielle Investitionen in Kreativität und Innovation fördern kann und zu Wachstum und erhöhter Wettbewerbsfähigkeit der europäischen Industrie beitragen kann, und zwar sowohl bei den Inhalten und der digitalen Wirtschaft als auch allgemeiner in weiten Teilen der Industrie und des Kultursektors. Auf diese Weise können Arbeitsplätze erhalten und neue Arbeitsplätze geschaffen werden;

Or. de

Amendment 57
Marietje Schaake
Motion for a resolution
Recital A a (new)

Motion for a resolution

Amendment

A a. Whereas copyright law in the EU should reflect the core principles and values of European law, including freedom of expression and information as well as freedom of competition;

Or. en

Amendment 58
Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López
Motion for a resolution
Recital A a (new)

Motion for a resolution

Amendment

A bis. Considerando que el artículo 167 del Tratado de Funcionamiento de la Unión Europea establece que la Unión Europea fomentará el florecimiento y diversidad de las culturas de los Estados Miembros especialmente a través de la creación artística y literaria;

Or. es

Amendment 59
Laura Ferrara
Motion for a resolution
Recital A a (new)

Motion for a resolution

Amendment

A bis. considerando che il perseguimento di dette finalità viene raggiunto nel contemperamento degli interessi

rispettivamente di autori, interpreti ed esecutori, imprenditori culturali e pubblico che fruisce delle opere dell'ingegno;

Or. it

Amendment 60
Laura Ferrara
Motion for a resolution
Recital A b (new)

Motion for a resolution

Amendment

A ter. considerando che il diritto d'autore ha tradizionalmente cercato di bilanciare i contrapposti interessi degli stakeholders assicurando un'adeguata remunerazione per l'attività creativa e per gli investimenti economici effettuati, da una parte, ed introducendo una serie di eccezioni e limitazioni ai diritti esclusivi, per promuovere la disseminazione delle opere dell'ingegno, dall'altra parte;

Or. it

Amendment 61
Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López
Motion for a resolution
Recital B

Motion for a resolution

Amendment

B. Considerando que la Directiva 2001/29/CE relativa a la armonización de determinados aspectos de los derechos de autor y derechos afines a los derechos de autor en la sociedad de la información tenía por objeto adaptar la legislación sobre los derechos de autor y derechos afines a los derechos de autor para reflejar la evolución *tecnológica*;

B. Considerando que la Directiva 2001/29/CE relativa a la armonización de determinados aspectos de los derechos de autor y derechos afines a los derechos de autor en la sociedad de la información tenía por objeto adaptar la legislación sobre los derechos de autor y derechos afines a los derechos de autor para reflejar la evolución *tecnológica y su necesaria adaptación para garantizar una remuneración justa a los titulares de derechos de autor y derechos*

conexos y una protección adecuada de los mismos ante las nuevas demandas de consumo y retos que suponen la economía y sociedad digital;

Or. es

Amendment 62
József Szájer
Motion for a resolution
Recital B

Motion for a resolution

B. whereas Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the information society was aimed at adapting legislation on copyright and related rights to reflect technological developments;

Amendment

B. whereas Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the information society was aimed at adapting legislation on copyright and related rights to reflect technological developments, ***while providing for a high level of protection of intellectual property to foster investment in creativity and innovation and creative developments, and to safeguard employment and encourage job creation;***

Or. en

Amendment 63
Virginie Rozière
Motion for a resolution
Recital B

Motion for a resolution

B. considérant que la directive 2001/29/CE sur l'harmonisation de certains aspects du droit d'auteur et des droits voisins dans la société de l'information visait à modifier la législation relative au droit d'auteur et aux droits voisins pour qu'elle reflète les évolutions technologiques;

Amendment

B. considérant que la directive 2001/29/CE sur l'harmonisation de certains aspects du droit d'auteur et des droits voisins dans la société de l'information visait à modifier la législation relative au droit d'auteur et aux droits voisins pour qu'elle reflète les évolutions technologiques, ***tout en maintenant la vitalité d'une économie créative durable en Europe;***

Amendment 64
Axel Voss, Christian Ehler
Motion for a resolution
Recital B

Motion for a resolution

B. in der Erwägung, dass die Richtlinie 2001/29/EG zur Harmonisierung bestimmter Aspekte des Urheberrechts und der verwandten Schutzrechte in der Informationsgesellschaft auf die Anpassung des Urheberrechts und verwandter Schutzrechte an die technologischen Entwicklungen ausgerichtet *war*;

Amendment

B. in der Erwägung, dass die Richtlinie 2001/29/EG zur Harmonisierung bestimmter Aspekte des Urheberrechts und der verwandten Schutzrechte in der Informationsgesellschaft auf die Anpassung des Urheberrechts und verwandter Schutzrechte an die technologischen Entwicklungen ausgerichtet *ist*;

Or. de

Amendment 65
Therese Comodini Cachia, Pavel Svoboda, Tadeusz Zwiefka, Bogdan Brunon Wentz, Giovanni Toti, József Szájer, Eva Paunova, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Sabine Verheyen
Motion for a resolution
Recital B

Motion for a resolution

B. whereas Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the information society was aimed at adapting legislation on copyright and related rights to reflect technological developments;

Amendment

B. whereas Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the information society was aimed at adapting legislation on copyright and related rights to reflect technological developments, *while providing for a high level of protection of intellectual property to foster investment in creativity and innovation and creative developments, and to safeguard employment and encourage job creation*;

Or. en

Amendment 66
Constance Le Grip, Marc Joulaud, Sabine Verheyen
Motion for a resolution
Recital B

Motion for a resolution

B. considérant que la directive 2001/29/CE *sur l'harmonisation de* certains aspects du droit d'auteur et des droits voisins *dans la société de l'information visait à modifier la législation relative au droit d'auteur et aux droits voisins pour qu'elle reflète les évolutions technologiques*;

Amendment

B. considérant que la directive 2001/29/CE *avait pour objectif d'adapter le cadre juridique pour* certains aspects du droit d'auteur et des droits voisins *afin de tenir compte des évolutions technologiques, tout en assurant un niveau élevé de protection de la propriété intellectuelle et en garantissant ainsi l'autonomie des créateurs et des interprètes*;

Or. fr

Amendment 67
Mary Honeyball, Mady Delvaux
Motion for a resolution
Recital B

Motion for a resolution

B. whereas Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the information society was aimed at adapting legislation on copyright and related rights to reflect technological developments;

Amendment

B. whereas Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the information society was aimed at adapting legislation on copyright and related rights to reflect technological developments, *while providing for a high level of protection of intellectual property, taking as a basis the rights of creators, to foster investment in creativity and innovation and creative developments, and to safeguard employment and encourage job creation*;

Or. en

Amendment 68
Jean-Marie Cavada
Motion for a resolution
Recital B

Motion for a resolution

B. considérant que la directive 2001/29/CE *sur l'harmonisation de certains aspects du droit d'auteur et des droits voisins dans la société de l'information* visait à *modifier la législation relative au droit d'auteur et aux droits voisins pour qu'elle reflète les évolutions technologiques*;

Amendment

B. considérant que la directive 2001/29/CE *visait à adapter les règles en matière de droit d'auteur et de droits voisins pour tenir compte de l'évolution des technologies, promouvoir la diffusion du savoir et de la culture, améliorer la sécurité juridique et assurer dans le même temps un niveau élevé de protection de la propriété intellectuelle pour préserver l'autonomie et la dignité des créateurs et interprètes et encourager les investissements dans des activités créatrices et novatrices afin de favoriser la croissance et la compétitivité de l'industrie européenne*;

Or. fr

Amendment 69
Marietje Schaake
Motion for a resolution
Recital B a (new)

Motion for a resolution

B a. Whereas the European Commission and the Member States are making considerable investments in the digitization and online accessibility of the rich collections of Europe's cultural heritage institutions, so that citizens can enjoy access from everywhere on any device;

Amendment

Or. en

Amendment 70
Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López
Motion for a resolution
Recital B a (new)

Motion for a resolution

Amendment

B bis. Considerando que las industrias culturales y creativas europeas son motor de crecimiento económico y creación de empleo en la UE, ya que emplean a más de 7 millones de personas con un impacto superior al 4,2% del PIB, y que las industrias culturales continuaron creando puestos de trabajo durante la crisis económica de los años 2008-2012;

Or. es

Amendment 71
Laura Ferrara
Motion for a resolution
Recital B a (new)

Motion for a resolution

Amendment

B bis. considerando che la "rivoluzione digitale" ha introdotto nuove tecniche e mezzi di comunicazione e reso possibili nuove forme espressive che, pur mettendo in discussione il rapporto trilaterale che tradizionalmente lega creatore e fruitore attraverso l'imprenditore culturale, ha incentivato la nascita di un'economia basata sulla conoscenza creando nuovi posti di lavoro e favorendo la promozione della cultura e dell'innovazione;

Or. it

Amendment 72
Jean-Marie Cavada
Motion for a resolution
Recital B a (new)

Motion for a resolution

Amendment

B bis. considérant que la Directive 2001/29/CE relève également d'un certain nombre d'obligations de l'Union en vertu

du droit international, y compris les dispositions de la convention de Berne pour la protection des œuvres littéraires et artistiques, du traité de l'OMPI sur le droit d'auteur, et du traité de l'OMPI sur les spectacles et les phonogrammes;

Or. fr

Amendment 73
Marietje Schaake
Motion for a resolution
Recital B b (new)

Motion for a resolution

Amendment

B b. Whereas geoblocking is common practice in Europe and limits access to content to national territory;

Or. en

Amendment 74
Laura Ferrara
Motion for a resolution
Recital B b (new)

Motion for a resolution

Amendment

B ter. considerando che, in un ambiente digitale, i consumatori oltre ad essere fruitori sono, sempre più spesso, anche creatori e distributori di opere dagli stessi create, ancorchè per finalità non commerciali;

Or. it

Amendment 75
Jean-Marie Cavada
Motion for a resolution
Recital B b (new)

Motion for a resolution

Amendment

B ter. considérant que toute initiative politique concernant le marché unique du numérique doit être conforme à la Charte des droits fondamentaux de l'Union, et notamment à ses articles 11, 13, 14, 16, 17 et 22;

Or. fr

Amendment 76
Marietje Schaake
Motion for a resolution
Recital B c (new)

Motion for a resolution

Amendment

B c. Whereas cultural diversity and language diversity exceeds national borders, with some European languages spoken in multiple countries;

Or. en

Amendment 77
Laura Ferrara
Motion for a resolution
Recital B c (new)

Motion for a resolution

Amendment

B quater. considerando che l'obiettivo dell'armonizzazione di taluni aspetti del diritto d'autore e dei diritti connessi nella società dell'informazione perseguiti dalla Direttiva 2001/29/CE non risulta raggiunto, in particolare con riferimento alle eccezioni e limitazioni in essa previste;

Or. it

Amendment 78
Marietje Schaake
Motion for a resolution
Recital B d (new)

Motion for a resolution

Amendment

B d. Whereas European citizens pay taxes for public broadcasting and in some occasions private copyright levies;

Or. en

Amendment 79
Laura Ferrara
Motion for a resolution
Recital B d (new)

Motion for a resolution

Amendment

B quinquies. considerando che l'incompiuta armonizzazione del quadro normativo sui diritti d'autore e connessi ha effetti negativi sull'instaurazione e sul funzionamento del mercato interno previsti dal Trattato;

Or. it

Amendment 80
Marietje Schaake
Motion for a resolution
Recital B e (new)

Motion for a resolution

Amendment

B e. Whereas the establishment of a fully functioning market for copyright protected works in the European Union, as necessitated in particular by the Internet as the primary means of providing information and entertainment services across the Member States, requires common rules on copyright in the EU that reflect and integrate both the civil and common law traditions of

copyright and authors' right respectively;

Or. en

Amendment 81
Laura Ferrara
Motion for a resolution
Recital B e (new)

Motion for a resolution

Amendment

B sexies. considerando che l'incompiuta armonizzazione del quadro giuridico sui diritti d'autore e connessi, e le conseguenti limitazioni all'accesso ai contenuti digitali fruibili online, vengono percepite dal pubblico come arbitrarie ed imprevedibili, costituendo di per sé una fonte di incertezza del diritto;

Or. it

Amendment 82
Marietje Schaake
Motion for a resolution
Recital B f (new)

Motion for a resolution

Amendment

B f. Whereas twenty years of harmonization has brought only partial harmonization on certain aspects of the law of copyright in the Member States of the EU;

Or. en

Amendment 83
Laura Ferrara
Motion for a resolution
Recital B f (new)

Motion for a resolution

Amendment

B septies. considerando che la

Commissione nella Comunicazione "Un mercato unico per l'Europa del XXI secolo" COM(2007)0724 ha sottolineato la necessità di promuovere la libera circolazione della conoscenza e dell'innovazione come "quinta libertà" del mercato unico;

Or. it

Amendment 84

Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López

Motion for a resolution

Recital C

Motion for a resolution

C. Considerando que la Carta de los Derechos Fundamentales protege la libertad de expresión, la libertad de las artes y de la investigación científica, el derecho a la educación y la libertad de empresa;

Amendment

C. Considerando que la Carta de los Derechos Fundamentales protege la libertad de expresión, la libertad de las artes y de la investigación científica, el derecho a la educación, la libertad de empresa **y el derecho a la propiedad intelectual;**

Or. es

Amendment 85

József Szájer

Motion for a resolution

Recital C

Motion for a resolution

C. whereas the Charter of Fundamental Rights protects the freedom of expression, the freedom of the arts and scientific research, the right to education **and** the freedom to conduct a business;

Amendment

C. whereas the Charter of Fundamental Rights protects the freedom of expression, the freedom of the arts and scientific research, the right to education, the freedom to conduct a business, **the right to property and the protection of intellectual property;**

Or. en

Amendment 86
Angelika Niebler
Motion for a resolution
Recital C

Motion for a resolution

C. in der Erwägung, dass in der Grundrechtecharta die Freiheit der Meinungsäußerung, die Freiheit der Kunst und der wissenschaftlichen Forschung, das Recht auf Bildung **und** die unternehmerische Freiheit geschützt werden,

Amendment

C. in der Erwägung, dass in der Grundrechtecharta die Freiheit der Meinungsäußerung, die Freiheit der Kunst und der wissenschaftlichen Forschung, das Recht auf Bildung, die unternehmerische Freiheit **und geistiges Eigentum** geschützt werden;

Or. de

Amendment 87
Enrico Gasbarra
Motion for a resolution
Recital C

Motion for a resolution

C. considerando che la Carta dei diritti fondamentali protegge la libertà di espressione, la libertà delle arti e la ricerca scientifica, il diritto all'istruzione **e** la libertà d'impresa;

Amendment

C. considerando che la Carta dei diritti fondamentali protegge la libertà di espressione, la libertà delle arti e la ricerca scientifica, il diritto all'istruzione, la libertà d'impresa, **il diritto alla remunerazione ed alla proprietà**;

Or. it

Amendment 88
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Recital C

Motion for a resolution

C. whereas the Charter of Fundamental Rights protects the freedom of expression, the freedom of the arts and scientific research, the right to education and the freedom to conduct a business;

Amendment

C. whereas the Charter of Fundamental Rights protects the freedom of expression, the freedom of the arts and scientific research, the right to education and the freedom to conduct a business **and the protection of intellectual property**;

Amendment 89
Axel Voss
Motion for a resolution
Recital C

Motion for a resolution

C. in der Erwägung, dass in der Grundrechtecharta die Freiheit der Meinungsäußerung, die Freiheit der Kunst und der wissenschaftlichen Forschung, das Recht auf Bildung und die unternehmerische Freiheit geschützt werden,

Amendment

C. in der Erwägung, dass in der Grundrechtecharta die Freiheit der Meinungsäußerung, die Freiheit der Kunst und der wissenschaftlichen Forschung, das Recht auf Bildung und die unternehmerische Freiheit **sowie das Recht auf Eigentum und geistiges Eigentum** geschützt werden,

Amendment 90
Helga Trüpel, Heidi Hautala
Motion for a resolution
Recital C

Motion for a resolution

C. in der Erwägung, dass in der Grundrechtecharta die Freiheit der Meinungsäußerung, die Freiheit der Kunst und der wissenschaftlichen **Forschung**, das Recht auf Bildung und die unternehmerische Freiheit geschützt werden,

Amendment

C. in der Erwägung, dass in der Grundrechtecharta die Freiheit der Meinungsäußerung, die Freiheit der Kunst und der wissenschaftlichen **Forschung, die Achtung der Vielfalt der Kulturen, das Immaterialgüterrecht, die Informationsfreiheit**, das Recht auf Bildung und die unternehmerische Freiheit geschützt werden,

Amendment 91
Constance Le Grip, Marc Joulaud, Sabine Verheyen
Motion for a resolution
Recital C

Motion for a resolution

C. considérant que la charte des droits fondamentaux protège la liberté d'expression, la liberté des arts et de la **recherche scientifique**, le droit à l'éducation et la liberté d'entreprise;

Amendment

C. considérant que la Charte des droits fondamentaux protège la liberté d'expression **et d'information**, la liberté des arts et de la **science**, le droit à l'éducation et la liberté d'entreprise, **garantit la protection des données personnelles, la protection de la propriété intellectuelle, et appelle au respect de la diversité culturelle**;

Or. fr

Amendment 92

Jean-Marie Cavada, Virginie Rozière

Motion for a resolution

Recital C

Motion for a resolution

C. considérant que la charte des droits fondamentaux protège la liberté d'expression, la liberté des arts et **de la recherche scientifique**, le droit à l'éducation et la liberté d'entreprise;

Amendment

C. considérant que la charte des droits fondamentaux protège la liberté d'expression **et d'information**, la liberté des arts et **des sciences**, le droit à l'éducation et la liberté d'entreprise **ainsi que la protection des données personnelles et la protection de la propriété intellectuelle**;

Or. fr

Amendment 93

Therese Comodini Cachia, Pavel Svoboda, Eva Paunova, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Tadeusz Zwiefka, Bogdan Brunon Wenta, Mary Honeyball, József Szájer, Milan Zver, Sabine Verheyen

Motion for a resolution

Recital C

Motion for a resolution

C. whereas the Charter of Fundamental Rights protects the freedom of expression, the freedom of the arts and scientific

Amendment

C. whereas the Charter of Fundamental Rights protects the freedom of expression, the freedom of the arts and scientific

research, the right to education *and* the freedom to conduct a business;

research, the right to education, the freedom to conduct a business, *the right to property and the protection of intellectual property*;

Or. en

Amendment 94
Julia Reda, Josef Weidenholzer
Motion for a resolution
Recital C a (new)

Motion for a resolution

Amendment

C a. Whereas Article 11 of the Charter of Fundamental Rights defines the right of freedom of expression as including the freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers;

Or. en

Amendment 95
József Szájer
Motion for a resolution
Recital D

Motion for a resolution

Amendment

D. whereas Article 17 of the Charter of Fundamental Rights enshrines the right to property, drawing a distinction between the protection of possessions, on the one hand (paragraph 1), and the protection of intellectual property, on the other (paragraph 2);

deleted

Or. en

Amendment 96
Constance Le Grip
Motion for a resolution
Recital D

Motion for a resolution

Amendment

D. considérant que l'article 17 de la charte des droits fondamentaux garantit le droit de propriété, en établissant une distinction entre la protection des biens d'une part (paragraphe 1) et la protection de la propriété intellectuelle d'autre part (paragraphe 2);

supprimé

Or. fr

Amendment 97

Angel Dzhambazki, Sajjad Karim

Motion for a resolution

Recital D

Motion for a resolution

Amendment

D. whereas Article 17 of the Charter of Fundamental Rights enshrines the right to property, drawing a distinction between the protection of possessions, on the one hand (paragraph 1), and the protection of intellectual property, on the other (paragraph 2);

deleted

Or. en

Amendment 98

Axel Voss

Motion for a resolution

Recital D

Motion for a resolution

Amendment

D. in der Erwägung, dass in Artikel 17 der Grundrechtecharta das Eigentumsrecht verankert ist, wobei zwischen dem Schutz des Eigentums auf der einen Seite (Absatz 1) und dem Schutz des geistigen Eigentums auf der anderen Seite (Absatz 2) unterschieden wird;

entfällt

Amendment 99
Jean-Marie Cavada, Therese Comodini Cachia
Motion for a resolution
Recital D

Motion for a resolution

Amendment

D. considérant que l'article 17 de la charte des droits fondamentaux garantit le droit de propriété, en établissant une distinction entre la protection des biens d'une part (paragraphe 1) et la protection de la propriété intellectuelle d'autre part (paragraphe 2);

supprimé

Or. fr

Amendment 100
Therese Comodini Cachia, Eva Paunova, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Pavel Svoboda, Marc Joulaud, Jean-Marie Cavada, Mary Honeyball, Giovanni Toti, József Szájer, Milan Zver, Sabine Verheyen
Motion for a resolution
Recital D

Motion for a resolution

Amendment

D. whereas Article 17 of the Charter of Fundamental Rights enshrines the right to property, drawing a distinction between the protection of possessions, on the one hand (paragraph 1), and the protection of intellectual property, on the other (paragraph 2);

deleted

Or. en

Amendment 101
Angelika Niebler
Motion for a resolution
Recital D

Motion for a resolution

D. in der Erwägung, dass in Artikel 17 der Grundrechtecharta **das Eigentumsrecht verankert ist, wobei zwischen dem Schutz des Eigentums auf der einen Seite (Absatz 1) und dem Schutz des geistigen Eigentums auf der anderen Seite (Absatz 2) unterschieden** wird;

Amendment

D. in der Erwägung, dass in Artikel 17 der Grundrechtecharta **sowohl das rechtmäßig erworbene Eigentum als auch explizit das geistige Eigentum geschützt** wird;

Or. de

Amendment 102

Enrico Gasbarra

Motion for a resolution

Recital D

Motion for a resolution

D. considerando che l'articolo 17 della Carta dei diritti fondamentali sancisce il diritto di proprietà, **distinguendo tra la protezione dei beni (paragrafo 1) e la protezione della proprietà intellettuale (paragrafo 2)**;

Amendment

D. considerando che l'articolo 17 della Carta dei diritti fondamentali sancisce il diritto di proprietà **ed afferma in modo solenne** la protezione della proprietà intellettuale;

Or. it

Amendment 103

Kostas Chrysogonos

Motion for a resolution

Recital Δ

Motion for a resolution

Δ. λαμβάνοντας υπόψη ότι το άρθρο 17 του Χάρτη των Θεμελιωδών Δικαιωμάτων κατοχυρώνει το δικαίωμα της ιδιοκτησίας, **διακρίνοντας** την προστασία των αγαθών (παράγραφος 1) **από** την προστασία της πνευματικής ιδιοκτησίας (παράγραφος 2);

Amendment

Δ. λαμβάνοντας υπόψη ότι το άρθρο 17 του Χάρτη των Θεμελιωδών Δικαιωμάτων κατοχυρώνει το δικαίωμα της ιδιοκτησίας, **το οποίο καλύπτει τόσο** την προστασία των αγαθών (παράγραφος 1) **όσο και** την προστασία της πνευματικής ιδιοκτησίας (παράγραφος 2);

Or. el

Amendment 104
Julia Reda, Josef Weidenholzer
Motion for a resolution
Recital D a (new)

Motion for a resolution

Amendment

D a. Whereas Article 52 of the Charter of Fundamental Rights establishes a principle of proportionality, according to which any limitation on the exercise of the rights and freedoms recognised by this Charter must be provided for by law and respect the essence of those rights and freedoms, only if they are necessary and genuinely meet objectives of general interest recognised by the Union or the need to protect the rights and freedoms of others;

Or. en

Amendment 105
Angelika Niebler, Axel Voss
Motion for a resolution
Recital D a (new)

Motion for a resolution

Amendment

D a. in der Erwägung, dass auch im digitalen Zeitalter der Anspruch des Urhebers auf Schutz seiner kreativen Leistung bestehen muss;

Or. de

Amendment 106
Enrico Gasbarra
Motion for a resolution
Recital D a (new)

Motion for a resolution

Amendment

D bis. Considerando il rilevante contributo – oltre 7 milioni di posti di lavoro di indotto, secondo le ultime stime,

per un valore pari al 4 per cento del PIL dell'intera UE - che le industrie culturali e creative apportano all'economia europea;

Or. it

Amendment 107
Julia Reda, Josef Weidenholzer
Motion for a resolution
Recital D b (new)

Motion for a resolution

Amendment

D b. Whereas the Special Rapporteur of the United Nations in the field of cultural rights in her report on copyright policy and the right to science and culture (A/HRC/28/57) highlights the key role of exceptions and limitations for creation, and the importance of fair contractual terms for the protection of authorship;

Or. en

Amendment 108
József Szájer
Motion for a resolution
Recital E

Motion for a resolution

Amendment

E. whereas decisions on technical standards can have a significant impact on human rights – including the right to freedom of expression, protection of personal data and user security – as well as on access to content¹⁰ ;

deleted

¹⁰ *Opinion of the European Economic and Social Committee of 16 December 2014 on the ‘Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of*

the Regions: Internet policy and governance – Europe’s role in shaping the future of internet governance’.

Or. en

Amendment 109
Constance Le Grip
Motion for a resolution
Recital E

Motion for a resolution

Amendment

E. considérant que les décisions sur les normes techniques peuvent avoir un effet significatif sur les droits de l'homme, notamment le droit à la liberté d'expression, la protection des données à caractère personnel et la sécurité des utilisateurs, ainsi que sur l'accès au contenu¹⁰ ;

supprimé

¹⁰ *Avis du Comité économique et social européen du 16 décembre 2014 sur la «Communication de la Commission au Parlement européen, au Conseil, au Comité économique et social européen et au Comité des régions: Politique et gouvernance de l'internet: le rôle de l'Europe à l'avenir».*

Or. fr

Amendment 110
Jean-Marie Cavada, Therese Comodini Cachia
Motion for a resolution
Recital E

Motion for a resolution

Amendment

E. considérant que les décisions sur les normes techniques peuvent avoir un effet significatif sur les droits de l'homme, notamment le droit à la liberté

supprimé

d'expression, la protection des données à caractère personnel et la sécurité des utilisateurs, ainsi que sur l'accès au contenu¹⁰ ;

¹⁰ Avis du Comité économique et social européen du 16 décembre 2014 sur la «Communication de la Commission au Parlement européen, au Conseil, au Comité économique et social européen et au Comité des régions: Politique et gouvernance de l'internet: le rôle de l'Europe à l'avenir».

Or. fr

Amendment 111

Therese Comodini Cachia, Pavel Svoboda, Marc Joulaud, Tadeusz Zwiefka, Bogdan Brunon Wenta, Jean-Marie Cavada, Mary Honeyball, József Szájer, Giovanni Toti, Rosa Estaràs Ferragut, Luis de Grandes Pascual, Sabine Verheyen

Motion for a resolution

Recital E

Motion for a resolution

Amendment

E. whereas decisions on technical standards can have a significant impact on human rights – including the right to freedom of expression, protection of personal data and user security – as well as on access to content¹⁰ ;

deleted

¹⁰ Opinion of the European Economic and Social Committee of 16 December 2014 on the ‘Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Internet policy and governance – Europe’s role in shaping the future of internet governance’.

Or. en

Amendment 112
Helga Trüpel, Heidi Hautala
Motion for a resolution
Recital E

Motion for a resolution

E. in der Erwägung, dass Entscheidungen über technische Standards einschneidende Auswirkungen auf die Menschenrechte – einschließlich des Rechts auf freie Meinungsäußerung, den Schutz personenbezogener Daten und die Sicherheit der Nutzer – sowie auf den Zugang zu den Inhalten haben können¹⁰ ;

¹⁰ Stellungnahme des Europäischen Wirtschafts- und Sozialausschusses vom 16. Dezember 2014 zur „Mitteilung der Kommission an das Europäische Parlament, den Rat, den Europäischen Wirtschafts- und Sozialausschuss und den Ausschuss der Regionen: Internet-Politik und Internet-Governance - Europas Rolle bei der Mitgestaltung der Zukunft der Internet-Governance“.

Amendment

E. in der Erwägung, dass Entscheidungen über technische Standards einschneidende Auswirkungen auf die Menschenrechte – einschließlich des Rechts auf freie Meinungsäußerung, den Schutz personenbezogener Daten und die Sicherheit der Nutzer – sowie auf den Zugang zu den Inhalten haben können¹⁰ ;
sowie auch auf das Recht der angemessen Bezahlung von Urheberinnen und Urhebern;

¹⁰ Stellungnahme des Europäischen Wirtschafts- und Sozialausschusses vom 16. Dezember 2014 zur „Mitteilung der Kommission an das Europäische Parlament, den Rat, den Europäischen Wirtschafts- und Sozialausschuss und den Ausschuss der Regionen: Internet-Politik und Internet-Governance - Europas Rolle bei der Mitgestaltung der Zukunft der Internet-Governance“.

Or. de

Amendment 113
Angelika Niebler, Axel Voss
Motion for a resolution
Recital E

Motion for a resolution

E. in der Erwägung, dass ***Entscheidungen über*** technische Standards ***einschneidende*** Auswirkungen auf ***die Menschenrechte – einschließlich des Rechts auf freie Meinungsäußerung, den Schutz personenbezogener Daten und die Sicherheit der Nutzer – sowie auf den***

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Amendment

E. in der Erwägung, dass technische Standards Auswirkungen auf ***den Zugang zu den Inhalten haben können; diese jedoch insbesondere im digitalen Zeitalter ein Gleichgewicht zwischen der freien Vervielfältigung und dem Ausschließlichkeitsrecht auf***

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Zugang zu den Inhalten haben können¹⁰ ;

Vervielfältigung herstellen können;

¹⁰ *Stellungnahme des Europäischen Wirtschafts- und Sozialausschusses vom 16. Dezember 2014 zur „Mitteilung der Kommission an das Europäische Parlament, den Rat, den Europäischen Wirtschafts- und Sozialausschuss und den Ausschuss der Regionen: Internet-Politik und Internet-Governance - Europas Rolle bei der Mitgestaltung der Zukunft der Internet-Governance“.*

Or. de

Amendment 114
Virginie Rozière, Jean-Marie Cavada
Motion for a resolution
Paragraph -1 c (new)

Motion for a resolution

Amendment

-1 quater. Rappelle que le droit d'auteur est le moyen concret qui permet d'assurer la rémunération des créateurs et le financement de la création;

Or. fr

Amendment 115
József Szájer
Motion for a resolution
Recital E a (new)

Motion for a resolution

Amendment

E a. Whereas measures that contribute to the further development of cultural interchange and improve legal certainty; in the sector need to be considered

Or. en

Amendment 116
Lidia Joanna Geringer de Oedenberg
Motion for a resolution
Recital E a (new)

Motion for a resolution

Amendment

E a. Mając na uwadze harmonijny i systematyczny rozwój Europeany - biblioteki cyfrowej, utworzonej w 2008 roku w ramach inicjatywy UE, udostępniającej dzieła z bibliotek państw członkowskich;

Or. pl

Amendment 117
Cecilia Wikström
Motion for a resolution
Recital E a (new)

Motion for a resolution

Amendment

E a. Whereas the current highly fragmented system of national private copy levies constitutes a deeply unfair, flawed and outdated system for compensating right holders for what amounts to an ordinary and perfectly harmless use by consumers of legally acquired content and whereas there are no objective and fair methods to redistribute the so called compensation from this use as there is no way to establish which legally acquired works citizens are copying in the privacy of their own homes;

Or. en

Amendment 118
Therese Comodini Cachia, Pavel Svoboda, Mary Honeyball, Constance Le Grip, József Szájer, Rosa Estaràs Ferragut, Luis de Grandes Pascual, Giovanni Toti, Milan Zver, Sabine Verheyen
Motion for a resolution
Recital E a (new)

Motion for a resolution

Amendment

E a. Whereas measures that contribute to the further development of cultural interchange and improve legal certainty in the sector need to be considered;

Or. en

Amendment 119
Laura Ferrara
Motion for a resolution
Recital E a (new)

Motion for a resolution

Amendment

E bis. Considerando che la durata della protezione in ambiente digitale appare spesso sproporzionata rispetto sia al tempo necessario per recuperare l'investimento per la creazione sia alla vita commerciale media delle opere;

Or. it

Amendment 120
Jean-Marie Cavada
Motion for a resolution
Recital E a (new)

Motion for a resolution

Amendment

E bis. considérant que les œuvres créatives sont l'une des principales sources qui alimentent l'économie numérique et les acteurs du secteur des technologies de l'information tels que les moteurs de recherche, les médias sociaux ou les plateformes de contenu généré par les utilisateurs mais que la quasi-totalité de la valeur générée par les œuvres créatives est transférée à ces intermédiaires numériques, qui refusent de rémunérer les auteurs ou négocient des rémunérations extrêmement faibles;

Amendment 121
Virginie Rozière
Motion for a resolution
Paragraph -1 b (new)

Motion for a resolution

Amendment

-1 ter. Rappelle que les technologies numériques ont redéfini la chaîne de valeur dans l'économie de la culture, au détriment des auteurs, interprètes ou producteurs d'œuvres protégées, et en faveur des prestataires de services de communication en ligne; souligne que le droit d'auteur ne doit pas être appréhendé comme la seule solution pour lutter contre ce phénomène; invite dès lors la Commission à envisager la révision de la directive e-commerce, notamment ses articles 12 à 15;

Or. fr

Amendment 122
József Szájer
Motion for a resolution
Recital E b (new)

Motion for a resolution

Amendment

E b. whereas the Directive 2011/77/EU of the European Parliament and of the Council of 27 September 2011 and the Directive 2006/116/EC of 12 December 2006 on the term of protection of copyright and certain related rights harmonised the terms of protection of copyright and neighbouring rights by establishing a complete harmonisation of the period of protection for each type of work and each related right in the Member States;

Or. en

Amendment 123
Cecilia Wikström
Motion for a resolution
Recital E b (new)

Motion for a resolution

Amendment

E b. Whereas the fragmented system of private copy levies causes disproportional bureaucratic burdens and major problems for the proper functioning of the European internal market for all goods covered by the unjust and outdated levy system which is detrimental to growth and economic development in Europe; whereas the European digital single market will therefore not become a reality until private copy levies have been phased out;

Or. en

Amendment 124
Therese Comodini Cachia, Eva Paunova, Marc Joulaud, Mary Honeyball, Constance Le Grip, József Szájer, Giovanni Toti, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Sabine Verheyen
Motion for a resolution
Recital E b (new)

Motion for a resolution

Amendment

E b. whereas the Directive 2011/77/EU of the European Parliament and of the Council of 27 September 2011 and the Directive 2006/116/EC of 12 December 2006 on the term of protection of copyright and certain related rights harmonised the terms of protection of copyright and neighbouring rights by establishing a complete harmonisation of the period of protection for each type of work and each related right in the Member States;

Or. en

Amendment 125
Laura Ferrara
Motion for a resolution
Recital E b (new)

Motion for a resolution

Amendment

E ter. considerando che è compito del legislatore unionale promuovere un quadro normativo sui diritti d'autore e connessi chiaro e comprensibile per tutti i portatori di interessi e, in definitiva, per i cittadini, assicurando la certezza del diritto;

Or. it

Amendment 126
Jean-Marie Cavada
Motion for a resolution
Recital E b (new)

Motion for a resolution

Amendment

E ter. considérant l'avantage concurrentiel et la puissance croissante de certains intermédiaires sur l'internet, et l'impact négatif de cette situation sur le potentiel de création des auteurs et sur le développement des services proposés par d'autres distributeurs d'œuvres créatives;

