



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
JOINT RESEARCH CENTRE
Directorate B – Growth and Innovation
Director

Seville, 20 December 2017

jrc.b.dir(2017)

Ms Julia Reda
Parlement Européen
Bat. Altiero Spinelli 05F158
60, rue Wiertz
Brussels
Belgium

By registered letter with acknowledgment of receipt

Advance copy by email

Dear Madam,

Subject: Your application for access to documents – Ref GestDem No 2017/6751

We refer to your request dated 09/10/2017 in which you make a request for access to documents, registered on 09/10/2017 under the above mentioned reference number.

You request a study with the title "The economics of online news aggregation and neighbouring rights for news publishers" and all information related to the creation, assignment, preparation or conduction of the study. This may include emails, notes, presentations, files, letters and memos sent to and from the authors of the study as well as between JRC and other parts of the Commission regarding this study. If a preliminary study or parts of the study have been written already, you want these parts to be included in the request.

We identified the following documents as concerned by your application:

1. A draft scientific paper drafted by the Joint Research Centre entitled "The economics of online news aggregation and neighbouring rights for news publishers".
2. An e-mail dated 25.10.2016 from the JRC to other Commission services asking their comments on a draft of the paper.
3. An e-mail exchange from May-June 2017 between DG CNECT and the JRC on this paper.
4. An attachment to document no. 3.

Document no. 1 is a draft scientific paper which is still subject to modifications. Although the decision about its publication has not yet been taken by the Commission, we can grant access to the latest draft of this paper with the proviso that its content only expresses the views of its author and not the one of the European Commission.

All identified documents contain personal data. Pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001, access to a document has to be refused if its disclosure would undermine the protection

of privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data. The applicable legislation in this field is Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data¹.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable².

According to Article 8(b) of this Regulation, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced.

We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and/or that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing the documents requested expunged from this personal data.

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission at the following address:

European Commission
Secretary-General
Transparency unit SG-B-4
BERL 5/282
B-1049 Bruxelles

or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,



Luis DELGADO SANCHIS
Acting Director

¹ Official Journal L 8 of 12.1.2001, p. 1

² Judgment of the Court of Justice of the EU of 29 June 2010 in case 28/08 P, Commission/The Bavarian Lager Co. Ltd, ECR 2010 I-06055.