

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
22	Helga Stevens Julia Reda		<i>– having regard to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled,</i>	SI
44	Marietje Schaake		<i>- having regard to articles 27 of the Universal Declaration of Human Rights;</i>	SI
45	Marietje Schaake		<i>- having regard to the E-Commerce Directive,</i>	SI
49	Laura Ferrara	A. whereas the European legal framework for copyright and related rights is <i>central to the promotion of</i> creativity <i>and</i> innovation, and <i>to</i> access to knowledge and information;	A. whereas the European legal framework for copyright and related rights is <i>primarily intended to foster</i> creativity, innovation and access to knowledge, <i>culture</i> and information <i>through the dissemination of creative works;</i>	SI
57	Marietje Schaake		<i>Aa. Whereas copyright law in the EU should reflect the core principles and values of European law, including freedom of expression and information as well as freedom of competition;</i>	SI
58	Juan Fernando López Aguilar Sergio Gutiérrez Prieto Eider Gardiazabal Rubial José Blanco López		<i>Aa. whereas Article 167 of the Treaty on the Functioning of the European Union states that the European Union shall promote the flowering and diversity of the cultures of the Member States, particularly through artistic and literary creation;</i>	SI

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
60	Laura Ferrara		<i>Ab. whereas the purpose of copyright has traditionally been to strike a balance between the opposing interests of stakeholders by, on the one hand, ensuring adequate remuneration for creative work performed and investments made and, on the other, establishing a number of exceptions to and limitations on exclusive rights, in order to foster the dissemination of creative works;</i>	SI
69	Marietje Schaake		<i>Ba. Whereas the European Commission and the Member States are making considerable investments in the digitization and online accessibility of the rich collections of Europe's cultural heritage institutions, so that citizens can enjoy access from everywhere on any device;</i>	SI
73	Marietje Schaake		<i>Bb. Whereas geoblocking is common practice in Europe and limits access to content to national territory;</i>	SI
74	Laura Ferrara		<i>Bb. whereas in the new digital environment consumers are not only users of creative works but are also increasingly becoming creators and distributors of their own works, albeit not on a commercial basis;</i>	SI
75	Jean-Marie Cavada		<i>Bb. whereas any political initiative concerning the digital single market must be in keeping with the Charter of</i>	SI

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			<i>Fundamental Rights of the European Union, and in particular Articles 11, 13, 14, 16, 17 and 22 thereof;</i>	
76	Marietje Schaake		<i>Bc. Whereas cultural diversity and language diversity exceeds national borders, with some European languages spoken in multiple countries;</i>	SI
77	Laura Ferrara		<i>Bc. whereas the harmonisation of certain aspects of copyright and related rights in the information society sought by Directive 2001/29/EC has not been achieved, in particular as regards the exceptions and limitations for which the directive provides;</i>	SI
78	Marietje Schaake		<i>Bd. Whereas European citizens pay taxes for public broadcasting and in some occasions private copyright levies;</i>	SI
79	Laura Ferrara		<i>Bd. whereas the failure to harmonise laws on copyright and related rights is hampering the completion and operation of the internal market provided for in the Treaties;</i>	SI
80	Marietje Schaake		<i>Be. Whereas the establishment of a fully functioning market for copyright protected works in the European Union, as necessitated in particular by the Internet as the primary means of providing information and entertainment services across the Member States, requires common rules on copyright in the EU that</i>	SI

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			<i>reflect and integrate both the civil and common law traditions of copyright and authors' right respectively;</i>	
81	Laura Ferrara		<i>Be. whereas the failure to harmonise laws on copyright and related rights and the resulting restrictions on access to digital content available on line are viewed by the general public as arbitrary and unpredictable, and are thus a source of legal uncertainty;</i>	SI
82	Marietje Schaaake		<i>Bf. Whereas twenty years of harmonization has brought only partial harmonization on certain aspects of the law of copyright in the Member States of the EU;</i>	SI
104	Julia Reda Josef Weidenholzer		<i>Da. Whereas Article 52 of the Charter of Fundamental Rights establishes a principle of proportionality, according to which any limitation on the exercise of the rights and freedoms recognised by this Charter must be provided for by law and respect the essence of those rights and freedoms, only if they are necessary and genuinely meet objectives of general interest recognised by the Union or the need to protect the rights and freedoms of others;</i>	SI
107	Julia Reda Josef Weidenholzer		<i>Db. Whereas the Special Rapporteur of the United Nations in the field of cultural rights in her report on copyright policy</i>	SI

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			<i>and the right to science and culture (A/HRC/28/57) highlights the key role of exceptions and limitations for creation, and the importance of fair contractual terms for the protection of authorship;</i>	
108	József Szájer	<p><i>E. whereas decisions on technical standards can have a significant impact on human rights – including the right to freedom of expression, protection of personal data and user security – as well as on access to content¹⁰ ;</i></p> <hr/> <p><i>¹⁰ Opinion of the European Economic and Social Committee of 16 December 2014 on the ‘Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Internet policy and governance – Europe’s role in shaping the future of internet governance’.</i></p>	Deleted	NO
109	Constance Le Grip	<p><i>E. whereas decisions on technical standards can have a significant impact on human rights – including the right to freedom of expression, protection of personal data and user security – as well as on access to content¹⁰ ;</i></p> <hr/> <p><i>¹⁰ Opinion of the European Economic and Social Committee of 16 December 2014 on the ‘Communication from the Commission to the European Parliament, the Council,</i></p>	Deleted	NO

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		<i>the European Economic and Social Committee and the Committee of the Regions: Internet policy and governance – Europe's role in shaping the future of internet governance'.</i>		
110	Jean-Marie Cavada Therese Comodini Cachia	<i>E. whereas decisions on technical standards can have a significant impact on human rights – including the right to freedom of expression, protection of personal data and user security – as well as on access to content¹⁰;</i> <hr/> <i>¹⁰ Opinion of the European Economic and Social Committee of 16 December 2014 on the 'Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Internet policy and governance – Europe's role in shaping the future of internet governance'.</i>	<i>Deleted</i>	NO
111	Therese Comodini Cachia Pavel Svoboda Marc Joulaud Tadeusz Zwiefka Bogdan Brunon Wenta Jean-Marie	<i>E. whereas decisions on technical standards can have a significant impact on human rights – including the right to freedom of expression, protection of personal data and user security – as well as on access to content¹⁰;</i> <hr/> <i>¹⁰ Opinion of the European Economic and Social Committee of 16 December 2014 on the 'Communication from the Commission to the European Parliament, the Council,</i>	<i>Deleted</i>	NO

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
	<p>Cavada Mary Honeyball József Szájer Giovanni Toti Rosa Estaràs Ferragut Luis de Grandes Pascual Sabine Verheyen</p>	<p><i>the European Economic and Social Committee and the Committee of the Regions: Internet policy and governance – Europe's role in shaping the future of internet governance'.</i></p>		
113	<p>Angelika Niebler Axel Voss</p>	<p>E. whereas <i>decisions on</i> technical standards can have a significant impact on <i>human rights – including the right to freedom of expression, protection of personal data and user security – as well as on</i> access to content¹⁰;</p> <hr/> <p>¹⁰ <i>Opinion of the European Economic and Social Committee of 16 December 2014 on the 'Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Internet policy and governance – Europe's role in shaping the future of internet governance'.</i></p>	<p>E. whereas technical standards can have a significant impact on access to content, <i>and whereas in the digital age in particular they can establish a balance between unrestricted reproduction of works and the exclusive right to reproduce works;</i></p>	<p>NO</p>
116	<p>Lidia Joanna Geringer de Oedenberg</p>		<p><i>Ea. Whereas the harmonious and systematic development of the Europeana digital library, which was founded in 2008</i></p>	<p>NO Andrebbe precisato che</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			<i>as part of an EU initiative, has made works from Member States' libraries available;</i>	Europeana non ha ancora dispiegato il suo potenziale anche e forse soprattutto a causa dei limiti posti dal sistema del copyright alla digitalizzazione delle opere fuori commercio.
117	Cecilia Wikström		<i>Ea. Whereas the current highly fragmented system of national private copy levies constitutes a deeply unfair, flawed and outdated system for compensating right holders for what amounts to an ordinary and perfectly harmless use by consumers of legally acquired content and whereas there are no objective and fair methods to redistribute the so called compensation from this use as there is no way to establish which legally acquired works citizens are copying in the privacy of their own homes;</i>	SI
119	Laura Ferrara		<i>Ea. whereas the period during which works are protected in the digital environment is often out of proportion to the time required in order to recover creation costs and to the average marketing life of works;</i>	SI

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
128	Laura Ferrara		<i>Ec. whereas when defining the legal framework for copyright and related rights account should be taken of the need to promote innovative industrial and commercial models, taking advantage of the opportunities offered by new technologies, in order to make EU businesses more competitive;</i>	SI
132	Laura Ferrara		<i>Ed. whereas technological innovation can be a factor in legal standards becoming obsolete, and whereas in order to counter this the legal framework for copyright and related rights should be simplified and modernised by introducing an open standard relating to the interpretation of exceptions and limitations;</i>	SI
133	Laura Ferrara		<i>Ee. whereas measures taken on an individual basis by Member States to extend the scope of protection beyond the provisions of the EU legal framework on copyright and related rights make for legal fragmentation which impedes the functioning of the internal market and increases legal uncertainty for the public, and are therefore to be deprecated;</i>	SI
136	Eva Paunova	<i>1. Welcomes the Commission's initiative of conducting a consultation on copyright, which attracted great interest from civil society with more than 9 500 replies, 58.7 % of which came from end users¹¹ ;</i>	<i>deleted</i>	NO

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		¹¹ Commission, DG MARKT, Report on the responses to the Public Consultation on the Review of the EU Copyright Rules, July 2014, p. 5.		
152	Virginie Rozière	2. Notes with concern that the vast majority of end-user respondents report facing problems when trying to access online services across the Member States, particularly where technological protection measures are used to enforce territorial restrictions;	deleted	NO
153	József Szájer	2. Notes with concern that the vast majority of end-user respondents report facing problems when trying to access online services across the Member States, particularly where technological protection measures are used to enforce territorial restrictions;	2. Notes with interest the diversity of uses that technological development offers to consumers which may require further assessment to put forward measures for improving the flexibility of the current legal framework to respond to sustainable and actual demand on online content available across Member States;	NO
155	Axel Voss	2. Notes with concern that the vast majority of end-user respondents report facing problems when trying to access online services across the Member States, particularly where technological protection measures are used to enforce territorial restrictions;	2. Notes the way in which technological progress makes for diversity of use and competitiveness in Europe, and emphasises the need to consider further measures to address the issue of cross-border demand for online services on the basis of flexible legal conditions;	NO
156	Jean-Marie Cavada	2. Notes with concern that the vast majority of end-user respondents report facing problems when trying to access	2. Notes with interest the increased range of content that has been available to users lawfully since the implementation of	NO Mentre non esiste alcuna