Or. fr

Amendment 127
Virginie Rozière, Mady Delvaux, Jean-Marie Cavada
Motion for a resolution
Paragraph -1 a (new)

Motion for a resolution

Amendment

-1 bis. Souligne que toute révision de la directive 2001/29/CE devrait continuer à garantir le principe d'une rémunération équitable des titulaires de droits; demande que le principe de territorialité,

qui permet à chaque État membre de garantir ce principe dans le cadre de sa politique culturelle, soit réaffirmé;

Or. fr

Amendment 128
Laura Ferrara
Motion for a resolution
Recital E c (new)

Motion for a resolution

Amendment

E quater. considerando che nella definizione del quadro giuridico in materia di diritti d'autore e connessi occorre tenere conto della necessità di incentivare modelli industriali e commerciali innovativi, sfruttando le opportunità offerte dalle nuove tecnologie, al fine di rendere più competitive le imprese dell'UE;

Or. it

Amendment 129
Jean-Marie Cavada
Motion for a resolution
Recital E c (new)

Motion for a resolution

Amendment

E quater. Considérant que la création de croissance et d'emplois en Europe constitue la priorité de la Commission et occupe une place centrale dans son programme politique pour 2014-2019;

Or. fr

Amendment 130
Virginie Rozière, Mady Delvaux, Jean-Marie Cavada
Motion for a resolution
Paragraph -1 (new)

Motion for a resolution

Amendment

-1. Rappelle que la territorialité est inhérente à l'existence des droits d'auteur et des droits voisins; souligne que ce principe ne s'oppose pas à ce que soit garantie la portabilité des contenus;

Or. fr

**Amendment 131
Jean-Marie Cavada
Motion for a resolution
Recital E d (new)**

Motion for a resolution

Amendment

E quinquies. Considérant que la mise en oeuvre de la Directive a permis le développement de nombreux services créatifs en ligne, et que les consommateurs n'ont jamais pu avoir accès à une gamme aussi étendue d'oeuvres créatives et culturelles, forte de plus de 3000 services en ligne audiovisuels à la demande, de 2 millions de titres disponibles en format e-book, de 230 services de musique numérique et de 43 millions de titres musicaux sous licence;

Or. fr

**Amendment 132
Laura Ferrara
Motion for a resolution
Recital E d (new)**

Motion for a resolution

Amendment

E quinquies. considerando che l'innovazione tecnologica può costituire un fattore di obsolescenza delle norme giuridiche, per contrastare il quale sarebbe opportuno semplificare e

modernizzare il quadro giuridico dei diritti d'autore e connessi introducendo una norma aperta sull'interpretazione delle eccezioni e limitazioni;

Or. it

Amendment 133
Laura Ferrara
Motion for a resolution
Recital E e (new)

Motion for a resolution

Amendment

E sexies. considerando che le iniziative singolarmente adottate dagli Stati membri al fine di estendere l'ambito di protezione oltre le previsioni contenute nel quadro giuridico europeo in materia di diritti d'autore e connessi, causano una frammentazione giuridica che ostacola il funzionamento del mercato interno e aumentano l'incertezza del diritto ai danni dei cittadini e pertanto vanno condannate;

Or. it

Amendment 134
Jean-Marie Cavada, Virginie Rozière
Motion for a resolution
Recital E e (new)

Motion for a resolution

Amendment

E sexies. Considérant qu'il est nécessaire pour les usagers d'avoir accès à un contenu culturel large, varié et de qualité;

Or. fr

Amendment 135
Laura Ferrara
Motion for a resolution
Recital E f (new)

Motion for a resolution

Amendment

E septies. considerando che il diritto di prelievo sulla copia privata, previsto in diversi Stati membri, appare opaco, obsoleto ed ingiustificato in ambiente digitale, in considerazione del fatto che esso si applica, per esempio, per la creazione di copie di back-up, o per la conservazione di opere di proprietà del medesimo autore e che occorre garantire adeguata trasparenza informando i cittadini sull'entità effettiva, sulle finalità e sulle modalità di utilizzazione del prelievo;

Or. it

Amendment 136

Eva Paunova

Motion for a resolution

Paragraph 1

Motion for a resolution

Amendment

1. Welcomes the Commission's initiative of conducting a consultation on copyright, which attracted great interest from civil society with more than 9 500 replies, 58.7 % of which came from end users¹¹ ;

deleted

¹¹ *Commission, DG MARKT, Report on the responses to the Public Consultation on the Review of the EU Copyright Rules, July 2014, p. 5.*

Or. en

Amendment 137

Marie-Christine Boutonnet

Motion for a resolution

Paragraph 1

Motion for a resolution

1. *salue l'initiative de la Commission d'organiser une consultation sur le droit d'auteur, laquelle a suscité un vif intérêt de la part de la société civile en rassemblant plus de 9 500 réponses, dont 58,7 % provenaient d'utilisateurs finaux*¹¹ ;

Amendment

1. *Il convient d'examiner avec attention toutes les réponses de la consultation menée par la Commission européenne;*

Il importe de veiller à une prise en compte des intérêts des différents acteurs, en particulier ceux du public et des consommateurs, sans pour autant remettre en cause la protection des auteurs, qui sont les moteurs de la création intellectuelle et artistique;

Il est indispensable d'encourager l'accès à la culture et d'assurer la rémunération des auteurs. La protection des richesses immatérielles de notre société, celles issues de l'imagination humaine est essentielle;

La directive 2001 n'a pas remédié aux disparités de traitement des droits d'auteur d'un pays à l'autre, parce que les nombreux points à la source des plus grandes disparités n'ont pas été traités. Ainsi, par exemple, la notion d'originalité n'a pas été définie ou encore les questions de titularité ou de droit moral n'ont pas été résolues, laissant subsister la coexistence du régime du copyright et de celui des droits d'auteur;

¹¹ *Commission, DG MARKT, Report on the responses to the Public Consultation on the Review of the EU Copyright Rules (rapport sur les réponses à la consultation publique relative à la révision des règles de l'Union européenne en matière de droit d'auteur), juillet 2014, p. 5.*

Or. fr

Amendment 138
József Szájer
Motion for a resolution
Paragraph 1

Motion for a resolution

1. Welcomes the **Commission's** initiative of conducting a consultation on copyright, which attracted great interest from **civil society with more than 9 500 replies, 58.7 % of which came from end users¹¹** ;

¹¹ Commission, DG MARKT, Report on the responses to the Public Consultation on the Review of the EU Copyright Rules, July 2014, p. 5.

Amendment

1. Welcomes the Commission's initiative of conducting a consultation on copyright, which attracted great interest from **all relevant stakeholders**;

¹¹ Commission, DG MARKT, Report on the responses to the Public Consultation on the Review of the EU Copyright Rules, July 2014, p. 5.

Or. en

Amendment 139
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Paragraph 1

Motion for a resolution

1. Welcomes the Commission's initiative of conducting a consultation on copyright, which attracted great interest from **civil society with more than 9 500 replies, 58.7 % of which came from end users¹¹** ;

¹¹ Commission, DG MARKT, Report on the responses to the Public Consultation on the Review of the EU Copyright Rules, July 2014, p. 5.

Amendment

1. Welcomes the Commission's initiative of conducting a consultation on copyright, which attracted great interest from **a wide range of stakeholders**;

¹¹ Commission, DG MARKT, Report on the responses to the Public Consultation on the Review of the EU Copyright Rules, July 2014, p. 5.

Or. en

Amendment 140
Virginie Rozière
Motion for a resolution
Paragraph 1

Motion for a resolution

1. salue l'initiative de la Commission d'organiser une consultation sur le droit d'auteur, laquelle a suscité un vif intérêt de la part de **la société civile** en rassemblant plus de 9 500 réponses, **dont 58,7 % provenaient d'utilisateurs finaux**¹¹ ;

¹¹ Commission, DG MARKT, Report on the responses to the Public Consultation on the Review of the EU Copyright Rules (rapport sur les réponses à la consultation publique relative à la révision des règles de l'Union européenne en matière de droit d'auteur), juillet 2014, p. 5.

Amendment

1. salue l'initiative de la Commission d'organiser une consultation sur le droit d'auteur, laquelle a suscité un vif intérêt de la part de **toutes les parties prenantes**, en rassemblant plus de 9 500 réponses¹¹ ;

¹¹ Commission, DG MARKT, Report on the responses to the Public Consultation on the Review of the EU Copyright Rules (rapport sur les réponses à la consultation publique relative à la révision des règles de l'Union européenne en matière de droit d'auteur), juillet 2014, p. 5.

Or. fr

Amendment 141

Axel Voss

Motion for a resolution

Paragraph 1

Motion for a resolution

1. begrüßt die Initiative der Kommission, eine Konsultation zum Urheberrecht durchzuführen, die **mit mehr als 9 500 Antworten, von denen 58,7 % von Endnutzern kamen**, auf großes Interesse **in der Zivilgesellschaft** gestoßen ist¹¹ ;

¹¹ Kommission (GD Markt), Bericht über die Antworten zu der Öffentlichen Konsultation zur Überprüfung des EU-Rechtsrahmens zum Urheberrecht, Juli 2014, S. 5.

Amendment

1. begrüßt die Initiative der Kommission, eine Konsultation zum Urheberrecht durchzuführen, die auf großes Interesse **aller beteiligten Interessensvertreter** gestoßen ist¹¹ ;

¹¹ Kommission (GD Markt), Bericht über die Antworten zu der Öffentlichen Konsultation zur Überprüfung des EU-Rechtsrahmens zum Urheberrecht, Juli 2014, S. 5.

Or. de

Amendment 142

Enrico Gasbarra

Motion for a resolution
Paragraph 1

Motion for a resolution

1. valuta positivamente l'iniziativa della Commissione di svolgere una consultazione pubblica sul diritto d'autore, la quale ha suscitato grande interesse nella società civile e ***raccolto oltre 9 500 risposte, il 58,7% delle quali provenienti da utenti finali***¹¹ ;

¹¹ Commissione, DG MARKT, Relazione sulle risposte alla consultazione pubblica sul riesame della normativa UE sul diritto d'autore, luglio 2014, pag. 5.

Amendment

1. valuta positivamente l'iniziativa della Commissione di svolgere una consultazione pubblica sul diritto d'autore, la quale ha suscitato grande interesse nella società civile e ***tra tutti i principali operatori del settore***;

¹¹ Commissione, DG MARKT, Relazione sulle risposte alla consultazione pubblica sul riesame della normativa UE sul diritto d'autore, luglio 2014, pag. 5.

Or. it

Amendment 143
Angelika Niebler
Motion for a resolution
Paragraph 1

Motion for a resolution

1. begrüßt die Initiative der Kommission, eine Konsultation zum Urheberrecht durchzuführen, ***die mit mehr als 9 500 Antworten, von denen 58,7 % von Endnutzern kamen, auf großes Interesse in der Zivilgesellschaft gestoßen ist***¹¹ ;

¹¹ ***Kommission (GD Markt), Bericht über die Antworten zu der Öffentlichen Konsultation zur Überprüfung des EU-Rechtsrahmens zum Urheberrecht, Juli 1014, S. 5.***

Amendment

1. begrüßt die Initiative der Kommission, eine Konsultation zum Urheberrecht durchzuführen;

Or. de

Amendment 144
Constance Le Grip, Marc Joulaud, Sabine Verheyen

Motion for a resolution
Paragraph 1

Motion for a resolution

1. salue l'initiative de la Commission **d'organiser** une consultation sur le droit d'auteur, laquelle a suscité un vif intérêt de la part de la société civile **en rassemblant plus de 9 500 réponses, dont 58,7 % provenaient d'utilisateurs finaux**¹¹ ;

¹¹ Commission, DG MARKT, Report on the responses to the Public Consultation on the Review of the EU Copyright Rules (rapport sur les réponses à la consultation publique relative à la révision des règles de l'Union européenne en matière de droit d'auteur), juillet 2014, p. 5.

Amendment

1. salue l'initiative de la Commission **d'avoir organisé** une consultation sur le droit d'auteur, laquelle a suscité un vif intérêt de la part de la société civile **et de l'ensemble des secteurs créatifs et culturels, représentés par les auteurs, interprètes, éditeurs, producteurs, diffuseurs, organismes de gestion collective et autres ayants droit ainsi que la plupart des Etats membres**;

¹¹ Commission, DG MARKT, Report on the responses to the Public Consultation on the Review of the EU Copyright Rules (rapport sur les réponses à la consultation publique relative à la révision des règles de l'Union européenne en matière de droit d'auteur), juillet 2014, p. 5.

(Ne mentionner que les utilisateurs apparaissait totalement déséquilibré.)

Or. fr

Amendment 145
Helga Trüpel, Heidi Hautala
Motion for a resolution
Paragraph 1

Motion for a resolution

1. begrüßt die Initiative der Kommission, eine Konsultation zum Urheberrecht durchzuführen, die mit mehr als 9 500 Antworten, **von denen 58,7 % von Endnutzern kamen**, auf großes Interesse **in der Zivilgesellschaft** gestoßen ist¹¹ ;

¹¹ Kommission (GD Markt), Bericht über die Antworten zu der Öffentlichen

Amendment

1. begrüßt die Initiative der Kommission, eine Konsultation zum Urheberrecht durchzuführen, die mit mehr als 9 500 Antworten, auf großes Interesse gestoßen ist;

¹¹ Kommission (GD Markt), Bericht über die Antworten zu der Öffentlichen

Konsultation zur Überprüfung des EU-Rechtsrahmens zum Urheberrecht, Juli 2014, S. 5.

Konsultation zur Überprüfung des EU-Rechtsrahmens zum Urheberrecht, Juli 2014, S. 5.

Or. de

Amendment 146

Jean-Marie Cavada, Therese Comodini Cachia

Motion for a resolution

Paragraph 1

Motion for a resolution

1. salue l'initiative de la Commission d'organiser une consultation sur le droit d'auteur, laquelle a suscité un vif intérêt de la part de ***la société civile en rassemblant plus de 9 500 réponses, dont 58,7 % provenaient d'utilisateurs finaux***¹¹ ;

¹¹ Commission, DG MARKT, Report on the responses to the Public Consultation on the Review of the EU Copyright Rules (rapport sur les réponses à la consultation publique relative à la révision des règles de l'Union européenne en matière de droit d'auteur), juillet 2014, p. 5.

Amendment

1. salue l'initiative de la Commission d'organiser une consultation sur le droit d'auteur, laquelle a suscité un vif intérêt de la part de ***toutes les parties intéressées***;

¹¹ Commission, DG MARKT, Report on the responses to the Public Consultation on the Review of the EU Copyright Rules (rapport sur les réponses à la consultation publique relative à la révision des règles de l'Union européenne en matière de droit d'auteur), juillet 2014, p. 5.

Or. fr

Amendment 147

Therese Comodini Cachia, Pavel Svoboda, Jean-Marie Cavada, József Szájer, Luis de

Grandes Pascual, Rosa Estaràs Ferragut, Giovanni Toti, Sabine Verheyen

Motion for a resolution

Paragraph 1

Motion for a resolution

1. Welcomes the Commission's initiative of conducting a consultation on copyright, which attracted great interest from ***civil society with more than 9 500 replies, 58.7 % of which came from end users***¹¹ ;

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Amendment

1. Welcomes the Commission's initiative of conducting a consultation on copyright, which attracted great interest from ***all relevant stakeholders***;

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¹¹ Commission, DG MARKT, Report on the responses to the Public Consultation on the Review of the EU Copyright Rules, July 2014, p. 5.

¹¹ Commission, DG MARKT, Report on the responses to the Public Consultation on the Review of the EU Copyright Rules, July 2014, p. 5.

Or. en

Amendment 148
Mary Honeyball, Dietmar Köster
Motion for a resolution
Paragraph 1

Motion for a resolution

1. Welcomes the Commission's initiative of conducting a consultation on copyright, ***which attracted great interest from civil society with more than 9 500 replies, 58.7 % of which came from end users¹¹*** ;

¹¹ Commission, DG MARKT, Report on the responses to the Public Consultation on the Review of the EU Copyright Rules, July 2014, p. 5.

Amendment

1. Welcomes the Commission's initiative of conducting a consultation on copyright, ***and encourages ongoing assessment of the issues;***

¹¹ Commission, DG MARKT, Report on the responses to the Public Consultation on the Review of the EU Copyright Rules, July 2014, p. 5.

Or. en

Amendment 149
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Paragraph 1 a (new)

Motion for a resolution

1 a. Recalls that copyright and related rights protect and stimulate both the development and marketing of new products and services and the creation and exploitation of their creative content, thereby contributing to improved competitiveness, employment and innovation across several industry sectors in the EU;

Or. en

Amendment 150
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Paragraph 1 c (new)

Motion for a resolution

Amendment

1 c. Considers that lessons may be drawn for other types of content from the approach taken in the Collective Rights Management Directive, but that issues concerning portability and geoblocking may not be solved by one all-encompassing solution but may require several different interventions, both regulatory and market-led, in addition to enhanced enforcement of existing law including in competition, services and copyright;

Or. en

Amendment 151
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Paragraph 1 b (new)

Motion for a resolution

Amendment

1 b. Stresses that copyright is only as effective as the enforcement measures in place to protect it and that in order to ensure a flourishing and innovative creative sector copyright enforcement must be robust;

Or. en

Amendment 152
Virginie Rozière
Motion for a resolution
Paragraph 2

Motion for a resolution

Amendment

2. constate avec inquiétude que la grande majorité des utilisateurs finaux interrogés déclarent rencontrer des problèmes lorsqu'ils tentent d'accéder aux services en ligne dans l'ensemble des États membres, en particulier là où des mesures de protection technologiques sont utilisées pour appliquer des restrictions territoriales;

supprimé

Or. fr

Amendment 153

József Szájer

Motion for a resolution

Paragraph 2

Motion for a resolution

Amendment

2. Notes with *concern that the vast majority of end-user respondents report facing problems when trying to access online services across the Member States, particularly where technological protection measures are used to enforce territorial restrictions;*

2. Notes with *interest the diversity of uses that technological development offers to consumers which may require further assessment to put forward measures for improving the flexibility of the current legal framework to respond to sustainable and actual demand on online content available across Member States;*

Or. en

Amendment 154

Therese Comodini Cachia, Eva Paunova, Pavel Svoboda, Marc Joulaud, József Szájer, Rosa Estaràs Ferragut, Luis de Grandes Pascual, Milan Zver, Sabine Verheyen

Motion for a resolution

Paragraph 2

Motion for a resolution

Amendment

2. Notes with *concern that the vast majority of end-user respondents report facing problems when trying to access online services across the Member States, particularly where technological*

2. Notes with *interest the diversity of uses that technological development offers to consumers which may require further assessment to put forward measures for improving the flexibility of the current*

protection measures are used to enforce territorial restrictions;

legal framework to respond to sustainable and actual demand on online content available across Member States;

Or. en

Amendment 155

Axel Voss

Motion for a resolution

Paragraph 2

Motion for a resolution

2. stellt *mit Besorgnis* fest, *dass die überwiegende Mehrheit der Endnutzer, die an der Konsultation teilgenommen haben, über Probleme beim Versuch berichten, Zugang zu Online-Diensten über die Grenzen von Mitgliedstaaten hinweg zu erlangen, insbesondere dann, wenn technische Schutzmaßnahmen genutzt werden, um territoriale Beschränkungen durchzusetzen;*

Amendment

2. stellt fest, *welche Nutzungsvielfalt und Wettbewerbsfähigkeit der technologische Fortschritt in Europa bietet und betont die Notwendigkeit einer zielgerichteten Abwägung weiterer Maßnahmen, um grenzübergreifender Nachfrage von Online-Diensten mit flexiblen rechtlichen Rahmenbedingungen zu begegnen;*

Or. de

Amendment 156

Jean-Marie Cavada

Motion for a resolution

Paragraph 2

Motion for a resolution

2. constate avec *inquiétude que la grande majorité des utilisateurs finaux interrogés déclarent rencontrer des problèmes lorsqu'ils tentent d'accéder aux services en ligne dans l'ensemble des États membres, en particulier là où des mesures de protection technologiques sont utilisées pour appliquer des restrictions territoriales;*

Amendment

2. constate avec *intérêt l'augmentation de la disponibilité de l'offre légale pour les consommateurs depuis la mise en œuvre de la directive 2001/29/CE;*

Or. fr

Amendment 157

Constance Le Grip, Marc Joulaud, Sabine Verheyen

Motion for a resolution

Paragraph 2

Motion for a resolution

2. constate avec *inquiétude que la grande majorité des utilisateurs finaux interrogés déclarent rencontrer des problèmes lorsqu'ils tentent d'accéder aux services en ligne dans l'ensemble des États membres, en particulier là où des mesures de protection technologiques sont utilisées pour appliquer des restrictions territoriales;*

Amendment

2. constate avec *intérêt l'augmentation de l'offre légale et l'accroissement du choix des consommateurs depuis la mise en œuvre de la directive 2001/29/ CE;*

Or. fr

Amendment 158

Angelika Niebler

Motion for a resolution

Paragraph 2

Motion for a resolution

2. stellt *mit Besorgnis* fest, dass die überwiegende Mehrheit der Endnutzer, die an der Konsultation teilgenommen haben, über Probleme beim Versuch berichten, Zugang zu Online-Diensten über die Grenzen von Mitgliedstaaten hinweg zu erlangen, *insbesondere dann, wenn technische Schutzmaßnahmen genutzt werden, um territoriale Beschränkungen durchzusetzen;*

Amendment

2. stellt fest, dass die überwiegende Mehrheit der Endnutzer, die an der Konsultation teilgenommen haben *(0,001% der Einwohner der EU)*, über Probleme beim Versuch berichten, Zugang zu Online-Diensten über die Grenzen von Mitgliedstaaten hinweg zu erlangen, *während institutionelle Nutzer, Autoren, Künstler, Verleger, Produzenten, Rundfunkanstalten, Verwertungsgesellschaften und andere Intermediäre und Dienstleister sowie die Mitgliedstaaten bestätigen, dass bereits heute EU-weite und teilweise sogar weltweite Lizenzen für unterschiedlichste Werke vorliegen, dass keine klaren Hinweise auf Probleme beim grenzüberschreitenden Zugriff*

beispielsweise bei den Musikstücken vorliegen, dass keine weiteren Maßnahmen auf EU-Ebene notwendig sind, um die grenzüberschreitende Verfügbarkeit von Inhalten zu erhöhen und dass viele Probleme nicht auf die Territorialität des Urheberrechts zurückzuführen sind;

Or. de

Amendment 159
Enrico Gasbarra
Motion for a resolution
Paragraph 2

Motion for a resolution

2. osserva **con preoccupazione** il fatto che un'ampia maggioranza degli utenti finali partecipanti alla consultazione riferiscono di aver avuto problemi ad accedere a servizi online tra Stati membri, in particolare nei casi in cui sono utilizzate misure tecnologiche di protezione per assicurare il rispetto di restrizioni territoriali;

Amendment

2. osserva il fatto che un'ampia maggioranza degli utenti finali partecipanti alla consultazione riferiscono di aver avuto problemi ad accedere a servizi online tra Stati membri, in particolare nei casi in cui sono utilizzate misure tecnologiche di protezione per assicurare il rispetto di restrizioni territoriali; **ricorda a questo proposito che la relazione della DG Mercato Interno della Commissione Europea sulla consultazione pubblica evidenzia come una grande maggioranza degli stakeholders intervenuti consideri necessarie non solo misure di riforma del copyright ma anche altre misure in grado di aumentare l'offerta e disponibilità transfrontaliera dei contenuti digitali, come ad esempio nuove normative in materia di protezione dei consumatori, sviluppo del commercio elettronico, avvicinamento delle aliquote IVA, potenziamento delle reti digitali;**

Or. it

Amendment 160
Angel Dzhambazki, Sajjad Karim

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Notes with concern that the vast majority of end-user respondents report facing problems when trying to access online services across the Member States, ***particularly where technological protection measures are used to enforce territorial restrictions;***

Amendment

2. Notes with concern that the vast majority of end-user respondents report facing problems when trying to access online services across the Member States ***and that territorial fragmentation may require commercial operators aspiring to offer content related services across the EU to secure multiple licenses for the same content in different geographical areas;***

Or. en

Amendment 161
Helga Trüpel
Motion for a resolution
Paragraph 2

Motion for a resolution

2. ***stellt mit Besorgnis fest, dass die überwiegende Mehrheit der Endnutzer, die an der Konsultation teilgenommen haben, über Probleme beim Versuch berichten, Zugang zu Online-Diensten über die Grenzen von Mitgliedstaaten hinweg zu erlangen, insbesondere dann, wenn technische Schutzmaßnahmen genutzt werden, um territoriale Beschränkungen durchzusetzen;***

Amendment

2. ***fordert auf zu prüfen, inwieweit Probleme beim Versuch, Zugang zu Online-Diensten über die Grenzen von Mitgliedstaaten hinweg zu erlangen für die Endnutzer relevant sind, insbesondere wenn technische Schutzmaßnahmen genutzt werden, um territoriale Beschränkungen durchzusetzen;***

Or. de

Amendment 162
József Szájer
Motion for a resolution
Paragraph 2 a (new)

Motion for a resolution

Amendment

2 a. Emphasizes that any reform of the

copyright framework needs to find the right balance between user access and fair remuneration for creators and other rightholders and should take as a basis a high level of protection, and develop an evidence-based approach, taking into consideration the interest of small and medium-sized enterprises, since rights are crucial to intellectual creation and provide a stable, clear and flexible legal base that fosters investment and growth in the creative and cultural sector, whilst removing legal uncertainties and inconsistencies that adversely affect the functioning of the internal market to the prejudice of consumers and rightholders;

Or. en

Amendment 163

Therese Comodini Cachia, Eva Paunova, Pavel Svoboda, Marc Joulaud, Constance Le Grip, József Szájer, Giovanni Toti, Rosa Estaràs Ferragut, Luis de Grandes Pascual, Sabine Verheyen

Motion for a resolution

Paragraph 2 a (new)

Motion for a resolution

Amendment

2 a. Emphasizes that any reform of the copyright framework needs to find the right balance between user access and fair remuneration for creators and other rightholders and should take as a basis a high level of protection, and develop an evidence-based approach taking into consideration the interest of small and medium-sized enterprises, since rights are crucial to intellectual creation and provide a stable, clear and flexible legal base that fosters investment and growth in the creative and cultural sector, whilst removing legal uncertainties and inconsistencies that adversely affect the functioning of the internal market to the prejudice of consumers and rightholders;

Or. en

Amendment 164
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Paragraph 2 a (new)

Motion for a resolution

Amendment

2 b. Believes that consumers should be able to access and buy online content from another Member State when it is not accessible from a provider in their own Member State; stresses that clear information should be provided to consumers when purchasing a digital content license regarding any geographical limitations of the use of that content;

Or. en

Amendment 165
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Paragraph 2 b (new)

Motion for a resolution

Amendment

2 b. Stresses that the creative output of the European Union is one of its richest resources, and those who want to enjoy it should be able to pay to do so, even when it is only sold in another Member State;

Or. en

Amendment 166
Sergio Gaetano Cofferati, Lidia Joanna Geringer de Oedenberg, Evelyn Regner
Motion for a resolution
Paragraph 2 a (new)

Motion for a resolution

Amendment

2 bis. Ritiene fondamentale, al fine di un

pieno e vero sviluppo del Mercato Unico Digitale, una riforma del diritto d'autore europeo che superi l'attuale quadro di frammentazione tra gli Stati Membri. Considera per questo importante che vi siano regole uniformi a livello europeo, che le normative esistenti siano aggiornate rispetto alla diffusione di nuove tecnologie ed ai comportamenti di utenti e consumatori, che si riconosca la necessità di una remunerazione adeguata per gli autori nel contesto di una loro posizione negoziale rinnovata con gli intermediari;

Or. it

Amendment 167
Jean-Marie Cavada
Motion for a resolution
Paragraph 2 a (new)

Motion for a resolution

Amendment

2 bis. Note que les secteurs créatifs et culturels, représentés par les auteurs, interprètes, éditeurs, producteurs, diffuseurs, sociétés de gestion collective et autres ayants droit ainsi que la plupart des États membres s'accordent à considérer que le cadre juridique actuel est adapté et suffisamment souple pour répondre durablement à la demande relative au contenu disponible en ligne dans l'ensemble des États membres;

Or. fr

Amendment 168
Constance Le Grip, Christian Ehler, Jean-Marie Cavada
Motion for a resolution
Paragraph 2 a (new)

Motion for a resolution

Amendment

2 bis. note avec inquiétude la multiplication des services illégaux en ligne et l'augmentation de la piraterie et, de manière plus générale, les atteintes à la propriété intellectuelle, ce qui consitutie une menace sérieuse pour les économies des Etats-membres et la création dans l'Union européenne;

Or. fr

Amendment 169

Christian Ehler, Sabine Verheyen, Marc Joulaud

Motion for a resolution

Paragraph 2 a (new)

Motion for a resolution

Amendment

2 c. Emphasizes that any reform of the copyright framework should take as a basis a high level of protection, since rights are crucial to intellectual creation and provide a stable, clear and flexible legal base that fosters investment and growth in the creative and cultural sector, whilst removing legal uncertainties and inconsistencies that adversely affect the functioning of the internal market;

Or. en

Amendment 170

Christian Ehler, Sabine Verheyen

Motion for a resolution

Paragraph 2 a (new)

Motion for a resolution

Amendment

2 d. Neben dem wichtigen Ausbau funktionierender Strukturen für den

*digitalen Binnenmarkt muss auch das
Funktionieren des analogen
Binnenmarkts weiterhin gewährleistet
werden;*

Or. de

Amendment 171
Christian Ehler
Motion for a resolution
Paragraph 2 b (new)

Motion for a resolution

Amendment

*2 b. Stresses that Europe's cultural and
creative industries are an engine for
economic growth and job creation in
Europe, employing 3.3% of the EU's
workforce and generating more than
4.2% of the EU's GDP; highlights,
however, that recent economic growth in
the sector has mainly been generated by
its ICT-related activities whereas
traditional activities have featured a
significant decrease of their economic
contribution and employment rates;*

Or. en

Amendment 172
Jean-Marie Cavada
Motion for a resolution
Paragraph 2 b (new)

Motion for a resolution

Amendment

*2 ter. Rappelle que les industries à forte
intensité de droit d'auteur emploient plus
de 7 millions de personnes dans l'Union;
Invite dès lors la Commission à veiller à
ce que toute initiative législative sur la
modernisation du droit d'auteur soit
précédée d'une évaluation d'impact ex-
ante et exhaustive, sur ses effets sur la
croissance et l'emploi ainsi que sur les
coûts et les avantages potentiellement*

*générés par une telle initiative,
conformément aux principes de meilleure
réglementation;*

Or. fr

Amendment 173

Constance Le Grip, Christian Ehler, Marc Joulaud, Sabine Verheyen

Motion for a resolution

Paragraph 2 b (new)

Motion for a resolution

Amendment

*2 ter. Rappelle que les PME dans les
secteurs culturels et créatifs favorisent la
compétitivité de l'Union
européenne et représentent un potentiel
de création d'emplois et de croissance
considérable;*

Or. fr

Amendment 174

Christian Ehler, Sabine Verheyen

Motion for a resolution

Paragraph 2 c (new)

Motion for a resolution

Amendment

*2 c. Emphasises that a reform of the EU's
copyright acquis should continue to
strengthen Europe's cultural and creative
industries by improving legal certainty in
the digital sphere for all involved parties,
including rightsholders, businesses and
users, and by setting incentives for
innovative licensing schemes online and
new business models for online
distribution of content, thus allowing the
sector to benefit from the digital
revolution while safeguarding a balanced
value chain;*

Or. en

Amendment 175
Jean-Marie Cavada
Motion for a resolution
Paragraph 2 c (new)

Motion for a resolution

Amendment

2 quater. souligne que toute révision future du droit d'auteur européen doit être ciblée et reposer sur des données probantes, dans le but d'assurer la poursuite du développement des secteurs créatifs en Europe;

Or. fr

Amendment 176
Christian Ehler, Sabine Verheyen, Marc Joulaud
Motion for a resolution
Paragraph 2 d (new)

Motion for a resolution

Amendment

2 d. Recognizes that commercial copyright infringing activities pose a serious threat to the functioning of the digital single market and to the development of the legal offer of diversified cultural and creative content online;

Or. en

Amendment 177
Christian Ehler, Sabine Verheyen
Motion for a resolution
Paragraph 2 e (new)

Motion for a resolution

Amendment

2 e. Deems it indispensable to strengthen the position of authors and creators and improve their remuneration with regard to the digital distribution and exploitation of their works;

Amendment 178
Kostas Chrysogonos
Motion for a resolution
Paragraph 3

Motion for a resolution

3. αναγνωρίζει την ανάγκη **παροχής νομικής προστασίας σε δημιουργούς και ερμηνευτές/εκτελεστές για** το δημιουργικό και καλλιτεχνικό τους έργο· αναγνωρίζει τον ρόλο των παραγωγών και εκδοτών όσον αφορά τη διάθεση των έργων στην αγορά, και την ανάγκη κατάλληλης αμοιβής όλων των κατηγοριών δικαιούχων· ζητεί βελτιώσεις στη συμβατική θέση των δημιουργών και των ερμηνευτών/εκτελεστών σε σχέση με τους άλλους δικαιούχους και τους διαμεσολαβητές·

Amendment

3. αναγνωρίζει την ανάγκη **προστασίας των δικαιωμάτων των δημιουργών και των ερμηνευτών/εκτελεστών ώστε να αναγνωρίζεται και να προστατεύεται νομικά** το δημιουργικό και καλλιτεχνικό τους έργο· αναγνωρίζει τον ρόλο των παραγωγών και εκδοτών όσον αφορά τη διάθεση των έργων στην αγορά, και την ανάγκη κατάλληλης αμοιβής όλων των κατηγοριών δικαιούχων· ζητεί βελτιώσεις στη συμβατική θέση των δημιουργών και των ερμηνευτών/εκτελεστών σε σχέση με τους άλλους δικαιούχους και τους διαμεσολαβητές;

Or. el

Amendment 179
József Szájer
Motion for a resolution
Paragraph 3

Motion for a resolution

3. Acknowledges the necessity for authors and performers to be provided with legal protection for their creative and artistic work; recognises the role of producers and publishers in bringing works to the market, and the need for **appropriate remuneration** for all categories of rightholders; calls for improvements to the contractual position of authors and performers in relation to other rightholders and intermediaries;

Amendment

3. Acknowledges the necessity for authors and performers to be provided with legal protection for their creative and artistic work; recognises the role of producers and publishers in bringing works to the market, and the need for **fair compensation** for all categories of rightholders; calls for improvements to the contractual position of authors and performers in relation to other rightholders and intermediaries;

Or. en

Amendment 180
Constance Le Grip
Motion for a resolution
Paragraph 3

Motion for a resolution

3. souligne la nécessité d'offrir aux auteurs et aux interprètes ou exécutants une protection juridique en ce qui concerne leur travail créatif et artistique; reconnaît le rôle des producteurs et des éditeurs dans la commercialisation des œuvres, comme la nécessité de garantir une rémunération appropriée à toutes les catégories de titulaires de droits; demande d'améliorer la position contractuelle des auteurs, interprètes ou exécutants par rapport aux autres titulaires de droits et intermédiaires;

