



## Scottish Screen Response to the European Commission Communication on Creative Content Online in the Single Market (February 2008)

### Background

1. Scottish Screen is the national government-backed agency responsible for developing all aspects of screen industry and culture across Scotland, focusing on the following five priority objectives:
  1. **Education** – to ensure that people of all ages and backgrounds are inspired and equipped to analyse, appreciate, explore, create and share screen media;
  2. **Enterprise and Skills** - to ensure that there are appropriate levels of skilled individuals and viable companies to sustain all aspects of the screen industries across Scotland;
  3. **Inward Investment** - to promote Scotland as a dynamic, competitive and successful screen production hub;
  4. **Market Development** - to ensure that the widest range of screen product reaches and is appreciated by a diversity of audiences;
  5. **Talent and Creativity** - to identify nurture, develop, support and progress Scotland's screen talent and screen production companies.
2. Scottish Screen submitted a response to the Commission's initial consultation on Online Content in the Single Market<sup>1</sup> in 2006. We welcome this further opportunity to comment on the issues which the Commission has identified as the most pressing challenges related to online distribution of creative content, namely:
  - Availability of creative content;
  - Multi-territory licensing for creative content;
  - Interoperability and transparency of Digital Rights Management systems (DRMs); and
  - Legal offers and piracy.

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<sup>1</sup> Scottish Screen, 2006, *Scottish Screen Response to EC Consultation on Online Content in the Single Market*, on the EC website at:  
[http://ec.europa.eu/avpolicy/docs/other\\_actions/contributions/scottish\\_screen\\_col\\_en.pdf](http://ec.europa.eu/avpolicy/docs/other_actions/contributions/scottish_screen_col_en.pdf).

3. Given our range broad range of responsibilities, addressing both industry and consumer issues, we believe that public interventions in this area need to be particularly careful to strike the correct balance between ensuring the creative endeavours of producers are adequately rewarded and at the same time recognising the public's entitlement to benefit from access to content.

#### **Digital Rights Management**

4. We endorse the Commission's stated objective of support the development of online creative content services in the Internal Market through fostering the adoption of interoperable DRM systems.

#### **Legal offers and piracy**

5. While we agree that piracy should be discouraged, we also share the view expressed by some industry experts that the main threat to UK films is obscurity rather than piracy and that there are dangers associated with paying too much attention to piracy issues.

**MK**