

## IMPLEMENTATION OF **ARTICLES 15 & 17** OF THE DCDSM

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

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### MAIN **A15** SPECIFICITIES

#### DEFINITION AND SCOPE

- **No definition of “press publications”**
- **Replaces “individual words” with “very few words”:** potentially implies that “very short extracts” may consist of more than a few words, thus raising the standard set slightly
- **No protection for “mere facts”** as in Recital 57, potentially violating fundamental rights
- **Public domain** content exclusion not transposed
- **Exclusion of hyperlinks potentially limited to “clickable” links:** might not cover framing/embedding
- **No geographic limitations** to the A15 right

#### LICENSING AND REMUNERATION

- **Collective licensing** with extended effect allowed

### MAIN **A17** SPECIFICITIES

#### DEFINITION AND SCOPE

- **Extension of the subject matter and beneficiaries of A17:** not limited to owners of copyright and related rights listed in A3(2) of the InfoSoc Directive. Explicit extension to producers of photographic pictures and producers of catalogues
- **No carve-outs** from OCSSP scope

#### RIGHTS, PROTECTION AND ENFORCEMENT

- **No prohibition on general monitoring:** excessively minimalist transposition

#### EXCEPTIONS AND LIMITATIONS

- **No parody** exception, rejected by court (still in process before Supreme Court)