

# Consumers Digital Rights



FORBRUKERRÅDET  
THE NORWEGIAN CONSUMER  
COUNCIL

The Norwegian Consumer Council has launched a charter of eight mandatory consumer rights for digital products and services consumers have legal access to and are dependant upon. When implemented in the relevant legislation, it will represent an important step towards a balanced and well-functioning information society.

To ensure that people are able to fully take part in the information society and make use of the technological development, it is necessary to make fundamental changes to the current legislative situation. Our objective is to provide clear, reasonable rights that the average consumer can relate to and establish a balance between businesses and consumers – thus laying the ground works for a well functioning information society.

By implementing this charter into relevant national and international legislation and securing the consumer these eight mandatory rights when they've legally acquired content both consumers and society as a whole will benefit. With this important building block in place a healthy and balanced relationship between consumers and businesses can develop in the digital sphere.

Please be advised that following each proposed consumer right in this charter you'll find a non-comprehensive example as a simple illustration of how these rights can be put to use.

## The Norwegian Consumer Council considers that:

### As a consumer you should be able to -

#### 1 – Make backup copies

Because storage of digital content can be very vulnerable

Consumers have increasingly more valuable digital content kept on fragile storage units – be it movies, music, books, software, games or similar. If the storage unit breaks down, the consumer risks losing valuable material or incurring significant costs to replace it, should it prove impossible to retrieve the lost data.

Under the current Norwegian Copyright Act, there is an open question as to whether consumers may legally use such services as for example <http://mp3tunes.com> to backup music or make a necessary backup copy of a DVD.

#### 2 – Watch and/or listen to content when you want to

Because you are the one who makes decisions about the content you own and your own time

You are the one who decides when you will watch or listen to content. This occurs, for example, in a situation where you pause in the middle of a sending, recording for later use, or fast-forward past advertisements on a DVD you've purchased.

You should be able to carry on with for example your usual TV viewing habits, even though TV broadcasts are digitized. However the DVB technology that is used in digital television broadcasts in Europe, and is included in new television sets, is set up to allow the broadcaster to hinder you from recording and watching recordings as you see fit according to your own preferences.

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### **3 – Move content between players**

Because you decide which player, platform or software meets your needs

Many types of content are locked to and may be played only on a particular type of player, for example, content that is purchased via iTunes may only be played on an iPod. You should be able to move purchased content to the player you prefer, for example from a PC to an MP3 player. Moving content between players and applications might also be necessary for consumers with disabilities to both access and use content, for example to be able to read an e-book with a screen reader or have it read out loud by a computer.

### **4 – Convert content to an appropriate format**

Because it might be necessary to make sure you're able to use the content as you wish to use it

You should be able to convert content from for example a DVD to a format that can be played on other players. For example, you might want to watch a film on your PlayStation Portable (PSP), with the application of your choice on a computer or simply store your DVDs in an appropriate format on a hard drive to save shelf space or protect them from ruff handling by your child.

### **5 – Adapt equipment**

Because you own it and you are the one who will make use of the equipment's functionality

You should be able to adapt the equipment you purchase to your own needs without restrictions. You might need to adapt your DVD player so that you can play films from other parts of the world, or add functionality to your game console so it can store more data, add support for your old games or simply use your gaming console as a media centre.

### **6 – Use digital content without being monitored**

Because it is obvious that no one has the right to monitor you in such situations

When you purchase or use digital content, you leave digital traces. Additionally, the content you have purchased or programs you use may send information back to the seller or others. Everyone should be able to use digital services without being under surveillance of having their activity stored by others.

### **7 – Make use of public and private services**

Because this is necessary to be able to participate in society and be an active citizen

Several public and private services, such as the web TV at <http://stortinget.no> (the Norwegian Parliament), web TV offers from NRK (the Norwegian Broadcasting Corporation) and TV2 and some Internet banks, function only when using certain web browsers and platforms. Everyone has an equal right to make use of these services, and suppliers must therefore offer services that do not discriminate.

### **8 – Make use of necessary technology and assistance to exercise your digital rights**

Because you are the one who decides what is the best use of your time and opportunities

Getting help from others to make necessary backups, for example, is referred to as 'outside assistance' and is currently prohibited according to the Norwegian Copyright Act. The Norwegian Consumer Council is of the opinion that you should be able to freely make use of software or other technologies to exercise your digital rights. Should you wish, you also should be able to choose to make use of assistance or purchase services from others.

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