GREECE

IMPLEMENTATION OF ARTICLES 15 & 17 OF THE DCDSM

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

MAIN A15 SPECIFICITIES

DEFINITION AND SCOPE

- Problematic qualitative approach to “very short extracts”: extract must not exempt the reader from the need to consult the entire article
- Quantitative definition of “fair compensation” to authors in revenue sharing: specific percentages set in law
- No protection for “mere facts” as in Recital 57, potentially violating fundamental rights

LICENSING AND REMUNERATION

- Dedicated provisions on licensing that allow for intervention by a public authority, but do not imply a duty to engage in negotiations or to conclude a contract
- Inalienable right: the A15 right is inalienable, and contractual clauses to the contrary are void

ENTRY INTO EFFECT

- Retroactive application: implementation of the law is in November 2022 but the protection granted under A15 commences on 7 June 2021

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 press publications
- Narrowing of OCSSP scope: “organises” replaced by “optimises”
- “Large amounts” concept replaced with “significant quantities” with no further explanation
- Inaccurate rendition of best efforts: wrongful translation of the autonomous notion of EU law as “every possible effort”
- Piracy providers excluded from scope

Last update: December 2023
More at https://informationlabs.org/copyright/
MAIN A17 SPECIFICITIES (cont'd)

Exceptions and Limitations

- Narrow quotation exception

Entry Into Effect

- Retroactive application: implementation of the law is in November 2022 but the protection granted under A17 commences on 7 June 2021