Amendment

3. souligne la nécessité d'offrir aux auteurs et aux interprètes ou exécutants une protection juridique en ce qui concerne leur travail créatif et artistique; reconnaît le rôle des producteurs et des éditeurs dans la commercialisation des œuvres, comme la nécessité de garantir une rémunération appropriée à toutes les catégories de titulaires de droits; demande d'améliorer la position contractuelle des auteurs, interprètes ou exécutants par rapport aux autres titulaires de droits et intermédiaires; ***demande l'introduction dans la législation européenne des principes fixés par la CJUE quant au système de copie privée;***

Or. fr

Amendment 181
Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López
Motion for a resolution
Paragraph 3

Motion for a resolution

3. Reconoce la necesidad de dotar a los autores e intérpretes de protección jurídica para su trabajo creativo y artístico; reconoce la función de los productores y editores en la comercialización de las obras, así como la necesidad de retribuir adecuadamente a todas las categorías de titulares de derechos; pide que se mejore la posición contractual de autores e intérpretes en ***relación con otros titulares de derechos e intermediarios;***

Amendment

3. Reconoce la necesidad de dotar a los autores e intérpretes de protección jurídica para su trabajo creativo y artístico; reconoce la función de los productores y editores en la comercialización de las obras, así como la necesidad de retribuir adecuadamente a todas las categorías de titulares de derechos; pide que se mejore la posición ***negociadora y*** contractual de autores e intérpretes en ***la cadena de valor en la era digital;***

Amendment 182
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Paragraph 3

Motion for a resolution

3. Acknowledges the necessity for authors and performers to be provided with legal protection for their creative and artistic work; recognises the role of producers and publishers in bringing works to the market, and the need for appropriate remuneration for *all categories of* rightholders; *calls for improvements to the contractual position of authors and performers in relation to other rightholders and intermediaries;*

Amendment

3. Acknowledges the necessity for authors and performers to be provided with legal protection *and appropriate remuneration* for their *efforts through others making use of their* creative and artistic work, *thereby facilitating and encouraging future creativity*; recognises the role of producers and publishers in bringing works to the market, and the need for appropriate remuneration for rightholders; *recognises the role of effective enforcement in supporting creators and rightholders;*

Or. en

Amendment 183
Angelika Niebler
Motion for a resolution
Paragraph 3

Motion for a resolution

3. erkennt die Notwendigkeit an, Urheber und ausübende Künstler für ihre schöpferische und künstlerische Tätigkeit rechtlichen Schutz zukommen zu lassen; erkennt die Rolle von Produzenten oder Verlegern, Werke auf den Markt zu bringen, und die Notwendigkeit einer angemessenen Vergütung für alle Gruppen von Rechtsinhabern an; fordert eine *verbesserte Rechtsstellung von Urhebern und ausübenden Künstlern bei Vertragsverhandlungen mit anderen Rechtsinhabern und Vermittlern;*

Amendment

3. erkennt die Notwendigkeit an, Urheber und ausübende Künstler für ihre schöpferische und künstlerische Tätigkeit rechtlichen Schutz zukommen zu lassen; erkennt die Rolle von Produzenten oder Verlegern, Werke *zu produzieren und* auf den Markt zu bringen, und die Notwendigkeit einer angemessenen Vergütung für alle Gruppen von Rechtsinhabern an; fordert eine *ausgewogene Balance zwischen Urhebern, Rechteinhabern und Vermittlern, welche die Interessen aller Beteiligten angemessen berücksichtigen;*

Amendment 184

Kostas Chrysogonos

on behalf of the GUE/NGL Group

Jiří Maštálka

Motion for a resolution

Paragraph 3

Motion for a resolution

3. Acknowledges the necessity for authors and performers **to be provided with** legal protection for their creative and artistic work; recognises the role of producers and publishers in bringing works to the market, and the need for appropriate remuneration for all categories of rightholders; calls for improvements to the contractual position of authors and performers in relation to other rightholders and intermediaries;

Amendment

3. Acknowledges the necessity **to confirm the exclusive rights** for authors and performers **in order to safeguard their legal recognition and** protection for their creative and artistic work; recognises the role of producers and publishers in bringing works to the market, and the need for appropriate remuneration for all categories of rightholders; calls for improvements to the contractual position of authors and performers in relation to other rightholders and intermediaries;

Amendment 185

Diane Dodds

Motion for a resolution

Paragraph 3

Motion for a resolution

3. Acknowledges the necessity for authors and performers to be provided with legal protection for their creative and artistic work; recognises the role of producers and publishers in bringing works to the market, and the need for appropriate remuneration for all categories of rightholders; calls for improvements to the contractual position of authors and performers in relation to other rightholders and intermediaries;

Amendment

3. Acknowledges the necessity for authors and performers to be provided with legal protection for their creative and artistic work; recognises the role of producers and publishers in bringing works to the market, and the need for appropriate remuneration for all categories of rightholders; calls for improvements to the contractual position of authors and performers in relation to other rightholders and intermediaries; **stresses the importance of protections for new businesses and entrepreneurs in the creative industries**

Amendment 186
Enrico Gasbarra
Motion for a resolution
Paragraph 3

Motion for a resolution

3. riconosce la necessità che gli autori e gli esecutori beneficino di una protezione giuridica delle loro opere creative e artistiche; riconosce il ruolo dei produttori ed editori nel far giungere le opere al mercato e la necessità di una remunerazione adeguata per tutte le categorie di titolari di diritti; **chiede che sia migliorata la posizione contrattuale degli autori ed esecutori rispetto agli altri titolari di diritti e intermediari;**

Amendment

3. riconosce la necessità **e il principio giuridico** che gli autori e gli esecutori beneficino di una protezione giuridica delle loro opere creative e artistiche; riconosce il ruolo dei produttori ed editori nel far giungere le opere al mercato e la necessità di una remunerazione adeguata per tutte le categorie di titolari di diritti; **ritiene in questo senso particolarmente rilevante accelerare verso la piena trasposizione della direttiva 2014/26 Collective Rights Management;**

Amendment 187
Pascal Durand
Motion for a resolution
Paragraph 3

Motion for a resolution

3. Acknowledges the necessity for authors and performers to be provided with legal protection for their creative and artistic work; recognises the role of producers and publishers in bringing works to the market, and the need for appropriate remuneration for all categories of rightholders; calls for improvements to the contractual position of authors and performers in relation to other rightholders and intermediaries;

Amendment

3. Acknowledges the necessity for authors and performers to be provided with legal protection for their creative and artistic work; recognises the role of producers and publishers in bringing works to the market, and the need for appropriate remuneration for all categories of rightholders; calls for improvements to the contractual position of authors and performers in relation to other rightholders and intermediaries, **as contractual exchanges are often marked by an imbalance of power between the parties leading to corporations retaining most of the resulting profit, for instance through right reversion that cannot be**

waived by contract and that give creators the possibility to retain the right to reclaim copyright interests they have transferred after a set number of years, providing them a second opportunity to negotiate a better return.

Or. en

Amendment 188
Tonino Picula
Motion for a resolution
Paragraph 3

Motion for a resolution

3. priznaje da je nužno da autori i umjetnici izvođači mogu dobiti pravnu zaštitu za svoj stvaralački i umjetnički rad; priznaje ulogu producenata i umjetnika izdavača u plasiranju djela na tržište i potrebu za odgovarajućom naknadom za sve kategorije nositelja prava; poziva na poboljšanje ugovornog položaja autora i umjetnika izvođača u odnosu na druge nositelje prava i posrednike;

Amendment

3. priznaje da je nužno da autori i umjetnici izvođači mogu dobiti pravnu zaštitu za svoj stvaralački i umjetnički rad; priznaje ulogu producenata i umjetnika izdavača u plasiranju djela na tržište i potrebu za odgovarajućom naknadom za sve kategorije nositelja prava; poziva na poboljšanje ugovornog položaja autora i umjetnika izvođača u odnosu na druge nositelje prava i posrednike, *posebice one koji njihova djela koriste i kao uslugu nude krajnjim korisnicima;*

Or. hr

Amendment 189
Laura Ferrara
Motion for a resolution
Paragraph 3

Motion for a resolution

3. riconosce la necessità che gli autori e gli esecutori beneficino di una protezione giuridica delle loro opere creative e artistiche; riconosce il ruolo dei produttori ed editori nel far giungere le opere al

Amendment

3. riconosce la necessità che gli autori e gli esecutori beneficino di una protezione giuridica delle loro opere creative e artistiche; riconosce il ruolo dei produttori ed editori nel far giungere le opere al

mercato e la necessità di una remunerazione adeguata per tutte le categorie di titolari di diritti; chiede che sia migliorata la posizione contrattuale degli autori ed esecutori rispetto agli altri titolari di diritti e intermediari;

mercato e la necessità di una remunerazione adeguata per tutte le categorie di titolari di diritti; ***riconosce l'interesse pubblico alla disseminazione della cultura e della conoscenza***; chiede che sia migliorata la posizione contrattuale degli autori ed esecutori rispetto agli altri titolari di diritti e intermediari;

Or. it

Amendment 190

Axel Voss

Motion for a resolution

Paragraph 3

Motion for a resolution

3. erkennt die Notwendigkeit an, Urheber und ausübende Künstler für ihre schöpferische und künstlerische Tätigkeit rechtlichen Schutz zukommen zu lassen; erkennt die Rolle von Produzenten oder Verlegern, Werke auf den Markt zu bringen, und die Notwendigkeit einer angemessenen Vergütung für alle Gruppen von Rechtsinhabern an; ***fordert eine verbesserte Rechtsstellung von Urhebern und ausübenden Künstlern bei Vertragsverhandlungen mit anderen Rechtsinhabern und Vermittlern***;

Amendment

3. erkennt die Notwendigkeit an, Urheber und ausübende Künstler für ihre schöpferische und künstlerische Tätigkeit rechtlichen Schutz zukommen zu lassen; erkennt die Rolle von Produzenten oder Verlegern, Werke auf den Markt zu bringen, und die Notwendigkeit einer angemessenen Vergütung für alle Gruppen von Rechtsinhabern an; ***betont hierbei die Wichtigkeit der Vertragsfreiheit***;

Or. de

Amendment 191

Lidia Joanna Geringer de Oedenberg

Motion for a resolution

Paragraph 3

Motion for a resolution

3. przyznaje, że konieczne jest zapewnienie autorom i wykonawcom ochrony prawnej ich twórczości i pracy artystycznej; uznaje rolę producentów i wydawców we wprowadzaniu utworów na rynek oraz

Amendment

3. przyznaje, że konieczne jest zapewnienie ***wszystkim podmiotom obiegu kulturowego w tym*** autorom i wykonawcom ochrony prawnej ich twórczości i pracy artystycznej; uznaje rolę

konieczność zapewnienia właściwego wynagrodzenia wszystkim kategoriom podmiotów praw autorskich; apeluje o poprawę wynikającą z umowy pozycji autorów i wykonawców wobec innych podmiotów praw autorskich i pośredników;

producentów i wydawców we wprowadzaniu utworów na rynek oraz konieczność zapewnienia właściwego wynagrodzenia wszystkim kategoriom podmiotów praw autorskich; apeluje o poprawę wynikającą z umowy pozycji autorów i wykonawców wobec innych podmiotów praw autorskich i pośredników;

Or. pl

Amendment 192

Sergio Gaetano Cofferati, Lidia Joanna Geringer de Oedenberg, Mary Honeyball

Motion for a resolution

Paragraph 3

Motion for a resolution

3. riconosce la necessità che gli autori e gli esecutori beneficino di una protezione giuridica delle loro opere creative e artistiche; riconosce il ruolo dei produttori ed editori nel far giungere le opere al mercato e la necessità di una remunerazione adeguata per tutte le categorie di titolari di diritti; chiede che sia migliorata la posizione contrattuale degli autori ed esecutori rispetto agli altri titolari di diritti e intermediari;

Amendment

3. riconosce la necessità che gli autori e gli esecutori beneficino di una protezione giuridica, **moderna e di livello europeo**, delle loro opere creative e artistiche; riconosce il ruolo dei produttori ed editori nel far giungere le opere al mercato e la necessità di una remunerazione adeguata per tutte le categorie di titolari di diritti; chiede che sia migliorata la posizione contrattuale degli autori ed esecutori rispetto agli altri titolari di diritti e intermediari;

Or. it

Amendment 193

Virginie Rozière, Mady Delvaux

Motion for a resolution

Paragraph 3

Motion for a resolution

3. souligne la nécessité d'offrir aux auteurs et aux interprètes ou exécutants une protection juridique en ce qui concerne leur travail créatif et artistique; reconnaît le rôle des producteurs et des éditeurs dans la commercialisation des œuvres, comme la

Amendment

3. souligne la nécessité d'offrir aux auteurs et aux interprètes ou exécutants une protection juridique en ce qui concerne leur travail créatif et artistique; reconnaît le rôle des producteurs et des éditeurs dans la commercialisation des œuvres, comme la

nécessité de garantir une *rémunération appropriée* à toutes les catégories de titulaires de droits; demande *d'améliorer la position contractuelle des auteurs, interprètes ou exécutants par rapport aux autres titulaires de droits et intermédiaires*;

nécessité de garantir une *compensation équitable* à toutes les catégories de titulaires de droits; demande *aux États membres d'examiner les mesures concrètes qui permettraient de garantir une rémunération équitable aux auteurs, interprètes ou exécutants*;

Or. fr

Amendment 194
Helga Trüpel, Heidi Hautala
Motion for a resolution
Paragraph 3

Motion for a resolution

3. reconnaît la nécessité de garantir aux auteurs et artistes une rémunération appropriée à toutes les catégories de titulaires de droits; demande d'améliorer la position contractuelle des auteurs, interprètes ou exécutants par rapport aux autres titulaires de droits et intermédiaires;

Amendment

3. reconnaît la nécessité de garantir aux auteurs et artistes une compensation équitable à toutes les catégories de titulaires de droits; demande aux États membres d'examiner les mesures concrètes qui permettraient de garantir une rémunération équitable aux auteurs, interprètes ou exécutants;

Or. de

Amendment 195
Therese Comodini Cachia, Pavel Svoboda, Marc Joulaud, József Szájer, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Sabine Verheyen
Motion for a resolution
Paragraph 3

Motion for a resolution

3. Acknowledges the necessity for authors and performers to be provided with legal protection for their creative and artistic

Amendment

3. Acknowledges the necessity for authors and performers to be provided with legal protection for their creative and artistic

work; recognises the role of producers and publishers in bringing works to the market, and the need for ***appropriate remuneration*** for all categories of rightholders; calls for improvements to the contractual position of authors and performers in relation to other rightholders and intermediaries;

work; recognises the role of producers and publishers in bringing works to the market, and the need for ***fair compensation*** for all categories of rightholders; calls for improvements to the contractual position of authors and performers in relation to other rightholders and intermediaries;

Or. en

Amendment 196
Mary Honeyball, Dietmar Köster
Motion for a resolution
Paragraph 3

Motion for a resolution

3. Acknowledges the necessity for authors and performers to be provided with legal protection for their creative and artistic work; recognises the role of producers and publishers in bringing works to the market, and the need for ***appropriate remuneration*** for all categories of rightholders; calls for improvements to the contractual position of ***authors and performers*** in relation to other rightholders and intermediaries;

Amendment

3. Acknowledges the necessity for authors and performers to be provided with legal protection for their creative and artistic work; recognises the role of producers and publishers in bringing works to the market, and the need for ***fair remuneration and compensation*** for all categories of rightholders; calls for improvements to the contractual position of ***creators*** in relation to other rightholders and intermediaries;

Or. en

Amendment 197
Mary Honeyball, Evelyn Regner, Lidia Joanna Geringer de Oedenberg
Motion for a resolution
Paragraph 3 – subparagraph 1 (new)

Motion for a resolution

Amendment

Emphasises that any reform of the copyright framework needs to find the right balance between user access and fair remuneration and compensation for creators and other rightholders and should take as a basis the rights of creators, while taking into consideration

the interest of small and medium-sized enterprises, since rights are crucial to intellectual creation and provide a stable, clear and flexible legal base that fosters investment and growth in the creative and cultural sector, whilst removing legal uncertainties and inconsistencies that adversely affect the functioning of the internal market to the prejudice of consumers and rightholders;

Or. en

Amendment 198
Helga Trüpel, Heidi Hautala
Motion for a resolution
Paragraph 3 a (new)

Motion for a resolution

Amendment

3 a. stellt fest, dass ein verhältnismäßiger Schutz von urheberrechtlich geschützten Werken und sonstigen Schutzgegenständen auch kulturell gesehen von großer Bedeutung ist. Nach Artikel 167 des Vertrags hat die Gemeinschaft bei ihrer Tätigkeit den kulturellen Aspekten Rechnung zu tragen;

Or. de

Amendment 199
Helga Trüpel, Heidi Hautala
Motion for a resolution
Paragraph 3 b (new)

Motion for a resolution

Amendment

3 b. betont, dass Urheber und ausübende Künstler im digitalen Umfeld in gleichem Maße wie in der analogen Welt eine angemessene Vergütung erhalten müssen;

Or. de

Amendment 200
Julia Reda, Josef Weidenholzer
Motion for a resolution
Paragraph 3 c (new)

Motion for a resolution

Amendment

3 c. Calls for the introduction of Community provisions in the area of contract law applicable to copyright, particularly safeguarding authors' rights to bring their works to the market in case a rightholder has refrained from making use of an exclusive right to the work in question for an extended period of time;

Or. en

Amendment 201
Julia Reda, Christian Ehler, Josef Weidenholzer
Motion for a resolution
Paragraph 3 d (new)

Motion for a resolution

Amendment

3 d Notes that the existing definitions and scope of the exclusive rights for reproduction, for the communication to the public and for the making available to the public, and for distribution, need clarification to better fit the technological and cross-border nature of digital exploitation acts, and to facilitate the clearance of rights;

Or. en

Amendment 202
Ivan Jakovčić
Motion for a resolution
Paragraph 3 e (new)

Motion for a resolution

Amendment

3 e. ističe da je autorsko pravo pokretač svekolikog društvenog i gospodarskog razvoja; kulturne i kreativne industrije koje su utemeljene upravo na autorskom pravu na području EU generiraju 4,2% BDP-a te na području Unije osiguravaju 7 milijuna radnih mjesta; ovakav potencijal kulturne i kreativne industrije crpe i iz činjenice da je trajanje prava na području Unije 70 godina od smrti autora, sukladno Bernskoj konvenciji koja propisuje minimalne standarde trajanja zaštite;

Or. hr

Amendment 203

Milan Zver

Motion for a resolution

Paragraph 3 f (new)

Motion for a resolution

Amendment

3 f. Notes that the right to private property is one of the fundamentals of the modern society. Also notes that facilitation of access to educational materials and cultural goods is of extreme importance for the development of knowledge base society and that this should be taken into account by the legislators;

Or. en

Amendment 204

Angelika Niebler

Motion for a resolution

Paragraph 3 g (new)

Motion for a resolution

Amendment

3 g. stellt fest, dass der derzeitige Rechtsrahmen Leistungsschutzrechte für

ausübende Künstler, Tonträgerhersteller, Filmhersteller und Sendeunternehmen vorsieht, nicht aber für Presseverleger; fordert die Kommission daher auf, zu analysieren, ob Leistungsschutzrechte für Presseverleger deren Arbeit im Zeitalter einer digitalisierten Medienwelt angemessen schützen und vergüten können;

Or. de

Amendment 205
Laura Ferrara
Motion for a resolution
Paragraph 3 h (new)

Motion for a resolution

Amendment

3 h. invita la Commissione a riequilibrare il potere contrattuale degli autori prevedendo un termine obbligatorio, di durata ragionevole, per l'utilizzazione dei diritti trasferiti dall'autore ad un terzo, a pena di regresso;

Or. it

Amendment 206
Helga Trüpel
Motion for a resolution
Paragraph 3 i (new)

Motion for a resolution

Amendment

3 i. Fordert daher die Kommission auf die Einführung einer Abgabe zu prüfen, die von Verwertungsgesellschaften ausschließlich geltend gemacht werden kann, und die für Vervielfältigungen und das öffentliche Zugänglichmachen zu kommerziellen Zwecken von fremden, urheberrechtlich geschützten Inhalten greift, die von Diensteanbietern im Sinne von Art. 14 E-Commerce-Richtlinie für

die Allgemeinheit bereitgehalten werden, sofern keine anderen vertraglichen Regelungen getroffen wurden und der Rechteinhaber keine anderweitige Vergütung hierfür erhält.

Or. de

Amendment 207

Julia Reda, Christian Ehler, Josef Weidenholzer, Milan Zver

Motion for a resolution

Paragraph 3 j (new)

Motion for a resolution

Amendment

3 j. Suggests to further investigate the effects and benefits from a country of origin approach in rights clearance to facilitate pan-European commercial services; recommends building upon existing best-practice solutions to cross-border access in the area of satellite broadcasting and cable retransmission;

Or. en

Amendment 208

Jiří Maštálka

Motion for a resolution

Paragraph 4

Motion for a resolution

Amendment

4. Considers the introduction of a single European Copyright Title on the basis of Article 118 TFEU that would apply directly and uniformly across the EU, in accordance with the Commission's objective of better regulation, as a legal means to remedy the lack of harmonisation resulting from Directive 2001/29/EC;

deleted

Or. en

Amendment 209
József Szájer
Motion for a resolution
Paragraph 4

Motion for a resolution

Amendment

4. Considers the introduction of a single European Copyright Title on the basis of Article 118 TFEU that would apply directly and uniformly across the EU, in accordance with the Commission's objective of better regulation, as a legal means to remedy the lack of harmonisation resulting from Directive 2001/29/EC;

deleted

Or. en

Amendment 210
Virginie Rozière
Motion for a resolution
Paragraph 4

Motion for a resolution

Amendment

4. considère l'introduction d'un titre européen unique du droit d'auteur fondé sur l'article 118 du traité sur le fonctionnement de l'Union européenne (traité FUE) qui s'appliquerait directement et uniformément dans l'ensemble de l'Union européenne, conformément à l'objectif d'une meilleure réglementation de la Commission, comme un moyen juridique de pallier le manque d'harmonisation résultant de la directive 2001/29/CE;

supprimé

Or. fr

Amendment 211
Axel Voss
Motion for a resolution
Paragraph 4

Motion for a resolution

Amendment

4. betrachtet die Einführung eines einheitlichen Unionsurheberrechts auf der Grundlage des Artikels 118 AEUV, das im Einklang mit der von der Kommission angestrebten besseren Rechtsetzung unmittelbar und einheitlich in der EU Anwendung finden würde, als rechtliches Mittel zur Überwindung der sich aus der Richtlinie 2001/29/EG ergebenden fehlenden Harmonisierung;

entfällt

Or. de

Amendment 212
Marie-Christine Boutonnet
Motion for a resolution
Paragraph 4

Motion for a resolution

Amendment

4. considère l'introduction d'un titre européen unique du droit d'auteur fondé sur l'article 118 du traité sur le fonctionnement de l'Union européenne (traité FUE) qui s'appliquerait directement et uniformément dans l'ensemble de l'Union européenne, conformément à l'objectif d'une meilleure réglementation de la Commission, comme un moyen juridique de pallier le manque d'harmonisation résultant de la directive 2001/29/CE;

supprimé

Or. fr

Amendment 213
Jean-Marie Cavada, Therese Comodini Cachia
Motion for a resolution
Paragraph 4

Motion for a resolution

Amendment

4. considère l'introduction d'un titre

supprimé

européen unique du droit d'auteur fondé sur l'article 118 du traité sur le fonctionnement de l'Union européenne (traité FUE) qui s'appliquerait directement et uniformément dans l'ensemble de l'Union européenne, conformément à l'objectif d'une meilleure réglementation de la Commission, comme un moyen juridique de pallier le manque d'harmonisation résultant de la directive 2001/29/CE;

Or. fr

Amendment 214

Therese Comodini Cachia, Eva Paunova, Pavel Svoboda, Tadeusz Zwiefka, Bogdan Brunon Wenta, Rosa Estaràs Ferragut, Luis de Grandes Pascual, József Szájer, Giovanni Toti, Sabine Verheyen

Motion for a resolution

Paragraph 4

Motion for a resolution

Amendment

4. Considers the introduction of a single European Copyright Title on the basis of Article 118 TFEU that would apply directly and uniformly across the EU, in accordance with the Commission's objective of better regulation, as a legal means to remedy the lack of harmonisation resulting from Directive 2001/29/EC;

deleted

Or. en

Amendment 215

Kostas Chrysogonos, Jiří Maštálka

Motion for a resolution

Paragraph 4

Motion for a resolution

Amendment

4. εξετάζει τη θέσπιση ενός ενιαίου ευρωπαϊκού τίτλου δικαιωμάτων πνευματικής ιδιοκτησίας με βάση το άρθρο 118 της ΣΛΕΕ που θα ισχύσει

διαγράφεται

*άμεσα και ομοιόμορφα σε όλη την ΕΕ,
σύμφωνα με τον στόχο της Επιτροπής για
βελτίωση της κανονιστικής ρύθμισης, ως
νομικό μέσο για αποκατάσταση της
έλλειψης εναρμόνισης που προκύπτει από
την οδηγία 2001/29/ΕΚ.*

Or. el

Amendment 216
Kostas Chrysogonos, Jiří Maštálka
Motion for a resolution
Paragraph 4

Motion for a resolution

Amendment

*4. Considers the introduction of a single
European Copyright Title on the basis of
Article 118 TFEU that would apply
directly and uniformly across the EU, in
accordance with the Commission's
objective of better regulation, as a legal
means to remedy the lack of
harmonisation resulting from Directive
2001/29/EC;*

deleted

Or. en

Amendment 217
Inês Cristina Zuber
Motion for a resolution
Paragraph 4

Motion for a resolution

Amendment

*4. Considera a introdução de um regime
único europeu de direitos de autor, com
base no artigo 18.º do TFUE, que seria
direta e uniformemente aplicável em toda
a UE, de acordo com o objetivo da
Comissão de uma melhor
regulamentação, uma forma jurídica de
solucionar a falta de harmonização
resultantes da Diretiva 2001/29/CE;*

Suprimido

Or. pt

Amendment 218

Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López

Motion for a resolution

Paragraph 4

Motion for a resolution

4. Considera la introducción de un título único europeo de los derechos de autor, sobre la base del artículo 118 del TFUE, que se aplicaría directa y uniformemente en toda la UE, de conformidad con el objetivo de la Comisión de regular mejor, como medio jurídico para paliar la falta de armonización derivada de la Directiva 2001/29/CE;

Amendment

4. Insta a la Comisión a plantear fórmulas para paliar la falta de armonización derivada de la Directiva 2001/29/CE, teniendo en cuenta la necesidad de aportar soluciones equilibradas que ayuden a superar y/o mejorar el acceso transfronterizo y la portabilidad de productos y servicios en base a las nuevas demandas de consumo;

Or. es

Amendment 219

Constance Le Grip, Marc Joulaud, Sabine Verheyen

Motion for a resolution

Paragraph 4

Motion for a resolution

4. considère l'introduction d'un titre européen unique du droit d'auteur fondé sur l'article 118 du traité sur le fonctionnement de l'Union européenne (traité FUE) qui s'appliquerait directement et uniformément dans l'ensemble de l'Union européenne, conformément à l'objectif d'une meilleure réglementation de la Commission, comme un moyen juridique de pallier le manque d'harmonisation résultant de la directive 2001/29/CE;

Amendment

4. rappelle que les droits exclusifs et la liberté contractuelle sont fondamentales pour le financement de la création et de la répartition des risques; insiste sur le fait que la capacité d'attirer des investissements pour la production et la coproduction de films et de contenus télévisés repose sur des critères liés à la portée territoriale telle que les caractéristiques linguistiques, les préférences culturelles locales, et que cet écosystème fonctionne sur le principe de licences territoriales exclusives;

Or. fr

Amendment 220

Angel Dzhambazki, Sajjad Karim

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Considers the introduction of **a single European Copyright Title on the basis of Article 118 TFEU that would apply directly and uniformly across the EU, in accordance** with the **Commission's** objective of better regulation, **as a legal** means to remedy **the** lack of harmonisation resulting from Directive 2001/29/EC;

Amendment

4. Considers **that** the introduction of **targeted and appropriate measures, based on robust evidence and in compliance** with the **Commission's** objective of Better Regulation, **could be a** means to remedy **specific obstacles caused by the** lack of harmonisation resulting from Directive 2001/29/EC;

Or. en

Amendment 221
Enrico Gasbarra
Motion for a resolution
Paragraph 4

Motion for a resolution

4. **considera che l'introduzione** di un titolo unico europeo sul diritto d'autore basato sull'articolo 118 del TFUE, da applicare in modo diretto in tutta l'Unione europea conformemente all'obiettivo della Commissione di legiferare meglio, **costituirebbe uno strumento giuridico con il quale porre rimedio alla mancanza di armonizzazione risultante dalla direttiva 2001/29/CE;**

Amendment

4. **osserva con interesse il dibattito in corso in merito all'introduzione** di un titolo unico europeo sul diritto d'autore basato sull'articolo 118 del TFUE, da applicare in modo diretto in tutta l'Unione europea conformemente all'obiettivo della Commissione di legiferare meglio;

Or. it

Amendment 222
Julia Reda, Victor Negrescu, Mary Honeyball, Josef Weidenholzer, Dietmar Köster, Mady Delvaux
Motion for a resolution
Paragraph 4

Motion for a resolution

4. **Considers** the introduction of a single

Amendment

4. **Invites the Commission to explore** the

European Copyright Title *on the basis of* Article 118 TFEU that would apply directly and uniformly across the *EU, in accordance* with the *Commission's* objective of better regulation, *as a legal means to remedy the lack of harmonisation resulting from Directive 2001/29/EC*;

introduction of a single European Copyright Title *based on* Article 118 TFEU that would apply directly and uniformly across the *Union as a legal means to remedy the lack of harmonisation resulting from Directive 2001/29/EC and to improve legal certainty in line* with the *Commission's* objective of better regulation; *therefore calls on the Commission to study the impact of a single European Copyright Title on digital jobs and innovation, and on the preservation of consumers' access to regional cultural diversity*;

Or. en

Amendment 223
Victor Negrescu
Motion for a resolution
Paragraph 4

Motion for a resolution

4. *Considers* the introduction of a single European Copyright Title *on the basis of* Article 118 TFEU that would apply directly and uniformly across the *EU, in accordance* with the *Commission's* objective of better regulation, *as a legal means to remedy the lack of harmonisation resulting from Directive 2001/29/EC*;

Amendment

4. *Invites the Commission to explore* the introduction of a single European Copyright Title *based on* Article 118 TFEU that would apply directly and uniformly across the *Union as a legal means to remedy the lack of harmonisation resulting from Directive 2001/29/EC and to improve legal certainty in line* with the *Commission's* objective of better regulation; *therefore calls on the Commission to study the impact of a single European Copyright Title on digital jobs and innovation, and on the preservation of consumers' access to regional cultural diversity*;

Or. en

Amendment 224
Angelika Niebler

Motion for a resolution
Paragraph 4

Motion for a resolution

4. betrachtet die Einführung eines einheitlichen Unionsurheberrechts auf der Grundlage des Artikels 118 AEUV, das **im Einklang mit der von der Kommission angestrebten besseren Rechtsetzung** unmittelbar und einheitlich in der EU Anwendung finden würde, **als** rechtliches Mittel zur Überwindung der sich aus der Richtlinie 2001/29/EG ergebenden fehlenden Harmonisierung;

Amendment

4. betrachtet die Einführung eines **optionalen** einheitlichen Unionsurheberrechts auf der Grundlage des Artikels 118 AEUV, das unmittelbar und einheitlich in der EU Anwendung finden würde, **langfristig als mögliches** rechtliches Mittel zur Überwindung der sich aus der Richtlinie 2001/29/EG ergebenden fehlenden Harmonisierung; **fordert ein umfassendes Impact Assessment als Grundlage für zukünftige Diskussionen zu diesem Thema; empfiehlt zwischenzeitlich eine Modernisierung bestehender Gesetzgebung, die - insbesondere in Bezug auf das Herkunftslandprinzip - technologieneutral ausgestaltet ist, um die Rechtklärung für audio- und audiovisuelle Online-Dienste zu vereinfachen;**

Or. de

Amendment 225
Lidia Joanna Geringer de Oedenberg
Motion for a resolution
Paragraph 4

Motion for a resolution

4. rozważa wprowadzenie na podstawie art. 118 TFUE jednolitego europejskiego tytułu uprawniającego do korzystania z praw autorskich, który miałby bezpośrednie i jednolite zastosowanie w całej UE, zgodnie z wyznaczonym przez Komisję celem lepszego stanowienia prawa, i który służyłby za środek prawny będący rozwiązaniem w sytuacji braku harmonizacji wynikającej z dyrektywy 2001/29/WE;

Amendment

4. rozważa wprowadzenie na podstawie art. 118 TFUE jednolitego europejskiego tytułu uprawniającego do korzystania z praw autorskich, który miałby bezpośrednie i jednolite zastosowanie w całej UE, zgodnie z wyznaczonym przez Komisję celem lepszego stanowienia prawa, i który służyłby za środek prawny będący rozwiązaniem w sytuacji braku harmonizacji wynikającej z dyrektywy 2001/29/WE; **Podobną harmonizację wprowadziła już dyrektywa w sprawie**

Or. pl

Amendment 226
Cecilia Wikström
Motion for a resolution
Paragraph 4

Motion for a resolution

4. Considers the introduction of a single European Copyright Title on the basis of Article 118 TFEU that would apply directly and uniformly across the EU, in accordance with the Commission's objective of better regulation, as a **legal** means to remedy the lack of harmonisation resulting from Directive 2001/29/EC;

Amendment

4. Considers the introduction of a single European Copyright Title on the basis of Article 118 TFEU that would apply directly and uniformly across the EU, in accordance with the Commission's objective of better regulation, as a **potential** means to remedy the lack of harmonisation resulting from **Directive 2001/29/EC, which merits to be properly assessed by the commission in its review of** Directive 2001/29/EC;

Or. en

Amendment 227
Helga Trüpel, Heidi Hautala
Motion for a resolution
Paragraph 4

Motion for a resolution

4. **betrachtet die** Einführung eines einheitlichen Unionsurheberrechts auf der Grundlage des Artikels 118 AEUV, das im Einklang mit der von der Kommission angestrebten besseren Rechtsetzung unmittelbar und einheitlich in der EU Anwendung finden würde, als rechtliches Mittel zur Überwindung der sich aus der Richtlinie 2001/29/EG ergebenden fehlenden Harmonisierung;

Amendment

4. **fordert die Prüfung einer** Einführung eines einheitlichen Unionsurheberrechts auf der Grundlage des Artikels 118 AEUV, das im Einklang mit der von der Kommission angestrebten besseren Rechtsetzung unmittelbar und einheitlich in der EU Anwendung finden würde, als rechtliches Mittel zur Überwindung der sich aus der Richtlinie 2001/29/EG ergebenden fehlenden Harmonisierung;

Amendment 228
Cecilia Wikström
Motion for a resolution
Paragraph 4 a (new)

Motion for a resolution

Amendment

4 a. Considers that a large part of the fragmentation of the digital single market for cultural content needs to be tackled with further legislative measures, also besides the review of the Directive 2001/29/EC, targeted at the lack of harmonised approach notably with regards to the licensing of cultural content and in this context welcomes the progress which was achieved through the adoption of the Collective Rights Management Directive as an important first step;

Or. en

Amendment 229
Julia Reda, Josef Weidenholzer
Motion for a resolution
Paragraph 4 b (new)

