



NEWS MEDIA
ALLIANCE

January 16, 2019

Mr. Axel Voss MEP
European Parliament
Bât. Altiero Spinelli
60 rue Wiertz / Wiertzstraat 60
B-1047 Brussels
Belgium

Dear Mr. Voss MEP,

I am writing on behalf of the News Media Alliance, which represents 2,000 news organizations across the United States and globally, to express news publishers' strong support for the European Parliament's version of Article 11 of the proposed Directive on Copyright in the Digital Single Market (2016/0280 (COD)), adopted on September 12, 2018. We are particularly concerned about the efforts to hollow out the Publishers' Right through the adoption of an originality criteria and the other damaging requests made by some stakeholders in recent weeks regarding Article 11 and the Directive in general.

As you may know, various tech industry organizations and groups have recently argued that Article 11 would limit the news publishers' options in deciding how to make their content available online and that the Parliament's version would not provide a clear definition of what is protected. These special interests have also requested that the U.S. Administration raise these, and other issues related to the Copyright Directive, during the U.S.-EU trade negotiations.

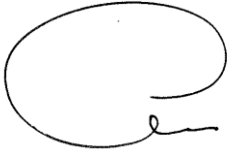
We believe that the Parliament's version of Article 11 provides a clear, governable, and fair compromise that allows news publishers to protect their content online, thereby promoting the sustainability of high-quality journalism in Europe. Contrary to opposing arguments, the proposed Directive already allows publishers to decide how they want to make their content available online, and there is no need to provide further assurances to the tech companies in order to further entrench their dominant position in the online ecosystem at the expense of content creators.

The Parliament's draft also clearly defines the scope of the protection, providing invaluable legal certainty to both news publishers and tech companies alike, while the Council's "insubstantial parts" standard would preserve the status quo and render the Publishers' Right hollow, legitimizing exactly the kind of commercial uses of news content that the right aims to protect.

It is also of vital importance that the European Union should resist attempts to undermine these protections through trade negotiations with the United States. The two regions rely on strong transatlantic trade in intellectual property, and Article 11 and the Copyright Directive would promote innovation and the economic sustainability of the creative industries on both sides of the Atlantic. Attempts to hinder the development of strong intellectual property protections in either region would be ill-advised.

The Alliance joins our European partners in supporting your negotiation position and the inclusion of the Parliament's version of Article 11 in the final Directive. After all, Publishers' Right is not about large news publishers nor the big tech. It is about ensuring the future of high-quality journalism and securing a healthy online ecosystem that provides access to accurate and reliable information for generations to come.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Chavern', with a large, stylized initial 'D'.

David Chavern
President & CEO
News Media Alliance