

## Meeting with the International Confederation of Music Publishers (ICMP) 13 April 2021

### Participants:

#### ICMP:

- [REDACTED] ICMP
- [REDACTED] Sony Music France and ICMP [REDACTED]
- [REDACTED] Peermusic and [REDACTED] ICMP national trade body in Germany
- [REDACTED] ICMP Public Affairs Executive

#### The Commission:

- Christiane Canenbley, Deputy Head of Cabinet Vestager
- Werner Stengg, Member of Cabinet Vestager
- Agnieszka Skonieczna, Member of Cabinet Breton
- [REDACTED] CNECT.I.2
- [REDACTED] Secretariat-General

On the initiative of ICMP, the Deputy Head of Cabinet Vestager Ms. C. Canenbley, meet with ICMP on 13 April 2021. The meeting focused on the transposition of Article 17 of the Copyright Directive.

ICMP underlined the importance of art. 17 of the DSM Directive and their support for the stated goals of Article 17 and the solution it provides to close the “value gap”.

ICMP expressed concerns about the implementation of the directive of some Member States creating the opportunity for unlicensed content to be uploaded. Inter alia, allowing snippets of 20 seconds of music (unlicensed) to be uploaded to for example YouTube and TikTok; the concept of “likely legitimate” content as assumed by platforms to stay up until the creator/right holder reacts; and the introduction of novel concepts like “manifestly infringing”/“non-manifestly infringing” by some Member States. ICMP stressed that if realised in eventual legislation, these would have major implications for the integration of the Single Market, ensuring a level-playing field, legal certainty for businesses and the future competitiveness of Europe's creative industries.

Ms Canenbley took note of the concerns raised by ICMP. She assured ICMP that the Commission followed the implementation of the Directive on Copyright and art. 17 in Member States closely to ensure a harmonised implementation of the EU wide framework. Although there would be differences in transposition between Member States, the Directive and compromise achieved in art. 17 was applicable EU wide.

Ms Skonieczna outlined the process of stakeholder consultations that provide input for the Commission's guidance on the application of Article 17 and stressed the aim of striking the right balance between protecting the fundamental rights of users and ensuring that creators are remunerated for the use of their works on online platforms. She underlined that the business model of licencing would remain the primary model.