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		<i>online services across the Member States, particularly where technological protection measures are used to enforce territorial restrictions;</i>	<i>Directive 2001/29/EC;</i>	prova che la direttiva 2001/29/CE abbia favorito la disponibilità agli utenti di contenuti online, esistono prove degli ostacoli creati dalla direttiva 2001/29 alle utilizzazioni "fair", ragionevoli, di quei contenuti.
157	Constance Le Grip Marc Joulaud Sabine Verheyen	2. Notes with <i>concern that the vast majority of end-user respondents report facing problems when trying to access online services across the Member States, particularly where technological protection measures are used to enforce territorial restrictions;</i>	2. Notes with <i>interest the increased range of content that has been available to users lawfully since the implementation of Directive 2001/29/EC;</i>	NO Mentre non esiste alcuna prova che la direttiva 2001/29/CE abbia favorito la disponibilità agli utenti di contenuti online, esistono prove degli ostacoli creati dalla direttiva 2001/29 alle utilizzazioni "fair", ragionevoli, di quei contenuti.
158	Angelika Niebler	2. Notes <i>with concern</i> that the vast majority of end-user respondents report facing problems when trying to access online services across the Member States, <i>particularly where technological protection measures are used to enforce</i>	2. Notes that the vast majority of end-user respondents <i>(0.001% of the population of the EU)</i> report facing problems when trying to access online services across the Member States, <i>while institutional users, authors, artists, publishers, producers,</i>	NO Non è vero che gli utenti istituzionali hanno affermato che non sussistono problemi. Ad esempio, i consorzi di

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		<i>territorial restrictions;</i>	<i>broadcasters, collecting societies and other intermediaries and service providers and the Member States confirm that EU-wide - and in some cases even worldwide - licences already exist for a whole variety of works, that there is no clear evidence of problems in cross-border access, for example, in the case of musical works, that no further action at EU level is necessary to increase the cross-border availability of content and that many problems are not due to the territoriality of copyright;</i>	biblioteche e le associazioni bibliotecarie hanno segnalato l'opposto, ossia che sussistono molteplici problemi sia per quanto riguarda le utilizzazioni consentite dalle licenze, spesso non sufficienti a soddisfare i bisogni degli utenti delle biblioteche, sia per quanto riguarda l'accesso e lo scambio transfrontaliero.
166	Sergio Gaetano Cofferati Lidia Joanna Geringer de Oedenberg Evelyn Regner		<i>2a. Believes a reform of the EU copyright system which moves beyond the current fragmentation among Member States to be essential for full and proper development of a digital single market. Considers it important therefore for there to be uniform rules at European level, for the current rules to be updated in response to the dissemination of new technologies and to user and consumer behaviour, and for it to be recognised that copyright holders need to receive appropriate remuneration in the context of a new negotiating position vis-à-vis intermediaries;</i>	SI

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
167	Jean-Marie Cavada		<p><i>2a. Notes that the creative and cultural sectors, as represented by authors, performers, publishers, producers, broadcasters, collective rights management bodies and other rightholders, as well as the majority of Member States, share the view that the current legal framework is suitable and sufficiently flexible to address in a sustainable way the demand for content available on-line throughout the Member States;</i></p>	<p style="text-align: center;">NO</p> <p>Non è vero. Ad esempio, le biblioteche, considerate parte dell'industria culturale e della "copyright-intensive industry" (e calcolate nelle relative statistiche), non sono d'accordo con questo punto di vista. Nemmeno è vero che lo condividano tutti gli autori (si vedano ad esempio le risposte degli autori del mondo accademico alla consultazione della Commissione Europea sulla riforma del copyright).</p>
172	Jean-Marie Cavada		<p><i>2b. Points out that copyright-intensive industries employ more than seven million people in the Union; asks the Commission, therefore, to ensure that, in line with the principles of better regulation, any legislative initiative to modernise copyright be preceded by an exhaustive ex-ante assessment of its impact in terms of growth and jobs, as well as its potential costs and benefits;</i></p>	<p style="text-align: center;">NO</p> <p>Molteplici studi condotti nel corso di un decennio e alcuni di essi commissionati dall'UE hanno già dimostrato le barriere poste dall'inadeguatezza del vigente sistema del copyright allo sviluppo dei servizi e dell'indotto. Sono cresciute le concentrazioni a scapito del pluralismo e della competizione.</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
174	Christian Ehler Sabine Verheyen		<i>2c. Emphasises that a reform of the EU's copyright acquis should continue to strengthen Europe's cultural and creative industries by improving legal certainty in the digital sphere for all involved parties, including rightholders, businesses and users, and by setting incentives for innovative licensing schemes online and new business models for online distribution of content, thus allowing the sector to benefit from the digital revolution while safeguarding a balanced value chain;</i>	<p style="text-align: center;">NO</p> <p>Incentivi e raccomandazioni sono la soluzione individuata dalla direttiva 2001/29/CE, ma non ha funzionato. Riequilibrare i diritti nel mercato dei contenuti presuppone interventi normativi, da cui discenderanno anche buone pratiche e buone licenze.</p>
187	Pascal Durand	3. Acknowledges the necessity for authors and performers to be provided with legal protection for their creative and artistic work; recognises the role of producers and publishers in bringing works to the market, and the need for appropriate remuneration for all categories of rightholders; calls for improvements to the contractual position of authors and performers in relation to other rightholders and intermediaries;	3. Acknowledges the necessity for authors and performers to be provided with legal protection for their creative and artistic work; recognises the role of producers and publishers in bringing works to the market, and the need for appropriate remuneration for all categories of rightholders; calls for improvements to the contractual position of authors and performers in relation to other rightholders and intermediaries, <i>as contractual exchanges are often marked by an imbalance of power between the parties leading to corporations retaining most of the resulting profit, for instance through right reversion that cannot be waived by contract and that give creators the possibility to retain the right to reclaim</i>	<p style="text-align: center;">SI</p> <p>Al riguardo, si sottolinea anche la specificità delle pubblicazioni dei risultati di ricerca finanziata con fondi pubblici, che - in base alla Raccomandazione della Commissione Europea sull'accesso a e la conservazione dell'informazione scientifica - dovrebbero essere disponibili ad accesso aperto "nel più breve tempo possibile,</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			<p><i>copyright interests they have transferred after a set number of years, providing them a second opportunity to negotiate a better return.</i></p>	<p>preferibilmente subito e in ogni caso non oltre sei mesi dalla data di pubblicazione” http://ec.europa.eu/research/science-society/document_library/pdf_06/recommendation-access-and-preservation-scientific-information_en.pdf): in questi casi, quando concedono all'editore il diritto di prima pubblicazione, gli autori dovrebbero mantenere i diritti di riuso per finalità di ricerca, didattica e trasferimento delle conoscenze. Ciò assicurerebbe effettivo equilibrio contrattuale in considerazione del fatto che i costi di produzione dell'opera sono prevalentemente a carico degli enti pubblici che finanziano la ricerca.</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
200	Julia Reda Josef Weidenholzer		<i>3c. Calls for the introduction of Community provisions in the area of contract law applicable to copyright, particularly safeguarding authors' rights to bring their works to the market in case a rightholder has refrained from making use of an exclusive right to the work in question for an extended period of time;</i>	SI
201	Julia Reda Christian Ehler Josef Weidenholzer		<i>3d. Notes that the existing definitions and scope of the exclusive rights for reproduction, for the communication to the public and for the making available to the public, and for distribution, need clarification to better fit the technological and cross-border nature of digital exploitation acts, and to facilitate the clearance of rights;</i>	SI
202	Ivan Jakovčić		<i>3e. Points out that copyright is a driving force for social and economic development in the broadest sense; notes that within the EU the cultural and creative industries which rely on copyright generate 4.2% of GDP and provide 7 million jobs; notes that the potential of this kind offered by the cultural and creative industry also derives from the fact that, in the EU, rights last for 70 years from the time of the author's death, in accordance with the Berne Convention, which lays down minimum standards for the duration of protection;</i>	

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
204	Angelika Niebler		<i>3g. Notes that the current legal framework provides for neighbouring rights for performers, phonogram producers, film producers and broadcasting companies, but not for press publishers; calls on the Commission, therefore, to analyse whether neighbouring rights for press publishers can provide appropriate protection and remuneration for their work in a digital media world;</i>	<p style="text-align: center;">NO</p> <p>Gli editori godono dei diritti loro attribuiti dagli autori nell'ambito dei contratti di edizione e, secondo i casi, di quelli attribuiti dalla legislazione ai produttori di database, ai titolari di marchi etc. Sono diritti già molto intensi e creare ulteriori diritti autonomi indebolirebbe ulteriormente la posizione contrattuale ed extracontrattuale degli autori.</p>
205	Laura Ferrara		<i>3h. Calls on the Commission to restore balance to copyright holders' contractual powers by imposing a reasonable period for the use of rights transferred by them to third parties, after which those rights would lapse;</i>	<p style="text-align: center;">SI</p> <p>Le norme in materia di contratto di edizione previste dalla legge italiana sul diritto d'autore potrebbero essere un utile punto di partenza, insieme alla recente norma del diritto d'autore tedesco che rende irrinunciabile il diritto di riuso dell'opera per finalità didattiche e di ricerca.</p>
218	Juan Fernando López Aguilar Sergio	<i>4. Considers the introduction of a single European Copyright Title on the basis of Article 118 TFEU that would apply directly and uniformly across the EU, in</i>	<i>4. Urges the Commission to put forward formulas to remedy the lack of harmonisation resulting from Directive 2001/29/EC, taking into account the need</i>	<p style="text-align: center;">SI</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
	Gutiérrez Prieto Eider Gardiazabal Rubial José Blanco López	<i>accordance with the Commission's objective of better regulation, as a legal means</i> to remedy the lack of harmonisation resulting from Directive 2001/29/EC;	<i>to provide balanced solutions that will help to overcome and/or improve cross-border access and portability of products and services based on new consumer demands;</i>	
229	Julia Reda Josef Weidenholzer		<i>4b. Notes the adoption by the Commission of legal instruments aiming at removing obstacles to bringing out the full economic potential from the exploitation of public sector information, and allowing the re-use of such information even in the presence of intellectual property rights;</i>	SI
231	Evelyn Regner Josef Weidenholzer		<i>4d. Considers the introduction of a single European Copyright Title as a long term project, which should be progressed</i>	SI
248	Sergio Gaetano Cofferati Lidia Joanna Geringer de Oedenberg	5. Recommends that the EU legislator further lower the barriers to the re-use of public sector information by exempting works produced by the public sector – as part of the political, legal and administrative process – from copyright protection;	5. Recommends that the EU legislator, <i>to protect the public interest</i> , further lower the barriers to the re-use of public sector information by exempting works produced by the public sector – as part of the political, legal and administrative process – from copyright protection;	SI
250	Julia Reda Victor Negrescu Josef Weidenholzer	5. Recommends that the EU legislator further lower the barriers <i>to the</i> re-use of public sector information by exempting works <i>produced by the public sector</i> – as part of the political, legal and administrative process – from copyright	5. Recommends that the EU legislator <i>should, while protecting personal information</i> , further lower the barriers <i>for</i> re-use of public sector information by exempting <i>official</i> works, <i>which are produced by government employees</i> as part	SI