Motion for a resolution

Amendment

4 b. Notes the adoption by the Commission of legal instruments aiming at removing obstacles to bringing out the full economic potential from the exploitation of public sector information, and allowing the re-use of such information even in the presence of intellectual property rights;

Or. en

Amendment 230
Jean-Marie Cavada

Motion for a resolution
Paragraph 4 c (new)

Motion for a resolution

Amendment

4 c. Rappelle que les droits exclusifs et la liberté contractuelle sont des éléments fondamentaux de l'écosystème fragile de la création et de son financement, puisqu'ils permettent de mieux répartir les risques, d'impliquer différents acteurs au sein de projets communs au bénéfice d'un public culturellement diversifié, et d'inciter à l'investissement dans la production de contenu professionnel;

Or. fr

Amendment 231
Evelyn Regner, Josef Weidenholzer
Motion for a resolution
Paragraph 4 d (new)

Motion for a resolution

Amendment

4 d. Considers the introduction of a single European Copyright Title as a long term project, which should be progressed

Or. en

Amendment 232
Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López
Motion for a resolution
Paragraph 4 e (new)

Motion for a resolution

Amendment

4 e. Resalta la importancia de avanzar en la armonización fiscal del sector cultural en el seno de la Unión Europea, de cara a reducir las disparidades entre Estados miembros, y asegurar una

competencia equilibrada que supere la existencia de 28 regímenes fiscales diferentes;

Or. es

Amendment 233
Virginie Rozière, Mady Delvaux, Jean-Marie Cavada
Motion for a resolution
Paragraph 4 f (new)

Motion for a resolution

Amendment

4 f. Rappelle la possibilité d'utilisation de licences multi territoriales, comme prévu notamment par la directive 2014/26/UE sur la gestion collective du droit d'auteur, en cas de volonté des diffuseurs de couvrir l'entièreté du territoire européen;

Or. fr

Amendment 234
Evelyn Regner, Josef Weidenholzer
Motion for a resolution
Paragraph 4 g (new)

Motion for a resolution

Amendment

4 g. Urges the Commission to present concrete proposals to amend the Directive 2001/29/EG before December 2015

Or. en

Amendment 235
Jean-Marie Cavada, Virginie Rozière
Motion for a resolution
Paragraph 4 h (new)

Motion for a resolution

Amendment

4 h. Rappelle que le financement, la production et la co-production de films et

contenus télévisuels sont largement dépendants de licences territoriales exclusives accordées aux distributeurs locaux sur différentes plateformes qui répondent aux spécificités culturelles des différents marchés européens ; souligne dès lors que la liberté contractuelle de choisir l'étendue territoriale et différentes plateformes de distribution encourage l'investissement dans les films et les contenus télévisuels ainsi que la diversité culturelle ; appelle la Commission à garantir qu'une initiative sur la modernisation du droit d'auteur soit précédée d'une large étude d'impact sur ses effets sur la production, le financement et la distribution de films et de contenus télévisuels ainsi que sur la diversité culturelle;

Or. fr

Amendment 236
Constance Le Grip
Motion for a resolution
Paragraph 5

Motion for a resolution

Amendment

5. recommande au législateur européen de poursuivre la suppression des obstacles à la réutilisation des informations du secteur public en exemptant les œuvres produites par le secteur public de la protection du droit d'auteur, dans le cadre du processus politique, juridique et administratif;

supprimé

Or. fr

Amendment 237
Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López
Motion for a resolution
Paragraph 5

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Motion for a resolution

Amendment

5. Recomienda que el legislador de la UE reduzca aún más los obstáculos a la reutilización de la información del sector público eximiendo a las obras producidas por este sector -como parte del proceso político, jurídico y administrativo- de la protección de los derechos de autor;

suprimido

Or. es

Amendment 238

József Szájer

Motion for a resolution

Paragraph 5

Motion for a resolution

Amendment

5. Recommends that the EU legislator further lower the barriers to the re-use of public sector information by exempting works produced by the public sector – as part of the political, legal and administrative process – from copyright protection;

deleted

Or. en

Amendment 239

Virginie Rozière

Motion for a resolution

Paragraph 5

Motion for a resolution

Amendment

5. recommande au législateur européen de poursuivre la suppression des obstacles à la réutilisation des informations du secteur public en exemptant les œuvres produites par le secteur public de la protection du droit d'auteur, dans le cadre du processus politique, juridique et administratif;

supprimé

Amendment 240
Axel Voss
Motion for a resolution
Paragraph 5

Motion for a resolution

Amendment

5. empfiehlt, dass der Unionsgesetzgeber die Hindernisse für die Weiterverwendung von Informationen des öffentlichen Sektors weiter abbaut, indem amtliche Werke, die im Zuge eines politischen, rechtlichen oder administrativen Verfahrens erstellt werden, vom Urheberrechtsschutz ausgenommen werden; **entfällt**

Or. de

Amendment 241
Marie-Christine Boutonnet
Motion for a resolution
Paragraph 5

Motion for a resolution

Amendment

5. recommande au législateur européen de poursuivre la suppression des obstacles à la réutilisation des informations du secteur public en exemptant les œuvres produites par le secteur public de la protection du droit d'auteur, dans le cadre du processus politique, juridique et administratif; **supprimé**

Or. fr

Amendment 242
Jean-Marie Cavada, Therese Comodini Cachia
Motion for a resolution
Paragraph 5

Motion for a resolution

Amendment

5. recommande au législateur européen de poursuivre la suppression des obstacles à la réutilisation des informations du secteur public en exemptant les œuvres produites par le secteur public de la protection du droit d'auteur, dans le cadre du processus politique, juridique et administratif;

supprimé

Or. fr

Amendment 243

Therese Comodini Cachia, Rosa Estaràs Ferragut, Luis de Grandes Pascual, Marc Joulaud, Jean-Marie Cavada, Mary Honeyball, József Szájer, Giovanni Toti, Sabine Verheyen

Motion for a resolution

Paragraph 5

Motion for a resolution

Amendment

5. Recommends that the EU legislator further lower the barriers to the re-use of public sector information by exempting works produced by the public sector – as part of the political, legal and administrative process – from copyright protection;

deleted

Or. en

Amendment 244

Jytte Guteland

Motion for a resolution

Paragraph 5

Motion for a resolution

Amendment

5. Europaparlamentet rekommenderar att EU:s lagstiftare ytterligare begränsar hindren för vidareutnyttjande av information från den offentliga sektorn genom att undanta verk som producerats av aktörer inom den offentliga sektorn –

utgår

som en del av den politiska, rättsliga och administrativa processen – från det upphovsrättsliga skyddet.

Or. sv

Amendment 245
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Paragraph 5

Motion for a resolution

5. Recommends *that the EU legislator further lower* the barriers to the re-use of public sector information by *exempting works produced by the public sector – as part of the political, legal and administrative process – from copyright protection*;

Amendment

5. Recommends *reducing* the barriers to the re-use of public sector information by *encouraging the use of appropriate licensing*;

Or. en

Amendment 246
Angelika Niebler
Motion for a resolution
Paragraph 5

Motion for a resolution

5. empfiehlt, das der Unionsgesetzgeber die Hindernisse für die Weiterverwendung von Informationen des öffentlichen Sektors weiter abbaut, *indem amtliche Werke, die im Zuge eines politischen, rechtlichen oder administrativen Verfahrens erstellt werden, vom Urheberrechtsschutz ausgenommen werden*;

Amendment

5. empfiehlt, das der Unionsgesetzgeber die Hindernisse für die Weiterverwendung von Informationen des öffentlichen Sektors weiter abbaut;

Or. de

Amendment 247
Victor Negrescu
Motion for a resolution
Paragraph 5

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Motion for a resolution

5. Recommends that the EU legislator further lower the barriers *to the* re-use of public sector information by exempting works ***produced by the public sector*** – as part of the political, legal and administrative process – from copyright protection;

Amendment

5. Recommends that the EU legislator ***should, while protecting personal information,*** further lower the barriers ***for*** re-use of public sector information by exempting ***official*** works, ***which are produced by government employees*** as part of ***their official duty within*** the political, legal and administrative process, from copyright protection;

Or. en

Amendment 248

Sergio Gaetano Cofferati, Lidia Joanna Geringer de Oedenberg

Motion for a resolution

Paragraph 5

Motion for a resolution

5. raccomanda al legislatore unionale di abbassare ulteriormente gli ostacoli al riutilizzo dell'informazione del settore pubblico, esentando le opere prodotte nel contesto del processo politico, giuridico e amministrativo del settore pubblico dalla protezione del diritto d'autore;

Amendment

5. raccomanda al legislatore unionale, ***al fine di difendere l'interesse generale,*** di abbassare ulteriormente gli ostacoli al riutilizzo dell'informazione del settore pubblico, esentando le opere prodotte nel contesto del processo politico, giuridico e amministrativo del settore pubblico dalla protezione del diritto d'autore;

Or. it

Amendment 249

Enrico Gasbarra, Silvia Costa

Motion for a resolution

Paragraph 5

Motion for a resolution

5. raccomanda al legislatore unionale di ***abbassare ulteriormente gli ostacoli al*** riutilizzo dell'informazione del settore pubblico, ***esentando le opere prodotte nel contesto del processo politico, giuridico e amministrativo del settore pubblico dalla***

Amendment

5. raccomanda al legislatore unionale di ***valutare come adattare la legislazione in merito al*** riutilizzo dell'informazione del settore pubblico, ***tenendo conto dei principi ispiratori del diritto d'autore e della pertinente giurisprudenza della***

protezione del diritto d'autore;

Corte di Giustizia;

Or. it

Amendment 250

Julia Reda, Victor Negrescu, Josef Weidenholzer

Motion for a resolution

Paragraph 5

Motion for a resolution

5. Recommends that the EU legislator further lower the barriers *to the* re-use of public sector information by exempting works *produced by the public sector* – as part of the political, legal and administrative process – from copyright protection;

Amendment

5. Recommends that the EU legislator *should, while protecting personal information*, further lower the barriers *for* re-use of public sector information by exempting *official* works, *which are produced by government employees* as part of *their official duty within* the political, legal and administrative process, from copyright protection;

Or. en

Amendment 251

Angel Dzhambazki, Sajjad Karim

Motion for a resolution

Paragraph 5 a (new)

Motion for a resolution

Amendment

5 a. Recalls the adoption of Directive 2013/37/EU on 26 June 2013 on the re-use of public sector information, which provides a common legal framework for an EU market for government-held data (public sector information) and includes provisions on transparency and competition;

Or. en

Amendment 252

Constance Le Grip

Motion for a resolution

Paragraph 6

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Motion for a resolution

Amendment

6. demande à la Commission de protéger les œuvres du domaine public, qui ne sont par définition pas soumises à la protection du droit d'auteur et devraient par conséquent pouvoir être utilisées et réutilisées sans obstacles techniques ou contractuels; invite également la Commission à reconnaître la liberté des titulaires de droits de renoncer volontairement à leurs droits et d'abandonner leurs œuvres au domaine public;

supprimé

Or. fr

Amendment 253

József Szájer

Motion for a resolution

Paragraph 6

Motion for a resolution

Amendment

6. Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright protection and should therefore be able to be used and re-used without technical or contractual barriers; also calls on the Commission to recognise the freedom of rightholders to voluntarily relinquish their rights and dedicate their works to the public domain;

deleted

Or. en

Amendment 254

Angel Dzhambazki, Sajjad Karim

Motion for a resolution

Paragraph 6

Motion for a resolution

Amendment

6. Calls on the Commission to safeguard

deleted

public domain works, which are by definition not subject to copyright protection and should therefore be able to be used and re-used without technical or contractual barriers; also calls on the Commission to recognise the freedom of rightholders to voluntarily relinquish their rights and dedicate their works to the public domain;

Or. en

Amendment 255

Axel Voss

Motion for a resolution

Paragraph 6

Motion for a resolution

Amendment

6. fordert die Kommission auf, für gemeinfreie Werke zu sorgen, die definitionsgemäß nicht dem Urheberrechtsschutz unterliegen und daher ohne technische oder vertragliche Hindernisse genutzt und in geänderter Form genutzt werden können; fordert die Kommission auch auf, den Rechtsinhabern die Möglichkeit einzuräumen, freiwillig auf ihre Rechte zu verzichten und ihre Werke gemeinfrei zur Verfügung zu stellen;

entfällt

Or. de

Amendment 256

Therese Comodini Cachia, Eva Paunova, Pavel Svoboda, Marc Joulaud, József Szájer, Giovanni Toti, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Sabine Verheyen

Motion for a resolution

Paragraph 6

Motion for a resolution

Amendment

6. Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright protection and should therefore be able to

deleted

be used and re-used without technical or contractual barriers; also calls on the Commission to recognise the freedom of rightholders to voluntarily relinquish their rights and dedicate their works to the public domain;

Or. en

Amendment 257
Jean-Marie Cavada
Motion for a resolution
Paragraph 6

Motion for a resolution

6. demande à la Commission de protéger les œuvres du domaine public, qui ne sont par définition pas soumises à la protection du droit d'auteur et devraient par conséquent pouvoir être utilisées et réutilisées sans obstacles techniques ou contractuels; *invite également la Commission à reconnaître la liberté des titulaires de droits de renoncer volontairement à leurs droits et d'abandonner leurs œuvres au domaine public;*

Amendment

6. demande à la Commission de protéger les œuvres du domaine public, qui ne sont par définition pas soumises à la protection du droit d'auteur et devraient par conséquent pouvoir être utilisées et réutilisées sans obstacles techniques ou contractuels;

Or. fr

Amendment 258
Mary Honeyball, Virginie Rozière, Dietmar Köster
Motion for a resolution
Paragraph 6

Motion for a resolution

6. *Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright protection and should therefore be able to be used and re-used without technical or contractual barriers; also calls on the Commission to recognise the freedom of rightholders to voluntarily relinquish*

Amendment

6. *Highlights the need for a common definition of 'public domain' so as to ensure the widespread dissemination of cultural content across the EU;*

their rights and dedicate their works to the public domain;

Or. en

Amendment 259

Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López

Motion for a resolution

Paragraph 6

Motion for a resolution

6. Insta a la Comisión a que proteja las obras de dominio público, que, por definición, no están sujetas a la protección de los derechos de autor y, por lo tanto, deben poder utilizarse y reutilizarse sin obstáculos técnicos o contractuales; ***insta asimismo a la Comisión a que reconozca la libertad de los titulares de derechos de renunciar voluntariamente a los mismos y dedicar sus obras al dominio público;***

Amendment

6. Insta a la Comisión a que proteja las obras de dominio público, que, por definición, no están sujetas a la protección de los derechos de autor y, por lo tanto, deben poder utilizarse y reutilizarse sin obstáculos técnicos o contractuales;

Or. es

Amendment 260

Helga Trüpel, Heidi Hautala

Motion for a resolution

Paragraph 6

Motion for a resolution

6. fordert die Kommission auf, für gemeinfreie Werke zu sorgen, die definitionsgemäß nicht dem Urheberrechtsschutz unterliegen und daher ohne technische oder vertragliche Hindernisse genutzt und in geänderter Form genutzt werden können; fordert die Kommission auch auf, den Rechtsinhabern die Möglichkeit einzuräumen, freiwillig auf ihre ***Rechte*** zu verzichten und ihre Werke gemeinfrei zur Verfügung zu

Amendment

6. fordert die Kommission auf, für gemeinfreie Werke zu sorgen, die definitionsgemäß nicht dem Urheberrechtsschutz unterliegen und daher ohne technische oder vertragliche Hindernisse genutzt und in geänderter Form genutzt werden können; fordert die Kommission ***auf zu prüfen, inwieweit einzelne Werke aus dem Katalog von Verwertungsgesellschaften für freie Lizenzen/gemeinfreie Nutzung auf***

stellen;

Wunsch des Urhebers herausgenommen werden können. Fordert die Kommission auch auf, zu prüfen inwieweit es möglich ist, den Rechtsinhabern die Möglichkeit einzuräumen, freiwillig auf ihre Nutzungsrechte zu verzichten und ihre Werke gemeinfrei zur Verfügung zu stellen;

Or. de

Amendment 261
Laura Ferrara
Motion for a resolution
Paragraph 6

Motion for a resolution

6. invita la Commissione a salvaguardare le opere di pubblico dominio che, per definizione, non sono ***soggetta*** alla protezione del diritto d'autore e dovrebbero pertanto poter essere utilizzate e riutilizzate senza ostacoli tecnici o contrattuali; invita inoltre la Commissione a riconoscere la libertà del titolare di diritti di rinunciare volontariamente ai propri diritti ***e*** cedere le proprie opere al pubblico dominio;

Amendment

6. invita la Commissione a salvaguardare le opere di pubblico dominio che, per definizione, non sono ***soggette*** alla protezione del diritto d'autore e dovrebbero pertanto poter essere utilizzate e riutilizzate senza ostacoli tecnici o contrattuali; invita inoltre la Commissione a riconoscere la libertà del titolare di diritti di rinunciare volontariamente ai propri diritti, ***in tutto o in parte, ivi inclusa la possibilità di*** cedere le proprie opere al pubblico dominio;

Or. it

Amendment 262
Isabella Adinolfi
Motion for a resolution
Paragraph 6

Motion for a resolution

6. Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright protection and should therefore be able to be used and re-used without technical or

Amendment

6. Calls on the Commission to ***effectively*** safeguard public domain works, which are by definition not subject to copyright protection and should therefore be able to be used and re-used without

contractual barriers; also calls on the Commission to recognise the freedom of rightholders to voluntarily relinquish their rights and dedicate their works to the public domain;

technical or contractual barriers; also calls on the Commission to recognise the freedom of rightholders to voluntarily relinquish their rights and dedicate their works to the public domain;

Or. en

Amendment 263
Victor Negrescu
Motion for a resolution
Paragraph 6

Motion for a resolution

6. Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright protection and **should** therefore **be able to** be used and re-used without technical or contractual barriers; also calls on the Commission to recognise the freedom of **rightholders to voluntarily relinquish their rights and** dedicate their works to the public domain;

Amendment

6. Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright protection, and therefore **should** be used and re-used without technical or contractual barriers; **therefore urges the Commission to clarify that once a work is in the public domain, any digitisation of the work which does not constitute a new, transformative work, stays in the public domain;** also calls on the Commission to recognise the freedom of **authors to** dedicate their works to the public domain;

Or. en

Amendment 264
Julia Reda, Victor Negrescu, Josef Weidenholzer
Motion for a resolution
Paragraph 6

Motion for a resolution

6. Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright protection and **should** therefore **be able to** be used and re-used without technical or contractual barriers; also calls on the Commission to recognise the freedom of **rightholders to voluntarily relinquish**

Amendment

6. Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright protection, and therefore **should** be used and re-used without technical or contractual barriers; **therefore urges the Commission to clarify that once a work is in the public domain, any digitisation of**

their rights and dedicate their works to the public domain;

the work which does not constitute a new, transformative work, stays in the public domain; also calls on the Commission to recognise the freedom of *authors to* dedicate their works to the public domain;

Or. en

Amendment 265
Enrico Gasbarra, Silvia Costa
Motion for a resolution
Paragraph 6

Motion for a resolution

6. invita la Commissione a *salvaguardare le* opere di pubblico dominio che, per definizione, non sono *soggetta* alla protezione del diritto d'autore e dovrebbero pertanto poter essere utilizzate e riutilizzate senza ostacoli tecnici o contrattuali; invita inoltre la Commissione a riconoscere la libertà del titolare di diritti di rinunciare volontariamente ai propri diritti e cedere le proprie opere al pubblico dominio;

Amendment

6. invita la Commissione a *definire con maggiore chiarezza l'ambito di fruizione delle* opere di pubblico dominio che, per definizione, non sono *soggette* alla protezione del diritto d'autore e dovrebbero pertanto poter essere utilizzate e riutilizzate senza ostacoli tecnici o contrattuali; invita inoltre la Commissione a riconoscere la libertà del titolare di diritti di rinunciare volontariamente ai propri diritti e cedere le proprie opere al pubblico dominio;

Or. it

Amendment 266
Julia Reda, Christian Ehler, Josef Weidenholzer
Motion for a resolution
Paragraph 6 a (new)

Motion for a resolution

6 a. Considers that the registration of works should be encouraged, in order to clearly identify and locate right holders, as well as to distinguish between copyrighted and non-copyrighted works, thus improving legal certainty, facilitating the licensing of rights and limiting the spread of orphan works; more broadly, is of the opinion that mechanisms allowing

Amendment

to identify the initial rightholder, the transfer of rights and the publication date of the work, should serve as a presumption of authorship;

Or. en

Amendment 267
Constance Le Grip
Motion for a resolution
Paragraph 7

Motion for a resolution

Amendment

7. demande à la Commission d'harmoniser la durée de protection du droit d'auteur à une durée qui ne dépasse pas les normes internationales actuelles fixées dans la Convention de Berne;

supprimé

Or. fr

Amendment 268
József Szájer
Motion for a resolution
Paragraph 7

Motion for a resolution

Amendment

7. Calls on the Commission to harmonise the term of protection of copyright to a duration that does not exceed the current international standards set out in the Berne Convention;

deleted

Or. en

Amendment 269
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Paragraph 7

Motion for a resolution

Amendment

7. Calls on the Commission to harmonise the term of protection of copyright to a duration that does not exceed the current international standards set out in the Berne Convention; *deleted*

Or. en

Amendment 270

Juan Fernando López Aguilar, José Blanco López, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial

Motion for a resolution

Paragraph 7

Motion for a resolution

Amendment

7. Insta a la Comisión a armonizar la duración de la protección de los derechos de autor a un periodo que no exceda de las actuales normas internacionales establecidas en el Convenio de Berna; *suprimido*

Or. es

Amendment 271

Therese Comodini Cachia, Marc Joulaud, Pavel Svoboda, Mary Honeyball, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Giovanni Toti, József Szájer, Sabine Verheyen

Motion for a resolution

Paragraph 7

Motion for a resolution

Amendment

7. Calls on the Commission to harmonise the term of protection of copyright to a duration that does not exceed the current international standards set out in the Berne Convention; *deleted*

Or. en

Amendment 272
Jean-Marie Cavada
Motion for a resolution
Paragraph 7

Motion for a resolution

7. demande à la Commission d'harmoniser la durée de protection du droit d'auteur à une durée qui ne dépasse pas les normes internationales actuelles fixées dans la Convention de Berne;

Amendment

7. note que la durée de protection est harmonisée au niveau européen depuis 2006 (directive 2006/116/CE); note que la directive 2011/77/UE va dans le sens d'une simplification en alignant la durée de protection des droits voisins sur celle du droit d'auteur et en réglant la question des œuvres co-écrites ; encourage la poursuite de la rationalisation dans l'application de la directive dans toute l'UE;

Or. fr

Amendment 273
Marie-Christine Boutonnet
Motion for a resolution
Paragraph 7

Motion for a resolution

7. demande à la Commission d'harmoniser la durée de protection du droit d'auteur à une durée qui ne dépasse pas les normes internationales actuelles fixées dans la Convention de Berne;

Amendment

7. L'auteur a vocation à tirer profit de son travail, il a donc des droits patrimoniaux qui lui sont universellement reconnus.

Il convient de respecter la durée de 70 ans post-mortem en vigueur dans nombre de pays européens.

Or. fr

Amendment 274
Axel Voss
Motion for a resolution
Paragraph 7

Motion for a resolution

7. fordert die Kommission auf, die Schutzdauer des Urheberrechts ***auf eine Dauer zu harmonisieren, die nicht die derzeit geltenden internationalen Standards der Berner Übereinkunft überschreitet***;

Amendment

7. fordert die Kommission auf, die Schutzdauer des Urheberrechts ***gemäß den derzeit geltenden, auf der Berner Konvention basierenden Standards der Richtlinie 2006/116/EG des Europäischen Parlaments und des Rates vom 12. Dezember 2006 und der Richtlinie 2011/77/EU des Europäischen Parlaments und des Rates vom 27. September 2011 zu formulieren***;

Or. de

Amendment 275

Angelika Niebler

Motion for a resolution

Paragraph 7

Motion for a resolution

7. ***fordert die Kommission auf, die Schutzdauer des Urheberrechts auf eine Dauer zu harmonisieren, die nicht die derzeit geltenden internationalen Standards der Berner Übereinkunft überschreitet***;

Amendment

7. ***betont, dass die Richtlinie 2006/11/EC eine Schutzdauer des Urheberrechts festlegt, welche die in den vergangenen Jahrzehnten gestiegene durchschnittliche Lebenserwartung von Urhebern berücksichtigt und dem politischen Willen gerecht wird, zwei nachfolgende Generationen zu umfassen***;

Or. de

Amendment 276

Jiří Maštálka

Motion for a resolution

Paragraph 7

Motion for a resolution

7. ***Calls on the Commission to harmonise the term of protection of copyright to a duration that does not exceed the current***

Amendment

7. ***Notes that the term of protection of copyright has been harmonise at EU level by the Directive 2006/116/EC (which was***

international standards set out in the Berne Convention;

revised by Directive 2011/77/EU) without prejudice to the current international standards set out in the Berne Convention; encourages Member States to finalise the transposition and implementation of this directive in a streamlined manner

Or. en

Amendment 277
Cecilia Wikström
Motion for a resolution
Paragraph 7

Motion for a resolution

7. Calls on the Commission to **harmonise the term of protection of copyright to a duration that does not exceed the current international standards set out in the Berne Convention;**

Amendment

7. Calls on the Commission to **explore the possibility to significantly shorten the duration of the harmonised terms of protections of copyright within the framework of a modern trade policy agenda;**

Or. en

Amendment 278
Tonino Picula
Motion for a resolution
Paragraph 7

Motion for a resolution

7. poziva Komisiju da utvrdi trajanje zaštite autorskog prava ne prekoračujući pritom vremenske okvire utvrđene postojećim međunarodnim standardima iz Bernske konvencije;

Amendment

7. poziva Komisiju da utvrdi trajanje zaštite autorskog prava ne prekoračujući pritom vremenske okvire utvrđene postojećim međunarodnim standardima iz Bernske konvencije; **podsjeća Komisiju da je autorsko pravo pokretač svekolikog društvenog i gospodarskog razvoja; sa više od 535 milijardi prometa na tržišti EU, kulturne i kreativne industrije koje su utemeljene upravo na autorskom pravu na području EU generiraju 4,2% BDP-a te osiguravaju 7 milijuna radnih mjesta (usmjerenih na lokalno uglavnom mlađe stanovništvo); one stabilnim**

*poslovanjem čak i u vrijeme krize
pokazuju veliku otpornost na
gospodarsku krizu a time i ogroman
gospodarski potencijal; ovakav potencijal
kulturne i kreativne industrije crpe i iz
činjenice da je na području EU, a
sukladno Bernskoj konvenciji koja
propisuje minimalne standarde trajanja
zaštite, trajanje zaštite propisano na 70
godina od smrti autora*

Or. hr

Amendment 279
Virginie Rozière, Jean-Marie Cavada
Motion for a resolution
Paragraph 7

Motion for a resolution

7. demande à la Commission *d'harmoniser* la durée de protection du droit d'auteur à *une durée qui ne dépasse pas les normes internationales actuelles fixées dans la Convention de Berne*;

Amendment

7. demande à la Commission *de maintenir l'harmonisation élevée de* la durée de protection du droit d'auteur, *conforme à la Convention de Berne; Souligne que la durée de protection des titulaires de droits voisins devrait également être harmonisée*;

Or. fr

Amendment 280
Laura Ferrara
Motion for a resolution
Paragraph 7

Motion for a resolution

7. invita la Commissione ad armonizzare la durata della protezione *del diritto* d'autore a un periodo che non superi gli attuali standard internazionali stabiliti nella convenzione di Berna;

Amendment

7. invita la Commissione ad armonizzare la durata della protezione *dei diritti* d'autore *e connessi* a un periodo che non superi gli attuali standard internazionali stabiliti nella convenzione di Berna, *tenendo conto del tempo necessario al recupero dell'investimento, della vita commerciale*

*media dell'opera nonchè dell'interesse
pubblico alla disseminazione delle opere
dell'ingegno;*

Or. it



EUROPEAN PARLIAMENT

2014 - 2019

Committee on Legal Affairs

2014/2256(INI)

5.3.2015

AMENDMENTS

281 - 556

Draft report

Julia Reda

(PE546.580v02-00)

on the implementation of Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society (2014/2256(INI))

AM_Com_NonLegReport

Amendment 281
Kostas Chrysogonos, Jiří Maštálka
Motion for a resolution
Paragraph 7

Motion for a resolution

7. ***Calls on the Commission to harmonise*** the term of protection of copyright ***to a duration that does not exceed*** the current international standards set out in the Berne Convention;

Amendment

7. ***Notes that*** the term of protection of copyright ***has been harmonised at EU level by Directive 2006/116/EC (which was revised by Directive 2011/77/EU) without prejudice to*** the current international standards set out in the Berne Convention; ***and encourages Member States to finalise the transposition and implementation of this directive in a streamlined manner;***

Or. en

Amendment 282
Helga Trüpel, Heidi Hautala
Motion for a resolution
Paragraph 7

Motion for a resolution

7. fordert die Kommission auf, die Schutzdauer des Urheberrechts auf eine Dauer zu harmonisieren, die nicht die derzeit geltenden internationalen Standards der Berner Übereinkunft ***überschreitet;***

Amendment

7. fordert die Kommission auf, die Schutzdauer des Urheberrechts auf eine Dauer zu harmonisieren, die nicht die derzeit geltenden internationalen Standards der Berner Übereinkunft ***unterschreitet und eine weitere Ausdehnung der Schutzfristen unterlässt;***

Or. de

Amendment 283
Julia Reda, Josef Weidenholzer
Motion for a resolution
Paragraph 7 a (new)

Motion for a resolution

Amendment

7 a. Notes that the current legal Acquis recognises the full harmonisation of exclusive rights, whereas exceptions and limitations to exclusive rights remain optional and not harmonised;

Or. en

Amendment 284
Julia Reda, Josef Weidenholzer
Motion for a resolution
Paragraph 7 b (new)

Motion for a resolution

Amendment

7 b. Notes the significant number of suggestions that have been put forward in the replies to the consultation of the Commission on the review of the EU copyright rules, to introduce new exceptions and limitations to exclusive rights, as well as broadening the scope of existing exceptions;

Or. en

Amendment 285
Jiří Maštálka
Motion for a resolution
Paragraph 8

Motion for a resolution

Amendment

8. Calls on the EU legislator to remain faithful to the objective stated in Directive 2001/29/EC of safeguarding a fair balance between the different categories of rightholders and users of protected subject-matter, as well as between the different categories of rightholders;

8. Calls on the EU legislator to remain faithful to the objective stated in Directive 2001/29/EC of ***providing an adequate protection for copyright and neighbouring rights as one of the main ways of ensuring European cultural creativity and*** safeguarding a fair balance between the different categories of rightholders and users of protected subject-matter, as well as between the different

categories of rightholders;

Or. en

Amendment 286
Laura Ferrara
Motion for a resolution
Paragraph 8

Motion for a resolution

8. invita il legislatore unionale a rimanere fedele all'obiettivo della direttiva 2001/29/CE di garantire un giusto equilibrio tra le varie categorie di titolari e utenti dei *materiali* protetti, nonché tra le varie categorie di titolari di diritti;

Amendment

8. invita il legislatore unionale a rimanere fedele all'obiettivo della direttiva 2001/29/CE di garantire un giusto equilibrio tra le varie categorie di titolari e utenti dei *contenuti* protetti, nonché tra le varie categorie di titolari di diritti;

Or. it

Amendment 287
Kostas Chrysogonos, Jiří Maštálka
Motion for a resolution
Paragraph 8

Motion for a resolution

8. Calls on the EU legislator to remain faithful to the objective stated in Directive 2001/29/EC of safeguarding a fair balance between the different categories of rightholders and users of protected subject-matter, as well as between the different categories of rightholders;

Amendment

8. Calls on the EU legislator to remain faithful to the objective stated in Directive 2001/29/EC of *providing an adequate protection for copyright and neighbouring rights as one of the main ways of ensuring European cultural creativity and* safeguarding a fair balance between the different categories of rightholders and users of protected subject-matter, as well as between the different categories of rightholders;

Or. en

Amendment 288
Pascal Durand
Motion for a resolution
Paragraph 8 a (new)

Motion for a resolution

Amendment

8 a Recalls that Member States have a positive obligation to provide for a robust and flexible system of copyright exceptions and limitations in order to honour their human rights obligations

Or. en

Amendment 289

Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López

Motion for a resolution

Paragraph 8 b (new)

Motion for a resolution

Amendment

8 b. Destaca que cualquier cambio legislativo en este ámbito debe garantizar la accesibilidad para las personas con discapacidad a las obras y servicios protegidos por derechos de autor y derechos conexos y adaptarse al entorno digital;

Or. es

Amendment 290

Marie-Christine Boutonnet

Motion for a resolution

Paragraph 9

Motion for a resolution

Amendment

9. observe que les exceptions et limitations dans l'environnement numérique devraient être exercées sans la moindre inégalité de traitement par rapport à celles accordées dans le monde analogique;

9. Les marchés numériques et analogiques sont différents. Il conviendrait d'utiliser les techniques mises en place depuis l'entrée en vigueur de la directive 2001/29/CE.

Or. fr

Amendment 291
Enrico Gasbarra
Motion for a resolution
Paragraph 9

Motion for a resolution

9. *osserva che* le eccezioni e limitazioni *nel contesto digitale dovrebbero essere riconosciute senza alcuna disparità di trattamento rispetto a quelle concesse nel mondo analogico*;

Amendment

9. *invita con forza la Commissione ad adattare e a uniformare* le eccezioni e limitazioni *consentite nel quadro normativo del mondo analogico al nuovo scenario rappresentato dal paradigma digitale ed in particolare dalle tecnologie di cloud computing*;

Or. it

Amendment 292
Jean-Marie Cavada, Virginie Rozière
Motion for a resolution
Paragraph 9

Motion for a resolution

9. observe que les exceptions et limitations *dans l'environnement numérique devraient être exercées sans la moindre inégalité de traitement par rapport à celles accordées dans le monde analogique*;

Amendment

9. observe que les exceptions et limitations *doivent être appliquées en tenant compte des caractéristiques propres à l'environnement numérique et à l'environnement analogique*;

Or. fr

Amendment 293
József Szájer
Motion for a resolution
Paragraph 9

Motion for a resolution

9. Notes that exceptions and limitations in the digital environment should be enjoyed *without any unequal treatment as compared with those granted* in the

Amendment

9. Notes that *technological changes have led to renewed interest in* exceptions and limitations, *especially their role* in the digital environment *and considers that the*

analogue world;

rights enjoyed by the creators of work in the digital world should be identical to those enjoyed in the analogue world, subject to the exceptions and limitations set out. Recognises that further analysis of the exceptions and limitations is sought so as to consider how these can serve the public in the digital age;

Or. en

Amendment 294
Inês Cristina Zuber
Motion for a resolution
Paragraph 9

Motion for a resolution

9. Observa que as *exceções e limitações no ambiente digital devem ser tratadas da mesma forma que as concedidas no mundo analógico;*

Amendment

9. Observa que as *exceções devem servir os propósitos com que foram criadas e não a criação de novos modelos de negócio.*

Or. pt

Amendment 295
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Paragraph 9

Motion for a resolution

9. Notes *that* exceptions and limitations in the digital environment *should be enjoyed without any unequal treatment as compared with those granted in the analogue world;*

Amendment

9. Notes *the importance of* exceptions and limitations in the digital environment *being technologically neutral, where possible, and accessible for persons with disabilities; in this regard, notes the conclusion of the Marrakesh Treaty, which will facilitate access for the visual impaired for books, and encourages ratification in early course; believes that the Treaty is a good step forward, but that much work remains to be done in order to open up access to content for people with disabilities, in*

addition to those affected by visual impairment;

Or. en

Amendment 296

Constance Le Grip, Marc Joulaud, Sabine Verheyen

Motion for a resolution

Paragraph 9

Motion for a resolution

9. ***observe*** que les exceptions et limitations dans l'environnement numérique ***devraient*** être exercées ***sans la moindre inégalité de traitement par rapport à celles accordées dans le monde analogique;***

Amendment

9. ***note*** que les exceptions et limitations dans l'environnement numérique ***ne peuvent pas*** être exercées ***de la même manière dans dans l'environnement numérique et dans le monde analogique;*** ***demande que les exceptions et limitations soient modulées en fonction de l'environnement dans lequel elles s'appliquent;***

(Les deux marchés ne fonctionnent pas du tout de la même façon.)

