

Message 301

Communication from the Commission - TRIS/(2021) 00827  
Directive (EU) 2015/1535  
Notification: 2021/0038/D

Request for supplementary information from the Commission.

Solicitud de información complementaria - Žádost o doplňující informace - Anmodning om supplerende oplysninger - Ersuchen um ergänzende Informationen - Lisateabe edastamise palve - Αίτηση συμπληρωματικών πληροφοριών - Request for additional information - Demande d'informations complémentaires - Domanda di informazioni complementari - Pieprasījums papildus informācijai - Papildomos informacijos užklausa - Kiegészítő információ kérése - Talba għal tagħrif addizzjonali - Verzoek om aanvullende inlichtingen - Prośba o uzupełnienie informacji - Pedido de informacoes complementares - Žiadost' o dodatočné informácie - Zahteva za dodatne informacije - Lisätietopyyntö - Begäran om kompletterande upplysningar - Искане за допълнителна информация - Solicitare de informații suplimentare.

(MSG: 202100827.EN)

1. MSG 301 IND 2021 0038 D EN 27-04-2021 04-03-2021 COM INFOSUP 27-04-2021

2. Commission

3. DG GROW/B/2 - N105 04/63

4. 2021/0038/D - SERV60

5. -

6. Within the framework of the notification procedure under Directive (EU) 2015/1535 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services, the German authorities notified to the Commission on 26 January 2021 the draft "Formulation aid for an amendment to insert a research clause in the draft Copyright Service Provider Act" (hereafter 'notified draft').

In order to allow the Commission services to complete their analysis under the relevant provisions of EU law, the German authorities are kindly invited to reply to the following request for supplementary information:

1. The Commission services would like to kindly ask the German authorities to clarify the objectives pursued by the notified draft.

2. The Commission services would like to kindly ask the German authorities to clarify the scope of the notified draft, also on whether online content-sharing service providers established outside Germany will be covered by the obligation to grant access to data for the purpose of scientific research.

3. In the notification message, the German authorities explain that the beneficiaries of the new obligation are "research organisations (including their affiliated researchers) carrying out scientific research, provided that they do not pursue commercial purposes or they reinvest all profits in scientific research, or are operating pursuant to a public interest mission recognised by the State", and refer to Article 2(1) of Directive (EU) 2019/790. The Commission services would like to better understand whether there would be an authorization or vetting procedure to identify these research organisations, and if so, which authorities would be responsible for this.

4. The German authorities are kindly asked to confirm whether the notified draft and its obligations will apply to service providers established outside the territory of Germany.

The German authorities are kindly invited to reply by 12 March 2021.

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European Commission

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