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		protection;	of <i>their official duty within</i> the political, legal and administrative process, from copyright protection;	
251	Angel Dzhambazki Sajjad Karim		<i>5a. Recalls the adoption of Directive 2013/37/EU on 26 June 2013 on the re-use of public sector information, which provides a common legal framework for an EU market for government-held data (public sector information) and includes provisions on transparency and competition;</i>	SI
252	Constance Le Grip	<i>6. Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright protection and should therefore be able to be used and re-used without technical or contractual barriers; also calls on the Commission to recognise the freedom of rightholders to voluntarily relinquish their rights and dedicate their works to the public domain;</i>	<i>deleted</i>	NO Si veda in proposito l'articolo di Alberto Petrucciani, <i>Ancora su Google e la giungla del digitale</i> , http://aibstudi.aib.it/article/view/6326 , che evidenzia i molteplici casi di "copyfraud", in cui opere di pubblico dominio vengono sottratte indebitamente al pubblico dominio. Quanto alla seconda parte della raccomandazione, bisogna tutelare la libertà degli autori di <i>non</i> utilizzare le loro opere per finalità di lucro e di donare al pubblico dominio i loro prodotti, poiché il loro

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
				interesse può essere (e in molti casi è) diverso da quello dell'utilità commerciale
253	József Szájer	6. <i>Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright protection and should therefore be able to be used and re-used without technical or contractual barriers; also calls on the Commission to recognise the freedom of rightholders to voluntarily relinquish their rights and dedicate their works to the public domain;</i>	<i>deleted</i>	<p style="text-align: center;">NO</p> <p>Si veda in proposito l'articolo di Alberto Petrucciani, <i>Ancora su Google e la giungla del digitale</i>, http://aibstudi.aib.it/article/view/6326 , che evidenzia i molteplici casi di "copyfraud", in cui opere di pubblico dominio vengono sottratte indebitamente al pubblico dominio. Quanto alla seconda parte della raccomandazione, bisogna tutelare la libertà degli autori di <i>non</i> utilizzare le loro opere per finalità di lucro e di donare al pubblico dominio i loro prodotti, poiché il loro interesse può essere (e in molti casi è) diverso da quello dell'utilità commerciale</p>
254	Angel Dzhambazki Sajjad Karim	6. <i>Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright protection and should therefore be able to be used and re-used without technical or</i>	<i>deleted</i>	<p style="text-align: center;">NO</p> <p>Si veda in proposito l'articolo di Alberto Petrucciani, <i>Ancora su Google e la</i></p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		<i>contractual barriers; also calls on the Commission to recognise the freedom of rightholders to voluntarily relinquish their rights and dedicate their works to the public domain;</i>		<i>giungla del digitale</i> , http://aibstudi.aib.it/article/view/6326 , che evidenzia i molteplici casi di “copyfraud”, in cui opere di pubblico dominio vengono sottratte indebitamente al pubblico dominio. Quanto alla seconda parte della raccomandazione, bisogna tutelare la libertà degli autori di <i>non</i> utilizzare le loro opere per finalità di lucro e di donare al pubblico dominio i loro prodotti, poiché il loro interesse può essere (e in molti casi è) diverso da quello dell'utilità commerciale
255	Axel Voss	<i>6. Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright protection and should therefore be able to be used and re-used without technical or contractual barriers; also calls on the Commission to recognise the freedom of rightholders to voluntarily relinquish their rights and dedicate their works to the public domain;</i>	<i>delete</i>	NO Si veda in proposito l'articolo di Alberto Petrucciani, <i>Ancora su Google e la giungla del digitale</i> , http://aibstudi.aib.it/article/view/6326 , che evidenzia i molteplici casi di “copyfraud”, in cui opere di pubblico dominio vengono sottratte indebitamente al pubblico dominio. Quanto

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
				<p>alla seconda parte della raccomandazione, bisogna tutelare la libertà degli autori di <i>non</i> utilizzare le loro opere per finalità di lucro e di donare al pubblico dominio i loro prodotti, poiché il loro interesse può essere (e in molti casi è) diverso da quello dell'utilità commerciale</p>
256	<p>Therese Comodini Cachia Eva Paunova Pavel Svoboda Marc Joulaud József Szájer Giovanni Toti Luis de Grandes Pascual Rosa Estaràs Ferragut Sabine Verheyen</p>	<p><i>6. Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright protection and should therefore be able to be used and re-used without technical or contractual barriers; also calls on the Commission to recognise the freedom of rightholders to voluntarily relinquish their rights and dedicate their works to the public domain;</i></p>	<p><i>deleted</i></p>	<p>NO</p> <p>Si veda in proposito l'articolo di Alberto Petrucciani, <i>Ancora su Google e la giungla del digitale</i>, http://aibstudi.aib.it/article/view/6326 , che evidenzia i molteplici casi di "copyfraud", in cui opere di pubblico dominio vengono sottratte indebitamente al pubblico dominio. Quanto alla seconda parte della raccomandazione, bisogna tutelare la libertà degli autori di <i>non</i> utilizzare le loro opere per finalità di lucro e di donare al pubblico dominio i</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
				loro prodotti, poiché il loro interesse può essere (e in molti casi è) diverso da quello dell'utilità commerciale
257	Jean-Marie Cavada	6. Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright protection and should therefore be able to be used and re-used without technical or contractual barriers; <i>also calls on the Commission to recognise the freedom of rightholders to voluntarily relinquish their rights and dedicate their works to the public domain;</i>	6. Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright protection and should therefore be able to be used and re-used without technical or contractual barriers;	NO Bisogna tutelare la libertà degli autori di <i>non</i> utilizzare le loro opere per finalità di lucro e di donare al pubblico dominio i loro prodotti, poiché il loro interesse può essere (e in molti casi è) diverso da quello dell'utilità commerciale.
259	Juan Fernando López Aguilar Sergio Gutiérrez Prieto Eider Gardiazabal Rubial José Blanco López	6. Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright protection and should therefore be able to be used and re-used without technical or contractual barriers; <i>also calls on the Commission to recognise the freedom of rightholders to voluntarily relinquish their rights and dedicate their works to the public domain;</i>	6. Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright protection and should therefore be able to be used and re-used without technical or contractual barriers;	NO Bisogna tutelare la libertà degli autori di <i>non</i> utilizzare le loro opere per finalità di lucro e di donare al pubblico dominio i loro prodotti, poiché il loro interesse può essere (e in molti casi è) diverso da quello dell'utilità commerciale.
260	Helga Trüpel Heidi Hautala	6. Calls on the Commission to safeguard public domain works, which are by	6. Calls on the Commission to safeguard public domain works, which are by	SI

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		definition not subject to copyright protection and should therefore be able to be used and re-used without technical or contractual barriers; also calls on the Commission to <i>recognise the freedom of rightholders</i> to voluntarily relinquish their rights and dedicate their works to the public domain;	definition not subject to copyright protection and should therefore be able to be used and re-used without technical or contractual barriers; <i>calls on the Commission to examine whether individual works may be removed from the catalogue by collecting societies for free licences / public domain use at the request of the author</i> ; also calls on the Commission to <i>examine whether rightholders may be given the right</i> to voluntarily relinquish their <i>user</i> rights and dedicate their works to the public domain;	L'emendamento chiarisce un aspetto importante: oggi gli autori non possono rinunciare ai diritti di utilizzazione secondaria che vengono riscossi dalle società di gestione collettiva. Ad esempio, anche quando "liberano" con licenza Creative Commons un loro articolo, la versione a stampa di tale articolo resta soggetta ai diritti di riproduzione che vengono riscossi dalle società di gestione collettiva.
261	Laura Ferrara	6. Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright protection and should therefore be able to be used and re-used without technical or contractual barriers; also calls on the Commission to recognise the freedom of rightholders to voluntarily relinquish their rights <i>and dedicate</i> their works to the public domain;	6. Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright protection and should therefore be able to be used and re-used without technical or contractual barriers; also calls on the Commission to recognise the freedom of rightholders to voluntarily relinquish their rights, <i>in whole or in part, including the possibility of dedicating</i> their works to the public domain;	SI
263	Victor Negrescu	6. Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright protection and <i>should</i> therefore <i>be able to</i>	6. Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright protection, and therefore <i>should</i> be used	SI L'emendamento chiarisce la finalità di prevenzione del fenomeno della copyfraud.

