

Dear Mr. Bloche,

We represent Internet users, consumers, libraries, civil society organizations, start-ups, online services and IT services from all over Europe. We would like to bring to your attention our concerns regarding the current discussions in France for the creation of a new copyright claim against the indexing of images on the internet<sup>1</sup>.

Similar initiatives in Germany and Spain, creating “snippet rights” and new copyright claims, have proved ineffective, unworkable and divisive. They have been widely condemned by internet users, academia, consumers, start ups, digital industries and ultimately by many of the intended beneficiaries - news publishers<sup>2</sup> - themselves.

While the alleged benefits of such initiatives have entirely failed to materialise, their negative implications are emerging fast and are well documented. From restrictions on competition, to litigation, reduced access to information and less innovation - as the closure of a number of starts ups can attest.

The current proposal shares all these elements. Its scope will impact many online services and mobile apps, from search engines to creative commons models and Europeana. Money would be collected arbitrarily and without any realistic way of redistributing it accurately. Basic, every day activities of online users, such as posting, linking, embedding photos online, would be subject to a cloud of legal uncertainty.

It would isolate France in the European Union, at a time when courts across Europe have made clear these were lawful activities under national, European and international laws<sup>3</sup>. It would isolate France globally, as a country where using images online would be subject to restrictive and unworkable practice.

Therefore, we thank you for having supported the adoption of amendment AC328 rejecting the creation of this new copyright claim, and encourage you to continue to reject any such claims in the future. The Internet provides us with the freedom to share information that is freely accessible. We call upon your support to preserve that freedom.

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<sup>1</sup> Article 10 *quater* (nouveau) draft Law on Creation, Architecture and Heritage Sites voted by the Senate on March 1st 2016.

<sup>2</sup> [http://www.aepp.com/pdf/151204\\_Statement\\_on\\_Digital\\_Single\\_Market\\_FINAL.pdf](http://www.aepp.com/pdf/151204_Statement_on_Digital_Single_Market_FINAL.pdf)

<sup>3</sup> Bestwater (C-348/13, 21 octobre 2014). See as well Svensson (C-466/12, 13 février 2014)

Best regards,



Asociación de Usuarios  
de Internet

bitkom



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