Or. fr

Amendment 297

Therese Comodini Cachia, Eva Paunova, Pavel Svoboda, József Szájer, Giovanni Toti,

Rosa Estaràs Ferragut, Luis de Grandes Pascual, Milan Zver, Sabine Verheyen

Motion for a resolution

Paragraph 9

Motion for a resolution

9. Notes that exceptions and limitations in the digital environment should be enjoyed ***without any unequal treatment as compared with those granted in the analogue world;***

Amendment

9. Notes that ***technological changes have led to renewed interest in*** exceptions and limitations, ***especially their role*** in the digital environment ***and considers that the rights enjoyed by the creators of work in the digital world should be identical to those enjoyed in the analogue world, subject to the exceptions and limitations set out. Recognises that further analysis of the exceptions and limitations is sought so as to consider how these can serve the***

public in the *digital age*;

Or. en

Amendment 298
Mary Honeyball, Silvia Costa
Motion for a resolution
Paragraph 9

Motion for a resolution

9. Notes that exceptions and limitations in the digital environment should be enjoyed ***without any unequal treatment as compared with those granted*** in the ***analogue world***;

Amendment

9. Notes that ***technological changes have led to renewed interest in*** exceptions and limitations, ***especially their role*** in the digital environment ***and considers that the rights enjoyed by the creators of work in the digital world*** should be ***identical to those*** enjoyed ***in the analogue world***, ***subject to the exceptions and limitations set out. Recognises that further analysis of the application of the exceptions and limitations is required so as to consider how these can serve the public*** in the ***digital age***;

Or. en

Amendment 299
Tonino Picula
Motion for a resolution
Paragraph 9

Motion for a resolution

9. primjećuje da bi se iznimke i ograničenja u digitalnom okruženju trebale primjenjivati ***na jednak način jednako kao i one predviđene u analognom okruženju***;

Amendment

9. primjećuje da bi se iznimke i ograničenja ***i*** u digitalnom okruženju trebale primjenjivati ***isključivo u svrhe zbog kojih su uvedene; svrha njihova uvođenja ne smije biti stvaranje novih poslovnih modela koji bi svoje poslovanje utemeljeno na iskorištavanju autorskih djela bazirali na takvim iznimkama i ograničenjima čime bi se autorima***

uskratio prihod od takvog korištenja njihovih djela;

Or. hr

Amendment 300
Angelika Niebler
Motion for a resolution
Paragraph 9

Motion for a resolution

9. stellt fest, dass Ausnahmen und Beschränkungen im digitalen *Umfeld in gleichem Maße wie in der analogen Welt gewährt werden sollten;*

Amendment

9. fordert die Kommission auf, sorgfältig zu prüfen, inwieweit eine direkte Übertragung der Ausnahmen und Beschränkungen *aus der analogen Welt in ein digitales Umfeld praktikabel ist; betont gleichzeitig, dass auch im digitalen Zeitalter der Anspruch des Urhebers auf Schutz seiner kreativen Leistung bestehen muss;*

Or. de

Amendment 301
Juan Fernando López Aguilar, José Blanco López, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial
Motion for a resolution
Paragraph 9

Motion for a resolution

9. Señala que en el entorno digital las excepciones y limitaciones deben concederse en las mismas condiciones que en el mundo analógico;

Amendment

9. Señala que en el entorno digital las excepciones y limitaciones deben concederse en las mismas condiciones que en el mundo analógico, **garantizando que los titulares de derechos de autor y derechos afines reciben una remuneración justa por sus obras;**

Or. es

Amendment 302
Axel Voss

Motion for a resolution
Paragraph 9

Motion for a resolution

9. stellt fest, dass **Ausnahmen und Beschränkungen** im digitalen Umfeld in gleichem Maße wie in der analogen Welt gewährt werden sollten;

Amendment

9. stellt fest, dass **die Rechte und der Schutz der Urheber** im digitalen Umfeld in gleichem Maße wie in der analogen Welt gewährt werden sollten;

Or. de

Amendment 303
Victor Negrescu
Motion for a resolution
Paragraph 9

Motion for a resolution

9. Notes that exceptions and limitations in the digital environment **should be enjoyed** without any unequal treatment **as** compared **with** those granted in the analogue world;

Amendment

9. Notes that **the ability to benefit from** exceptions and limitations **should be enjoyed** in the digital environment without any unequal treatment compared **to** those granted in the analogue world;

Or. en

Amendment 304
Helga Trüpel, Heidi Hautala
Motion for a resolution
Paragraph 9

Motion for a resolution

9. stellt fest, dass Ausnahmen und Beschränkungen im digitalen Umfeld in gleichem Maße wie in der analogen Welt gewährt werden sollten;

Amendment

9. stellt fest, dass Ausnahmen und Beschränkungen **sowie die angemessene Bezahlung der Urheber** im digitalen Umfeld in gleichem Maße wie in der analogen Welt gewährt werden sollten

Or. de

Amendment 305
Julia Reda, Victor Negrescu, Josef Weidenholzer

Motion for a resolution
Paragraph 9

Motion for a resolution

9. Notes that exceptions and limitations in the digital environment *should be enjoyed* without any unequal treatment *as* compared *with* those granted in the analogue world;

Amendment

9. Notes that *the ability to benefit from* exceptions and limitations *should be enjoyed* in the digital environment without any unequal treatment compared *to* those granted in the analogue world;

Or. en

Amendment 306
Laura Ferrara
Motion for a resolution
Paragraph 9 – subparagraph 1 (new)

Motion for a resolution

evidenzia l'opportunità di introdurre nuove eccezioni e limitazioni che tengano conto degli sviluppi tecnologici e delle nuove forme sia di espressione sia di utilizzazione delle opere in ambiente digitale;

Amendment

Or. it

Amendment 307
Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López
Motion for a resolution
Paragraph 10

Motion for a resolution

10. Observa con preocupación el creciente impacto de las diferencias entre los Estados miembros por lo que respecta a la aplicación de excepciones, lo que crea inseguridad jurídica y tiene efectos negativos directos en el funcionamiento del mercado único digital con vistas al desarrollo de actividades transfronterizas;

Amendment

suprimido

Amendment 308
Virginie Rozière
Motion for a resolution
Paragraph 10

Motion for a resolution

Amendment

10. observe avec inquiétude l'effet croissant des disparités entre les États membres dans la mise en œuvre des exceptions, qui crée une insécurité juridique et entraîne des incidences négatives directes sur le fonctionnement du marché unique numérique, vu le développement des activités transfrontalières;

supprimé

Or. fr

Amendment 309
Marie-Christine Boutonnet
Motion for a resolution
Paragraph 10

Motion for a resolution

Amendment

10. observe avec inquiétude l'effet croissant des disparités entre les États membres dans la mise en œuvre des exceptions, qui crée une insécurité juridique et entraîne des incidences négatives directes sur le fonctionnement du marché unique numérique, vu le développement des activités transfrontalières;

supprimé

Or. fr

Amendment 310
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Paragraph 10

Motion for a resolution

10. *Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;*

Amendment

10. *Notes the right of each Member State to tailor exceptions in accordance with their market and traditions and in line with the principles of subsidiarity and proportionality; However, Member States may consider that some exceptions may benefit from common approaches and any exceptions pursued should aim to stimulate economic growth, the development of the Digital Single Market and competitiveness;*

Or. en

Amendment 311
Marie-Christine Boutonnet
Motion for a resolution
Paragraph 10

Motion for a resolution

10. *observe avec inquiétude l'effet croissant des disparités entre les États membres dans la mise en œuvre des exceptions, qui crée une insécurité juridique et entraîne des incidences négatives directes sur le fonctionnement du marché unique numérique, vu le développement des activités transfrontalières;*

Amendment

10. *Chaque Etat-membre peut continuer à légiférer, en fonction du respect, de la conservation et de la promotion de son identité culturelle, en contribuant à la richesse culturelle en Europe.*

Or. fr

Amendment 312
Constance Le Grip
Motion for a resolution
Paragraph 10

Motion for a resolution

10. *observe avec inquiétude l'effet croissant des disparités entre les États membres dans la mise en œuvre des*

Amendment

10. *observe que la liste des vingt exceptions optionnelles qui figure dans la directive 2001/29 a permis une souplesse*

exceptions, qui crée une insécurité juridique et entraîne des incidences négatives directes sur le fonctionnement du marché unique numérique, vu le développement des activités transfrontalières;

nécessaire à la mise en oeuvre, afin de tenir compte de la diversité des traditions juridiques des États membres et de leurs politiques culturelles, tout en assurant le bon fonctionnement du marché intérieur et en respectant les principes de proportionnalité et de subsidiarité.

Or. fr

Amendment 313
József Szájer
Motion for a resolution
Paragraph 10

Motion for a resolution

10. *Views with concern the increasing impact of differences among Member States* in the implementation of exceptions, *which creates* legal uncertainty and *has direct negative effects on* the functioning of the digital single market, in view of the development of cross-border activities;

Amendment

10. *Notes the importance of European cultural diversity, which provides opportunities rather than obstacles to the Single Market, and notes that the possible differences* in the implementation of exceptions *may be handled on a case-by-case basis and market driven solutions , to avoid* legal uncertainty and *to protect* the functioning of the digital single market, in view of the development of cross-border activities;

Or. en

Amendment 314
Angelika Niebler
Motion for a resolution
Paragraph 10

Motion for a resolution

10. *nimmt mit Besorgnis den zunehmenden Einfluss der Unterschiede zwischen den Mitgliedstaaten* bei der Umsetzung von Ausnahmen *zur Kenntnis, was Rechtsunsicherheit schafft und*

Amendment

10. *betont die Bedeutung des Spielraums der Mitgliedstaaten* bei der Umsetzung von Ausnahmen, *welcher die kulturellen und auch ökonomischen Besonderheiten in den Mitgliedstaaten widerspiegeln;*

unmittelbare nachteilige Auswirkungen auf das Funktionieren des digitalen Binnenmarkts im Hinblick auf die Förderung grenzüberschreitender Tätigkeiten hat;

Or. de

Amendment 315
Jean-Marie Cavada, Virginie Rozière
Motion for a resolution
Paragraph 10

Motion for a resolution

10. observe avec inquiétude l'effet croissant des disparités entre les États membres dans la mise en œuvre des exceptions, qui crée une insécurité juridique et entraîne des incidences négatives directes sur le fonctionnement du marché unique numérique, vu le développement des activités transfrontalières;

Amendment

10. note que la marge de manœuvre laissée aux États membres en vertu du principe de subsidiarité a permis d'adapter les exceptions à la réalité sociale et économique des États membres sans créer d'obstacles au fonctionnement du marché intérieur;

Or. fr

Amendment 316
Mary Honeyball, Theresa Griffin
Motion for a resolution
Paragraph 10

Motion for a resolution

10. Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;

Amendment

10. Notes the importance of European cultural diversity, which provides opportunities rather than obstacles to the Single Market, and notes that the differences in the implementation of exceptions may have negative effects on the functioning of the internal market, and may also lead to legal uncertainty, but that these should be handled on a case-by-case basis, while stressing that works of cultural value should be available to all to be enjoyed but should also be subject to

Amendment 317

Therese Comodini Cachia, Marc Joulaud, Mary Honeyball, József Szájer, Giovanni Toti, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Sabine Verheyen

Motion for a resolution

Paragraph 10

Motion for a resolution

10. *Views with concern the increasing impact of differences among Member States* in the implementation of exceptions, *which creates* legal uncertainty and *has direct negative effects on* the functioning of the digital single market, in view of the development of cross-border activities;

Amendment

10. *Notes the importance of European cultural diversity, which provides opportunities rather than obstacles to the Single Market, and notes that the possible differences* in the implementation of exceptions *may be handled on a case-by-case basis and market driven solutions , to avoid* legal uncertainty and *to protect* the functioning of the digital single market, in view of the development of cross-border activities;

Amendment 318

Axel Voss

Motion for a resolution

Paragraph 10

Motion for a resolution

10. nimmt *mit Besorgnis den zunehmenden Einfluss der* Unterschiede zwischen den Mitgliedstaaten bei der Umsetzung von Ausnahmen *zur Kenntnis, was Rechtsunsicherheit schafft und unmittelbare nachteilige Auswirkungen auf* das Funktionieren des digitalen Binnenmarkts im Hinblick auf die Förderung grenzüberschreitender Tätigkeiten *hat*;

Amendment

10. nimmt *den Mehrwert kultureller Vielfalt für den europäischen Binnenmarkt wahr und betont, dass mögliche* Unterschiede zwischen den Mitgliedstaaten bei der Umsetzung von Ausnahmen *von Fall zu Fall behandelt werden sollen, um Rechtsunsicherheit zu vermeiden und* das Funktionieren des digitalen Binnenmarkts im Hinblick auf die Förderung grenzüberschreitender

Amendment 319
Laura Ferrara
Motion for a resolution
Paragraph 10

Motion for a resolution

10. osserva con preoccupazione , in vista dello sviluppo di attività transfrontaliere, il crescente impatto della *diversa* implementazione delle eccezioni nei vari Stati membri, che crea incertezza giuridica e ha effetti negativi diretti sul funzionamento del mercato unico digitale;

Amendment

10. osserva con preoccupazione , in vista dello sviluppo di attività transfrontaliere, il crescente impatto della *non omogenea* implementazione delle eccezioni nei vari Stati membri, che crea incertezza giuridica e ha effetti negativi diretti sul funzionamento del mercato unico digitale, *sull'incentivo alla creazione ed alla promozione di modelli industriali e commerciali innovativi e sulla concorrenza*;

Amendment 320
Sergio Gaetano Cofferati, Lidia Joanna Geringer de Oedenberg
Motion for a resolution
Paragraph 10

Motion for a resolution

10. osserva con preoccupazione , in vista dello sviluppo di attività transfrontaliere, il crescente impatto della diversa implementazione delle eccezioni nei vari Stati membri, che crea incertezza giuridica *e* ha effetti negativi diretti sul funzionamento del mercato unico digitale;

Amendment

10. osserva con preoccupazione , in vista dello sviluppo di attività transfrontaliere, il crescente impatto della diversa implementazione delle eccezioni nei vari Stati membri, che crea incertezza giuridica *per autori e utenti, ed* ha effetti negativi diretti sul funzionamento del mercato unico digitale;

Amendment 321
Julia Reda, Christian Ehler, Josef Weidenholzer

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;

Amendment

10. Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities ***and EU global competitiveness and innovation;***

Or. en

Amendment 322
Pascal Durand
Motion for a resolution
Paragraph 10 a (new)

Motion for a resolution

Amendment

10 a Emphasizes that industry geoblocking practices should not prevent cultural minorities living in EU Member States from accessing existing contents or services in their language that are either free or paid for;

Or. en

Amendment 323
Christian Ehler, Sabine Verheyen, Marc Joulaud
Motion for a resolution
Paragraph 10 b (new)

Motion for a resolution

Amendment

10 b. Supports the initiatives aimed at enhancing the portability, within the EU, of online services of legally acquired and legally made available content, whilst fully respecting copyrights and the interests of right-holders;

Amendment 324
Marietje Schaake
Motion for a resolution
Paragraph 10 c (new)

Motion for a resolution

Amendment

10 c. Calls for modern, harmonized EU wide copyright, to ensure innovative startups can flourish and roll out their services on a single European digital market;

Amendment 325
Christian Ehler, Sabine Verheyen, Marc Joulaud
Motion for a resolution
Paragraph 10 d (new)

Motion for a resolution

Amendment

10 d. Recalls that the European cultural markets are naturally heterogeneous because of the European cultural and linguistic diversity, notes that this diversity should be considered as a benefit rather than an obstacle to the Single Market;

Amendment 326
Christian Ehler, Sabine Verheyen, Marc Joulaud
Motion for a resolution
Paragraph 10 e (new)

Motion for a resolution

Amendment

10 e. Takes note of the importance of territorial licenses in the EU, particularly with regards to audiovisual and film production which is primarily based on

broadcasters pre-purchase or pre-financing systems;

Or. en

Amendment 327
Kostas Chrysogonos
Motion for a resolution
Paragraph 11

Motion for a resolution

Amendment

11. καλεί την Επιτροπή να καταστήσει υποχρεωτικές όλες τις εξαιρέσεις και τους περιορισμούς που αναφέρονται στην οδηγία 2001/29/EK, να επιτρέψει ισότιμη πρόσβαση στην πολιτιστική πολυμορφία διασυνοριακά εντός της εσωτερικής αγοράς και να βελτιώσει την ασφάλεια δικαίου·

διαγράφεται

Or. el

Amendment 328
Constance Le Grip
Motion for a resolution
Paragraph 11

Motion for a resolution

Amendment

11. demande à la Commission de rendre toutes les exceptions et limitations visées dans la directive 2001/29/CE obligatoires en vue de permettre un accès égal à la diversité culturelle par-delà les frontières dans le marché intérieur et d'améliorer la sécurité juridique;

supprimé

Or. fr

Amendment 329
Virginie Rozière
Motion for a resolution
Paragraph 11

Motion for a resolution

Amendment

11. demande à la Commission de rendre toutes les exceptions et limitations visées dans la directive 2001/29/CE obligatoires en vue de permettre un accès égal à la diversité culturelle par-delà les frontières dans le marché intérieur et d'améliorer la sécurité juridique;

supprimé

Or. fr

Amendment 330

Angelika Niebler

Motion for a resolution

Paragraph 11

Motion for a resolution

Amendment

11. fordert die Kommission auf, alle Ausnahmen und Beschränkungen der Richtlinie 2001/29/EG als zwingend vorzusehen, um innerhalb des Binnenmarkts gleichen Zugang zu kultureller Vielfalt über Grenzen hinweg zu ermöglichen und die Rechtssicherheit zu verbessern;

entfällt

Or. de

Amendment 331

Kostas Chrysogonos

on behalf of the GUE/NGL Group

Jiří Maštálka

Motion for a resolution

Paragraph 11

Motion for a resolution

Amendment

11. Calls on the Commission to make mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal

deleted

certainty;

Or. en

Amendment 332
Marie-Christine Boutonnet
Motion for a resolution
Paragraph 11

Motion for a resolution

Amendment

11. demande à la Commission de rendre toutes les exceptions et limitations visées dans la directive 2001/29/CE obligatoires en vue de permettre un accès égal à la diversité culturelle par-delà les frontières dans le marché intérieur et d'améliorer la sécurité juridique;

supprimé

Or. fr

Amendment 333
Eva Paunova
Motion for a resolution
Paragraph 11

Motion for a resolution

Amendment

11. Calls on the Commission to make mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;

deleted

Or. en

Amendment 334
Axel Voss
Motion for a resolution
Paragraph 11

Motion for a resolution

11. fordert die Kommission auf, alle Ausnahmen und Beschränkungen der Richtlinie 2001/29/EG **als zwingend vorzusehen, um** innerhalb des Binnenmarkts **gleichen** Zugang zu kultureller Vielfalt über Grenzen hinweg **zu ermöglichen und die Rechtssicherheit zu verbessern**;

Amendment

11. fordert die Kommission auf, **sicherzustellen, dass** alle Ausnahmen und Beschränkungen der Richtlinie 2001/29/EG **angemessen umgesetzt werden, dass** innerhalb des Binnenmarkts **gleicher** Zugang zu kultureller Vielfalt über Grenzen hinweg **gefördert und die Rechtssicherheit verbessert wird, unter Berücksichtigung des Subsidiaritätsprinzips, der kulturellen und rechtlichen Besonderheiten innerhalb der Mitgliedstaaten und einer eindeutig nachgewiesenen grenzübergreifenden Wirkung der jeweiligen Ausnahmen und Beschränkungen**;

Or. de

Amendment 335
Jean-Marie Cavada
Motion for a resolution
Paragraph 11

Motion for a resolution

11. demande à la Commission de **rendre toutes les** exceptions et limitations **visées dans la directive 2001/29/CE obligatoires en vue de permettre** un accès égal à la diversité culturelle par-delà les frontières dans le marché intérieur et d'améliorer la sécurité juridique;

Amendment

11. demande à la Commission de **veiller à la bonne mise en oeuvre des** exceptions et limitations **et de fournir toutes les informations nécessaires pour promouvoir** un accès égal à la diversité culturelle par-delà les frontières dans le marché intérieur et d'améliorer la sécurité juridique;

Or. fr

Amendment 336
Tadeusz Zwiefka, Bogdan Brunon Wenta
Motion for a resolution
Paragraph 11

Motion for a resolution

11. ***Calls on the Commission to make mandatory all*** the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;

Amendment

11. ***unedrlines that*** the exceptions and limitations referred to in Directive 2001/29/EC ***should be implemented in a way*** to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;

Or. en

Amendment 337

Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López

Motion for a resolution

Paragraph 11

Motion for a resolution

11. Insta a la Comisión a que ***disponga la obligatoriedad de todas*** las excepciones y limitaciones contempladas en la Directiva 2001/29/CE, permita un acceso igual a la diversidad cultural a través de las fronteras dentro del mercado interior e incremente la seguridad jurídica;

Amendment

11. Insta a la Comisión a que ***estudie una armonización de mínimos de*** las excepciones y limitaciones contempladas en la Directiva 2001/29/CE, permita un acceso igual a la diversidad cultural a través de las fronteras dentro del mercado interior e incremente la seguridad jurídica;

Or. es

Amendment 338

Angel Dzhambazki, Sajjad Karim

Motion for a resolution

Paragraph 11

Motion for a resolution

11. Calls on the Commission to ***make mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and*** to improve legal certainty;

Amendment

11. Calls on the Commission to ***enhance the provision of information to creators and consumers regarding exceptions and limitations in all Member States*** to improve legal certainty;

Amendment 339
József Szájer
Motion for a resolution
Paragraph 11

Motion for a resolution

11. Calls on the Commission to **make mandatory** all the exceptions and limitations referred to in Directive 2001/29/EC, **to allow** equal access to cultural diversity across borders within the internal market and to improve legal certainty;

Amendment

11. Calls on the Commission to **ensure the proper implementation of** all the exceptions and limitations referred to in Directive 2001/29/EC, **and to provide all necessary information to promote an** equal access to cultural diversity across borders within the internal market and to improve legal certainty, **while ensuring respect for the principle of subsidiarity, cultural diversity and evidence of clear cross-border impact**;

Amendment 340
Cecilia Wikström
Motion for a resolution
Paragraph 11

Motion for a resolution

11. Calls on the Commission to **make mandatory all the** exceptions and limitations **referred to in** Directive 2001/29/EC, **to allow** equal access to cultural diversity across borders within the internal market and **to** improve legal certainty;

Amendment

11. Calls on the Commission to **propose a list of mandatory** exceptions and limitations **in its review of** Directive 2001/29/EC, **as this would** allow equal access to cultural diversity across borders within the internal market and improve legal certainty;

Amendment 341
Lidia Joanna Geringer de Oedenberg
Motion for a resolution
Paragraph 11

Motion for a resolution

11. apeluje do Komisji o nadanie obowiązkowego charakteru wszystkim wyjątkom i ograniczeniom przewidzianym w dyrektywie 2001/29/WE, tak by umożliwić równy dostęp do różnorodności kulturowej na rynku wewnętrznym w wymiarze transgranicznym oraz by zwiększyć pewność prawa;

Amendment

11. apeluje do Komisji o nadanie **jednolitego** obowiązkowego charakteru wszystkim wyjątkom i ograniczeniom przewidzianym w dyrektywie 2001/29/WE, tak by umożliwić równy dostęp do różnorodności kulturowej na rynku wewnętrznym w wymiarze transgranicznym oraz by zwiększyć pewność prawa;

Or. pl

Amendment 342

Helga Trüpel, Heidi Hautala

Motion for a resolution

Paragraph 11

Motion for a resolution

11. fordert die Kommission auf, alle Ausnahmen und Beschränkungen der Richtlinie 2001/29/EG als zwingend vorzusehen, um innerhalb des Binnenmarkts gleichen Zugang zu kultureller Vielfalt über Grenzen hinweg zu ermöglichen und die Rechtssicherheit zu verbessern;

Amendment

11. fordert die Kommission auf, alle Ausnahmen und Beschränkungen der Richtlinie 2001/29/EG als zwingend vorzusehen, um innerhalb des Binnenmarkts gleichen Zugang zu kultureller Vielfalt über Grenzen hinweg zu ermöglichen und die Rechtssicherheit zu verbessern; ***Dabei muss bei jeder Harmonisierung des Urheberrechts und der verwandten Schutzrechte von einem hohen Schutzniveau ausgegangen werden, da diese Rechte für das geistige Schaffen wesentlich sind. Ihr Schutz trägt dazu bei, die Erhaltung und Entwicklung kreativer Tätigkeit im Interesse der Urheber, ausübenden Künstler, Hersteller, Verbraucher, von Kultur und Wirtschaft sowie der breiten Öffentlichkeit sicherzustellen;***

Or. de

Amendment 343

Therese Comodini Cachia, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Marc

Joulaud, Pavel Svoboda, Jean-Marie Cavada, József Szájer, Giovanni Toti, Sabine Verheyen

Motion for a resolution

Paragraph 11

Motion for a resolution

11. Calls on the Commission to **make mandatory** all the exceptions and limitations referred to in Directive 2001/29/EC, **to allow** equal access to cultural diversity across borders within the internal market and to improve legal certainty;

Amendment

11. Calls on the Commission to **ensure the proper implementation of** all the exceptions and limitations referred to in Directive 2001/29/EC, **and to provide all necessary information to promote an** equal access to cultural diversity across borders within the internal market and to improve legal certainty, **while ensuring respect for the principle of subsidiarity, cultural diversity and evidence of clear cross-border impact**;

Or. en

Amendment 344

Mary Honeyball

Motion for a resolution

Paragraph 11

Motion for a resolution

11. Calls on the Commission to **make mandatory all** the exceptions and limitations referred to in Directive 2001/29/EC, **to allow** equal access to cultural diversity across borders within the internal market and to improve legal certainty;

Amendment

11. Calls on the Commission to **examine the application of minimum standards across the exceptions and limitations, and further to ensure the proper implementation of** the exceptions and limitations referred to in Directive 2001/29/EC, **and an** equal access to cultural diversity across borders within the internal market and to improve legal certainty;

Or. en

Amendment 345

Pascal Durand

Motion for a resolution

Paragraph 11 a (new)

Motion for a resolution

Amendment

11 a Stresses that the "three-step test" of international copyright law should serve to encourage the establishment of a solid and flexible system of exceptions and limitations;

Or. en

**Amendment 346
Pascal Durand
Motion for a resolution
Paragraph 11 b (new)**

Motion for a resolution

Amendment

11 b Urges the European legislator to ensure that all citizens can enjoy at national level, judicial or administrative procedures enabling to request the implementation and expansion of exceptions and limitations to assure their constitutional and human rights;

Or. en

**Amendment 347
Ivan Jakovčić
Motion for a resolution
Paragraph 11 c (new)**

Motion for a resolution

Amendment

11 c. poziva Komisiju da postojeća ograničenja i izuzeća razmatra na način da se stremi stvaranju politika koje bi potaknule razvoj već postojećeg tržišta što je jedino moguće osiguravanjem adekvatne naknade za autore kao one koji stvaraju proizvode koji se na takvom tržištu nude i osiguravanjem pravne sigurnosti;

Or. hr

Amendment 348
Marietje Schaake
Motion for a resolution
Paragraph 11 d (new)

Motion for a resolution

Amendment

11 d. Calls for expanding mandatory exceptions beneficial for public interest institutions, such as libraries, museums and archives, which play a central role in facilitating online access to cultural heritage, and access to information that allows them to make protected works in their collections, that are not in commercial circulation anymore, or otherwise actively managed by their rights holders, available for online access by the public;

Or. en

Amendment 349
Julia Reda
Motion for a resolution
Paragraph 11 e (new)

Motion for a resolution

Amendment

11 e. Temporary acts of reproduction, which are transient or incidental [and] an integral and essential part of a technological process and whose sole purpose is to enable:

(a) a transmission in a network between third parties by an intermediary, or

(b) a lawful use of a work or other subject-matter to be made, and which have no independent economic significance, should remain a mandatory exception.

Or. en

Amendment 350

Sergio Gaetano Cofferati, Lidia Joanna Geringer de Oedenberg, Evelyn Regner

Motion for a resolution

Paragraph 11 f (new)

Motion for a resolution

Amendment

11 f. ritiene necessario rafforzare le eccezioni di cui possono beneficiare le istituzioni di interesse pubblico, come biblioteche, musei o archivi, al fine di favorire un ampio accesso al patrimonio culturale anche attraverso piattaforme online;

Or. it

Amendment 351

Virginie Rozière, Mady Delvaux

Motion for a resolution

Paragraph 11 g (new)

Motion for a resolution

Amendment

11 g. demande à la Commission d'envisager avec prudence la possibilité de rendre certaines exceptions obligatoires lorsque la finalité à pour objectif la protection des droits fondamentaux, et notamment la lutte contre les discriminations ou la protection de la liberté de la presse; Rappelle à ce titre que ces exceptions devraient faire l'objet de compensations équitables;

Or. fr

Amendment 352

Jean-Marie Cavada, Mary Honeyball

Motion for a resolution

Paragraph 11 h (new)

Motion for a resolution

Amendment

11 h. Rappelle l'importance des PME dans les secteurs culturels et créatifs en

termes de création d'emploi et de croissance dans l'Union; souligne qu'une grande majorité des PME des secteurs culturels et créatifs s'appuient sur la flexibilité du cadre du droit d'auteur pour produire, investir et distribuer des oeuvres culturelles et créatives mais également pour développer des solutions innovantes permettant aux usagers d'accéder à des oeuvres créatives en ligne adaptées aux préférences et aux spécificités des marchés locaux;

Or. fr

Amendment 353
Marietje Schaake
Motion for a resolution
Paragraph 11 i (new)

Motion for a resolution

Amendment

11 i. Calls on the Commission to introduce new mandatory exceptions, such as for user-generated content, text and data mining;

Or. en

Amendment 354
Julia Reda
Motion for a resolution
Paragraph 11 j (new)

Motion for a resolution

Amendment

11 j. Exceptions or limitations should be made mandatory in the following cases:
(a) in respect of reproductions on paper or any similar medium, effected by the use of any kind of photographic technique or by some other process having similar effects, with the exception of sheet music, provided that the rightholders receive fair compensation;

(b) in respect of reproductions on any medium made by a natural person for private use and for ends that are neither directly nor indirectly commercial, on condition that the rightholders receive fair compensation;

(c) in respect of acts of reproduction made by publicly accessible libraries, educational establishments or museums, or by archives, which are not for direct or indirect economic or commercial advantage;

(d) in respect of ephemeral recordings of works made by broadcasting organisations by means of their own facilities and for their own broadcasts; the preservation of these recordings in official archives should, on the grounds of their exceptional documentary character, be permitted;

(e) in respect of reproductions of broadcasts made by social institutions pursuing non-commercial purposes, such as hospitals or prisons, on condition that the rightholders receive fair compensation.

(f) use for the sole purpose of illustration for teaching or scientific research, as long as the source, including the author's name, is indicated, unless this turns out to be impossible and to the extent justified by the non-commercial purpose to be achieved;

(g) uses, for the benefit of people with a disability, which are directly related to the disability and of a non-commercial nature, to the extent required by the specific disability;

(h) reproduction by the press, communication to the public or making available of published articles on current economic, political or religious topics or of broadcast works or other subject-matter of the same character, in cases where such use is not expressly reserved,

and as long as the source, including the author's name, is indicated, or use of works or other subject-matter in connection with the reporting of current events, to the extent justified by the informatory purpose and as long as the source, including the author's name, is indicated, unless this turns out to be impossible;

(i) quotations for purposes such as criticism or review, provided that they relate to a work or other subject-matter which has already been lawfully made available to the public, that, unless this turns out to be impossible, the source, including the author's name, is indicated, and that their use is in accordance with fair practice, and to the extent required by the specific purpose;

(j) use for the purposes of public security or to ensure the proper performance or reporting of administrative, parliamentary or judicial proceedings;

(k) use of political speeches as well as extracts of public lectures or similar works or subject-matter to the extent justified by the informatory purpose and provided that the source, including the author's name, is indicated, except where this turns out to be impossible;

(l) use during religious celebrations or official celebrations organised by a public authority;

(m) use of works, such as works of architecture or sculpture, made to be located permanently in public places;

(n) incidental inclusion of a work or other subject-matter in other material;

(o) use for the purpose of advertising the public exhibition or sale of artistic works, to the extent necessary to promote the event, excluding any other commercial use;

(p) use for the purpose of caricature,

parody or pastiche;

(q) use in connection with the demonstration or repair of equipment;

(r) use of an artistic work in the form of a building or a drawing or plan of a building for the purposes of reconstructing the building;

(s) use by communication or making available, for the purpose of research or private study, to individual members of the public by dedicated terminals on the premises of establishments referred to in paragraph 2(c) of works and other subject-matter not subject to purchase or licensing terms which are contained in their collections;

(t) use in certain other cases of minor importance where exceptions or limitations already exist under national law, provided that they only concern analogue uses and do not affect the free circulation of goods and services within the Community, without prejudice to the other exceptions and limitations contained in this paragraph;

Or. en

Amendment 355
Marietje Schaake
Motion for a resolution
Paragraph 11 k (new)

Motion for a resolution

Amendment

11 k. Urges increased legal certainty with regards to sharing copyright protected content through 'peer-to-peer' (P2P) networks;

Or. en

Amendment 356
Marietje Schaake

Motion for a resolution
Paragraph 11 l (new)

Motion for a resolution

Amendment

11 l. Calls for broad exceptions for non-commercial use of protected works for educational organizations, teachers and students;

Or. en

Amendment 357
Constance Le Grip
Motion for a resolution
Paragraph 12

Motion for a resolution

Amendment

12. note avec intérêt l'apparition de nouvelles formes d'utilisation des œuvres sur les réseaux numériques, notamment des usages dérivés;

12. note avec intérêt l'apparition de nouvelles formes d'utilisation des œuvres sur les réseaux numériques, notamment des usages dérivés, ***et demande des solutions de rémunération équitable liées aux nouvelles formes d'exploitation des oeuvres sur les plateformes et réseaux de l'environnement numérique;***

Or. fr

Amendment 358
József Szájer
Motion for a resolution
Paragraph 12

Motion for a resolution

Amendment

12. Notes with interest the development of new forms of use of works on digital networks, in particular transformative uses;

12. Notes with interest the development of new forms of use of works on digital networks, in particular transformative uses, ***and stresses that these should be subject to the same level of copyright protection while keeping the best balance between an efficient protection that provides for a proper remuneration for creators and the objective of the public interest for access***

to cultural goods and knowledge.