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		be used and re-used without technical or contractual barriers; also calls on the Commission to recognise the freedom of <i>rightholders to voluntarily relinquish their rights and</i> dedicate their works to the public domain;	and re-used without technical or contractual barriers; <i>therefore urges the Commission to clarify that once a work is in the public domain, any digitisation of the work which does not constitute a new, transformative work, stays in the public domain;</i> also calls on the Commission to recognise the freedom of <i>authors to</i> dedicate their works to the public domain;	Legittime operazioni commerciali di digitalizzazione e messa in rete sono comunque protette da altri diritti, quale quello sul database. La direttiva europea sul database riconosce comunque il diritto di estrazione e reimpiego di parti non sostanziali del database, fermi restando i diritti esistenti sull'opera estratta. Se quest'ultima è di pubblico dominio, non può essere soggetta a "blindature", tantomeno se queste rischiano di essere rinnovate per un tempo illimitato. Il "Comitato dei saggi" che fu incaricato dalla Commissione Europea di analizzare i problemi relativi alla realizzazione di Europea raccomandò che l'eventuale esclusiva sulla copia digitalizzata non dovesse durare più di sette anni (non rinnovabili).
264	Julia Reda Victor Negrescu	6. Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright	6. Calls on the Commission to safeguard public domain works, which are by definition not subject to copyright	SI

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
	Josef Weidenholzer	protection and <i>should</i> therefore <i>be able to</i> be used and re-used without technical or contractual barriers; also calls on the Commission to recognise the freedom of <i>rightholders to voluntarily relinquish their rights and</i> dedicate their works to the public domain;	protection, and therefore <i>should</i> be used and re-used without technical or contractual barriers; <i>therefore urges the Commission to clarify that once a work is in the public domain, any digitisation of the work which does not constitute a new, transformative work, stays in the public domain;</i> also calls on the Commission to recognise the freedom of <i>authors to</i> dedicate their works to the public domain;	
277	Cecilia Wikström	7. Calls on the Commission to <i>harmonise the term of protection of copyright to a duration that does not exceed the current international standards set out in the Berne Convention;</i>	7. Calls on the Commission to <i>explore the possibility to significantly shorten the duration of the harmonised terms of protections of copyright within the framework of a modern trade policy agenda;</i>	<p style="text-align: center;">SI</p> <p>La tutela del diritto d'autore fino a 70 anni dopo la morte dell'ultimo autore di un'opera ha trasformato in rendita un diritto che dovrebbe servire a stimolare il mercato. Si tratta peraltro di una rendita raramente fruita dagli autori o dai loro eredi, come dimostra l'enorme ammontare di "opere orfane" presenti nel patrimonio delle biblioteche, i cui autori non sono stati rintracciati o identificati. I tempi medi di uscita dal commercio di un'opera sono sempre più brevi, il che significa che, nel medio termine, l'impossibilità di</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
				riutilizzarle liberamente per finalità scientifiche e culturali sottrae inutilmente al pubblico ampia parte della memoria scientifica e culturale registrata.
278	Tonino Picula	7. Calls on the Commission to harmonise the term of protection of copyright to a duration that does not exceed the current international standards set out in the Berne Convention;	7. Calls on the Commission to harmonise the term of protection of copyright to a duration that does not exceed the current international standards set out in the Berne Convention; <i>points out to the Commission that copyright is a driving force for social and economic development in the broadest sense; notes that, with a turnover on the EU market exceeding EUR 535 billion, the cultural and creative industries that rely on copyright generate 4.2% of GDP within the EU and provide 7 million jobs (for local – and mainly younger – people); notes that, by offering stable employment especially at a time of crisis, they are proving highly resilient to the economic crisis and are consequently holding out immense economic potential; notes that the potential of this kind offered by the cultural and creative industry also derives from the fact that, in the EU, in accordance with the Berne Convention, which lays down minimum standards for the duration of protection, rights last for</i>	NO Anche l'informazione di pubblico dominio ha un enorme valore per l'economia generale, come rivelano gli studi commissionati dalla Commissione Europea in occasione dell'istruttoria per la riforma della direttiva sull'informazione del settore pubblico, che ha incluso anche le collezioni delle biblioteche, degli archivi e dei musei nel suo ambito di operatività. O si menzionano anche questi studi, o l'emendamento falsa la finalità della raccomandazione iniziale.

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			<i>70 years from the time of the author's death;</i>	
279	Virginie Rozière Jean-Marie Cavada	7. Calls on the Commission to <i>harmonise</i> the term of protection of copyright <i>to a duration that does not exceed the current international standards set out in the</i> Berne Convention;	7. Calls on the Commission to <i>maintain the high level of harmonisation of</i> the term of protection of copyright, <i>in accordance with the</i> Berne Convention; <i>emphasises that the term of protection for holders of related rights should also be harmonised;</i>	NO
280	Laura Ferrara	7. Calls on the Commission to harmonise the term of protection of copyright to a duration that does not exceed the current international standards set out in the Berne Convention;	7. Calls on the Commission to harmonise the term of protection of copyright <i>and related rights</i> to a duration that does not exceed the current international standards set out in the Berne Convention, <i>taking into account the time needed to recover investment costs, the average marketing life of a work and the public interest in the dissemination of creative works;</i>	SI La tutela del diritto d'autore fino a 70 anni dopo la morte dell'ultimo autore di un'opera ha trasformato in rendita un diritto che dovrebbe servire a stimolare il mercato. Si tratta peraltro di una rendita raramente fruita dagli autori o dai loro eredi, come dimostra l'enorme ammontare di "opere orfane" presenti nel patrimonio delle biblioteche, i cui autori non sono stati rintracciati o identificati. I tempi medi di uscita dal commercio di un'opera sono sempre più brevi, il che significa che, nel medio termine, l'impossibilità di riutilizzarle liberamente per

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
				finalità scientifiche e culturali sottrae inutilmente al pubblico ampia parte della memoria scientifica e culturale registrata.
282	Helga Trüpel Heidi Hautala	7. Calls on the Commission to harmonise the term of protection of copyright to a duration that does not <i>exceed</i> the current international standards set out in the Berne Convention;	7. Calls on the Commission to harmonise the term of protection of copyright to a duration that does not <i>fall below</i> the current international standards set out in the Berne Convention, <i>while refraining from any further extension of the terms of protection;</i>	SI
283	Julia Reda Josef Weidenholzer		<i>7a. Notes that the current legal Acquis recognises the full harmonisation of exclusive rights, whereas exceptions and limitations to exclusive rights remain optional and not harmonised;</i>	SI
284	Julia Reda Josef Weidenholzer		<i>7b. Notes the significant number of suggestions that have been put forward in the replies to the consultation of the Commission on the review of the EU copyright rules, to introduce new exceptions and limitations to exclusive rights, as well as broadening the scope of existing exceptions;</i>	SI
286	Laura Ferrara	8. Calls on the EU legislator to remain faithful to the objective stated in Directive 2001/29/EC of safeguarding a fair	8. Calls on the EU legislator to remain faithful to the objective stated in Directive 2001/29/EC of safeguarding a fair	SI

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		balance between the different categories of rightholders and users of protected <i>subject-matter</i> , as well as between the different categories of rightholders;	balance between the different categories of rightholders and users of protected <i>content</i> , as well as between the different categories of rightholders;	
288	Pascal Durand		<i>8a. Recalls that Member States have a positive obligation to provide for a robust and flexible system of copyright exceptions and limitations in order to honour their human rights obligations</i>	SI
289	Juan Fernando López Aguilar Sergio Gutiérrez Prieto Eider Gardiazabal Rubial José Blanco López		<i>8b. Emphasises that any legislative change in this field should guarantee people with disabilities access to works and services protected by copyright and related rights and should be adapted to the digital environment;</i>	SI
290	Marie-Christine Boutonnet	9. Notes that <i>exceptions and limitations in the digital environment should be enjoyed without any unequal treatment as compared with those granted in the analogue world;</i>	9. Notes that <i>digital and analogue markets are different, and that therefore use should be made of the techniques introduced since the entry into force of Directive 2001/29/EC;</i>	NO Gli editori europei hanno dichiarato che “un libro è un libro” anche quando è pubblicato online; noi concordiamo con questa affermazione e riteniamo che non debba valere solo al fine di allineare il regime dell’IVA ridotta. Se un libro è un libro,

