



Coalition Statement in view of EC College Orientation Debate on Copyright

Our pan-European organisations, ECTA, ETNO, EuroISPA and GSMA Europe represent an electronic communications industry that is comprised of both national and pan-European fixed and mobile operators and Internet Services Providers (ISPs).

As major contributors to the development of the Digital Economy, the signatories call on the European Commission to focus on new measures that promote the development of innovative services that will effectively allow the value of copyright to be realised and which will constitute new sources of revenue for all stakeholders of the value chain who are willing to invest in the European market, including creators. A new reality for business models requires that European policy makers work with the ICT industry to promote rather than restrict new developments, particularly given the delicate balance it takes to nurture both the creative industry and those who help to disseminate its work.

This is the right occasion for the EU to take steps to remove barriers and to allow European industry and creators to develop and offer a variety of legitimate and innovative digital content business models, facilitated by both online and Digital TV platforms. Accordingly, while recognising the importance of copyright protection for remunerating content creation, a rethinking of the old mechanisms of copyright licensing, as suggested in 'Licensing Europe', should be instigated, with the aim of encouraging innovation and benefitting creators. The old mechanisms will only further strengthen the monopolistic position of large exclusive rights managers standing in the middle of the value chain. Therefore, the existing burdensome and fragmented licensing systems must be overhauled and greater transparency, competition and accountability of collecting societies must be promoted. That is why we welcome any initiative aimed at modifying the current systems that discriminate against digital broadband distribution, with the aim of protecting physical distribution and obsolete business models. We urge the Commission to make the right choices for the EU's digital future by focusing on the reworking of inefficient regulation which threatens the realisation of socio-economic benefits associated with the adoption of ultra-high speed networks and services that will underpin future developments.

As key industry players, we call on the European Commission to address the causes of the problems instead of the symptoms. A constructive approach is needed to address the substantial problems relating to the Digital Single Market. As intellectual property rights are concerned, the signatories firmly believe that a sustainable approach lies in the development of content services made available at affordable prices and based on new business models that meet consumers' expectations and needs. For Europe's citizens to fully appreciate the value of intellectual property rights, improved public awareness of the value and use of such rights as an economic and cultural asset will be required. In addition and concerning the role of Internet Services providers in addressing the illegal consumption of content services by

Internet users, we believe that the current regulatory framework already strikes the right balance amongst the different interests and does not require any modification.

Enforcement should come as the last component of such an ambitious reform and be dealt with only in the event that the substantial changes to the European legislative framework have not delivered the desired outcomes. It would be unwise and potentially counter-productive to revise enforcement laws of which the Commission itself has acknowledged to have limited practical experience.¹

¹ Commission Staff Working Document « Analysis of the application of Directive 2004/48/EC of the European Parliament and the Council of 29 April 2004 on the enforcement of intellectual property rights in the Member States, COM(2010) 779, 22 December 2010, page 4.

Our pan-European organisations, ECTA, ETNO, EuroISPA and GSMA Europe represent electronic communications industry that is comprised of both national and pan-European fixed and mobile operators, Internet Services Providers (ISPs) and cable companies.



ECTA (the European Competitive Telecommunications Association - www.ectaportal.com) is the pan-European pro-competitive trade association that represents more than 100 of the leading challenger telecoms operators across Europe. For over a decade, ECTA has been supporting the regulatory and commercial interests of telecoms operators, ISPs & equipment manufacturers in pursuit of a fair regulatory environment that allows all electronic communications providers to compete on level terms. Our members have been the leading innovators in Internet services, broadband, business communications, entertainment and mobile. Contact: Federico Poggi, Senior Manager Public Affairs (+32 2 227 11 79/fpoggi@ectaportal.com)



ETNO (the European Telecommunications Network Operators' Association - www.etno.eu) is the voice of the European telecommunications network operators with over a decade of experience in shaping EU telecoms policy. The association represents 41 companies located in 35 European countries. They account for an aggregate annual turnover of more than 250 billion Euros and employ over one million people across Europe. Contact: Caroline Greer, Regulatory Affairs Manager (+322227 10 83 / greer@etno.be)



EuroISPA is the world's largest association of Internet Services Providers (ISPs) representing the interests of more than 1800 ISPs across the EU and the EFTA countries. EuroISPA is a major voice of the Internet industry on information society subjects such as cybercrime, data protection, e-commerce regulation, EU telecommunications law and safe use of the Internet (www.euroispa.org). Contact: Andrea D'Incecco, Head of Policy (+32 2 503.22.65/ andrea@euroispa.org)



GSMA represents the interests of the worldwide mobile communications industry. Spanning 219 countries, the GSMA unites nearly 800 of the world's mobile operators, as well as more than 200 companies in the broader mobile ecosystem, including handset makers, software companies, equipment providers, Internet companies, and media and entertainment organisations. The GSMA is focused on innovating, incubating and creating new opportunities for its membership, all with the end goal of driving the growth of the mobile communications industry. In the European Union the GSMA represents over 100 operators providing more than 600 million subscriber connections across the region. For more information on GSMA, please visit: Mobile World Live, the new online portal for the mobile communications industry, at www.mobileworldlive.com, GSMA corporate website at www.gsmworld.com, GSMA Europe www.gsmeurope.org. Contact: Martin Whitehead, Director, GSMA Europe (+32 2 792 05 50/ MWhitehead@gsm.org)