Or. en

Amendment 359
Jean-Marie Cavada
Motion for a resolution
Paragraph 12

Motion for a resolution

12. note avec intérêt l'apparition de nouvelles formes d'utilisation des œuvres sur les réseaux numériques, notamment des usages dérivés;

Amendment

12. note avec intérêt l'apparition de nouvelles formes d'utilisation des œuvres sur les réseaux numériques, notamment des usages dérivés, *et souligne à cet égard la nécessité d'assurer la rémunération des ayants droit par les fournisseurs de services et les intermédiaires techniques de l'Internet, pour l'utilisation des oeuvres sur leurs plateformes et réseaux;*

Or. fr

Amendment 360
Juan Fernando López Aguilar, José Blanco López, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial
Motion for a resolution
Paragraph 12

Motion for a resolution

12. Observa con interés el desarrollo de nuevas formas de uso de las obras en las redes digitales, en particular los usos derivados;

Amendment

12. Observa con interés el desarrollo de nuevas formas de uso de las obras en las redes digitales, en particular los usos derivados; *y remarca la necesidad de asegurar el mismo nivel de protección de los derechos de autor del que gozan en el mundo analógico;*

Or. es

Amendment 361
Therese Comodini Cachia, Eva Paunova, Pavel Svoboda, Marc Joulaud, Jean-Marie Cavada, József Szájer, Giovanni Toti, Rosa Estaràs Ferragut, Luis de Grandes Pascual, Milan Zver, Sabine Verheyen

Motion for a resolution
Paragraph 12

Motion for a resolution

12. Notes with interest the development of new forms of use of works on digital networks, in particular transformative uses;

Amendment

12. Notes with interest the development of new forms of use of works on digital networks, in particular transformative uses, ***and stresses that these should be subject to the same level of copyright protection while keeping the best balance between an efficient protection that provides for a proper remuneration for creators and the objective of the public interest for access to cultural goods and knowledge;***

Or. en

Amendment 362
Mary Honeyball
Motion for a resolution
Paragraph 12

Motion for a resolution

12. Notes with interest the development of new forms of use of works on digital networks, in particular transformative uses;

Amendment

12. Notes with interest the development of new forms of use of works on digital networks, in particular transformative uses, ***and stresses that these should be subject to the same level of copyright protection while keeping the best balance between an efficient protection that provides for proper remuneration and fair compensation for creators and the objective of the public interest for access to cultural goods and knowledge;***

Or. en

Amendment 363
Isabella Adinolfi
Motion for a resolution
Paragraph 12 a (new)

Motion for a resolution

Amendment

12 a. Acknowledges the importance of full exploitation of new technologies in order to increase the legal offer of content by encouraging re-use mechanisms and the birth of a digital second-hand market;

Or. en

**Amendment 364
Marietje Schaake
Motion for a resolution
Paragraph 12 b (new)**

Motion for a resolution

Amendment

12 b. Calls for broad exceptions also for informal educational purposes;

Or. en

**Amendment 365
Marietje Schaake
Motion for a resolution
Paragraph 12 c (new)**

Motion for a resolution

Amendment

12 c. Calls for open access in publishing, in particular for publicly funded research;

Or. en

**Amendment 366
Marietje Schaake
Motion for a resolution
Paragraph 12 d (new)**

Motion for a resolution

Amendment

12 d. Calls for making relevant existing exceptions such as parody, quotation

*and incidental use and private copying
mandatory across all Member States;*

Or. en

Amendment 367
Tadeusz Zwiefka, Bogdan Brunon Wenta
Motion for a resolution
Paragraph 13

Motion for a resolution

Amendment

13. Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder; *deleted*

Or. en

Amendment 368
Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López
Motion for a resolution
Paragraph 13

Motion for a resolution

Amendment

13. Solicita la adopción de una norma abierta que introduzca flexibilidad en la interpretación de las excepciones y limitaciones en determinados casos especiales que no están reñidos con la explotación normal de la obra en cuestión y no perjudican excesivamente los intereses legítimos de los autores o los titulares de los derechos; *suprimido*

Or. es

Amendment 369
Angel Dzhambazki, Sajjad Karim

Motion for a resolution
Paragraph 13

Motion for a resolution

Amendment

13. Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;

deleted

Or. en

Amendment 370
Virginie Rozière
Motion for a resolution
Paragraph 13

Motion for a resolution

Amendment

13. demande l'adoption d'une norme ouverte introduisant une souplesse dans l'interprétation des exceptions et limitations dans certains cas spéciaux qui ne portent pas atteinte à l'exploitation normale de l'œuvre ni ne causent un préjudice injustifié aux intérêts légitimes de l'auteur ou du titulaire du droit;

supprimé

Or. fr

Amendment 371
Angelika Niebler
Motion for a resolution
Paragraph 13

Motion for a resolution

Amendment

13. fordert die Annahme einer offenen Norm, die eine flexible Auslegung von Ausnahmen und Beschränkungen in bestimmten Sonderfällen ermöglicht, in denen die normale Verwertung des Werks

entfällt

nicht beeinträchtigt wird und die berechtigten Interessen der Urheber oder Rechtsinhaber nicht ungebührlich verletzt werden;

Or. de

Amendment 372
Marie-Christine Boutonnet
Motion for a resolution
Paragraph 13

Motion for a resolution

Amendment

13. demande l'adoption d'une norme ouverte introduisant une souplesse dans l'interprétation des exceptions et limitations dans certains cas spéciaux qui ne portent pas atteinte à l'exploitation normale de l'œuvre ni ne causent un préjudice injustifié aux intérêts légitimes de l'auteur ou du titulaire du droit;

supprimé

Or. fr

Amendment 373
Constance Le Grip, Marc Joulaud, Sabine Verheyen
Motion for a resolution
Paragraph 13

Motion for a resolution

Amendment

13. demande l'adoption d'une norme ouverte introduisant une souplesse dans l'interprétation des exceptions et limitations dans certains cas spéciaux qui ne portent pas atteinte à l'exploitation normale de l'œuvre ni ne causent un préjudice injustifié aux intérêts légitimes de l'auteur ou du titulaire du droit;

supprimé

Or. fr

Amendment 374
Isabella Adinolfi

Motion for a resolution
Paragraph 13

Motion for a resolution

13. Calls for the adoption of ***an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;***

Amendment

13. Calls for the adoption of ***a de minimis exception and limitation to analogically apply the discipline already provided in Article 5.3, in cases that are not regulated, especially bearing in mind the swift technological evolution. Such de minimis exception should be evaluated in light of the qualitative and quantitative parameters of three-step test, as provided for by Article 5.5 of the Directive;***

Or. en

Amendment 375

Therese Comodini Cachia, Eva Paunova, Jean-Marie Cavada, József Szájer, Giovanni Toti, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Sabine Verheyen

Motion for a resolution
Paragraph 13

Motion for a resolution

13. ***Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;***

Amendment

13. ***Recalls that the exceptions and limitations should not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder, while keeping the interpretation of exceptions and limitations on the level of Member States to permit the adaptation of the copyright system to different national circumstances and social needs;***

Or. en

Amendment 376

Julia Reda, Mary Honeyball, Josef Weidenholzer

Motion for a resolution
Paragraph 13

Motion for a resolution

13. Calls for ***the adoption of an open norm introducing flexibility*** in the ***interpretation of*** exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;

Amendment

13. Calls for ***a flexible interpretation of exceptions and limitations to exclusive rights, allowing to apply exceptions and limitations to uses that are similar to the ones*** in the ***original legal provisions, thereby ensuring that*** exceptions and limitations ***can be adapted to new forms of usage emerging due to technological change; such flexibility would be subject to the three-step-test, which grants limitations and exceptions*** in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;

Or. en

Amendment 377

József Szájer

Motion for a resolution

Paragraph 13

Motion for a resolution

13. ***Calls for the adoption of an open norm introducing flexibility in the interpretation of*** exceptions and limitations ***in certain special cases that do*** not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;

Amendment

13. ***Recalls that the*** exceptions and limitations ***should*** not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder, ***while keeping the interpretation of exceptions and limitations on the level of Member States to permit the adaptation of the copyright system to different national circumstances and social needs;***

Or. en

Amendment 378

Axel Voss

Motion for a resolution
Paragraph 13

Motion for a resolution

13. **fordert die Annahme einer offenen Norm, die eine flexible Auslegung von Ausnahmen und Beschränkungen in bestimmten Sonderfällen ermöglicht, in denen** die normale Verwertung des Werks nicht **beeinträchtigt wird** und die berechtigten Interessen der Urheber oder Rechtsinhaber nicht ungebührlich verletzt werden;

Amendment

13. **betont, dass** Ausnahmen und Beschränkungen die normale Verwertung des Werks nicht **beeinträchtigen sollen** und die berechtigten Interessen der Urheber oder Rechtsinhaber nicht ungebührlich verletzt werden. **Dort, wo es nötig ist, sollen die Mitgliedstaaten die Ausnahmen und Beschränkungen in Einzelfällen anpassen können.**

Or. de

Amendment 379

Jean-Marie Cavada, Therese Comodini Cachia, Virginie Rozière
Motion for a resolution
Paragraph 13

Motion for a resolution

13. **demande l'adoption d'une norme ouverte introduisant une souplesse dans l'interprétation des exceptions et limitations dans certains cas spéciaux qui ne portent pas** atteinte à l'exploitation normale de l'œuvre ni **ne causent** un préjudice injustifié aux intérêts légitimes de l'auteur ou du titulaire du droit;

Amendment

13. **rappelle que les** exceptions et limitations **ne doivent pas porter** atteinte à l'exploitation normale de l'œuvre ni **causer** un préjudice injustifié aux intérêts légitimes de l'auteur ou du titulaire du droit; **elles sont créées pour des motifs bien spécifiques et doivent être strictement mises en oeuvre par les Etats membres;**

Or. fr

Amendment 380

Enrico Gasbarra, Silvia Costa
Motion for a resolution
Paragraph 13

Motion for a resolution

13. chiede l'adozione di una norma **aperta, che introduca flessibilità**

Amendment

13. chiede l'adozione di una norma **certa** nell'interpretazione delle eccezioni e

nell'interpretazione delle eccezioni e limitazioni *in determinati casi speciali* che non contrastino con il normale sfruttamento dell'opera e non causino un pregiudizio indebito ai legittimi interessi dell'autore o del titolare del diritto;

limitazioni *nei casi* che non contrastino con il normale sfruttamento dell'opera e non causino un pregiudizio indebito ai legittimi interessi dell'autore o del titolare del diritto;

Or. it

Amendment 381
Helga Trüpel, Heidi Hautala
Motion for a resolution
Paragraph 13

Motion for a resolution

13. fordert die *Annahme* einer offenen Norm, die eine flexible Auslegung von Ausnahmen und Beschränkungen in bestimmten Sonderfällen ermöglicht, in denen die normale Verwertung des Werks nicht beeinträchtigt wird und die berechtigten Interessen der Urheber oder Rechtsinhaber nicht ungebührlich verletzt werden;

Amendment

13. fordert die *Prüfung* einer offenen Norm, die *es ermöglicht auf neue Technologien und Sachverhalte zeitnah zu reagieren und* eine flexible Auslegung von Ausnahmen und Beschränkungen in bestimmten Sonderfällen ermöglicht, in denen die normale Verwertung des Werks nicht beeinträchtigt wird und die berechtigten Interessen der Urheber oder Rechtsinhaber nicht ungebührlich verletzt werden, *unter der Anwendung des 3 Stufen Tests.*

Or. de

Amendment 382
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

13 a. Calls for exceptions and limitations which have an appropriate level of flexibility and are technologically neutral;

Or. en

Amendment 383
Virginie Rozière, Mady Delvaux
Motion for a resolution
Paragraph 14

Motion for a resolution

14. *prie instamment le législateur européen de garantir la neutralité technologique et la future compatibilité des exceptions et limitations en tenant dûment compte des effets de la convergence des médias; estime notamment que l'exception de citation devrait expressément inclure les citations audiovisuelles dans son champ d'application;*

Amendment

14. *estime que l'exception de citation devrait continuer à être définie de manière stricte, tout en incluant la possibilité d'être étendue aux citations audiovisuelles;*

Or. fr

Amendment 384
Tadeusz Zwiefka, Bogdan Brunon Wenta
Motion for a resolution
Paragraph 14

Motion for a resolution

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence; *considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;*

Amendment

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence;

Or. en

Amendment 385
József Szájer
Motion for a resolution
Paragraph 14

Motion for a resolution

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations **by taking due account of the effects of media convergence; considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;**

Amendment

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations **while serving the public interest by fostering incentives to create, finance and distribute new works and to make those works available to the public in new, innovative and compelling ways;**

Or. en

Amendment 386

Axel Voss

Motion for a resolution

Paragraph 14

Motion for a resolution

14. fordert den Gesetzgeber der EU auf, die Technologieneutralität und Zukunftsverträglichkeit von Ausnahmen und Beschränkungen zu gewährleisten, **indem die Auswirkungen der Medienkonvergenz gebührend berücksichtigt werden; ist insbesondere der Ansicht, dass die Ausnahme für Zitate ausdrücklich auch für audiovisuelle Zitate gelten sollte;**

Amendment

14. fordert den Gesetzgeber der EU auf, die Technologieneutralität und Zukunftsverträglichkeit von Ausnahmen und Beschränkungen zu gewährleisten;

Or. de

Amendment 387

Enrico Gasbarra

Motion for a resolution

Paragraph 14

Motion for a resolution

14. esorta il legislatore unionale a garantire la neutralità tecnologica e la compatibilità futura delle eccezioni e limitazioni, tenendo conto degli effetti della convergenza dei media; **ritiene, in**

Amendment

14. esorta il legislatore unionale a garantire la neutralità tecnologica e la compatibilità futura delle eccezioni e limitazioni, tenendo conto degli effetti della convergenza dei media;

particolare, che l'ambito di applicazione dell'eccezione per le citazioni dovrebbe includere esplicitamente le citazioni audiovisive;

Or. it

Amendment 388
Angelika Niebler
Motion for a resolution
Paragraph 14

Motion for a resolution

14. fordert den Gesetzgeber der EU auf, die Technologieneutralität und Zukunftsverträglichkeit von Ausnahmen und Beschränkungen zu gewährleisten, indem die Auswirkungen der Medienkonvergenz gebührend berücksichtigt werden; *ist insbesondere der Ansicht, dass die Ausnahme für Zitate ausdrücklich auch für audiovisuelle Zitate gelten sollte;*

Amendment

14. fordert den Gesetzgeber der EU auf, die Technologieneutralität und Zukunftsverträglichkeit von Ausnahmen und Beschränkungen zu gewährleisten, indem die Auswirkungen der Medienkonvergenz gebührend berücksichtigt werden;

Or. de

Amendment 389
Victor Negrescu
Motion for a resolution
Paragraph 14

Motion for a resolution

14. Urges the European legislator to ensure *the* technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence; *considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;*

Amendment

14. Urges the European legislator to ensure technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence; *therefore calls on the EU legislator to expressly include audio-visual quotations in the existing quotation exception in order to enable the use of quotations in new media formats; these quotations should be adequate in terms of length in relation to the type of source material;*

Amendment 390
Constance Le Grip, Marc Joulaud, Sabine Verheyen
Motion for a resolution
Paragraph 14

Motion for a resolution

14. prie instamment le législateur européen de garantir la neutralité technologique et la future compatibilité des exceptions et limitations en tenant dûment compte des effets de la convergence des médias; ***estime notamment que l'exception de citation devrait expressément inclure les citations audiovisuelles dans son champ d'application;***

Amendment

14. prie instamment le législateur européen de garantir la neutralité technologique et la future compatibilité des exceptions et limitations en tenant dûment compte des effets de la convergence des médias;

Or. fr

Amendment 391
Julia Reda, Victor Negrescu, Josef Weidenholzer
Motion for a resolution
Paragraph 14

Motion for a resolution

14. Urges the European legislator to ensure ***the*** technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence; ***considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;***

Amendment

14. Urges the European legislator to ensure technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence; ***therefore calls on the EU legislator to expressly include audio-visual quotations in the existing quotation exception in order to enable the use of quotations in new media formats; these quotations should be adequate in terms of length in relation to the type of source material;***

Or. en

Amendment 392

Therese Comodini Cachia, Eva Paunova, Jean-Marie Cavada, Constance Le Grip, Rosa Estaràs Ferragut, József Szájer, Giovanni Toti, Luis de Grandes Pascual, Milan Zver, Sabine Verheyen

Motion for a resolution

Paragraph 14

Motion for a resolution

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations **by taking due account of the effects of media convergence; considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;**

Amendment

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations **while serving the public interest by fostering incentives to create, finance and distribute new works and to make those works available to the public in new, innovative and compelling ways;**

Or. en

Amendment 393

Mary Honeyball, Silvia Costa

Motion for a resolution

Paragraph 14

Motion for a resolution

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations **by taking due account of the effects of media convergence; considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;**

Amendment

14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations **while fostering incentives to create, finance and distribute new works and to make those works available to the public in new, innovative and compelling ways;**

Or. en

Amendment 394

Jean-Marie Cavada, Therese Comodini Cachia

Motion for a resolution

Paragraph 14

Motion for a resolution

14. prie instamment le législateur européen

Amendment

14. prie instamment le législateur européen

de garantir la neutralité technologique et la future compatibilité des exceptions et limitations en tenant dûment compte des effets de la convergence des médias;
estime notamment que l'exception de citation devrait expressément inclure les citations audiovisuelles dans son champ d'application;

de garantir la neutralité technologique et la future compatibilité des exceptions et limitations en tenant dûment compte des effets de la convergence des médias;

Or. fr

Amendment 395
Lidia Joanna Geringer de Oedenberg
Motion for a resolution
Paragraph 14

Motion for a resolution

14. wzywa unijnego ustawodawcę do zapewnienia neutralności technologicznej i przyszłej zgodności wyjątków i ograniczeń poprzez należyte uwzględnienie skutków konwergencji mediów; uważa w szczególności, że w zakres wyjątków dotyczących cytowania powinno wyraźnie wchodzić cytowanie utworów audiowizualnych;

Amendment

14. wzywa unijnego ustawodawcę do zapewnienia neutralności technologicznej i przyszłej zgodności wyjątków i ograniczeń poprzez należyte uwzględnienie skutków konwergencji mediów; uważa w szczególności, że w zakres wyjątków dotyczących cytowania powinno wyraźnie wchodzić cytowanie **wszystkich treści, w tym utworów** utworów audiowizualnych;

Or. pl

Amendment 396
Enrico Gasbarra
Motion for a resolution
Paragraph 14 a (new)

Motion for a resolution

Amendment

14 a. Prende atto con interesse della recente regolamentazione statunitense in materia di net neutrality, appena varata dalla Federal Communications Commission statunitense; invita la Commissione a valutare quale ispirazione trarre dalla nuova normativa nel quadro

Amendment 397
Marie-Christine Boutonnet
Motion for a resolution
Paragraph 15

Motion for a resolution

15. souligne que la capacité de relier librement une ressource à une autre constitue l'un des éléments fondamentaux de l'internet; demande au législateur européen de clarifier que la référence à des œuvres par le biais d'un hyperlien n'est pas soumise aux droits exclusifs, vu qu'elle ne forme pas une communication à un nouveau public¹² ;

¹² *Ordonnance de la Cour de Justice du 21 octobre 2014 dans l'affaire C-348/13, BestWater International GmbH contre Michael Mebes and Stefan Potsch (demande de décision préjudicielle de la Bundesgerichtshof d'Allemagne).*

Amendment

supprimé

Amendment 398
Constance Le Grip
Motion for a resolution
Paragraph 15

Motion for a resolution

15. souligne que la capacité de relier librement une ressource à une autre constitue l'un des éléments fondamentaux de l'internet; demande au législateur européen de clarifier que la référence à des œuvres par le biais d'un hyperlien n'est pas soumise aux droits exclusifs, vu qu'elle ne forme pas une communication

Amendment

15. souligne que la capacité de relier une ressource à une autre, notamment au moyen d'un hyperlien, constitue l'un des éléments fondamentaux de l'internet et rappelle que ces hyperliens peuvent aussi bien mener à des œuvres protégées qu'à du contenu libre de droits;

*à un nouveau public*¹² ;

¹² Ordonnance de la Cour de Justice du 21 octobre 2014 dans l'affaire C-348/13, BestWater International GmbH contre Michael Mebes and Stefan Potsch (demande de décision préjudicielle de la Bundesgerichtshof d'Allemagne).

¹² Ordonnance de la Cour de Justice du 21 octobre 2014 dans l'affaire C-348/13, BestWater International GmbH contre Michael Mebes and Stefan Potsch (demande de décision préjudicielle de la Bundesgerichtshof d'Allemagne).

Or. fr

Amendment 399

Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López

Motion for a resolution

Paragraph 15

Motion for a resolution

15. Hace hincapié en que la capacidad de efectuar libremente conexiones entre distintos *recurso* de los pilares fundamentales de Internet; insta al legislador de la UE a *establecer claramente que la referencia a obras mediante un hipervínculo no está sujeta a derechos exclusivos, ya que no constituye una comunicación a un público nuevo*¹² ;

¹² Auto del Tribunal de Justicia, de 21 de octubre de 2014, en el asunto C-348/13, Besarte International Gamba v Michael Meses and Stefan Porsche (petición de decisión prejudicial del Tribunal Federal Supremo alemán).

Amendment

15. Hace hincapié en que la capacidad de efectuar libremente conexiones entre distintos *recursos es uno* de los pilares fundamentales de Internet; insta al legislador de la UE a *clarificar los supuestos en los que el establecimiento de vínculos no constituyen un acto de comunicación a un público primario en línea con la sentencia del Tribunal de Justicia C-466/12 de 13 de febrero de 2014, caso Svensson*;

¹² Auto del Tribunal de Justicia, de 21 de octubre de 2014, en el asunto C-348/13, Besarte International Gamba v Michael Meses and Stefan Porsche (petición de decisión prejudicial del Tribunal Federal Supremo alemán).

Or. es

Amendment 400

József Szájer

Motion for a resolution

Paragraph 15

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Motion for a resolution

15. **Stresses** that the ability to *freely* link from one resource to another is one of the fundamental building blocks of the internet; **calls on the EU legislator to make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public¹²** ;

¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

Amendment

15. **Notes** that the ability to link from one resource to another is one of the fundamental building blocks of the internet **and underlines that any further legislation must accurately reflect the existing definitions and principles set in the European case law, stating that when the hyperlink allows the recipients to circumvent the restrictions on access to the protected work, so that can access the protected work, which was otherwise unavailable to them, then this constitutes a communication to a new public and it is subject to exclusive rights;**

¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

Or. en

Amendment 401
Jean-Marie Cavada
Motion for a resolution
Paragraph 15

Motion for a resolution

15. souligne que la capacité de relier **librement** une ressource à une autre constitue l'un des éléments fondamentaux de l'internet; **demande au législateur européen de clarifier que la référence à des œuvres par le biais d'un hyperlien n'est pas soumise aux droits exclusifs, vu qu'elle ne forme pas une communication à un nouveau public¹²** ;

¹² *Ordonnance de la Cour de Justice du*

Amendment

15. souligne que la capacité de relier une ressource à une autre **par le biais d'un hyperlien** constitue **certes** l'un des éléments fondamentaux de l'internet **mais que, dans certains cas, la liaison et l'incorporation peuvent être considérées comme une communication à un public nouveau et, par là même, constituer une atteinte au droit d'auteur;**

¹²

*21 octobre 2014 dans l'affaire C-348/13,
BestWater International GmbH contre
Michael Mebes and Stefan Potsch
(demande de décision préjudicielle de la
Bundesgerichtshof d'Allemagne).*

Or. fr

Amendment 402
Angelika Niebler
Motion for a resolution
Paragraph 15

Motion for a resolution

15. betont, dass die Möglichkeit der freien Verlinkung von Quellen zu den Kernbausteinen des Internets gehört; **fordert den Gesetzgeber der EU auf klarzustellen**, dass der **Verweis auf ein Werk mittels Hyperlink nicht Gegenstand eines Ausschließlichkeitsrechts ist, da er keine neue öffentliche Wiedergabe darstellt¹²** ;

¹² Beschluss des Gerichtshofes vom 21. Oktober 2014 in der Rechtssache C-348/13, BestWater International GmbH gegen Michael Mebes und Stefan Potsch (Ersuchen um Vorabentscheidung: Bundesgerichtshof - Deutschland).

Amendment

15. betont, dass die Möglichkeit der freien Verlinkung von Quellen **und der Schutz geistigen Eigentums** zu den Kernbausteinen des Internets gehört; **stellt fest**, dass der **Gerichtshof der Europäischen Union einen ausgewogenen Ausgleich auf Grundlage der Richtlinie 2001/29/EG getroffen hat¹²**;

¹² Beschluss des Gerichtshofes vom 21. Oktober 2014 in der Rechtssache C-348/13, BestWater International GmbH gegen Michael Mebes und Stefan Potsch (Ersuchen um Vorabentscheidung: Bundesgerichtshof - Deutschland).

Or. de

Amendment 403
Mary Honeyball
Motion for a resolution
Paragraph 15

Motion for a resolution

15. Stresses that the ability to freely link from one resource to another is **one of the fundamental building blocks** of the internet; **calls on the EU legislator to**

Amendment

15. Stresses that the ability to freely link from one resource to another is **an important feature** of the internet, **but stresses that under certain circumstances,**

make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public¹² ;

¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

embedding and linking may be prejudicial to the rights of the creator; further stresses the need to accurately reflect the existing definitions and principles set out in European case law;

¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

Or. en

Amendment 404
Axel Voss
Motion for a resolution
Paragraph 15

Motion for a resolution

15. **betont**, dass die Möglichkeit der **freien** Verlinkung von Quellen **zu den Kernbausteinen des Internets gehört; fordert den Gesetzgeber der EU auf klarzustellen, dass der Verweis auf ein Werk mittels Hyperlink nicht Gegenstand eines Ausschließlichkeitsrechts ist, da er keine neue öffentliche Wiedergabe darstellt¹² ;**

¹² Beschluss des Gerichtshofes vom 21. Oktober 2014 in der Rechtssache C-348/13, BestWater International GmbH gegen Michael Mebes und Stefan Potsch (Ersuchen um Vorabentscheidung: Bundesgerichtshof - Deutschland).

Amendment

15. **stellt fest**, dass die Möglichkeit der Verlinkung von Quellen **ein Element der Internetnutzung ist und betont, dass die Verwendung eines Hyperlinks gemäß entsprechender europäischer Rechtsprechung erfolgen muss, nämlich, dass sie nicht zur Umgehung der Zugriffsschranken auf ein ursprünglich geschütztes und den Nutzern unzugängliches Werk führen darf¹² ;**

¹² Beschluss des Gerichtshofes vom 21. Oktober 2014 in der Rechtssache C-348/13, BestWater International GmbH gegen Michael Mebes und Stefan Potsch (Ersuchen um Vorabentscheidung: Bundesgerichtshof - Deutschland). **Vgl. auch: Beschluss des Gerichtshofes vom 13. Februar 2014 in der Rechtssache C-466/12, Fall Svensson**

Or. de

Amendment 405
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Paragraph 15

Motion for a resolution

15. **Stresses** that the ability to freely link from one resource to another is one of the fundamental building blocks of the internet; calls on the EU legislator to make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public¹² ;

¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

Amendment

15. **Notes** that the ability to freely link **content lawfully made available** from one resource to another is one of the fundamental building blocks of the internet; **highlights the importance of enhanced user information regarding obligations for anyone who knowingly provides hyperlinks to unauthorised content or links that circumvent paywalls**; calls on the EU legislator to make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public¹²;

¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

Or. en

Amendment 406
Cecilia Wikström
Motion for a resolution
Paragraph 15

Motion for a resolution

15. Stresses that the ability to freely link from one resource to another is one of the fundamental building blocks of the internet; calls on the EU legislator to **make it clear** that reference to works by means of

Amendment

15. Stresses that the ability to freely link from one resource to another is one of the fundamental building blocks of the **free and open** internet; calls on the EU legislator to **further clarify** that reference

a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public¹² ;

to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public¹²;

¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

Or. en

Amendment 407

Therese Comodini Cachia, Pavel Svoboda, Marc Joulaud, Constance Le Grip, József Szájer, Giovanni Toti, Rosa Estaràs Ferragut, Luis de Grandes Pascual, Milan Zver, Sabine Verheyen

Motion for a resolution

Paragraph 15

Motion for a resolution

Amendment

15. ***Stresses*** that the ability to ***freely*** link from one resource to another is one of the fundamental building blocks of the internet; ***calls on the EU legislator to make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public¹² ;***

15. ***Notes*** that the ability to link from one resource to another is one of the fundamental building blocks of the internet ***and underlines that any further legislation must accurately reflect the existing definitions and principles set in the European case law stating that when the hyperlink allows the recipients to circumvent the restrictions on access to the protected work so that can access the protected work which was otherwise unavailable to them, then this constitutes a communication to a new public and it is subject to exclusive rights.***

¹² ***Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).***

¹²

Amendment 408
Enrico Gasbarra, Silvia Costa
Motion for a resolution
Paragraph 15

Motion for a resolution

15. sottolinea che la capacità di creare liberamente collegamenti tra una risorsa e un'altra è uno dei capisaldi del funzionamento di internet; esorta il legislatore unionale a chiarire **che il riferimento a** un'opera attraverso un collegamento ipertestuale (hyperlink) **non è soggetto a diritti esclusivi, in quanto non costituisce una comunicazione che raggiunge un pubblico nuovo**¹² ;

¹² Ordinanza della Corte di giustizia del 21 ottobre 2014 nella causa C-348/13, BestWater International GmbH/ Michael Mebes, Stefan Potsch (domanda di pronuncia pregiudiziale proposta dal Bundesgerichtshof tedesco).

Amendment

15. sottolinea che la capacità di creare liberamente collegamenti tra una risorsa e un'altra è uno dei capisaldi del funzionamento di internet; esorta il legislatore unionale a chiarire **lo status di** un'opera **raggiungibile** attraverso un collegamento ipertestuale (hyperlink), **tenendo anche conto della recente giurisprudenza della Corte di Giustizia** ;

¹² Ordinanza della Corte di giustizia del 21 ottobre 2014 nella causa C-348/13, BestWater International GmbH/ Michael Mebes, Stefan Potsch (domanda di pronuncia pregiudiziale proposta dal Bundesgerichtshof tedesco).

Or. it

Amendment 409
Virginie Rozière, Mady Delvaux
Motion for a resolution
Paragraph 15

Motion for a resolution

15. souligne que la capacité de relier librement une ressource à une autre constitue l'un des éléments fondamentaux de l'internet; demande au législateur européen **de clarifier** que la référence à des œuvres par le biais d'un hyperlien **n'est pas** soumise aux droits exclusifs, vu qu'elle ne

Amendment

15. souligne que la capacité de relier librement une ressource à une autre constitue l'un des éléments fondamentaux de l'internet; demande au législateur européen **d'intégrer dans son droit positif la jurisprudence de la CJUE afin** que la référence à des œuvres par le biais d'un

forme pas une communication à un nouveau public¹² ;

hyperlien **ne soit** pas soumise aux droits exclusifs, vu qu'elle ne forme pas une communication à un nouveau public¹²; **rappelle que cette possibilité doit être strictement limitée aux liens renvoyant vers des contenus librement disponibles; rappelle que le régime de responsabilité des intermédiaires pointant vers des contenus illicites devrait être renforcé, notamment par la révision de la directive e-commerce;**

¹² Ordonnance de la Cour de Justice du 21 octobre 2014 dans l'affaire C-348/13, BestWater International GmbH contre Michael Mebes and Stefan Potsch (demande de décision préjudicielle de la Bundesgerichtshof d'Allemagne).

¹² Ordonnance de la Cour de Justice du 21 octobre 2014 dans l'affaire C-348/13, BestWater International GmbH contre Michael Mebes and Stefan Potsch (demande de décision préjudicielle de la Bundesgerichtshof d'Allemagne).

Or. fr

Amendment 410
Julia Reda, Josef Weidenholzer
Motion for a resolution
Paragraph 15

Motion for a resolution

15. Stresses that the ability to freely link from one resource to another is one of the fundamental building blocks of the internet; calls on the EU legislator to **make it clear** that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to **a new** public¹² ;

¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

Amendment

15. Stresses that the ability to freely link from one resource to another is one of the fundamental building blocks of the Internet; calls on the EU legislator to **clarify** that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to **the** public;

¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).

Or. en

Amendment 411
Christian Ehler, Sabine Verheyen, Marc Joulaud
Motion for a resolution
Paragraph 15 a (new)

Motion for a resolution

Amendment

15 a. Suggests a review of the liability of service providers and intermediaries in order to clarify their legal status and liability with regards to copyrights, to guarantee that due diligence is exercised throughout the creative process and supply chain, and to ensure a fair remuneration for creators and rightholders within the European Union.