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
				deve poter essere usato nello stesso modo online e offline, e per esso devono valere le stesse eccezioni e limitazioni ai diritti esclusivi.
292	Jean-Marie Cavada Virginie Rozière	9. Notes that exceptions and limitations <i>in the digital environment should be enjoyed without any unequal treatment as compared with those granted in the analogue world;</i>	9. Notes that exceptions and limitations <i>must be applied in such a way as to take account of the particular respective characteristics of the digital and analogue environments;</i>	<p style="text-align: center;">NO</p> <p>L'emendamento non tiene conto del fatto che allo stato attuale sono pochissime le eccezioni e limitazioni applicabili ai contenuti online, poiché la direttiva 2001/29/CE li definisce "servizi", con la conseguenza che le utilizzazioni consentite sugli stessi dipende dalla licenza d'uso rilasciata dai titolari dei diritti. Le conseguenze di ciò sono state evidenziate dalle associazioni bibliotecarie in diverse sedi e circostanze, ad esempio durante i tavoli "Licence for Europe" promossi recentemente dalla Commissione Europea.</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
293	József Szájer	9. Notes that exceptions and limitations in the digital environment should be enjoyed <i>without any unequal treatment as compared with those granted in the analogue world</i> ;	9. Notes that <i>technological changes have led to renewed interest in</i> exceptions and limitations, <i>especially their role</i> in the digital environment <i>and considers that the rights enjoyed by the creators of work in the digital world</i> should be <i>identical to those enjoyed in the analogue world, subject to the exceptions and limitations set out. Recognises that further analysis of the exceptions and limitations is sought so as to consider how these can serve the public</i> in the digital age;	<p style="text-align: center;">NO</p> <p>Le analisi e le raccolte di dati sono state fatte per oltre 10 anni e hanno ampiamente dimostrato che l'assenza di un sistema efficace di eccezioni e limitazioni ha fatto saltare ogni equilibrio tra diritti esclusivi e diritti del pubblico, così come è almeno dal 2008 che l'UE ha raccolto sufficienti elementi di analisi per stabilire quali eccezioni andrebbero rafforzate e quali nuove eccezioni servirebbero.</p>
296	Constance Le Grip Marc Joulaud Sabine Verheyen	9. Notes that exceptions and limitations in the digital environment <i>should</i> be enjoyed <i>without any unequal treatment as compared with those granted in the analogue world</i> ;	9. Notes that exceptions and limitations in the digital environment <i>cannot</i> be enjoyed <i>in the same way</i> in the digital environment <i>and in the analogue environment; calls for exceptions and limitations to be tailored to the environment in which they apply;</i> (The two markets do not operate in the same way at all.)	<p style="text-align: center;">NO</p> <p>La neutralità tecnologica sarebbe completamente contraddetta da questo emendamento.</p>
297	Therese Comodini Cachia Eva Paunova Pavel Svoboda József Szájer Giovanni Toti	9. Notes that exceptions and limitations in the digital environment should be enjoyed <i>without any unequal treatment as compared with those granted in the analogue world</i> ;	9. Notes that <i>technological changes have led to renewed interest in</i> exceptions and limitations, <i>especially their role</i> in the digital environment <i>and considers that the rights enjoyed by the creators of work in the digital world</i> should be <i>identical to those enjoyed in the analogue world,</i>	<p style="text-align: center;">NO</p> <p>Le analisi e le raccolte di dati sono state fatte per oltre 10 anni e hanno ampiamente dimostrato che l'assenza di un sistema efficace di eccezioni e</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
	<p>Rosa Estaràs Ferragut Luis de Grandes Pascual Milan Zver Sabine Verheyen</p>		<p><i>subject to the exceptions and limitations set out. Recognises that further analysis of the exceptions and limitations is sought so as to consider how these can serve the public in the digital age;</i></p>	<p>limitazioni ha fatto saltare ogni equilibrio tra diritti esclusivi e diritti del pubblico, così come è almeno dal 2008 che l'UE ha raccolto sufficienti elementi di analisi per stabilire quali eccezioni andrebbero rafforzate e quali nuove eccezioni servirebbero. L'emendamento incoraggerebbe attività dilatorie, costose e superflue, lasciando ancora aperti tutti i problemi che già il piano d'azione <i>eEurope 2010</i> avrebbe dovuto risolvere e accrescendo così la sfiducia dell'opinione pubblica.</p>
298	<p>Mary Honeyball Silvia Costa</p>	<p>9. Notes that exceptions and limitations in the digital environment should be enjoyed <i>without any unequal treatment as compared with those granted in the analogue world;</i></p>	<p>9. Notes that <i>technological changes have led to renewed interest in</i> exceptions and limitations, <i>especially their role</i> in the digital environment <i>and considers that the rights enjoyed by the creators of work in the digital world</i> should be <i>identical to those enjoyed in the analogue world, subject to the exceptions and limitations set out. Recognises that further analysis of the application of the exceptions and limitations is required so as to consider how these can serve the public</i> in the</p>	<p>NO</p> <p>Le analisi e le raccolte di dati sono state fatte per oltre 10 anni e hanno ampiamente dimostrato che l'assenza di un sistema efficace di eccezioni e limitazioni ha fatto saltare ogni equilibrio tra diritti esclusivi e diritti del pubblico, così come è almeno dal 2008 che l'UE ha raccolto sufficienti elementi di analisi</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			<i>digital age;</i>	per stabilire quali eccezioni andrebbero rafforzate e quali nuove eccezioni servirebbero. L'emendamento incoraggerebbe attività dilatorie, costose e superflue, lasciando ancora aperti tutti i problemi che già il piano d'azione <i>eEurope 2010</i> avrebbe dovuto risolvere e accrescendo così la sfiducia dell'opinione pubblica.
299	Tonino Picula	9. Notes that exceptions and limitations in the digital environment should be enjoyed <i>without any unequal treatment as compared with those granted in the analogue world;</i>	9. Notes that exceptions and limitations in the digital environment <i>too</i> should be enjoyed <i>solely for their intended purposes; considers that the purpose of their establishment must not be to create new business models whereby authors' works would be exploited by applying exceptions and limitations in such a way as to deny authors the royalties arising from the use of their works;</i>	<p style="text-align: center;">NO</p> <p>L'emendamento non tiene conto del fatto che allo stato attuale sono pochissime le eccezioni e limitazioni applicabili ai contenuti online, poiché la direttiva 2001/29/CE li definisce "servizi", con la conseguenza che le utilizzazioni consentite sugli stessi dipende dalla licenza d'uso rilasciata dai titolari dei diritti. Le conseguenze di ciò sono state evidenziate dalle associazioni bibliotecarie in diverse sedi e circostanze, ad esempio durante i tavoli "Licence for</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
				<p>Europe" promossi recentemente dalla Commissione Europea. Inoltre, non tiene conto del fatto che non tutte le eccezioni e limitazioni danno diritto al compenso, ma solo quelle per le quali si presume un qualche valore economico. Quale valore economico può avere una citazione di un brano di un'opera fatta a scopo illustrativo e di critica, oppure quale valore economico può avere una riproduzione a scopo di conservazione fatta da una biblioteca per tutelare il suo patrimonio legittimamente acquisito? Nessuno, si tratta in entrambi i casi di utilizzazioni aventi valore culturale, ma nessuna rilevanza economica.</p>
300	Angelika Niebler	<p>9. <i>Notes that</i> exceptions and limitations <i>in the</i> digital environment <i>should be enjoyed without any unequal treatment as compared with those granted in the analogue world;</i></p>	<p>9. <i>Calls on the Commission to give careful consideration to the extent to which it is feasible directly to transfer</i> exceptions and limitations <i>from the analogue world to a</i> digital environment; <i>stresses, at the same time, that the right of the creator to</i></p>	<p>NO La tutela del creatore dell'opera significa anche contribuire a farla conoscere. L'assenza di eccezioni e limitazioni in ambiente</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			<i>protection of his or her creative works must continue to apply in the digital age;</i>	digitale adeguate al contesto espone molte opere al rischio concreto di scomparsa dall'orizzonte della memoria.
302	Axel Voss	9. Notes that <i>exceptions and limitations</i> in the digital environment should be enjoyed without any unequal treatment as compared with those granted in the analogue world;	9. Notes that <i>the rights and protection of creators</i> in the digital environment should be enjoyed without any unequal treatment as compared with those granted in the analogue world;	NO L'emendamento concentra sui diritti esclusivi tutta l'attenzione, vanificando la finalità del paragrafo 9., consistente nell'evidenziare il problema dell'assenza di contrappesi ai diritti esclusivi in ambiente digitale. Noi riteniamo invece che tale problema sia cruciale e vada segnalato e risolto.
306	Laura Ferrara		<i>Highlights the advisability of introducing new exceptions and limitations which should take into account technological developments and new forms of both the expression and the use of works in a digital environment;</i>	SI
307	Juan Fernando López Aguilar Sergio Gutiérrez Prieto	<i>10. Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the</i>	<i>deleted</i>	NO

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
	Eider Gardiazabal Rubial José Blanco López	<i>development of cross-border activities;</i>		
308	Virginie Rozière	<i>10. Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;</i>	<i>deleted</i>	NO
309	Marie-Christine Boutonnet	<i>10. Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;</i>	<i>deleted</i>	NO
310	Angel Dzhambazki Sajjad Karim	<i>10. Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;</i>	<i>10. Notes the right of each Member State to tailor exceptions in accordance with their market and traditions and in line with the principles of subsidiarity and proportionality; However, Member States may consider that some exceptions may benefit from common approaches and any exceptions pursued should aim to stimulate economic growth, the development of the Digital Single Market and competitiveness;</i>	NO

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
311	Marie-Christine Boutonnet	10. <i>Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;</i>	10. <i>Recalls that each Member State may continue to legislate on the basis of respect for and conservation and promotion of its cultural identity, contributing to the cultural richness of Europe;</i>	NO
312	Constance Le Grip	10. <i>Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;</i>	10. <i>Observes that the list of 20 optional exceptions in Directive 2001/29/EC has permitted a flexibility of implementation which was necessary in order to take account of the diversity of the legal traditions of the Member States and their cultural policies, while ensuring the proper functioning of the internal market and respecting the principles of proportionality and subsidiarity;</i>	NO
313	József Szájer	10. <i>Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;</i>	10. <i>Notes the importance of European cultural diversity, which provides opportunities rather than obstacles to the Single Market, and notes that the possible differences in the implementation of exceptions may be handled on a case-by-case basis and market driven solutions , to avoid legal uncertainty and to protect the functioning of the digital single market, in view of the development of cross-border activities;</i>	<p style="text-align: center;">NO</p> <p>Proprio l'approccio tradizionale dell'UE – iperregolazione dei diritti esclusivi da un lato e <i>laissez-faire</i> al mercato (ovvero ai titolari dei diritti esclusivi) dall'altro ci ha portati fin qui, ossia alle storture evidenziate dal paragrafo 10., come avvertivano le biblioteche già prima dell'emanazione della direttiva 2001/29/CE.</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
314	Angelika Niebler	10. <i>Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;</i>	10. <i>Stresses the importance of Member States' room for manoeuvre in the implementation of exceptions, which reflects specific cultural and economic features in the Member States;</i>	NO
315	Jean-Marie Cavada Virginie Rozière	10. <i>Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;</i>	10. <i>Notes that the room for manoeuvre left to Member States under the subsidiarity principle has made it possible to adapt the exceptions to social and economic realities in the Member States without creating obstacles to the functioning of the internal market;</i>	NO Tutti gli studi commissionati finora dalla Commissione Europea e i risultati delle sue consultazioni pubbliche hanno evidenziato esattamente l'opposto di quanto si afferma nell'emendamento.
316	Mary Honeyball Theresa Griffin	10. <i>Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;</i>	10. <i>Notes the importance of European cultural diversity, which provides opportunities rather than obstacles to the Single Market, and notes that the differences in the implementation of exceptions may have negative effects on the functioning of the internal market, and may also lead to legal uncertainty, but that these should be handled on a case-by-case basis, while stressing that works of cultural value should be available to all to be enjoyed but should also be subject to copyright protection;</i>	NO Non “potrebbero avere effetti negativi”: è stato ampiamente dimostrato che li hanno avuti. Un ampio livello di armonizzazione – giudicato peraltro tuttora insufficiente – à stato imposto per i diritti esclusivi e in tale circostanza nessuno ha sollevato la questione della diversità culturale. Le eccezioni e limitazioni sono parte

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
				integrante del sistema del copyright e non possono restare l'unica parte di questo sistema facoltativa ed eventuale (o quasi del tutto assente, come nel caso delle utilizzazioni digitali).
317	Therese Comodini Cachia Marc Joulaud Mary Honeyball József Szájer Giovanni Toti Luis de Grandes Pascual Rosa Estaràs Ferragut Sabine Verheyen	10. <i>Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;</i>	10. <i>Notes the importance of European cultural diversity, which provides opportunities rather than obstacles to the Single Market, and notes that the possible differences in the implementation of exceptions may be handled on a case-by-case basis and market driven solutions , to avoid legal uncertainty and to protect the functioning of the digital single market, in view of the development of cross-border activities;</i>	<p align="center">NO</p> Le eccezioni e limitazioni sono parte integrante del sistema del copyright e non possono restare l'unica parte di questo sistema facoltativa ed eventuale (o quasi del tutto assente, come nel caso delle utilizzazioni digitali). Le “market-driven solutions” sono state tentate da quando la direttiva è stata implementata, senza determinare i risultati attesi.
319	Laura Ferrara	10. Views with concern the increasing impact of <i>differences</i> among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, <i>in view of the development of cross-border activities;</i>	10. Views with concern, <i>in view of the development of cross-border activities</i> , the increasing impact of <i>the lack of uniformity</i> among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, <i>on the incentive to</i>	<p align="center">SI</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			<i>create and promote innovative industrial and trade models and on competition;</i>	
320	Sergio Gaetano Cofferati Lidia Joanna Geringer de Oedenberg	10. Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;	10. Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty <i>for authors and users</i> and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;	SI L'incertezza legale colpisce anche le "public interest institutions", come le biblioteche, gli altri istituti culturali, le università e gli enti di ricerca, costrette di volta in volta a negoziare (con esiti non sufficienti) prerogative che sono sempre state considerate essenziali per lo svolgimento della loro missione di servizio.
321	Julia Reda Christian Ehler Josef Weidenholzer	10. Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities;	10. Views with concern the increasing impact of differences among Member States in the implementation of exceptions, which creates legal uncertainty and has direct negative effects on the functioning of the digital single market, in view of the development of cross-border activities <i>and EU global competitiveness and innovation;</i>	SI
322	Pascal Durand		<i>10a. Emphasizes that industry geoblocking practices should not prevent cultural minorities living in EU Member States</i>	SI

