

## 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

- **Replaces “individual words” with “a 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

#### LICENSING AND REMUNERATION

- **Collective licensing** allowed

### MAIN **A17** SPECIFICITIES

#### DEFINITION AND SCOPE

- **Incorporates “communication to the public”** despite no general right existing in the Dutch copyright law, although “openbaarmaking” (disclosure to the public) concept covers both the right of communication to the public and the right of making available to the public

#### RIGHTS, PROTECTION AND ENFORCEMENT

- **Decreased protection of users** where OCSSPs have authorisation by rendering conditions of not acting on a commercial basis or not generating significant revenues cumulative rather than alternative