Or. en

Amendment 412
Marietje Schaake
Motion for a resolution
Paragraph 15 b (new)

Motion for a resolution

Amendment

15 b. Calls for an end to geoblocking, as it prevents the emergence of a single digital market and hinders citizens access to information for which they have already paid taxes;

Or. en

Amendment 413
Marie-Christine Boutonnet
Motion for a resolution
Paragraph 16

Motion for a resolution

Amendment

16. demande au législateur européen de s'assurer que l'utilisation de photographies, de séquences vidéo ou d'autres images d'œuvres qui se trouvent en permanence dans des lieux publics soit

16. La simple présence d'une œuvre dans l'espace public n'enlève pas à l'auteur ses droits;

permise;

Or. fr

Amendment 414
Ivan Jakovčić
Motion for a resolution
Paragraph 16

Motion for a resolution

16. poziva zakonodavca EU-a da **zajamči dopuštenost upotrebe fotografija, videozapisa ili drugih vizualnih prikaza djela trajno smještenih na javnim mjestima;**

Amendment

16. poziva zakonodavca EU-a da **ovom inicijativom o autorskom pravu omogući šire razumijevanje umjetnosti i stvaralaštva i njihovu važnost za društveni razvoj te da spriječi parazitski razvoj novih komercijalnih interesa na račun autora i njihovih prava;**

Or. hr

Amendment 415
József Szájer
Motion for a resolution
Paragraph 16

Motion for a resolution

16. ***Calls on*** the EU legislator to ***ensure*** that the use of photographs, video footage or other images of works which are permanently located in public places ***is permitted;***

Amendment

16. ***Invites*** the EU legislator to ***recognise*** that the use of photographs, video footage or other images of works, which are permanently located in public places ***shall be considered to be in the public domain, where that use is for a non-commercial purpose or scale;***

Or. en

Amendment 416
Constance Le Grip
Motion for a resolution
Paragraph 16

Motion for a resolution

16. **demande au législateur européen de s'assurer** que l'utilisation de photographies, de séquences vidéo ou d'autres images d'œuvres qui se trouvent en permanence dans des lieux publics **soit permise**;

Amendment

16. **souligne** que l'utilisation **commerciale** de photographies, de séquences vidéo ou d'autres images d'œuvres qui se trouvent en permanence dans des lieux publics **devrait toujours faire l'objet d'une autorisation préalable des auteurs ou de leur société d'auteurs**;

Or. fr

Amendment 417

Axel Voss

Motion for a resolution

Paragraph 16

Motion for a resolution

16. **fordert den Gesetzgeber der EU auf sicherzustellen**, dass die Nutzung von Fotografien, Videomaterial oder anderen Abbildungen von Werken, die dauerhaft an öffentlichen Orten platziert sind, gestattet ist;

Amendment

16. **erkennt an**, dass die Nutzung von Fotografien, Videomaterial oder anderen Abbildungen von **als gemeinfrei geltenden** Werken, die dauerhaft an öffentlichen Orten platziert sind, **für den nicht-kommerziellen Gebrauch** gestattet ist;

Or. de

Amendment 418

Angel Dzhambazki, Sajjad Karim

Motion for a resolution

Paragraph 16

Motion for a resolution

16. Calls on the **EU legislator to ensure that the** use of photographs, video footage or other images of works which are permanently located in public places **is permitted**;

Amendment

16. Calls **for the Commission to report on the implementation of the Directive with regard to progress on increasing awareness for consumers regarding exceptions and limitations, in particular with regard to differences across the EU, including** use of photographs, video footage or other images of works which are permanently located in public places;

Amendment 419
Cecilia Wikström
Motion for a resolution
Paragraph 16

Motion for a resolution

16. Calls on the *EU legislator to ensure* that the use of photographs, video footage or other images of works which are permanently located in public places *is* permitted;

Amendment

16. Calls on the *Commission to propose in the review of Directive 2001/29/EC* that the use of photographs, video footage or other images of works which are permanently located in public places *shall be* permitted;

Amendment 420
Tonino Picula
Motion for a resolution
Paragraph 16

Motion for a resolution

16. poziva zakonodavca EU-a da zajamči dopuštenost upotrebe fotografija, videozapisa ili drugih vizualnih prikaza djela trajno smještenih na javnim mjestima;

Amendment

16. poziva zakonodavca EU-a da *da* zajamči dopuštenost upotrebe fotografija, videozapisa ili drugih vizualnih prikaza djela trajno smještenih na javnim mjestima *te da ovom inicijativom o autorskom pravu omogući šire razumijevanje umjetnosti i stvaralaštva i njihovu važnost za društveni razvoj te da regulira razvoj novih komercijalnih interesa koji ugrožavaju prava autora;*

Amendment 421
Jean-Marie Cavada
Motion for a resolution
Paragraph 16

Motion for a resolution

16. **demande au législateur européen de s'assurer** que l'utilisation de photographies, de séquences vidéo ou d'autres images d'œuvres qui se trouvent en permanence dans des lieux publics **soit permise**;

Amendment

16. **considère** que l'utilisation **commerciale** de photographies, de séquences vidéo ou d'autres images d'œuvres qui se trouvent en permanence dans des lieux publics **physiques devrait toujours faire l'objet d'une autorisation préalable des auteurs ou de tout mandataire**;

Or. fr

Amendment 422

Therese Comodini Cachia, Marc Joulaud, Constance Le Grip, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Giovanni Toti, József Szájer, Milan Zver, Sabine Verheyen

Motion for a resolution

Paragraph 16

Motion for a resolution

16. **Calls on** the EU legislator to **ensure** that the use of photographs, video footage or other images of works which are permanently located in public places is permitted;

Amendment

16. **Invites** the EU legislator to **recognise** that the use of photographs, video footage or other images of works which are permanently located in public places is permitted **shall considered to be in the public domain, where that use is for a non-commercial purpose or scale**.

Or. en

Amendment 423

Mary Honeyball

Motion for a resolution

Paragraph 16

Motion for a resolution

16. **Calls on** the EU legislator to **ensure** that the use of photographs, video footage or other images of works which are permanently located in public places is permitted;

Amendment

16. **Invites** the EU legislator to **recognise** that the use of photographs, video footage or other images of works which are permanently located in **physical** public places is permitted **and should be considered to be in the public domain, where that use is for a non-commercial purpose or scale**;

Amendment 424
Angelika Niebler
Motion for a resolution
Paragraph 16

Motion for a resolution

16. fordert den Gesetzgeber der EU auf sicherzustellen, dass die Nutzung von Fotografien, Videomaterial oder anderen Abbildungen von Werken, die dauerhaft an öffentlichen Orten platziert sind, gestattet ist;

Amendment

16. fordert den Gesetzgeber der EU auf sicherzustellen, dass die Nutzung von Fotografien, Videomaterial oder anderen Abbildungen von Werken, die dauerhaft an öffentlichen Orten platziert sind, gestattet ist, ***es sei denn, dieses Material ist seinerseits bereits urheberrechtlich geschützt***;

Amendment 425
Inês Cristina Zuber
Motion for a resolution
Paragraph 16

Motion for a resolution

16. Solicita ao legislador da União que garanta a autorização da utilização de fotografias, imagens de vídeo ou outras imagens de obras que se encontram permanentemente expostas em locais públicos;

Amendment

16. Solicita ao legislador da União que garanta a autorização, ***para fins não comerciais***, da utilização de fotografias, imagens de vídeo ou outras imagens de obras que se encontram permanentemente expostas em locais públicos;

Amendment 426
Virginie Rozière, Mady Delvaux
Motion for a resolution
Paragraph 16

Motion for a resolution

16. demande au législateur européen de

Amendment

16. demande au législateur européen de

s'assurer que l'utilisation de photographies, de séquences vidéo ou d'autres images d'œuvres qui se trouvent en permanence dans des lieux publics soit permise;

s'assurer que l'utilisation **non commerciale** de photographies, de séquences vidéo ou d'autres images d'œuvres qui se trouvent en permanence dans des lieux publics soit permise;

Or. fr

Amendment 427

Julia Reda

Motion for a resolution

Paragraph 16

Motion for a resolution

16. Calls on the EU legislator to ensure that the use of photographs, video footage or other images of works which are permanently located in public places is permitted;

Amendment

16. Calls on the EU legislator to ensure that the use of photographs, video footage or other images of works which are permanently located in public places is permitted, **as a mandatory exception**;

Or. en

Amendment 428

Lidia Joanna Geringer de Oedenberg

Motion for a resolution

Paragraph 16

Motion for a resolution

16. wzywa unijnego ustawodawcę do zadbania o to, by możliwe było wykorzystanie zdjęć, nagrań wideo i innych prac fotograficznych umieszczonych na stałe w miejscach publicznych;

Amendment

16. wzywa unijnego ustawodawcę do zadbania o to, by możliwe było wykorzystanie zdjęć, nagrań wideo i innych prac fotograficznych **wszelkich obiektów** umieszczonych na stałe w miejscach publicznych;

Or. pl

Amendment 429

Ivan Jakovčić

Motion for a resolution
Paragraph 16 a (new)

Motion for a resolution

Amendment

16 a. ističe da je razvoj digitalnog tržišta nemoguć bez razvoja kreativnih i kulturnih industrija;

Or. hr

Amendment 430
Virginie Rozière
Motion for a resolution
Paragraph 16 b (new)

Motion for a resolution

Amendment

16 ter demande aux États membres d'envisager l'intégration dans leurs droits nationaux de l'exception de panorama, dans la mesure où les oeuvres situées en permanence dans l'espace public seraient produites par le secteur public;

Or. fr

Amendment 431
Jean-Marie Cavada
Motion for a resolution
Paragraph 17

Motion for a resolution

Amendment

17. insiste sur le fait que l'exception de caricature, de parodie et de pastiche devrait s'appliquer quelle que soit la finalité de l'utilisation parodique;

supprimé

Or. fr

Amendment 432
Constance Le Grip

Motion for a resolution
Paragraph 17

Motion for a resolution

Amendment

17. insiste sur le fait que l'exception de caricature, de parodie et de pastiche devrait s'appliquer quelle que soit la finalité de l'utilisation parodique;

supprimé

Or. fr

Amendment 433
Enrico Gasbarra
Motion for a resolution
Paragraph 17

Motion for a resolution

Amendment

17. sottolinea che l'eccezione per la caricatura, parodia o pastiche dovrebbe applicarsi a prescindere dagli scopi dell'uso parodico;

soppresso

Or. it

Amendment 434
Julia Reda, Josef Weidenholzer
Motion for a resolution
Paragraph 17

Motion for a resolution

Amendment

17. Emphasises that the exception for caricature, parody and pastiche should apply regardless of the purpose of the parodic use;

17. Highlights the importance of the exception for caricature, parody and pastiche for the protection of authors' freedom of expression, which should therefore be made mandatory; notes with concern the implication of the Deckmyn ruling (C-201/13) that rightsholders other than the author of a work can claim moral rights, and therefore calls on the legislator to clarify that moral rights are rights of the author of a work, that cannot be transferred to third-party rightholders;

Amendment 435
József Szájer
Motion for a resolution
Paragraph 17

Motion for a resolution

17. Emphasises that the exception for caricature, parody and pastiche **should apply regardless** of the **purpose of the parodic use**;

Amendment

17. Emphasises that the **existing limitation on the** exception for caricature, parody and pastiche **must be kept to strike a fair balance between the interests and rights of the creators and original characters and the freedom of expression of the user of a protected work who is relying on the exception for parody, and to avoid uncontrolled abuse**;

Amendment 436
Virginie Rozière
Motion for a resolution
Paragraph 17

Motion for a resolution

17. insiste sur **le fait que** l'exception de caricature, de parodie et de pastiche **devrait s'appliquer quelle que soit la finalité de l'utilisation parodique**;

Amendment

17. insiste sur **l'importance de** l'exception de caricature, de parodie et de pastiche **pour la vitalité du débat démocratique**;

Amendment 437
Angelika Niebler
Motion for a resolution
Paragraph 17

Motion for a resolution

17. betont, dass **die Ausnahme** für Karikaturen, Parodien oder Pastiches

Amendment

17. betont, dass **bestehende Ausnahmen** für Karikaturen, Parodien oder Pastiches

unabhängig vom Zweck der parodistischen Nutzung Anwendung finden sollte;

einen gerechten Ausgleich zwischen den Interessen der Rechteinhaber und der Nutzer ermöglicht haben;

Or. de

Amendment 438

Axel Voss

Motion for a resolution

Paragraph 17

Motion for a resolution

17. betont, dass die Ausnahme für Karikaturen, Parodien oder Pastiches *unabhängig vom Zweck der parodistischen Nutzung Anwendung finden sollte;*

Amendment

17. betont, dass die **bestehende** Ausnahme für Karikaturen, Parodien oder Pastiches **erhalten bleiben muss um einen gerechten Ausgleich zwischen den Interessen der Rechteinhaber einerseits und der Meinungsfreiheit der Nutzer andererseits zu gewährleisten;**

Or. de

Amendment 439

Therese Comodini Cachia, Mary Honeyball, Marc Joulaud, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Giovanni Toti, József Szájer, Milan Zver, Sabine Verheyen

Motion for a resolution

Paragraph 17

Motion for a resolution

17. Emphasises that the exception for caricature, parody and pastiche **should apply regardless** of the **purpose of the parodic use;**

Amendment

17. Emphasises that the **existing limitation on the** exception for caricature, parody and pastiche **must be kept to strike a fair balance between the interests and rights of the creators and original characters and the freedom of expression of the user of a protected work who is relying on the exception for parody, and to avoid uncontrolled abuse^{12 a} ;**

^{12 a} **Order of the Court of Justice of 3 September 2014 in Case C-201/13 (J. Deckmyn)**

Amendment 440
Mary Honeyball
Motion for a resolution
Paragraph 17

Motion for a resolution

17. Emphasises that the exception for caricature, parody and pastiche ***should apply regardless of the purpose of the parodic use;***

Amendment

17. Emphasises that the ***existing limitation on the*** exception for caricature, parody and pastiche ***must be kept to strike a fair balance between the interests and rights of the creators and original characters and the freedom of expression of the user of a protected work who is relying on the exception for parody, and to avoid uncontrolled abuse;***

Amendment 441
Constance Le Grip, Marc Joulaud, Sabine Verheyen
Motion for a resolution
Paragraph 18

Motion for a resolution

18. ***souligne la nécessité de permettre des techniques analytiques automatisées des textes et des données (par exemple la «fouille de textes et de données») à toutes les fins, pour autant que la permission de lire l'œuvre ait été acquise;***

Amendment

18. ***encourage les solutions telles que le modèle de licences en ce qui concerne la fouille de textes et de données à des fins de recherche scientifique;***

Amendment 442
József Szájer
Motion for a resolution
Paragraph 18

Motion for a resolution

18. ***Stresses the need to enable automated analytical techniques for text and data (e.g. ‘text and data mining’) for all purposes***, provided that permission to read the work has been acquired;

Amendment

18. ***Invites the Commission to assess whether data analysis activities could be covered by the exception for scientific research contained in Article 5.3.a) of the current Directive, which provides for an exception to the right of reproduction, (Article 2) when the protected work is used, and whether it enables automated analytical techniques for text and data***, provided that permission to read the work has been acquired;

Or. en

Amendment 443

Therese Comodini Cachia, Pavel Svoboda, Mary Honeyball, Rosa Estaràs Ferragut, Luis de Grandes Pascual, Giovanni Toti, József Szájer, Sabine Verheyen

Motion for a resolution

Paragraph 18

Motion for a resolution

18. ***Stresses the need to enable automated analytical techniques for text and data (e.g. ‘text and data mining’) for all purposes***, provided that permission to read the work has been acquired;

Amendment

18. ***Invites the Commission to assess whether data analysis activities could be covered by the exception for scientific research contained in Article 5.3.a) of the current Directive, which provides for an exception to the right of reproduction (Article 2) when the protected work is used, and whether it enables automated analytical techniques for text and data***, provided that permission to read the work has been acquired;

Or. en

Amendment 444

Axel Voss

Motion for a resolution

Paragraph 18

Motion for a resolution

18. **betont die Notwendigkeit**, automatisierte Analyseverfahren für Texte und Daten (z. B. „Text- und Data-Mining“) **für alle Zwecke zu ermöglichen**, vorausgesetzt, die Genehmigung zum Lesen des Textes wurde erworben;

Amendment

18. **begrüßt, dass Mitgliedsstaaten auf freiwilliger, lizenzbasierter Grundlage** automatisierte Analyseverfahren für Texte und Daten (z. B. „Text- und Data-Mining“) **ermöglichen können**, vorausgesetzt, die Genehmigung zum Lesen des Textes wurde erworben;

Or. de

Amendment 445

Angel Dzhambazki, Sajjad Karim

Motion for a resolution

Paragraph 18

Motion for a resolution

18. Stresses the need to **enable automated analytical techniques** for text and data (e.g. ‘text and data mining’) for **all** purposes, **provided that permission to read the work has been acquired**;

Amendment

18. Stresses the need to **facilitate formats** for text and data (e.g. ‘text and data mining’) for **research** purposes, **while recognising the investment that this requires by rightsholders; highlights that exceptions for text and data should not facilitate the publication or sharing of copies made under the exception**;

Or. en

Amendment 446

Angelika Niebler

Motion for a resolution

Paragraph 18

Motion for a resolution

18. betont die Notwendigkeit, automatisierte Analyseverfahren für Texte und Daten (z. B. „Text- und Data-Mining“) **für alle Zwecke zu ermöglichen**, **vorausgesetzt, die Genehmigung zum Lesen des Textes wurde erworben**;

Amendment

18. betont die Notwendigkeit, automatisierte Analyseverfahren für Texte und Daten (z. B. „Text- und Data-Mining“) **durch Lizenzvereinbarungen zu ermöglichen**;

Or. de

Amendment 447

Laura Ferrara

Motion for a resolution

Paragraph 18

Motion for a resolution

18. sottolinea la necessità di consentire tecniche di analisi automatizzata del testo e dei dati (la cosiddetta «estrazione di dati e testi») per ogni finalità, purché sia stato acquisito il permesso di **leggere** l'opera;

Amendment

18. sottolinea la necessità di consentire tecniche di analisi automatizzata del testo e dei dati (la cosiddetta «estrazione di dati e testi») per ogni finalità, purché sia stato acquisito il permesso di **utilizzare** l'opera;

Or. it

Amendment 448

Virginie Rozière, Mady Delvaux

Motion for a resolution

Paragraph 18

Motion for a resolution

18. souligne la nécessité de permettre des techniques analytiques automatisées des textes et des données (par exemple la «fouille de textes et de données») à **toutes les fins**, pour autant que la permission de lire l'œuvre ait été acquise;

Amendment

18. souligne la nécessité de permettre des techniques analytiques automatisées des textes et des données (par exemple la «fouille de textes et de données») à **des fins non directement commerciales**, pour autant que la permission de lire l'œuvre ait été acquise;

Or. fr

Amendment 449

Jean-Marie Cavada

Motion for a resolution

Paragraph 18

Motion for a resolution

18. souligne la nécessité de permettre des techniques analytiques automatisées des textes et des données (par exemple la «fouille de textes et de données») à **toutes les fins**, pour autant que la permission de

Amendment

18. souligne la nécessité de permettre des techniques analytiques automatisées des textes et des données (par exemple la «fouille de textes et de données»), pour autant que la permission de lire l'œuvre ait

lire l'œuvre ait été acquise;

été acquise *et qu'une rémunération ait été payée aux ayants droit*;

Or. fr

Amendment 450

Julia Reda

Motion for a resolution

Paragraph 18

Motion for a resolution

18. Stresses the need to enable automated analytical techniques for text and data (e.g. ‘text and data mining’) for all purposes, provided that permission to read the work has been acquired;

Amendment

18. Stresses the need to enable automated analytical techniques for text and data (e.g. ‘text and data mining’) for all purposes, provided that permission to read the work has been acquired, *as a mandatory exception*;

Or. en

Amendment 451

Tonino Picula

Motion for a resolution

Paragraph 18 a (new)

Motion for a resolution

Amendment

18 a. ističe da je razvoj digitalnog tržišta usko vezan s razvojem kreativnih i kulturnih industrija stoga je jedini način postizanja trajnog prosperiteta njihov skladan usporedni razvoj;

Or. hr

Amendment 452

Christian Ehler, Sabine Verheyen, Marc Joulaud

Motion for a resolution

Paragraph 18 b (new)

Motion for a resolution

Amendment

18 b. Acknowledges that Text and data

Mining is an emerging and promising practice, in particular for the research field, recalls that innovative licensing solutions are established, but that any preferential treatment should only be applied for non-commercial use.

Or. en

Amendment 453
Angelika Niebler
Motion for a resolution
Paragraph 19

Motion for a resolution

Amendment

19. fordert eine weitgefasste Ausnahme für Forschungs- und Unterrichtszwecke, die nicht nur Bildungseinrichtungen, sondern alle Arten der Bildungs- und Forschungstätigkeit, einschließlich informelles Lernen, umfasst;

entfällt

Or. de

Amendment 454
Cecilia Wikström
Motion for a resolution
Paragraph 19

Motion for a resolution

Amendment

19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but any kind of educational or research activity, including non-formal education;

deleted

Or. en

Amendment 455
Jytte Guteland
Motion for a resolution
Paragraph 19

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Motion for a resolution

Amendment

19. Europaparlamentet efterlyser ett brett undantag för forsknings- och utbildningsändamål som bör omfatta inte bara läroanstalter, utan även varje form av utbildnings- och forskningsverksamhet, inklusive informell utbildning.

utgår

Or. sv

**Amendment 456
Constance Le Grip
Motion for a resolution
Paragraph 19**

Motion for a resolution

Amendment

19. demande une large exception à des fins de recherche et d'éducation, qui devrait couvrir non seulement les établissements d'enseignement mais également tout type d'activité éducative ou de recherche, y compris l'enseignement non formel;

19. souligne la nécessité d'une analyse économique et juridique solide en ce qui concerne l'utilisation des oeuvres protégées dans le cadre de l'enseignement et de la recherche, et estime que toute nouvelle exception ou limitation au droit d'auteur devra faire l'objet d'un examen approfondi;

Or. fr

**Amendment 457
Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López
Motion for a resolution
Paragraph 19**

Motion for a resolution

Amendment

19. Pide una amplia excepción para fines de investigación y educación, que debería incluir no solo los centros educativos sino todo tipo de actividad educativa o de investigación, *incluida la educación no formal*;

19. Pide una amplia excepción para fines de investigación y educación, que debería incluir no solo los centros educativos sino todo tipo de actividad educativa o de investigación *amparada bajo programas e instituciones educativos*;

Amendment 458
József Szájer
Motion for a resolution
Paragraph 19

Motion for a resolution

19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but **any kind of educational or research activity, including non-formal education**;

Amendment

19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but **also educational or research activities linked to an educational establishment or institution recognised by national authorities or legislation or within the purview of an educational programme**;

Or. en

Amendment 459
Virginie Rozière
Motion for a resolution
Paragraph 19

Motion for a resolution

19. demande **une large exception** à des fins de recherche et d'éducation, qui devrait **couvrir non seulement les établissements d'enseignement mais également tout type d'activité éducative ou de recherche, y compris l'enseignement non formel**;

Amendment

19. demande **à la Commission d'envisager de rendre obligatoire l'exception** à des fins de recherche et d'éducation, qui devrait **être strictement définie**;

Or. fr

Amendment 460
Axel Voss
Motion for a resolution
Paragraph 19

Motion for a resolution

19. fordert eine **weitgefaste** Ausnahme für Forschungs- und Unterrichtszwecke, die

Amendment

19. fordert eine Ausnahme für Forschungs- und Unterrichtszwecke, die **neben**

nicht nur Bildungseinrichtungen, *sondern alle Arten der* Bildungs- und *Forschungstätigkeit, einschließlich informelles Lernen*, umfasst;

Bildungseinrichtungen *auch* Bildungs- und *Forschungsprogramme* umfasst;

Or. de

Amendment 461
Enrico Gasbarra
Motion for a resolution
Paragraph 19

Motion for a resolution

19. chiede *un'eccezione di largo respiro* per scopi di ricerca e d'istruzione, *che dovrebbe coprire non solo gli istituti scolastici, ma ogni tipo di attività didattica o di ricerca, compresa l'istruzione non formale*;

Amendment

19. chiede *di considerare con estrema attenzione l'importanza delle eccezioni* per scopi di ricerca e d'istruzione; *osserva con interesse, in questo contesto, la discussione in corso sulla definizione di un nuovo Trattato Internazionale che regoli le eccezioni per le biblioteche e gli archivi*;

Or. it

Amendment 462
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Paragraph 19

Motion for a resolution

19. Calls for *a broad exception* for research and education purposes, *which should cover not only educational establishments but any kind of educational or research activity, including non-formal education*;

Amendment

19. Calls for *targeted exceptions* for research and education purposes;

Or. en

Amendment 463
Laura Ferrara
Motion for a resolution
Paragraph 19

Motion for a resolution

19. chiede un'eccezione di largo respiro per scopi di ricerca e d'istruzione, che dovrebbe coprire non solo gli istituti scolastici, ma ogni tipo di attività didattica o di ricerca, compresa l'istruzione non formale;

Amendment

19. chiede un'eccezione di largo respiro per scopi di ricerca e d'istruzione, che dovrebbe coprire non solo gli istituti scolastici, **le università e gli istituti di alta formazione artistica, coreutica e musicale**, ma ogni tipo di attività didattica o di ricerca, compresa l'istruzione non formale **così come la digitalizzazione delle tradizioni ed eredità culturali**;

Or. it

Amendment 464

Victor Negrescu

Motion for a resolution

Paragraph 19

Motion for a resolution

19. Calls for a **broad** exception for research and education purposes, which should **cover** not only educational establishments **but any kind of** educational **or** research **activity, including non-formal** education;

Amendment

19. Calls for a **mandatory** exception for research and education purposes, which should not only **cover** educational establishments, **but also amateur** educational **and** research **activities conducted by non-governmental organisations outside** education **institutions as well as digital education, for example in the form of so-called massive open online courses (MOOC), provided that they are not aimed at making a profit**;

Or. en

Amendment 465

Marie-Christine Boutonnet

Motion for a resolution

Paragraph 19

Motion for a resolution

19. demande une large exception à des fins de recherche et d'éducation, qui devrait

Amendment

19. demande une large exception à des fins de recherche et d'éducation, qui devrait

couvrir non seulement les établissements d'enseignement mais également tout type d'activité éducative ou de recherche, *y compris l'enseignement non formel*;

couvrir non seulement les établissements d'enseignement mais également tout type d'activité éducative ou de recherche;

Or. fr

Amendment 466

Sergio Gaetano Cofferati, Lidia Joanna Geringer de Oedenberg

Motion for a resolution

Paragraph 19

Motion for a resolution

19. chiede un'eccezione di largo respiro per scopi di ricerca e d'istruzione, *che* dovrebbe coprire non solo gli istituti scolastici, ma ogni tipo di attività didattica o di ricerca, compresa l'istruzione non formale;

Amendment

19. chiede un'eccezione di largo respiro per scopi di ricerca e d'istruzione, *nell'interesse pubblico generale ed al fine di favorire una virtuosa circolazione del sapere. Ritiene che questa* dovrebbe coprire non solo gli istituti scolastici, ma ogni tipo di attività didattica o di ricerca, compresa l'istruzione non formale;

Or. it

Amendment 467

Lidia Joanna Geringer de Oedenberg

Motion for a resolution

Paragraph 19

Motion for a resolution

19. domaga się *zastosowania* obszernego wyjątku w odniesieniu do celów badawczych i edukacyjnych, który powinien dotyczyć nie tylko placówek edukacyjnych, ale także wszelkiego rodzaju działalności badawczej i edukacyjnej, w tym kształcenia pozaformalnego;

Amendment

19. domaga się *przeznaczenia* obszernego wyjątku w odniesieniu do celów badawczych i edukacyjnych, który powinien dotyczyć nie tylko placówek edukacyjnych *w zastosowaniu transgranicznym*, ale także wszelkiego rodzaju działalności badawczej i edukacyjnej, w tym kształcenia pozaformalnego;

Or. pl

Amendment 468
Julia Reda, Victor Negrescu, Josef Weidenholzer
Motion for a resolution
Paragraph 19

Motion for a resolution

19. Calls for a ***broad*** exception for research and education purposes, which should ***cover*** not only educational establishments ***but any kind of*** educational ***or*** research ***activity, including non-formal*** education;

Amendment

19. Calls for a ***mandatory*** exception for research and education purposes, which should not only ***cover*** educational establishments, ***but also amateur*** educational ***and*** research ***activities conducted by non-governmental organisations outside*** education ***institutions as well as digital education, for example in the form of so-called massive open online courses (MOOC), provided that they are not aimed at making a profit,***

Or. en

Amendment 469
Therese Comodini Cachia, Eva Paunova, Jean-Marie Cavada, Mary Honeyball, Luis de Grandes Pascual, József Szájer, Giovanni Toti, Rosa Estaràs Ferragut, Sabine Verheyen
Motion for a resolution
Paragraph 19

Motion for a resolution

19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but ***any kind of*** educational ***or research*** ***activity, including non-formal*** education;

Amendment

19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but ***also educational or research activities linked to an educational establishment or institution recognised by national authorities or legislation or within the purview of an educational programme;***

Or. en

Amendment 470
Inês Cristina Zuber
Motion for a resolution
Paragraph 19

Motion for a resolution

19. Solicita uma exceção abrangente para fins de investigação e de ensino, que deve incluir não apenas os estabelecimentos de ensino mas também todos os tipos de **atividade** de ensino ou de investigação, incluindo a educação não formal;

Amendment

19. Solicita uma exceção abrangente para fins de investigação e de ensino, que deve incluir não apenas os estabelecimentos de ensino mas também todos os tipos de **instituições** de ensino ou de investigação, incluindo a educação não formal;

Or. pt

Amendment 471

Tadeusz Zwiefka, Bogdan Brunon Wenta

Motion for a resolution

Paragraph 19 a (new)

Motion for a resolution

Amendment

19 a. stresses that any new exceptions or limitations introduced to the EU copyright legal system needs to be duly justified by a sound and objective economic and legal analysis

Or. en

Amendment 472

Constance Le Grip

Motion for a resolution

Paragraph 20

Motion for a resolution

Amendment

20. demande l'adoption d'une exception obligatoire permettant aux bibliothèques de prêter des livres au public sous format numérique, quel que soit le lieu d'accès;

supprimé

(Prêter des livres au public sous format numérique, à distance, favoriserait là encore des prestataires commerciaux de l'environnement numérique au détriment de la protection des auteurs et du contenu même des oeuvres. Cela soulève également d'un point de vue technique de nombreuses

questions en termes de piratage.)

Or. fr

Amendment 473
Cecilia Wikström
Motion for a resolution
Paragraph 20

Motion for a resolution

Amendment

20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;

deleted

Or. en

Amendment 474
József Szájer
Motion for a resolution
Paragraph 20

Motion for a resolution

Amendment

20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;

20. Recognizes the importance of libraries for access to knowledge and encourages the rightsholders to identify appropriate market-based solutions to enable libraries to realise their potential in the digital environment while respecting the interests of all stakeholders, including consumers;

Or. en

Amendment 475
Jean-Marie Cavada
Motion for a resolution
Paragraph 20

Motion for a resolution

Amendment

20. demande l'adoption d'une exception obligatoire permettant aux bibliothèques

20. reconnaît l'importance des bibliothèques pour l'accès à la

de prêter des livres au public sous format numérique, quel que soit le lieu d'accès;

connaissance ; encourage les parties intéressées à définir des solutions appropriées pour permettre aux bibliothèques de réaliser leur potentiel dans l'environnement numérique tout en respectant les intérêts des ayants droit;

Or. fr

Amendment 476
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Paragraph 20

Motion for a resolution

20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;

Amendment

20. Stresses the importance of taking into account the conclusions of the numerous experiments being undertaken by the book industry to establish fair, balanced and viable business models;

Or. en

Amendment 477
Axel Voss, Christian Ehler
Motion for a resolution
Paragraph 20

Motion for a resolution

20. fordert die Annahme einer zwingenden Ausnahme, die es Bibliotheken gestattet, Bücher in digitalen Formaten, unabhängig vom Ort des Zugangs, an die Öffentlichkeit zu verleihen;

Amendment

20. erkennt die Bedeutung von Bibliotheken für den Zugang zu Wissen an und fordert angemessene, marktbasierende Lösungen zu entwickeln, die es Bibliotheken erlauben ihr Potential in der digitalen Umwelt zu entfalten und gleichzeitig die Interessen aller Beteiligten zu respektieren, einschließlich die der Verbraucher;

Or. de

Amendment 478
Therese Comodini Cachia, Eva Paunova, Pavel Svoboda, Marc Joulaud, Rosa Estaràs

Ferragut, Luis de Grandes Pascual, József Szájer, Giovanni Toti, Milan Zver, Sabine Verheyen

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;

Amendment

20. Recognizes the importance of libraries for access to knowledge and encourages the rightsholders to identify appropriate market-based solutions to enable libraries to realise their potential in the digital environment while respecting the interests of all stakeholders included consumers;

Or. en

Amendment 479

Mary Honeyball

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;

Amendment

20. Recognises the importance of libraries for access to knowledge and encourages all stakeholders to enable libraries to realise their potential in the digital environment while respecting the rights of creators;

Or. en

Amendment 480

Angelika Niebler

Motion for a resolution

Paragraph 20

Motion for a resolution

20. fordert die Annahme einer zwingenden Ausnahme, die es Bibliotheken gestattet, Bücher in digitalen

Amendment

20. betont im Zeitalter der Digitalisierung die Bedeutung von Lizenzvereinbarungen, um es

Formaten, *unabhängig vom Ort des Zugangs*, an die Öffentlichkeit zu verleihen;

Bibliotheken *zu gestatten*, Bücher in digitalen Formaten *legal* an die Öffentlichkeit zu verleihen;

Or. de

Amendment 481
Jiří Maštálka, Kostas Chrysogonos
Motion for a resolution
Paragraph 20

Motion for a resolution

20. Calls for the adoption of *a mandatory* exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;

Amendment

20. Calls for the adoption of *an* exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;

Or. en

Amendment 482
Victor Negrescu
Motion for a resolution
Paragraph 20

Motion for a resolution

20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;

Amendment

20. Calls for the adoption of a mandatory exception allowing *public and research* libraries to lend books to the public in digital formats *for personal use*, irrespective of the place of access; *recommends that authors should be compensated for e-lending through a statutory licence to the same extent as this is the case for the lending of physical books*;

Or. en

Amendment 483
Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López
Motion for a resolution
Paragraph 20

Motion for a resolution

20. Pide **que se adopte una excepción obligatoria por la** que las bibliotecas puedan prestar libros en formato digital al público, **con independencia del lugar de acceso**;

Amendment

20. Pide **a la Comisión que estudie vías para** que las bibliotecas puedan prestar libros en formato digital al público **garantizando la normativa en materia de derechos de autor y la remuneración justa de los mismos**;

Or. es

Amendment 484

Helga Trüpel, Heidi Hautala

Motion for a resolution

Paragraph 20

Motion for a resolution

20. fordert die **Annahme** einer **zwingenden Ausnahme**, die es Bibliotheken gestattet, Bücher in digitalen Formaten, unabhängig vom Ort des Zugangs, **an die Öffentlichkeit zu verleihen**;

Amendment

20. fordert die **Kommission auf, die Einführung** einer **Ausnahme zu prüfen**, die es Bibliotheken gestattet, Bücher in digitalen Formaten, unabhängig vom Ort des Zugangs **der Öffentlichkeit zu verleihen, unter der Voraussetzung der finanziellen Kompensation (Bibliothekstantieme)**

Or. de

Amendment 485

Sergio Gaetano Cofferati, Lidia Joanna Geringer de Oedenberg, Evelyn Regner

Motion for a resolution

Paragraph 20

Motion for a resolution

20. chiede l'adozione di un'eccezione obbligatoria che consenta alle biblioteche di prestare al pubblico libri in formato digitale, a prescindere dal luogo di accesso;

Amendment

20. chiede l'adozione di un'eccezione obbligatoria che consenta alle biblioteche di prestare al pubblico libri in formato digitale, a prescindere dal luogo di accesso, **affinhé il loro compito di interesse pubblico di divulgazione possa essere svolto in maniera effettiva ed aggiornata**;

Amendment 486
Julia Reda, Victor Negrescu, Josef Weidenholzer
Motion for a resolution
Paragraph 20

Motion for a resolution

20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;

Amendment

20. Calls for the adoption of a mandatory exception allowing **public and research** libraries to lend books to the public in digital formats **for personal use**, irrespective of the place of access; **recommends that authors should be compensated for e-lending through a statutory licence to the same extent as this is the case for the lending of physical books;**

Amendment 487
Pascal Durand
Motion for a resolution
Paragraph 20 a (new)

Motion for a resolution

Amendment

20 a Stresses the need to ensure the swift ratification of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled, without making the ratification conditional to the revision of the EU legal framework on copyright, and then ensure that the copyright laws of Member States contain adequate exceptions to facilitate the availability of works in formats accessible to persons with visual impairments and other disabilities, such as deafness.

