

10th December 2014

Commissioner Günther Oettinger  
Commissioner for Digital Economy & Society  
European Commission

Dear Commissioner Oettinger,

We write to you to share our concerns with the recent developments in Spanish law which directly target the sharing, linking and aggregation of content online with a new form of 'ancillary right' triggering mandatory payments. This law will shortly be coming into force.

We strongly believe that the European Union has a leading role to play in defending the free flow of information across Europe and fundamental rights to information. As such, it should be aware of the impact of this legislation on publishers. This is all the more so as the legislation in question has not been submitted for review to the European Commission as it should have been, depriving us of the opportunity to be heard.

As publishers of news, information and entertainment content, we are deeply troubled by this development. The ethos of our profession is to embrace freedom of information, and we are in no doubt that what is essentially an obligation to pay for links will be harmful in this respect. But while much will be said about the consequences of this law for citizen's access to news, we fear that its destructive impact on news publishing will be passed under silence. This is particularly troubling in relation to legislation that claims to help news publishers.

As publishers, we know the new legislation will make it harder for us to be heard, to reach new readers and new audiences. As noted by the Spanish competition authority, the legislation creates new barriers to entry. Indeed, not only for new online services, but crucially also for news publishers such as ourselves.

It will make it harder for us to be present, discovered and accessed by our readers online. It will make it harder for our readers to engage with our content online, to share links or headlines with their friends. It will make it harder for us to grow, develop news sources of news and alternatives to larger more established news outlets.

Incredibly, it will do so without giving us control over our own content. Under the law, we will not be allowed to let our readers to engage with our news content the way we wish them to, since we are not allowed to renounce the payment obligation imposed by the law. In short, this legislation is a step away from a competitive and diverse press. It will only make it harder for us to compete with other news outlets.

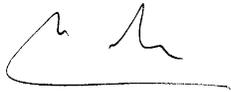
No doubt much will be said about how bad this law is for the internet. The day it comes into

force will also be a bad day for journalism and news publishing. That fundamental point ought not be missed and we call upon the European Union to weigh against such developments.

Yours sincerely,

**Arsenio Escolar**

Chairman, Spanish Association of Periodical Publications (AEEPP)



**Benedetto Liberati**

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**Alexandre Malsch**

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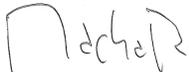
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**About AEEPP:** The AEEPP represents hundred of publishing companies that publish more

than 900 titles across a wide range of sectors, periodicities (daily, weekly, biweekly, monthly, yearbooks ) and channels (print, digital, free and paid) with together run over 500 million copies a year, reach an estimated 125 million readers a month in print and over two million unique visitors a day 'on line'. AEEPP publishers employing 2,400 professionals, mostly journalists.

**About ANSO:** ANSO is the first Association in Italy to represent digital publishers. ANSO acts in defense of online information representing 155 local newspapers in Italy. With its 3.800 titles published every day, its 15 million readers and 55 million articles read a month, ANSO has got an exceptional place in the world of local online information. Daily involved in its institutional responsibilities, ANSO organizes national events and conventions, promotes new opportunities of business for online news publishers and values their works.

**About IGEL:** The IGEL, Initiative against an ancillary copyright law for press publishers is a private initiative founded in 2010. It represents approximately 130 supporting members, including publishers, associations of journalists, journalistic blogs, online services, NGOs and legal practitioners. IGEL informs the public and intervenes as an NGO.

**About meltygroup:** meltygroup is a global media group headed by 29 year old Alexandre Malsch. It is composed of 13 thematic websites in France ([melty.fr](http://melty.fr), meltyFashion, meltyStyle, meltyBuzz, meltyFood, meltyCampus, meltyXtrem, meltyDiscovery, Fan2.fr, [june.fr](http://june.fr), [mcm.fr](http://mcm.fr), [virginradio.fr](http://virginradio.fr) and [neonmag.fr](http://neonmag.fr)) and also present in Italy, Spain, Brazil, Germany, Poland, Czech Republic and Morocco with local versions. The group attracts more than 26 million visits a month worldwide covering 27 countries, and has established itself as the 1<sup>st</sup> web media group among 18-to-30 and 12-to-17-year-olds.

**About naTemat** - new media company established in Warsaw in 2012 by Tomasz Lis - star of Polish TV and editor in chief of Polish Newsweek Magazine. naTemat.pl and company three other internet sites are reaching over 5 million users monthly. naTemat content is created in the newsroom and by over 600 bloggers.

**About 300polityka:** 300polityka is a Polish media hub for political insiders and influencers providing daily playbook newsletter each morning and evening, alongside media and political analysis throughout the day. It has kicked off 2.5 years ago and gained successful appeal to its niche of the Warsaw corridors of power.