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			<i>from accessing existing contents or services in their language that are either free or paid for;</i>	
327	Kostas Chrysogonos	<i>11. Calls on the Commission to make mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;</i>	<i>delete</i>	NO
328	Constance Le Grip	<i>11. Calls on the Commission to make mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;</i>	<i>deleted</i>	NO
329	Virginie Rozière	<i>11. Calls on the Commission to make mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;</i>	<i>deleted</i>	NO
330	Angelika Niebler	<i>11. Calls on the Commission to make mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal</i>	<i>deleted</i>	NO

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		<i>certainty;</i>		
331	Kostas Chrysogonos Jiří Maštálka	<i>11. Calls on the Commission to make mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;</i>	<i>deleted</i>	NO
332	Marie-Christine Boutonnet	<i>11. Calls on the Commission to make mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;</i>	<i>deleted</i>	NO
333	Eva Paunova	<i>11. Calls on the Commission to make mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;</i>	<i>deleted</i>	NO
334	Axel Voss	11. Calls on the Commission to <i>make mandatory</i> all the exceptions and limitations referred to in Directive 2001/29/EC, <i>to allow</i> equal access to cultural diversity across borders within the internal market <i>and to improve</i> legal certainty;	11. Calls on the Commission to <i>ensure that</i> all the exceptions and limitations referred to in Directive 2001/29/EC <i>are implemented appropriately, that</i> equal access to cultural diversity across borders within the internal market <i>is promoted and that</i> legal certainty <i>is improved, taking account of the</i>	NO

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			<i>subsidiarity principle, specific cultural and legal features in the Member States and the clearly demonstrated cross-border impact of the exceptions and limitations concerned;</i>	
335	Jean-Marie Cavada	11. Calls on the Commission to <i>make mandatory all</i> the exceptions and limitations <i>referred to in Directive 2001/29/EC, to allow</i> equal access to cultural diversity across borders within the internal market and to improve legal certainty;	11. Calls on the Commission to <i>ensure the proper application of</i> the exceptions and limitations <i>and to provide all the information necessary to promote</i> equal access to cultural diversity across borders within the internal market and to improve legal certainty;	NO
336	Tadeusz Zwiefka Bogdan Brunon Wenta	11. <i>Calls on the Commission to make mandatory all</i> the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;	11. <i>underlines that</i> the exceptions and limitations referred to in Directive 2001/29/EC <i>should be implemented in a way</i> to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;	NO
338	Angel Dzhambazki Sajjad Karim	11. Calls on the Commission to <i>make mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and</i> to improve legal certainty;	11. Calls on the Commission to <i>enhance the provision of information to creators and consumers regarding exceptions and limitations in all Member States</i> to improve legal certainty;	NO
339	József Szájer	11. Calls on the Commission to <i>make mandatory all</i> the exceptions and limitations referred to in Directive 2001/29/EC, <i>to allow</i> equal access to	11. Calls on the Commission to <i>ensure the proper implementation of</i> all the exceptions and limitations referred to in Directive 2001/29/EC, <i>and to provide all</i>	NO

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		cultural diversity across borders within the internal market and to improve legal certainty;	<i>necessary information to promote an equal access to cultural diversity across borders within the internal market and to improve legal certainty, while ensuring respect for the principle of subsidiarity, cultural diversity and evidence of clear cross-border impact;</i>	
340	Cecilia Wikström	11. Calls on the Commission to <i>make mandatory all the</i> exceptions and limitations <i>referred to in</i> Directive 2001/29/EC, <i>to</i> allow equal access to cultural diversity across borders within the internal market and <i>to</i> improve legal certainty;	11. Calls on the Commission to <i>propose a list of mandatory</i> exceptions and limitations <i>in its review of</i> Directive 2001/29/EC, <i>as this would</i> allow equal access to cultural diversity across borders within the internal market and improve legal certainty;	SI/NO Ferma restando la nostra preferenza per la formulazione iniziale del paragrafo, questa potrebbe essere una soluzione di compromesso.
341	Lidia Joanna Geringer de Oedenberg	11. Calls on the Commission to make mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;	11. Calls on the Commission to make <i>uniform and</i> mandatory all the exceptions and limitations referred to in Directive 2001/29/EC, to allow equal access to cultural diversity across borders within the internal market and to improve legal certainty;	SI Forse questa formula generale è preferibile all'elenco dettagliato dell'emendamento 354.
343	Therese Comodini Cachia Luis de Grandes Pascual Rosa Estaràs	11. Calls on the Commission to <i>make mandatory</i> all the exceptions and limitations referred to in Directive 2001/29/EC, <i>to allow</i> equal access to cultural diversity across borders within the internal market and to improve legal certainty;	11. Calls on the Commission to <i>ensure the proper implementation of</i> all the exceptions and limitations referred to in Directive 2001/29/EC, <i>and to provide all necessary information to promote an equal access to cultural diversity across borders within the internal market and to improve</i>	NO

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
	Ferragut Marc Joulaud Pavel Svoboda Jean-Marie Cavada József Szájer Giovanni Toti Sabine Verheyen		legal certainty, <i>while ensuring respect for the principle of subsidiarity, cultural diversity and evidence of clear cross-border impact;</i>	
344	Mary Honeyball	11. Calls on the Commission to <i>make mandatory all</i> the exceptions and limitations referred to in Directive 2001/29/EC, <i>to allow</i> equal access to cultural diversity across borders within the internal market and to improve legal certainty;	11. Calls on the Commission to <i>examine the application of minimum standards across the exceptions and limitations, and further to ensure the proper implementation of</i> the exceptions and limitations referred to in Directive 2001/29/EC, <i>and an</i> equal access to cultural diversity across borders within the internal market and to improve legal certainty;	<p style="text-align: center;">NO</p> Ferma restando la nostra preferenza per la formulazione iniziale del paragrafo, come soluzione di compromesso sarebbe di gran lunga preferibile l'emendamento 340
345	Pascal Durand		<i>11a. Stresses that the "three-step test" of international copyright law should serve to encourage the establishment of a solid and flexible system of exceptions and limitations;</i>	<p style="text-align: center;">SI</p>
346	Pascal Durand		<i>11b. Urges the European legislator to ensure that all citizens can enjoy at national level, judicial or administrative procedures enabling to request the implementation and expansion</i>	<p style="text-align: center;">SI</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			<i>of exceptions and limitations to assure their constitutional and human rights;</i>	
348	Marietje Schaake		<i>11d. Calls for expanding mandatory exceptions beneficial for public interest institutions, such as libraries, museums and archives, which play a central role in facilitating online access to cultural heritage, and access to information that allows them to make protected works in their collections, that are not in commercial circulation anymore, or otherwise actively managed by their rights holders, available for online access by the public;</i>	SI
349	Julia Reda		<i>11e. Temporary acts of reproduction, which are transient or incidental [and] an integral and essential part of a technological process and whose sole purpose is to enable: (a) a transmission in a network between third parties by an intermediary, or (b) a lawful use of a work or other subject-matter to be made, and which have no independent economic significance, should remain a mandatory exception.</i>	SI
350	Sergio Gaetano Cofferati Lidia Joanna Geringer de		<i>11f. Considers it necessary to strengthen exceptions for institutions of public interest, such as libraries, museums and archives, in order to promote wide-ranging access to cultural heritage, including</i>	SI

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
	Oedenberg Evelyn Regner		<i>through online platforms;</i>	
353	Mariatje Schaake		<i>11i. Calls on the Commission to introduce new mandatory exceptions, such as for user-generated content, text and data mining;</i>	SI
354	Julia Reda		<i>11j. Exceptions or limitations should be made mandatory in the following cases: (a) in respect of reproductions on paper or any similar medium, effected by the use of any kind of photographic technique or by some other process having similar effects, with the exception of sheet music, provided that the rightholders receive fair compensation; (b) in respect of reproductions on any medium made by a natural person for private use and for ends that are neither directly nor indirectly commercial, on condition that the rightholders receive fair compensation; (c) in respect of acts of reproduction made by publicly accessible libraries, educational establishments or museums, or by archives, which are not for direct or indirect economic or commercial advantage; (d) in respect of ephemeral recordings of works made by broadcasting organisations by means of their own facilities and for</i>	SI Condividiamo nel merito, ma forse l'emendamento 341 potrebbe incontrare maggiori consensi.

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			<p><i>their own broadcasts; the preservation of these recordings in official archives should, on the grounds of their exceptional documentary character, be permitted;</i></p> <p><i>(e) in respect of reproductions of broadcasts made by social institutions pursuing non-commercial purposes, such as hospitals or prisons, on condition that the rightholders receive fair compensation.</i></p> <p><i>(f) use for the sole purpose of illustration for teaching or scientific research, as long as the source, including the author's name, is indicated, unless this turns out to be impossible and to the extent justified by the non-commercial purpose to be achieved;</i></p> <p><i>(g) uses, for the benefit of people with a disability, which are directly related to the disability and of a non-commercial nature, to the extent required by the specific disability;</i></p> <p><i>(h) reproduction by the press, communication to the public or making available of published articles on current economic, political or religious topics or of broadcast works or other subject-matter of the same character, in cases where such use is not expressly reserved, and as long as the source, including the author's name, is indicated, or use of works or</i></p>	

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			<p><i>other subject-matter in connection with the reporting of current events, to the extent justified by the informatory purpose and as long as the source, including the author's name, is indicated, unless this turns out to be impossible;</i></p> <p><i>(i) quotations for purposes such as criticism or review, provided that they relate to a work or other subject-matter which has already been lawfully made available to the public, that, unless this turns out to be impossible, the source, including the author's name, is indicated, and that their use is in accordance with fair practice, and to the extent required by the specific purpose;</i></p> <p><i>(j) use for the purposes of public security or to ensure the proper performance or reporting of administrative, parliamentary or judicial proceedings;</i></p> <p><i>(k) use of political speeches as well as extracts of public lectures or similar works or subject-matter to the extent justified by the informatory purpose and provided that the source, including the author's name, is indicated, except where this turns out to be impossible;</i></p> <p><i>(l) use during religious celebrations or official celebrations organised by a public authority;</i></p> <p><i>(m) use of works, such as works of</i></p>	

