

## 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

- **Rewording of “press publication” definition:** restriction of the new right only to “electronic press publications”
- **Restriction to online uses** not explicit
- **Quantitative approach to “very short extracts”:** 125 characters or fewer, excluding the headline of the text and spaces
- **Extension of beneficiaries of A15:** covers also news agencies when they “publish” press publications
- **No protection for “mere facts”** as in Recital 57, potentially violating fundamental rights

### 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. Exclusion of computer programs from protection
- **Carve-out from OCSSP definition:** profit-making purposes may be direct or indirect

#### RIGHTS, PROTECTION AND ENFORCEMENT

- **Sanctions possible against rightholders** who use automatic content recognition technologies or submit frivolous or unfounded claims to OCSSPs