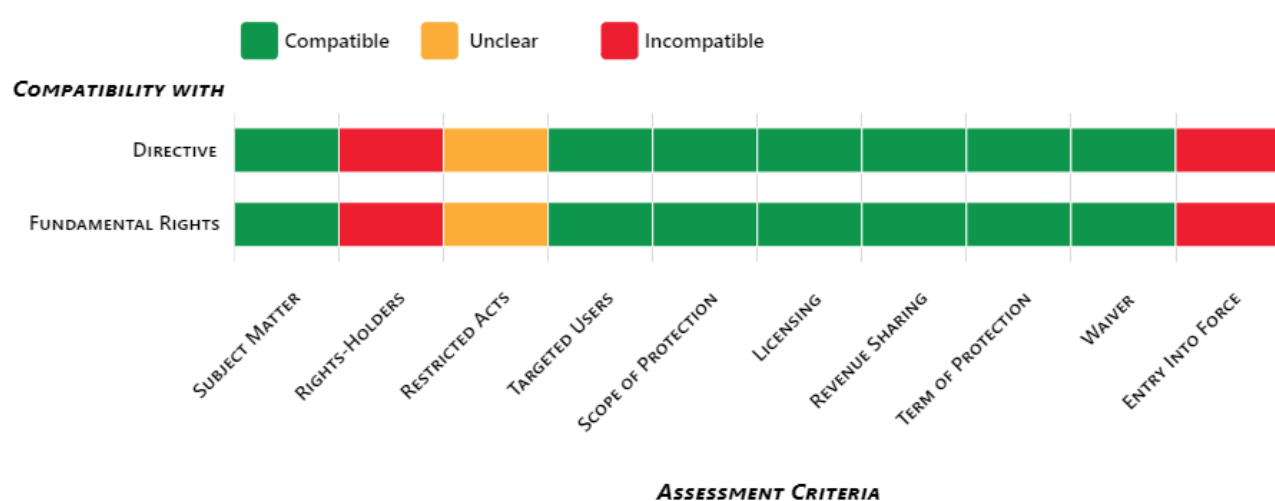


IMPLEMENTATION OF ARTICLE 15 & 17 OF THE DIRECTIVE ON COPYRIGHT IN THE DIGITAL SINGLE MARKET



OVERVIEW OF COMPATIBILITY ISSUES & SPECIFICITIES BASED
ON THE REPORT OF DR CHRISTINA ANGELOPOULOS

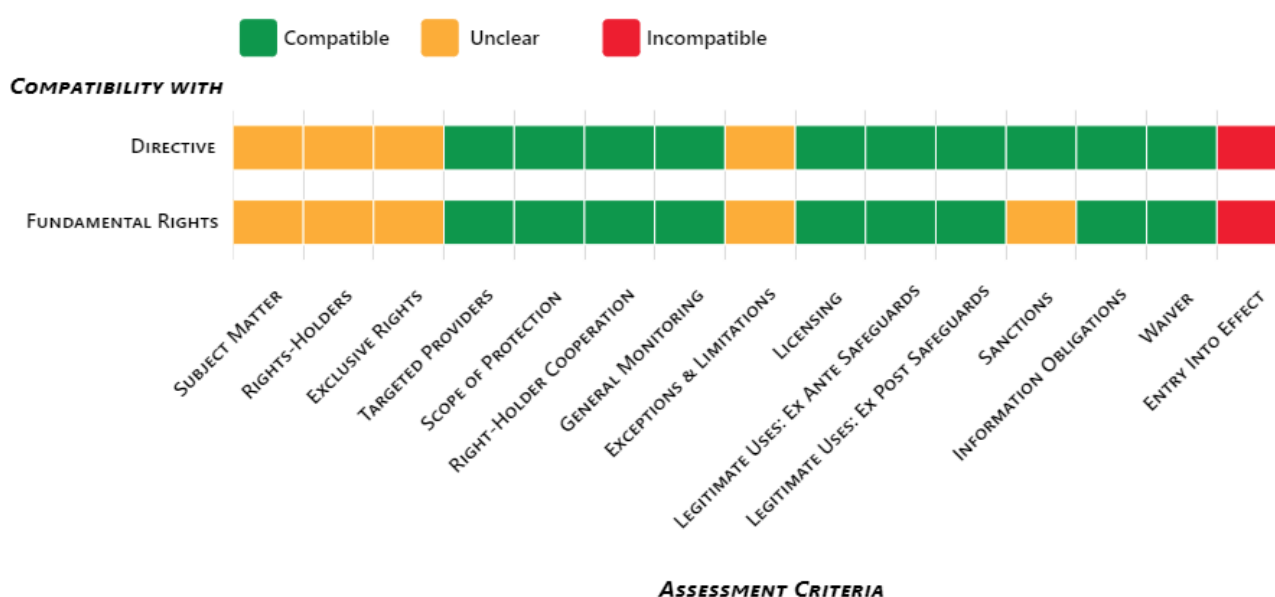
COMPATIBILITY OF A15 TRANSPOSITION



MAIN A15 SPECIFICITIES

- **Geographical limitation of beneficiaries A15:** only if established in Ireland
- **Expansion to "reproduction" and "adaptation"** instead of just "making available" + making available defined overly broadly in Irish law (includes acts of distribution and broadcasting)

COMPATIBILITY OF A17 TRANSPOSITION



MAIN A17 SPECIFICITIES

- **Lack of clarity regarding scope of beneficiaries of A17:** unclear whether performers are granted protection in relation to their performances
- **Extension of exclusive rights** covered to "reproduction" and "adaptation" through references to national law ("homing"), with additional lack of clarity regarding OCSSPs' possible continued liability for reproduction even if they abide by the conditions of the special liability regime
- **No distinction between "sufficiently substantiated notices" (take-down) and "relevant and necessary information" (stay-down):** requires stay down on the basis only of a "sufficiently substantiated notice"
- **Business secrets** limit information obligation of OCSSPs
- **Quotation exception and new parody exception** subject to the rules on fair dealing