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			<p><i>architecture or sculpture, made to be located permanently in public places;</i> <i>(n) incidental inclusion of a work or other subject-matter in other material;</i> <i>(o) use for the purpose of advertising the public exhibition or sale of artistic works, to the extent necessary to promote the event, excluding any other commercial use;</i> <i>(p) use for the purpose of caricature, parody or pastiche;</i> <i>(q) use in connection with the demonstration or repair of equipment;</i> <i>(r) use of an artistic work in the form of a building or a drawing or plan of a building for the purposes of reconstructing the building;</i> <i>(s) use by communication or making available, for the purpose of research or private study, to individual members of the public by dedicated terminals on the premises of establishments referred to in paragraph 2(c) of works and other subject-matter not subject to purchase or licensing terms which are contained in their collections;</i> <i>(t) use in certain other cases of minor importance where exceptions or limitations already exist under national law, provided that they only concern analogue uses and do not affect the free</i></p>	

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			<i>circulation of goods and services within the Community, without prejudice to the other exceptions and limitations contained in this paragraph;</i>	
356	Marietje Schaake		<i>11l. Calls for broad exceptions for non-commercial use of protected works for educational organizations, teachers and students;</i>	SI
364	Marietje Schaake		<i>12b. Calls for broad exceptions also for informal educational purposes;</i>	SI
365	Marietje Schaake		<i>12c. Calls for open access in publishing, in particular for publicly funded research;</i>	SI Si potrebbe chiarire "scholarly publishing", pubblicazioni scientifiche.
366	Marietje Schaake		<i>12d. Calls for making relevant existing exceptions such as parody, quotation and incidental use and private copying mandatory across all Member States;</i>	SI
367	Tadeusz Zwiefka Bogdan Brunon Wenta	<i>13. Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;</i>	<i>deleted</i>	NO
368	Juan Fernando López Aguilar Sergio	<i>13. Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the</i>	<i>deleted</i>	NO

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
	Gutiérrez Prieto Eider Gardiazabal Rubial José Blanco López	<i>normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;</i>		
369	Angel Dzhambazki Sajjad Karim	<i>13. Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;</i>	<i>deleted</i>	NO
370	Virginie Rozière	<i>13. Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;</i>	<i>deleted</i>	NO
371	Angelika Niebler	<i>13. Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;</i>	<i>deleted</i>	NO
372	Marie-Christine	<i>13. Calls for the adoption of an open norm introducing flexibility in the interpretation</i>	<i>deleted</i>	NO

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
	Boutonnet	<i>of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;</i>		
373	Constance Le Grip Marc Joulaud Sabine Verheyen	<i>13. Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;</i>	<i>deleted</i>	NO
375	Therese Comodini Cachia Eva Paunova Jean-Marie Cavada József Szájer Giovanni Toti Luis de Grandes Pascual Rosa Estaràs Ferragut Sabine Verheyen	<i>13. Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;</i>	<i>13. Recalls that the exceptions and limitations should not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder, while keeping the interpretation of exceptions and limitations on the level of Member States to permit the adaptation of the copyright system to different national circumstances and social needs;</i>	NO
376	Julia Reda Mary Honeyball	<i>13. Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain</i>	<i>13. Calls for a flexible interpretation of exceptions and limitations to exclusive rights, allowing to apply exceptions and</i>	SI/NO La formulazione iniziale del paragrafo 13 è di gran lunga

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
	Josef Weidenholzer	special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;	<i>limitations to uses that are similar to the ones in the original legal provisions, thereby ensuring that exceptions and limitations can be adapted to new forms of usage emerging due to technological change; such flexibility would be subject to the three-step-test, which grants limitations and exceptions</i> in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;	preferibile, ma questo emendamento potrebbe rappresentare un utile compromesso. La flessibilità (o la norma aperta sulla falsariga del fair use statunitense) eviterebbe di creare i vuoti normativi generati dalla lista chiusa delle eccezioni e limitazioni, vuoti che, ad esempio, si sono evidenziati relativamente al caso dell'e-lending e a quello del data-mining.
377	József Szájer	13. <i>Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;</i>	13. <i>Recalls that the exceptions and limitations should not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder, while keeping the interpretation of exceptions and limitations on the level of Member States to permit the adaptation of the copyright system to different national circumstances and social needs;</i>	NO
378	Axel Voss	13. <i>Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not</i>	13. <i>Stresses that exceptions and limitations should not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder; takes</i>	NO

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		unreasonably prejudice the legitimate interests of the author or rightholder;	<i>the view that, where necessary, the Member States should be able to adapt the exceptions and limitations in individual cases;</i>	
379	Jean-Marie Cavada Therese Comodini Cachia Virginie Rozière	13. <i>Calls for the adoption of an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;</i>	13. <i>Recalls that exceptions and limitations must not conflict with the normal exploitation of the work or unreasonably prejudice the legitimate interests of the author or rightholder; they are created for quite specific reasons and must be strictly applied by Member States;</i>	NO
380	Enrico Gasbarra Silvia Costa	13. Calls for the adoption of <i>an open</i> norm <i>introducing flexibility</i> in the interpretation of exceptions and limitations in <i>certain special</i> cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;	13. Calls for the adoption of <i>a certain</i> norm in the interpretation of exceptions and limitations in cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;	NO
381	Helga Trüpel Heidi Hautala	13. Calls for <i>the adoption of</i> an open norm introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;	13. Calls for <i>consideration to be given to</i> an open norm <i>making it possible to react promptly to new technologies and content and</i> introducing flexibility in the interpretation of exceptions and limitations in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder, <i>in accordance with the three-step test;</i>	SI/NO La formulazione iniziale del paragrafo è preferibile. Questa potrebbe essere una soluzione di compromesso.

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
382	Angel Dzhambazki Sajjad Karim		<i>13a. Calls for exceptions and limitations which have an appropriate level of flexibility and are technologically neutral;</i>	SI
383	Virginie Rozière Mady Delvaux	14. <i>Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence; considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;</i>	14. Considers that the exception for quotation should <i>continue to be strictly defined, while including the possibility of its extension to</i> audio-visual quotations;	NO
384	Tadeusz Zwiefka Bogdan Brunon Wenta	14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence; <i>considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;</i>	14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence;	NO
385	József Szájer	14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations <i>by taking due account of the effects of media convergence; considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;</i>	14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations <i>while serving the public interest by fostering incentives to create, finance and distribute new works and to make those works available to the public in new, innovative and compelling ways;</i>	NO
386	Axel Voss	14. Urges the European legislator to ensure the technological neutrality and future compatibility of exceptions and limitations	14. Urges the European legislator to ensure the technological neutrality and future compatibility of exceptions and limitations;	NO

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		<i>by taking due account of the effects of media convergence; considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;</i>		
391	Julia Reda Victor Negrescu Josef Weidenholzer	14. Urges the European legislator to ensure <i>the</i> technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence; <i>considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;</i>	14. Urges the European legislator to ensure technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence; <i>therefore calls on the EU legislator to expressly include audio-visual quotations in the existing quotation exception in order to enable the use of quotations in new media formats; these quotations should be adequate in terms of length in relation to the type of source material;</i>	SI
392	Therese Comodini Cachia Eva Paunova Jean-Marie Cavada Constance Le Grip Rosa Estaràs Ferragut József Szájer Giovanni Toti Luis de	14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations <i>by taking due account of the effects of media convergence; considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;</i>	14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations <i>while serving the public interest by fostering incentives to create, finance and distribute new works and to make those works available to the public in new, innovative and compelling ways;</i>	NO

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
	Grandes Pascual Milan Zver Sabine Verheyen			
393	Mary Honeyball Silvia Costa	14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations <i>by taking due account of the effects of media convergence; considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;</i>	14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations <i>while fostering incentives to create, finance and distribute new works and to make those works available to the public in new, innovative and compelling ways;</i>	NO
395	Lidia Joanna Geringer de Oedenberg	14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence; considers, in particular, that the exception for quotation should expressly include audio-visual quotations in its scope;	14. Urges the European legislator to ensure the technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence; considers, in particular, that the exception for quotation should expressly include <i>all content, including</i> audio-visual quotations in its scope;	SI
397	Marie- Christine Boutonnet	<i>15. Stresses that the ability to freely link from one resource to another is one of the fundamental building blocks of the internet; calls on the EU legislator to make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public¹²;</i>	<i>deleted</i>	NO In ambiente digitale, negare il diritto di linking è come negare il diritto di citazione

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		¹² <i>Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).</i>		
399	Juan Fernando López Aguilar Sergio Gutiérrez Prieto Eider Gardiazabal Rubial José Blanco López	15. Stresses that the ability to freely link <i>from</i> one resource to another is one of the fundamental building blocks of the internet; calls on the EU legislator to <i>make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public</i> ¹² ; ¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).	15. Stresses that the ability to freely link one resource to another is one of the fundamental building blocks of the internet; calls on the EU legislator to <i>provide clarification on cases in which the establishment of links does not constitute an act of communication to the original public in line with the judgment of the Court of Justice in C-466/12 of 13 February 2014, the Svensson case</i> ; ¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).	NO In ambiente digitale, negare il diritto di linking è come negare il diritto di citazione
400	József Szájer	15. <i>Stresses</i> that the ability to <i>freely</i> link from one resource to another is one of the fundamental building blocks of the internet; <i>calls on the EU legislator to make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public</i> ¹² ;	15. <i>Notes</i> that the ability to link from one resource to another is one of the fundamental building blocks of the internet <i>and underlines that any further legislation must accurately reflect the existing definitions and principles set in the European case law, stating that when the hyperlink allows the recipients to</i>	NO L'emendamento estrapola dal contesto solo una parte della decisione della CGUE, mentre la formulazione iniziale del paragrafo è chiara e quindi preferibile.