Amendment 488
Laura Ferrara
Motion for a resolution
Paragraph 20 b (new)

Motion for a resolution

Amendment

20 b. chiede l'adozione di una eccezione obbligatoria che consenta alle biblioteche di digitalizzare contenuti per finalità di consultazione, catalogazione e archivio;

Or. it

Amendment 489
Kostas Chrysogonos
Motion for a resolution
Paragraph 21

Motion for a resolution

Amendment

21. καλεί τον νομοθέτη της ΕΕ να απαγορεύσει στα κράτη μέλη να εισαγάγουν υποχρεωτικές άδειες για την αποζημίωση δικαιούχων για ζημία που προκλήθηκε από πράξεις που επιτράπηκαν από μια εξαίρεση·

διαγράφεται

Or. el

Amendment 490
Jean-Marie Cavada
Motion for a resolution
Paragraph 21

Motion for a resolution

Amendment

21. demande au législateur européen d'empêcher les États membres d'introduire des licences légales visant à compenser les titulaires de droits du préjudice causé par des actes permis par une exception;

supprimé

Or. fr

Amendment 491
Tadeusz Zwiefka, Bogdan Brunon Wenta
Motion for a resolution
Paragraph 21

Motion for a resolution

Amendment

21. Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception; *deleted*

Or. en

Amendment 492
Jiří Maštálka, Kostas Chrysogonos
Motion for a resolution
Paragraph 21

Motion for a resolution

Amendment

21. Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception; *deleted*

Or. en

Amendment 493
Marie-Christine Boutonnet
Motion for a resolution
Paragraph 21

Motion for a resolution

Amendment

21. demande au législateur européen d'empêcher les États membres d'introduire des licences légales visant à compenser les titulaires de droits du préjudice causé par des actes permis par une exception;

21. Le système actuel de licences actuellement utilisé est à améliorer avec prudence.

Or. fr

Amendment 494
József Szájer
Motion for a resolution
Paragraph 21

Motion for a resolution

21. ***Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;***

Amendment

21. ***Invites the Commission to analyse the necessity of measures, if any, to be implemented by Member States so as to provide compensation to rightholders for the harm caused by acts made permissible by an exception, while they should ensure that rightholders receive fair compensation and that the exceptions or limitations do not conflict with a normal exploitation of the work or subject-matter and do not unreasonably prejudice the legitimate interests of the rightholders ;***

Or. en

Amendment 495
Therese Comodini Cachia, Mary Honeyball, Marc Joulaud, József Szájer, Giovanni Toti, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Sabine Verheyen
Motion for a resolution
Paragraph 21

Motion for a resolution

21. ***Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;***

Amendment

21. ***Invites the Commission to analyse the necessity of measures, if any, to be implemented by Member States so as to provide compensation to rightholders for the harm caused by acts made permissible by an exception while they should ensure that rightholders receive fair compensation and that the exceptions or limitations do not conflict with a normal exploitation of the work or subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder;***

Or. en

Amendment 496
Constance Le Grip
Motion for a resolution
Paragraph 21

Motion for a resolution

21. demande au législateur européen **d'empêcher les États membres d'introduire des licences légales visant à compenser les titulaires de droits du** préjudice causé par des actes permis par une exception;

Amendment

21. demande au législateur européen **de veiller à ce que soient prévues, par les Etats-membres, des mesures nécessaires pour compenser le** préjudice causé **aux ayants-droits** par des actes permis par une exception.

Or. fr

Amendment 497
Virginie Rozière
Motion for a resolution
Paragraph 21

Motion for a resolution

21. demande au législateur européen **d'empêcher les États membres d'introduire des licences légales visant à** compenser les titulaires de droits du préjudice causé par des actes permis par une exception;

Amendment

21. demande au législateur européen **de continuer à garantir aux États membres la possibilité de** compenser les titulaires de droits du préjudice causé par des actes permis par une exception;

Or. fr

Amendment 498
Angelika Niebler
Motion for a resolution
Paragraph 21

Motion for a resolution

21. **fordert den Gesetzgeber der EU auf zu verhindern, dass** Mitgliedstaaten gesetzliche Lizenzen zur Entschädigung von Rechtsinhabern für den Schaden **einzuführen**, der ihnen durch eine Handlung

Amendment

21. **achtet die Möglichkeit für** Mitgliedstaaten, gesetzliche Lizenzen zur Entschädigung von Rechtsinhabern für den Schaden **einzuführen**, der ihnen durch eine Handlung entsteht, die aufgrund einer

entsteht, die aufgrund einer Ausnahme
zulässig ist;

Ausnahme zulässig ist;

Or. de

Amendment 499

Axel Voss

Motion for a resolution

Paragraph 21

Motion for a resolution

21. **fordert den** Gesetzgeber der EU **auf zu verhindern, dass** Mitgliedstaaten **gesetzliche Lizenzen** zur Entschädigung von Rechtsinhabern für den Schaden einführen, der ihnen durch eine Handlung entsteht, die aufgrund einer Ausnahme zulässig ist;

Amendment

21. **schlägt dem** Gesetzgeber der EU **vor zu prüfen, ob** Mitgliedstaaten **Maßnahmen** zur Entschädigung von Rechtsinhabern für den Schaden einführen **sollen**, der ihnen durch eine Handlung entsteht, die aufgrund einer Ausnahme zulässig ist;

Or. de

Amendment 500

Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López

Motion for a resolution

Paragraph 21

Motion for a resolution

21. Insta al legislador de la UE **a que impida a los Estados miembros introducir licencias destinadas a indemnizar** a los titulares de derechos por los daños causados por actos permitidos por una excepción;

Amendment

21. Insta al legislador de la UE **asegurar una remuneración justa** a los titulares de derechos por los daños causados por actos permitidos por una excepción;

Or. es

Amendment 501

Victor Negrescu

Motion for a resolution

Paragraph 21

Motion for a resolution

21. Calls on the EU legislator to preclude Member States from introducing *statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception*;

Amendment

21. ***Deplores the introduction of statutory licenses in some member states aimed at news aggregators for acts already made permissible by an exception and*** calls on the EU legislator to preclude Member States from *unilaterally* introducing *such schemes, which can cause significant damage to the digital economy*;

Or. en

Amendment 502

Helga Trüpel, Heidi Hautala

Motion for a resolution

Paragraph 21

Motion for a resolution

21. fordert den Gesetzgeber der EU auf zu verhindern, dass *Mitgliedstaaten* gesetzliche Lizenzen zur Entschädigung von Rechtsinhabern *für den Schaden einführen, der ihnen durch eine Handlung entsteht, die aufgrund einer Ausnahme zulässig ist*;

Amendment

21. fordert den Gesetzgeber der EU auf zu verhindern, dass *Mitgliedsstaaten* gesetzliche Lizenzen zur Entschädigung von Rechtsinhabern *vermeintlicher Schäden in Form eines Leistungsschutzrecht für Presseverlage einführen*.

Or. de

Amendment 503

Julia Reda, Victor Negrescu, Josef Weidenholzer

Motion for a resolution

Paragraph 21

Motion for a resolution

21. Calls on the EU legislator to preclude Member States from introducing *statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception*;

Amendment

21. ***Deplores the introduction of statutory licenses in some member states aimed at news aggregators for acts already made permissible by an exception and*** calls on the EU legislator to preclude Member States from *unilaterally* introducing *such schemes, which can cause significant damage to the digital economy*;

Amendment 504
Mary Honeyball
Motion for a resolution
Paragraph 21

Motion for a resolution

21. ***Calls on the EU legislator to preclude*** Member States ***from introducing statutory licences for the*** compensation of rightholders for the harm caused by acts made permissible by an exception;

Amendment

21. ***Invites the Commission to analyse the necessity of measures, if any, to be implemented by*** Member States ***so as to provide*** compensation ***to*** rightholders for the harm caused by acts made permissible by an exception ***while they should ensure that rightholders receive fair compensation and that the exceptions of limitations do not conflict with a normal exploitation of the work or subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder;***

Amendment 505
Cecilia Wikström
Motion for a resolution
Paragraph 21

Motion for a resolution

21. Calls on the EU legislator to ***preclude*** Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;

Amendment

21. Calls on the EU legislator to ***protect consumers by precluding*** Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;

Amendment 506
Enrico Gasbarra
Motion for a resolution
Paragraph 21

Motion for a resolution

21. invita il legislatore unionale a impedire agli Stati membri di introdurre licenze finalizzate a risarcire i titolari di diritti dai danni causati da atti consentiti da un'eccezione;

Amendment

21. invita il legislatore unionale a impedire agli Stati membri di introdurre licenze finalizzate a risarcire i titolari di diritti dai danni causati da atti consentiti da un'eccezione ***legalmente ammessa dalla propria legislazione***;

Or. it

Amendment 507

Pascal Durand

Motion for a resolution

Paragraph 21 a (new)

Motion for a resolution

Amendment

21 a. Requests the Commission to explore the various legal bases at EU level that are necessary to allow, as EU rule or in Member States, the legalization of non commercial private sharing between individuals of digital works, which is a right of EU citizens that should not be jeopardized by copyright rules;

Or. en

Amendment 508

Marietje Schaake

Motion for a resolution

Paragraph 21 b (new)

Motion for a resolution

Amendment

21 b. Calls for ensuring access to information for persons with a disability, which is directly related to the disability and of a non-commercial nature;

Or. en

Amendment 509
Julia Reda, Christian Ehler, Josef Weidenholzer
Motion for a resolution
Paragraph 21 c (new)

Motion for a resolution

Amendment

21 c. Deplores the lack of harmonisation between Member States as regards the interpretation of Article 5.2 b of Directive 2001/29/EC on exceptions for reproductions on any medium made by a natural person for private use, and as regards the remuneration schemes to compensate for the prejudice to rightholders put in place in some Member States to allow for the fair compensation of the rightholders in relation to these acts of copying, which affects the functioning of the internal market;

Or. en

Amendment 510
Jean-Marie Cavada
Motion for a resolution
Paragraph 22

Motion for a resolution

Amendment

22. demande l'adoption de critères harmonisés en ce qui concerne la définition du préjudice causé aux titulaires de droits à l'égard des reproductions effectuées par une personne physique pour un usage privé et de mesures de transparence harmonisées concernant les redevances pour copie privée mises en place dans certains États membres¹³ ;

22. souligne que le système de copie privée représente un système vertueux et équilibré entre l'exception pour copie à usage privé et le droit à une compensation équitable des ayants droit, qu'il est judicieux de préserver;

¹³ Comme mentionné dans les recommandations d'António Vitorino du 31 janvier 2013 découlant du dernier processus de médiation mené par la Commission en ce qui concerne les

¹³ Comme mentionné dans les recommandations d'António Vitorino du 31 janvier 2013 découlant du dernier processus de médiation mené par la Commission en ce qui concerne les

redevances pour copie privée et reprographie.

redevances pour copie privée et reprographie.

Or. fr

Amendment 511
Marie-Christine Boutonnet
Motion for a resolution
Paragraph 22

Motion for a resolution

22. demande l'adoption de critères harmonisés en ce qui concerne la définition du préjudice causé aux titulaires de droits à l'égard des reproductions effectuées par une personne physique pour un usage privé et de mesures de transparence harmonisées concernant les redevances pour copie privée mises en place dans certains États membres¹³ ;

Amendment

22. Il conviendrait de trouver le juste équilibre entre les intérêts de l'auteur et ceux du public;

Le droit de reproduction, d'adaptation, des copies de sauvegarde est autorisé, dès lors que la source de la copie est licite.

¹³ ***Comme mentionné dans les recommandations d'António Vitorino du 31 janvier 2013 découlant du dernier processus de médiation mené par la Commission en ce qui concerne les redevances pour copie privée et reprographie.***

Or. fr

Amendment 512
Cecilia Wikström
Motion for a resolution
Paragraph 22

Motion for a resolution

22. Calls for the adoption of harmonised criteria for defining the harm caused to

Amendment

22. Underlines that citizens in all Member States should have a legal right to make

rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures as regards the private copying levies put in place in some Member States¹³ ;

private copies for their own use of legally acquired content without having to pay extra compensation to right holders through cumbersome and illogical levies on technical devices; thus urges the commission to propose a fully harmonised private copy exception which would not cause harm to right holders and which would thus not need to be compensated through a levy system;

¹³ *As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.*

Or. en

Amendment 513
Helga Trüpel
Motion for a resolution
Paragraph 22

Motion for a resolution

22. fordert *die Annahme harmonisierter Kriterien für die Feststellung des Schadens für Rechtsinhaber in Bezug auf Vervielfältigungen, die von einer natürlichen Person für den privaten Gebrauch angefertigt wurden, und die Annahme harmonisierter Transparenzvorschriften über die Abgaben für Privatkopien, die in manchen Mitgliedstaaten erhoben werden¹³ ;*

¹³ Vgl. die Empfehlungen von António Vitorino vom 31. Januar 2013, die sich aus der jüngst von der Kommission durchgeführten Schlichtung über die Abgaben für private Kopien und private

Amendment

22. fordert *den Gesetzgeber auf, das Recht auf (digitale) Privatkopie bei gleichzeitiger Abgabe für eine angemessener Vergütung sicher zu stellen, die nicht technisch eingeschränkt werden darf.*

¹³ Vgl. die Empfehlungen von António Vitorino vom 31. Januar 2013, die sich aus der jüngst von der Kommission durchgeführten Schlichtung über die Abgaben für private Kopien und private

Vervielfältigung ergeben.

Vervielfältigung ergeben.

Or. de

Amendment 514

Constance Le Grip, Marc Joulaud, Jean-Marie Cavada, Sabine Verheyen

Motion for a resolution

Paragraph 22

Motion for a resolution

22. demande l'adoption de critères harmonisés en ce qui concerne la définition du préjudice causé aux titulaires de droits à l'égard des reproductions effectuées par une personne physique pour un usage privé et de mesures de transparence harmonisées concernant les redevances pour copie privée mises en place dans certains États membres¹³ ;

¹³ Comme mentionné dans les recommandations d'António Vitorino du 31 janvier 2013 découlant du dernier processus de médiation mené par la Commission en ce qui concerne les redevances pour copie privée et reprographie.

Amendment

22. rappelle la résolution du Parlement européen de février 2014 qui souligne l'intérêt du système de rémunération pour copie privée dans la recherche d'un équilibre entre les intérêts des consommateurs et ceux des ayants-droits;

¹³ Comme mentionné dans les recommandations d'António Vitorino du 31 janvier 2013 découlant du dernier processus de médiation mené par la Commission en ce qui concerne les redevances pour copie privée et reprographie.

Or. fr

Amendment 515

Mary Honeyball

Motion for a resolution

Paragraph 22

Motion for a resolution

22. Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures as regards the private copying

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Amendment

22. Suggests a review of the liability of service providers and intermediaries in order to clarify their legal status and liability with regards to copyright, in order to guarantee and to ensure a fair remuneration for creators and

*levies put in place in some Member States*¹³ ;

¹³ As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.

rightholders within the EU;

¹³ As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.

Or. en

Amendment 516

Axel Voss

Motion for a resolution

Paragraph 22

Motion for a resolution

22. fordert die Annahme harmonisierter Kriterien für die Feststellung des Schadens für Rechtsinhaber in Bezug auf Vervielfältigungen, die von einer natürlichen Person für den privaten Gebrauch angefertigt wurden, und die Annahme harmonisierter Transparenzvorschriften über die Abgaben für Privatkopien, die in manchen Mitgliedstaaten erhoben werden¹³ ;

¹³ *Vgl. die Empfehlungen von António Vitorino vom 31. Januar 2013, die sich aus der jüngst von der Kommission durchgeführten Schlichtung über die Abgaben für private Kopien und private Vervielfältigung ergeben.*

Amendment

22. stellt fest, dass eine weiterführende Prüfung der transparenten Umsetzung von Maßnahmen wie der Abgabe für Privatkopien zum gerechten Ausgleich für Rechtsinhaber in Bezug auf Vervielfältigungen, die von einer natürlichen Person für den privaten Gebrauch angefertigt wurden, notwendig zum Schutz von Urheber- und Verbraucherrechten ist;

¹³

Or. de

Amendment 517

Therese Comodini Cachia, Eva Paunova, Rosa Estaràs Ferragut, József Szájer, Giovanni Toti, Luis de Grandes Pascual, Sabine Verheyen

Motion for a resolution

Paragraph 22

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Motion for a resolution

22. Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures as regards the private copying levies put in place in some Member States¹³ ;

¹³ *As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.*

Amendment

22. Notes that further analysis is necessary on the viability of measures to the fair compensation of rightholders in respect of reproductions made by natural persons for private use, in particular in regard to more transparency and better optimisation for the existing measures as digital levies to safeguard rightholder and consumer rights;

Or. en

Amendment 518

József Szájer

Motion for a resolution

Paragraph 22

Motion for a resolution

22. Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures as regards the private copying levies put in place in some Member States¹³ ;

¹³ *As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.*

Amendment

22. Notes that further analysis is necessary on the viability of measures to the fair compensation of rightholders in respect of reproductions made by natural persons for private use, in particular in regard to more transparency and better optimisation for the existing measures as digital levies to safeguard rightholder and consumer rights;

¹³ *As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.*

Amendment 519
Virginie Rozière, Jean-Marie Cavada
Motion for a resolution
Paragraph 22

Motion for a resolution

22. *demande l'adoption de critères harmonisés en ce qui concerne la définition* du préjudice causé aux titulaires de droits à l'égard des reproductions effectuées par une personne physique pour un usage privé *et de mesures de transparence harmonisées concernant les redevances pour copie privée mises en place dans certains États membres*¹³ ;

¹³ *Comme mentionné dans les recommandations d'António Vitorino du 31 janvier 2013 découlant du dernier processus de médiation mené par la Commission en ce qui concerne les redevances pour copie privée et reprographie.*

Amendment

22. *rappelle l'importance de la compensation équitable* du préjudice causé aux titulaires de droits à l'égard des reproductions effectuées par une personne physique pour un usage privé;

Amendment 520
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Paragraph 22

Motion for a resolution

22. Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures as regards the private copying levies put in place in some Member States¹³ ;

Amendment

22. Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, *taking into account recital 35 of the Directive, which recognises that harm to rightholders in some circumstances is minimal and no payment is made*, and for

harmonised transparency measures as regards the private copying levies put in place in some Member States¹³ ; ***Draws attention to the the discretion of Member States to provide alternative modes of compensation to levies;***

¹³ As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.

¹³ As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.

Or. en

Amendment 521
Lidia Joanna Geringer de Oedenberg
Motion for a resolution
Paragraph 22

Motion for a resolution

22. apeluje o przyjęcie zharmonizowanych kryteriów określania szkód wyrządzonych podmiotom praw autorskich w zakresie reprodukcji wykonanych przez osoby fizyczne na użytek prywatny, a także zharmonizowanych środków służących przejrzystości **w odniesieniu do** opłat licencyjnych za kopie na użytek prywatny wprowadzonych w niektórych państwach członkowskich¹³ ;

¹³ Zgodnie ze stwierdzeniem zawartym w zaleceniach Antónia Vitorina z dnia 31 stycznia 2013 r. przedstawionych w wyniku ostatniego procesu mediacji prowadzonego przez Komisję w sprawie opłat licencyjnych za kopiowanie i zwielokrotnianie na użytek prywatny.

Amendment

22. apeluje o przyjęcie zharmonizowanych kryteriów określania szkód wyrządzonych podmiotom praw autorskich w zakresie reprodukcji wykonanych przez osoby fizyczne na użytek prywatny, a także zharmonizowanych środków służących przejrzystości **algorytmu wydatkowania środków pozyskiwanych z** opłat licencyjnych za kopie na użytek prywatny wprowadzonych w niektórych państwach członkowskich¹³ ;

¹³ Zgodnie ze stwierdzeniem zawartym w zaleceniach Antónia Vitorina z dnia 31 stycznia 2013 r. przedstawionych w wyniku ostatniego procesu mediacji prowadzonego przez Komisję w sprawie opłat licencyjnych za kopiowanie i zwielokrotnianie na użytek prywatny.

Or. pl

Amendment 522
Laura Ferrara
Motion for a resolution
Paragraph 22

Motion for a resolution

22. chiede l'adozione di criteri armonizzati per la definizione del danno causato ai titolari di diritti da riproduzioni effettuate da una persona fisica per uso privato, e di misure di trasparenza armonizzate per quanto riguarda i prelievi per copie private messi in atto in alcuni Stati membri¹³ ;

¹³ Come espresso nelle raccomandazioni di António Vitorino, del 31 gennaio 2013, risultanti dal più recente processo di mediazione svolto dalla Commissione sui prelievi per copia e riproduzione privata.

Amendment

22. chiede l'adozione di criteri armonizzati, ***stabiliti sulla base di studi scientificamente comprovati***, per la definizione del danno causato ai titolari di diritti da riproduzioni effettuate da una persona fisica per uso privato, e di misure di trasparenza armonizzate per quanto riguarda i prelievi per copie private messi in atto in alcuni Stati membri¹³ ;

¹³ Come espresso nelle raccomandazioni di António Vitorino, del 31 gennaio 2013, risultanti dal più recente processo di mediazione svolto dalla Commissione sui prelievi per copia e riproduzione privata.

Or. it

Amendment 523
Laura Ferrara
Motion for a resolution
Paragraph 22 a (new)

Motion for a resolution

Amendment

22 a. osserva che il diritto di prelievo per copia privata debba essere disciplinato in maniera tale da informare i cittadini sull'entità effettiva, sulle finalità e sulle modalità di utilizzazione del prelievo;

Or. it

Amendment 524
Christian Ehler, Sabine Verheyen, Marc Joulaud

Motion for a resolution
Paragraph 22 b (new)

Motion for a resolution

Amendment

22 b. Stresses that digital levies should be made more transparent and optimised to safeguard rightholder and consumer rights and by taking into account Directive 2014/26/EU of the European Parliament and of the Council of 26 February 2014 on collective management of copyright and related rights and multi-territorial licensing of rights in musical works for online use in the internal market;

Or. en

Amendment 525
Evelyn Regner, Josef Weidenholzer
Motion for a resolution
Paragraph 22 c (new)

Motion for a resolution

Amendment

22 c. Invites the Commission to include alternative types of remuneration in the Directive 2001/29/EG to ensure a faire balance between the copyright owner and the user;

Or. en

Amendment 526
Marietje Schaaake
Motion for a resolution
Paragraph 22 d (new)

Motion for a resolution

Amendment

22 d. Cautions against private enforcement of copyright to ensure a clear separation of powers, and the appropriate judicial and democratic oversight;

Amendment 527
Julia Reda, Josef Weidenholzer, Dietmar Köster
Motion for a resolution
Paragraph 22 e (new)

Motion for a resolution

Amendment

22 e. Proposes to strengthen authors' rights by making remuneration rights tied to exceptions and limitations non-transferable to other rightholders;

Amendment 528
Evelyn Regner, Josef Weidenholzer
Motion for a resolution
Paragraph 22 f (new)

Motion for a resolution

Amendment

22 f. Asks for further clarification that in the light of a fair balance, no double remuneration should be charged, if the user makes a backup copy, where no harm is caused. The remuneration should refer to the actual damage.

Amendment 529
Constance Le Grip
Motion for a resolution
Paragraph 23

Motion for a resolution

Amendment

23. souligne que l'exercice efficace des exceptions ou limitations ainsi que l'accès au contenu qui n'est pas soumis à la protection du droit d'auteur ou des droits voisins ne devraient pas être entravés par des mesures technologiques;

supprimé

Amendment 530
Virginie Rozière
Motion for a resolution
Paragraph 23

Motion for a resolution

Amendment

23. souligne que l'exercice efficace des exceptions ou limitations ainsi que l'accès au contenu qui n'est pas soumis à la protection du droit d'auteur ou des droits voisins ne devraient pas être entravés par des mesures technologiques;

supprimé

Amendment 531
Angelika Niebler
Motion for a resolution
Paragraph 23

Motion for a resolution

Amendment

23. betont, dass *die effektive Anwendung von Ausnahmen oder Beschränkungen und der Zugang zu Inhalten, die nicht Schutzgegenstand des Urheberrechts oder verwandter Schutzrechte sind, nicht durch technische Maßnahmen behindert werden sollten;*

23. betont, dass *insbesondere im digitalen Zeitalter der Einsatz technischer Schutzmaßnahmen erlaubt werden sollte, die das Gleichgewicht zwischen der freien Vervielfältigung (z. B. im Rahmen der Privatkopie) und das Ausschließlichkeitsrecht auf Vervielfältigung wieder herstellt;*

Amendment 532
Cecilia Wikström
Motion for a resolution
Paragraph 23

Motion for a resolution

Amendment

23. Stresses that the effective exercise of exceptions or limitations, and access to

23. Stresses that the effective exercise of exceptions or limitations, and access to

content that is not subject to copyright or related rights protection, should not be hindered by technological measures;

content that is not subject to copyright or related rights protection, should not be hindered by technological measures **and that member states should have sufficient enforcement measures in place to deter any such actions;**

Or. en

Amendment 533
Jean-Marie Cavada, Virginie Rozière
Motion for a resolution
Paragraph 23

Motion for a resolution

23. **souligne** que l'exercice efficace des exceptions ou limitations ainsi que l'accès au contenu qui n'est pas soumis à la protection du droit d'auteur ou des droits voisins **ne devraient pas être entravés par des mesures technologiques;**

Amendment

23. **note** que l'exercice efficace des exceptions ou limitations ainsi que l'accès au contenu qui n'est pas soumis à la protection du droit d'auteur ou des droits voisins **est garanti par l'article 6 (4) de la directive 2001/29/CE;**

Or. fr

Amendment 534
Marie-Christine Boutonnet
Motion for a resolution
Paragraph 23

Motion for a resolution

23. **souligne** que l'exercice efficace des exceptions ou limitations ainsi que l'accès au contenu qui n'est pas soumis à la protection du droit d'auteur ou des droits voisins **ne devraient pas être entravés par des mesures technologiques;**

Amendment

23. **La notion du principe de territorialité doit être respectée;**

Or. fr

Amendment 535
Julia Reda, Josef Weidenholzer
Motion for a resolution
Paragraph 23

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Motion for a resolution

23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be hindered by technological measures;

Amendment

23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be hindered by technological measures ***or contractual terms***;

Or. en

Amendment 536
Pascal Durand
Motion for a resolution
Paragraph 23

Motion for a resolution

23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be hindered by technological measures;

Amendment

23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be ***waived by contract or*** hindered by technological measures ***of protection or online contracts in the digital environment***;

Or. en

Amendment 537
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Paragraph 23

Motion for a resolution

23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be hindered by technological measures;

Amendment

23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be ***unduly*** hindered by technological measures;

Or. en

Amendment 538
Christian Ehler, Sabine Verheyen, Marc Joulaud
Motion for a resolution
Paragraph 23 a (new)

Motion for a resolution

Amendment

23 a. Points out that the rapid rate of technological development in the digital market calls for a technologically neutral legislative framework for copyrights;

Or. en

Amendment 539
Kostas Chrysogonos
Motion for a resolution
Paragraph 24

Motion for a resolution

Amendment

24. συνιστά να τεθεί ως προϋπόθεση για τη νομική προστασία κατά της εξουδετέρωσης οποιωνδήποτε αποτελεσματικών τεχνολογικών μέτρων η δημοσίευση του πηγαίου κώδικα ή των προδιαγραφών διεπαφής, ώστε να διασφαλιστεί η ακεραιότητα των συσκευών στις οποίες χρησιμοποιούνται τεχνολογικά μέτρα προστασίας και να διευκολυνθεί η διαλειτουργικότητα· θεωρεί, ειδικότερα, ότι όπου επιτρέπεται η εξουδετέρωση των τεχνολογικών μέτρων, πρέπει να υπάρχουν διαθέσιμα τεχνολογικά μέσα για την επίτευξη μιας τέτοιας εγκεκριμένης εξουδετέρωσης·

διαγράφεται

Or. el

Amendment 540
Constance Le Grip
Motion for a resolution
Paragraph 24

Motion for a resolution

Amendment

24. recommande de subordonner la protection juridique contre le contournement de toute mesure technologique efficace à la publication du code source ou de la spécification de l'interface afin de garantir l'intégrité des appareils sur lesquels les protections technologiques sont employées et de faciliter l'interopérabilité; estime notamment que, lorsque le contournement des mesures technologiques est permis, des moyens technologiques visant à réaliser ce contournement autorisé doivent être disponibles;

supprimé

Or. fr

Amendment 541

Juan Fernando López Aguilar, Sergio Gutiérrez Prieto, Eider Gardiazabal Rubial, José Blanco López

Motion for a resolution

Paragraph 24

Motion for a resolution

Amendment

24. Recomienda condicionar la protección jurídica contra la elusión de medidas tecnológicas efectivas a la publicación del código fuente o la especificación de la interfaz, con objeto de asegurar la integridad de los dispositivos en los que se utilizan protecciones tecnológicas y facilitar la interoperabilidad; considera, en particular, que, cuando se permite la elusión de las medidas tecnológicas, debe disponerse de medios tecnológicos para efectuar dicha elusión autorizada;

suprimido

Or. es

Amendment 542
József Szájer
Motion for a resolution
Paragraph 24

Motion for a resolution

Amendment

24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available; *deleted*

Or. en

Amendment 543
Angel Dzhambazki, Sajjad Karim
Motion for a resolution
Paragraph 24

Motion for a resolution

Amendment

24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available; *deleted*

Or. en

Amendment 544
Jiří Maštálka, Kostas Chrysogonos
Motion for a resolution
Paragraph 24

Motion for a resolution

Amendment

24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;

deleted

Or. en

Amendment 545
Enrico Gasbarra
Motion for a resolution
Paragraph 24

Motion for a resolution

Amendment

24. raccomanda di subordinare la protezione giuridica contro l'elusione di efficaci misure tecnologiche alla pubblicazione del codice sorgente o delle specifiche di interfaccia, al fine di garantire l'integrità dei dispositivi su cui sono impiegate le protezioni tecnologiche e di facilitare l'interoperabilità; ritiene, in particolare, che quando è consentita l'elusione delle misure tecnologiche, i mezzi tecnologici per realizzare tale elusione autorizzata debbano essere disponibili;

soppresso

Or. it

Amendment 546
Axel Voss
Motion for a resolution
Paragraph 24

Motion for a resolution

Amendment

24. empfiehlt, Rechtsschutz gegen die Umgehung wirksamer technischer Maßnahmen an die Bedingung der Veröffentlichung des Quellcodes oder der Schnittstellenspezifikation zu knüpfen, um die Unversehrtheit der Geräte, auf denen technische Schutzvorkehrungen verwendet werden, zu sichern und Interoperabilität zu erleichtern; ist insbesondere der Auffassung, dass technische Mittel zur Umgehung technischer Maßnahmen zur Verfügung stehen müssen, wenn diese zulässig ist;

entfällt

Or. de

Amendment 547
Jean-Marie Cavada, Therese Comodini Cachia
Motion for a resolution
Paragraph 24

Motion for a resolution

Amendment

24. recommande de subordonner la protection juridique contre le contournement de toute mesure technologique efficace à la publication du code source ou de la spécification de l'interface afin de garantir l'intégrité des appareils sur lesquels les protections technologiques sont employées et de faciliter l'interopérabilité; estime notamment que, lorsque le contournement des mesures technologiques est permis, des moyens technologiques visant à réaliser ce contournement autorisé doivent être disponibles;

supprimé

Or. fr

Amendment 548

Therese Comodini Cachia, Eva Paunova, Marc Joulaud, Pavel Svoboda, Jean-Marie Cavada, Mary Honeyball, József Szájer, Giovanni Toti, Luis de Grandes Pascual, Rosa Estaràs Ferragut, Sabine Verheyen

Motion for a resolution

Paragraph 24

Motion for a resolution

Amendment

24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;

deleted

Or. en

Amendment 549

Angelika Niebler

Motion for a resolution

Paragraph 24

Motion for a resolution

Amendment

24. empfiehlt, Rechtsschutz gegen die Umgehung wirksamer technischer Maßnahmen an die Bedingung der Veröffentlichung des Quellcodes oder der Schnittstellenspezifikation zu knüpfen, um die Unversehrtheit der Geräte, auf denen technische Schutzvorkehrungen verwendet werden, zu sichern und Interoperabilität zu erleichtern; ist insbesondere der Auffassung, dass technische Mittel zur Umgehung technischer Maßnahmen zur Verfügung stehen müssen, wenn diese zulässig ist;

24. betont, dass insbesondere im digitalen Zeitalter der Einsatz technischer Schutzmaßnahmen erlaubt werden sollte, die das Gleichgewicht zwischen der freien Vervielfältigung (z. B. im Rahmen der Privatkopie) und das Ausschließlichkeitsrecht auf Vervielfältigung wieder herstellt;

Or. de

Amendment 550
Marie-Christine Boutonnet
Motion for a resolution
Paragraph 24

Motion for a resolution

24. recommande de subordonner la protection juridique contre le contournement de toute mesure technologique efficace à la publication du code source ou de la spécification de l'interface afin de garantir l'intégrité des appareils sur lesquels les protections technologiques sont employées et de faciliter l'interopérabilité; estime notamment que, lorsque le contournement des mesures technologiques est permis, des moyens technologiques visant à réaliser ce contournement autorisé doivent être disponibles;

Amendment

24. Les objectifs de la directive de 2001 n'ont pas été atteints. Les technologies permettant de limiter les utilisations non autorisées des œuvres, hormis les logiciels, doivent garantir l'interopérabilité;

Or. fr

Amendment 551
Inês Cristina Zuber
Motion for a resolution
Paragraph 24

Motion for a resolution

24. Recomenda que a proteção jurídica contra a neutralização de qualquer medida eficaz de caráter tecnológico esteja subordinada à publicação do código fonte ou da especificação da interface, por forma a garantir a integridade dos dispositivos em que são utilizadas proteções tecnológicas e a facilitar a interoperabilidade; considera, em particular, que, no caso de a neutralização de medidas de caráter tecnológico ser autorizada, devem estar disponíveis os meios tecnológicos para conseguir essa neutralização;

Amendment

24. Recomenda o estudo de regimes de partilha informática para fins não comerciais que assegurem mecanismos que imputem ao intermediário o justo ressarcimento do trabalho criativo;

Or. pt

Amendment 552
Isabella Adinolfi
Motion for a resolution
Paragraph 24 a (new)

Motion for a resolution

Amendment

24 a. Urges to establish that the orders against intermediaries to protect copyright are given only by the competent judicial authority with reference to the limits imposed by Directive 2004/48 (ex Art. 11), the Charter of Fundamental Rights of the European Union, Article. 51, par. 1, and Article. 6 TEU;

Or. en

Amendment 553
Mary Honeyball
Motion for a resolution
Paragraph 24 b (new)

Motion for a resolution

Amendment

24 b. Recognises the role of proportionate and effective enforcement in supporting creators, rightholders and consumers;

Or. en

Amendment 554
Virginie Rozière
Motion for a resolution
Paragraph 24 c (new)

Motion for a resolution

Amendment

24 c. invite les diffuseurs à publier toutes les informations relatives aux mesures technologiques nécessaires pour assurer l'interopérabilité de leurs contenus;

Amendment 555

Enrico Gasbarra, Silvia Costa, Lidia Joanna Geringer de Oedenberg

Motion for a resolution

Paragraph 24 d (new)

Motion for a resolution

Amendment

24 d. Esprime preoccupazione e rammarico per gli ostacoli politici in seno al Consiglio che ancora ritardano la ratifica del Trattato di Marrakesh per i Non Vedenti, già firmato dall'Unione Europea nel 2013;

Amendment 556

Constance Le Grip, Marc Joulaud, Jean-Marie Cavada, Sabine Verheyen

Motion for a resolution

Paragraph 24 e (new)

Motion for a resolution

Amendment

24 e. demande à la Commission et au législateur de réfléchir à des solutions au déplacement de la valeur, des contenus vers les services; insiste sur la nécessité d'adapter la définition du statut d'intermédiaire dans l'environnement numérique actuel;