

# EUROPEAN ALLIANCE OF NEWS AGENCIES

SECRETARIAT

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Dear Sirs

## **Commission Communication on Creative Content Online in the Single Market**

Following your public consultation on “Content Online in the Single Market” in July 2006, to which we responded, we were anxious to see how the Commission Communication would deal with the issues that we raised in our response.

We were therefore disappointed to see that the Communication focused entirely upon “creative” content, which appears in the view of the Commission largely to exclude the news content which is produced by our member agencies and their customers every day.

Whilst most the questions set out in the Annex to the Communication do not directly affect our member agencies, we would like to submit two points for the Commission to take into account.

1. As news agencies, our members rely in a number of ways for protection of their content online on the rights introduced by the Database Directive. Without wishing to repeat our position as stated in our response to the public consultation, it is important to our members that the Commission reformulates the database right to give rise to the protection that was originally thought to be offered to the creators of databases by the Database Directive. Our response to the public consultation in July 2007 includes more detail.
2. In order to ensure that news agencies can continue to provide the valuable service to society that they do, it is important that their content is not made freely available with no opportunity for the agencies to monetise or commercialise the use of their content. For this reason, it is important to our member agencies that the Commission ensures that search engines and news aggregators do not benefit from too many, or overly broad, exemptions from copyright and database right.

If you would like to discuss our comments any further, please do not hesitate to contact me.

Yours faithfully

For the EANA Bureau (Board)  
Erik Nylén  
Secretary General