

Brussels, 7 September 2009

"It is time for Europe to turn over a new e-leaf on digital books and copyright". Joint Statement of EU Commissioners Reding and McCreevy on the occasion of this week's Google Books meetings in Brussels

Viviane Reding, Commissioner for Information Society and Media, and Charlie McCreevy, Commissioner for the Internal Market and Services, today made a joint statement setting out the important cultural and economic stakes of book digitisation in Europe. To face the daunting task of digitising Europe's books, of which there are tens of millions in Europe's national libraries alone, the two Commissioners stressed the need for fully respecting copyright rules to ensure fair remuneration for authors, but also welcomed public-private partnerships as a means to boost digitisation of books. They highlighted the need to adapt Europe's still very fragmented copyright legislation to the digital age, in particular with regard to orphan and out-of-print works. The statement of the two Commissioners comes ahead of a series of workshops and meetings between the Commission, cultural institutions, right holders, IT companies and consumer organisations, which start today with an information hearing on the US class action settlement on Google Book Search. Under this settlement, agreed between Google, authors and publishers in the United States (which still requires validation by a US court), authors could receive 63% of the online revenue generated by Google with digitised books. As of today, no equivalent solution is available in the EU. This week's hearings and meetings at the Commission will help develop a European response to the challenges of books digitisation. Both Commissioners believe that the challenge for EU policymakers is to ensure a regulatory framework which paves the way for a rapid roll-out of services, similar to those made possible in the United States by the recent settlement, to European consumers and to the European library and research communities. Following this week's meetings, the Commission will report back and share its preliminary findings with the European Parliament and the Council.

The text of today's Joint Statement by Commissioners Reding and McCreevy is as follows: "This week, we and our services will discuss the challenge of digitising books in Europe with right holders, libraries, IT companies, consumer organisations and with every other party that takes an interest in finding the best solution."

"Europe is facing a very important cultural and economic challenge: Only some 1% of the books in Europe's national libraries have been digitised so far, leaving an enormous task ahead of us, but also opening up new cultural and market opportunities. A better understanding of the interests involved will help the Commission to define **a truly European solution in the interest of European consumers**. We believe that such a European solution should breathe fresh life into this issue and could give every citizen with an internet connection access to millions of books that today lie hidden on dusty shelves. Our aim is to blow away stale stereotypes that hindered debate in the past and focus on finding the best approach that today's technology will allow us to take in the future, while giving a new boost to cultural creation in the digital age."

"Digitisation of books is a task of Herculean proportions which the public sector needs to guide, but where it also needs private-sector support. It is therefore time to recognise that partnerships between public and private bodies can combine the potential of new technologies and private investments with the rich collections of public institutions built up over the centuries. If we are too slow to go digital, Europe's culture could suffer in the future."

"It goes without saying that digitisation of copyrighted works must fully respect copyright rules and fairly reward authors, who could be the biggest winners from better access to a Europe-wide online audience. However, **we also need to take a hard look at the copyright system we have today in Europe. Is the present framework still fit for the digital age? Will the current set of rules give consumers across Europe access to digitised books? Will it guarantee fair remuneration for authors? Will it ensure a level playing field for digitisation across Europe, or is there still too much fragmentation following national borders? What could be the contribution of Europeana, Europe's digital library, when it comes to working on a European response to digitisation efforts in other continents? Is Europe's copyright framework modern enough when it comes to digitising orphan works and out-of-print works?** These books represent the vast majority of European libraries' collections (around 90%). In our view, these books must be recovered and given a new lease of life".

"In the coming weeks, the European Commission will discuss these questions with stakeholders, the European Parliament and the Council. We believe that the result of these deliberations could become a good starting point for the new Commission to present proposals for the modernisation of Europe's still far too fragmented copyright system to Parliament and Council, with a focus on finding an online family for orphan and out-of-print works. **If the EU succeeds, we could lay the foundation for a new generation of cultural growth in Europe.**"

Background:

Following requests of the Council of Ministers and the European Parliament, the Commission is organising today and tomorrow meetings on the digitisation of books in Europe against the background of the Google Book Search settlement in the US. Today, an information hearing for stakeholders on the Google Book Search settlement is being held by the Commission's Directorate-General MARKT to collect, following a request of the Competitiveness Council, the requisite facts and figures to comply with this mandate. Tomorrow, Commissioner Reding will receive, at their request, representatives of libraries, publishers, consumer associations and Google.

The Google Book Search agreement, concluded on 28 October 2008, attempts to settle a lawsuit brought, as a class action, by US authors and publishers against Google, claiming that Google violated their copyright by digitising their books and making parts of them available through Google Book Search. As part of the settlement (which is limited to the US territory and still has to be approved by a US court), Google will compensate right holders whose works were scanned. It will also pay right holders 63% of revenues earned from the commercial uses Google makes of the books, and pay for the creation of a Book Rights Registry.

The Commission supports the digitisation and online accessibility of Europe's cultural heritage through [Europeana](#), the European digital library, through which 4.6 million digitised books, maps, photographs, film clips and newspapers can be accessed today. On 9 July, Commissioner Reding called for a modern set of rules to encourage the digitisation of books in Europe ([SPEECH/09/336](#)). On 28 August, the European Commission launched a public consultation on this issue, which is open until 15 November ([IP/09/1257](#)).