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NEWS RELEASE

Publishers tell COREPER: agree to negotiate a workable Publisher's Neighbouring Right or condemn consumers to a future of news experienced through the lens of Google

COREPER MEETS WEDNESDAY, 12 DECEMBER
TRILOGUE MEETS THURSDAY, 13 DECEMBER

With Google still shouting from the rooftops that it will cut news publishers off at the knees if an EU Publisher's neighbouring right is adopted, one should not be surprised that Google is ramping up its opposition to it when their very business model is based on free and unfettered re-use of publishers' and others' valuable content whilst dictating the terms and conditions. They have made no secret of their opposition to this right that simply provides publishers with their own legal standing through an exclusive right to negotiate with those who wish to re-use their content either individually, or collectively. EU talks on the final text of the draft law (Article 11) are nearing conclusion with two further EU meetings this week alone.

Threats to refuse to link to publishers' content, should the law require them to seek a licence, is a prime example of flagrant abuse of dominant position. The mere possibility that Google may have to pay for their current business practices – a business model which is in fact based on monetising content produced by other players in the ecosystem – has them threatening small publishers, the internet ecosystem and the internet consumer.

In addition, Google's demand that the right is "waivable" and can be licensed "for free" is an outrageous attempt to open a door for them to avoid any obligation to negotiate a licence or terms for the distribution of publishers' content. All exclusive rights are inherently waivable so they are asking for something they in fact do not need. Quite simply put, they are seeking legislative loopholes to reinforce their dominant position that will allow them to continue to dictate the terms and conditions of distribution of journalistic content online in the future.

A spokesman for the publishers said: "News publishing in Europe is diverse in content, opinion, culture, language and special interests. It provides a broad perspective of news, entertainment, comment and investigation. We all value the incredible diversity of our independent press and its role in our democracy. However, without a workable Publisher's Neighbouring Right, we will only see the world through the Google lens. This is why we call on Member States to agree on a Publisher's Right according to how the European Parliament voted three months ago.

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NEWS MEDIA EUROPE

EMMA, the European Magazine Media Association, is the unique and complete representation of Europe's magazine media, which is today enjoyed by millions of consumers on various platforms. EMMA represents 15,000 publishing houses, publishing 50,000 magazine titles across Europe in print and digital. See: www.magazinemedi.eu/

ENPA, the European Newspaper Publishers' Association (ENPA) is the largest representative body of newspaper publishers across Europe. ENPA advocates for 16 national associations across 13 European countries, and is a principal interlocutor to the EU institutions and a key driver of media policy debates in the European Union. See: www.enpa.eu/

EPC, the European Publishers Council is a high-level group of Chairmen and CEOs of leading European media corporations actively involved in multimedia markets spanning newspaper, magazine, book, journal, internet and online database publishers, and radio and TV broadcasting. See: <http://epceurope.eu/>

NME, News Media Europe (NME) represents the progressive news media industry in Europe – over 2200 European titles of newspapers, radio, TV and internet. NME is committed to maintaining and promoting the freedom of the press, to upholding and enhancing the freedom to publish, and to championing the news brands which are one of the most vital parts of Europe's creative industries. See: www.newsmediaeurope.eu/