

EC public consultation: Review of EU copyright rules

On behalf of the Confederation of Swedish Enterprise, we hereby submit the following contribution to Public Consultation on the review of the EU copyright rules. It is based largely on the submitted contribution of the Swedish IT and Telecom Industries (*IT&Telekomföretagen inom Almega*), with whom we have worked in drafting their contribution.

- Today's term of copyright protection in the EU is too long. A good parameter for copyright's term of protection could be that of patents, i.e. 20 years.
- Licensing of copyrighted material for use in digital services should be greatly simplified.
- Data-driven innovation is considered of increasingly higher importance for science, innovation policy and economic growth. In light of such relevance, in our view the European Commission should take action to make it clear that text and data mining of lawfully accessed content is not an infringement of copyright.
- The provision of a hyperlink leading to a work or other subject matter protected under copyright, either in general or under specific circumstances, should not be subject to the authorization of the right holder.
- Levies should not be extended to the digital environment. It would, i.a., deter investments in new online services and slow revenue growth for creative industries, hamper economic growth and innovation, and lead to a segmentation of the single market.
- Member states' levy regimes differ substantially in regards to scope and tariffs, creating cross-border obstacles and undermining the emergence of a Digital Single Market.
- The current legal framework on ISP liability, as interpreted by the CJEU with regard to the legitimacy of certain online copyright enforcement measures, should remain unchanged. A fair balance between the purpose of enforcing copyright online and the protection of Internet user privacy and personal data is guaranteed by the way the CJEU has interpreted EU law in recent rulings.
- We believe that the establishment of a single EU Copyright Title is a long-term solution that should be examined and pondered carefully. However, we think this reform would be premature at this stage.

Best regards,

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The Confederation of Swedish Enterprise (Svenskt Näringsliv) is Sweden's largest and most influential business federation, representing 49 member organizations and 60 000 member companies, with over 1.6 million employees.