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		<p>¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).</p>	<p><i>circumvent the restrictions on access to the protected work, so that can access the protected work, which was otherwise unavailable to them, then this constitutes a communication to a new public and it is subject to exclusive rights;</i></p> <p>¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).</p>	
401	Jean-Marie Cavada	<p>15. Stresses that the ability to <i>freely</i> link from one resource to another is one of the fundamental building blocks of the internet; <i>calls on the EU legislator to make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in</i> a communication to a new public¹²;</p> <p>¹² <i>Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).</i></p>	<p>15. Stresses that the ability to link from one resource to another <i>by means of a hyperlink is indeed</i> one of the fundamental building blocks of the internet, <i>but that, in certain cases, the link and the incorporation may be regarded as</i> a communication to a new public <i>and, by virtue of that very fact, constitute a breach of copyright;</i></p>	<p style="text-align: center;">NO</p> <p>L'emendamento stravolge la finalità del paragrafo nella formulazione iniziale: escludere il linking dal diritto esclusivo di comunicazione al pubblico. Rispetto a questo principio, da affermare, eventuali violazioni del copyright costituiscono un'eccezione e possono essere puniti con i mezzi ordinari.</p>
403	Mary Honeyball	<p>15. Stresses that the ability to freely link from one resource to another is <i>one of the fundamental building blocks</i> of the</p>	<p>15. Stresses that the ability to freely link from one resource to another is <i>an important feature</i> of the internet, <i>but</i></p>	<p style="text-align: center;">NO</p> <p>L'emendamento stravolge la finalità del paragrafo nella</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		<p>internet; <i>calls on the EU legislator to make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public</i>¹² ;</p> <hr/> <p>¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).</p>	<p><i>stresses that under certain circumstances, embedding and linking may be prejudicial to the rights of the creator; further stresses the need to accurately reflect the existing definitions and principles set out in European case law;</i></p> <hr/> <p>¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).</p>	<p>formulazione iniziale: escludere il linking dal diritto esclusivo di comunicazione al pubblico. Rispetto a questo principio, da affermare, eventuali violazioni del copyright costituiscono un'eccezione e possono essere puniti con i mezzi ordinari</p>
404	Axel Voss	<p>15. <i>Stresses</i> that the ability to <i>freely</i> link from one resource to another is <i>one of the fundamental building blocks of the internet; calls on the EU legislator to make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public</i>¹²;</p> <hr/> <p>¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).</p>	<p>15. <i>Notes</i> that the ability to link from one resource to another is <i>a feature of internet use and stresses that hyperlinks must be used in accordance with the relevant European case law, i.e. they must not be used to circumvent restrictions on access to a work that was originally protected and not accessible to users</i>¹²;</p> <hr/> <p>¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof). <i>See also: Judgment of the Court of Justice of 13 February 2014 in Case 466/12, Svensson.</i></p>	<p style="text-align: center;">NO</p> <p>L'emendamento stravolge la finalità del paragrafo nella formulazione iniziale: escludere il linking dal diritto esclusivo di comunicazione al pubblico. Rispetto a questo principio, da affermare, eventuali violazioni del copyright costituiscono un'eccezione e possono essere puniti con i mezzi ordinari. Inoltre, l'emendamento afferma che bisogna usare Internet conformemente ai casi giurisprudenziali, il che è di per sé un assurdo giuridico.</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
405	Angel Dzhambazki Sajjad Karim	<p>15. <i>Stresses</i> that the ability to freely link from one resource to another is one of the fundamental building blocks of the internet; calls on the EU legislator to make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public¹² ;</p> <hr/> <p>¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).</p>	<p>15. <i>Notes</i> that the ability to freely link <i>content lawfully made available</i> from one resource to another is one of the fundamental building blocks of the internet; <i>highlights the importance of enhanced user information regarding obligations for anyone who knowingly provides hyperlinks to unauthorised content or links that circumvent paywalls</i>; calls on the EU legislator to make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public¹²;</p> <hr/> <p>¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).</p>	<p align="center">S/NO</p> <p>Preferiamo la formulazione iniziale, ma questo emendamento potrebbe essere utile se fosse necessario un compromesso.</p>
406	Cecilia Wikström	<p>15. Stresses that the ability to freely link from one resource to another is one of the fundamental building blocks of the internet; calls on the EU legislator to <i>make it clear</i> that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public¹² ;</p> <hr/> <p>¹² Order of the Court of Justice of 21</p>	<p>15. Stresses that the ability to freely link from one resource to another is one of the fundamental building blocks of the <i>free and open</i> internet; calls on the EU legislator to <i>further clarify</i> that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public¹²;</p> <hr/> <p>¹² Order of the Court of Justice of 21</p>	<p align="center">SI</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).	October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).	
407	Therese Comodini Cachia Pavel Svoboda Marc Joulaud Constance Le Grip József Szájer Giovanni Toti Rosa Estaràs Ferragut Luis de Grandes Pascual Milan Zver Sabine Verheyen	<p>15. <i>Stresses</i> that the ability to <i>freely</i> link from one resource to another is one of the fundamental building blocks of the internet; <i>calls on the EU legislator to make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public</i>¹² ;</p> <p>¹² <i>Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).</i></p>	<p>15. <i>Notes</i> that the ability to link from one resource to another is one of the fundamental building blocks of the internet <i>and underlines that any further legislation must accurately reflect the existing definitions and principles set in the European case law stating that when the hyperlink allows the recipients to circumvent the restrictions on access to the protected work so that can access the protected work which was otherwise unavailable to them, then this constitutes a communication to a new public and it is subject to exclusive rights.</i></p> <p>¹² _____</p>	<p align="center">NO</p> <p>L'emendamento stravolge la finalità del paragrafo nella formulazione iniziale: escludere il linking dal diritto esclusivo di comunicazione al pubblico. Rispetto a questo principio, da affermare, eventuali violazioni del copyright costituiscono un'eccezione e possono essere puniti con i mezzi ordinari.</p>
408	Enrico Gasbarra Silvia Costa	<p>15. Stresses that the ability to freely link from one resource to another is one of the fundamental building blocks of the internet; calls on the EU legislator to <i>make it clear that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to a new public</i>¹² ;</p> <p>_____</p>	<p>15. Stresses that the ability to freely link from one resource to another is one of the fundamental building blocks of the internet; calls on the EU legislator to <i>clarify the status of works that can be accessed through a hyperlink, also by taking account of recent Court of Justice case law</i>;</p> <p>_____</p>	<p align="center">NO</p> <p>L'emendamento stravolge la finalità del paragrafo nella formulazione iniziale: escludere il linking dal diritto esclusivo di comunicazione al pubblico. Inoltre, è formulato in modo tale da ventilare la responsabilità dell'utente</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		<p>¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).</p>	<p>¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).</p>	<p>nell'informarsi se un contenuto a cui linka è stato o non è stato pubblicato in rete legalmente. E se sbaglia? E se rinuncia a citare un link nel timore di sbagliare? Questo emendamento non solo mette in dubbio la libertà di citazione, ma sembra anche ignorare l'interesse degli autori alla citazione e alla reperibilità delle loro opere.</p>
410	<p>Julia Reda Josef Weidenholzer</p>	<p>15. Stresses that the ability to freely link from one resource to another is one of the fundamental building blocks of the internet; calls on the EU legislator to <i>make it clear</i> that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to <i>a new</i> public¹² ;</p> <p>¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).</p>	<p>15. Stresses that the ability to freely link from one resource to another is one of the fundamental building blocks of the Internet; calls on the EU legislator to <i>clarify</i> that reference to works by means of a hyperlink is not subject to exclusive rights, as it does not consist in a communication to <i>the</i> public;</p> <p>¹² Order of the Court of Justice of 21 October 2014 in Case C-348/13, BestWater International GmbH v Michael Mebes and Stefan Potsch (request for a preliminary ruling from Germany's Bundesgerichtshof).</p>	<p>SI</p>
412	<p>Marietje Schaake</p>		<p><i>15b. Calls for an end to geoblocking, as it prevents the emergence of a single digital market and hinders citizens access to information for which they have already</i></p>	<p>SI</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			<i>paid taxes;</i>	
415	József Szájer	16. <i>Calls on</i> the EU legislator to <i>ensure</i> that the use of photographs, video footage or other images of works which are permanently located in public places <i>is permitted;</i>	16. <i>Invites</i> the EU legislator to <i>recognise</i> that the use of photographs, video footage or other images of works, which are permanently located in public places <i>shall be considered to be in the public domain, where that use is for a non-commercial purpose or scale;</i>	<p style="text-align: center;">NO</p> <p>La formulazione iniziale del paragrafo garantisce meglio gli eventuali titolari dei diritti, mentre afferma la riusabilità di immagini situate permanentemente in luoghi pubblici. E' di pubblico dominio un paesaggio naturale, ma il fatto che un'opera possa essere liberamente riprodotta quando si trova in un luogo pubblico non implica necessariamente che essa sia di pubblico dominio.</p>
421	Jean-Marie Cavada	16. <i>Calls on the EU legislator to ensure</i> that the use of photographs, video footage or other images of works which are permanently located in public places <i>is permitted;</i>	16. <i>Considers</i> that the <i>commercial</i> use of photographs, video footage or other images of works which are permanently located in <i>physical</i> public places <i>should always be subject to prior authorisation from the authors or any proxy acting for them;</i>	<p style="text-align: center;">NO</p>
424	Angelika Niebler	16. Calls on the EU legislator to ensure that the use of photographs, video footage or other images of works which are permanently located in public places is permitted;	16. Calls on the EU legislator to ensure that the use of photographs, video footage or other images of works which are permanently located in public places is permitted, <i>unless this material is itself</i>	<p style="text-align: center;">NO</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			<i>already protected by copyright;</i>	
425	Inês Cristina Zuber	16. Calls on the EU legislator to ensure that the use of photographs, video footage or other images of works which are permanently located in public places is permitted;	16. Calls on the EU legislator to ensure that the use of photographs, video footage or other images of works which are permanently located in public places is permitted <i>for non-commercial purposes</i> ;	SI Ma bisognerebbe chiarire che l'uso di opere in pubblico dominio è sempre consentito anche a scopo commerciale, indipendentemente da chi è proprietario dell'oggetto (edificio o altro) fotografato
426	Virginie Rozière Mady Delvaux	16. Calls on the EU legislator to ensure that the use of photographs, video footage or other images of works which are permanently located in public places is permitted;	16. Calls on the EU legislator to ensure that the <i>non-commercial</i> use of photographs, video footage or other images of works which are permanently located in public places is permitted;	SI Ma bisognerebbe chiarire che l'uso di opere in pubblico dominio è sempre consentito anche a scopo commerciale, indipendentemente da chi è proprietario dell'oggetto (edificio o altro) fotografato
434	Julia Reda Josef Weidenholzer	17. <i>Emphasises that</i> the exception for caricature, parody and pastiche should <i>apply regardless of the purpose</i> of the <i>parodic use</i> ;	17. <i>Highlights the importance of</i> the exception for caricature, parody and pastiche <i>for the protection of authors' freedom of expression, which should therefore be made mandatory; notes with concern the implication of the Deckmyn ruling (C-201/13) that rightholders other than the author of a work can claim moral rights, and therefore calls on the legislator to clarify that moral rights are rights of the author of a work, that cannot be</i>	SI

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			<i>transferred to third-party rightholders;</i>	
441	Constance Le Grip Marc Joulaud Sabine Verheyen	18. <i>Stresses the need to enable automated analytical techniques for text and data (e.g. 'text and data mining') for all purposes, provided that permission to read the work has been acquired;</i>	18. <i>Encourages solutions such as the licensing model for text and data mining for scientific research purposes;</i>	<p style="text-align: center;">NO</p> <p>Proprio l'impossibilità comprovata in molti casi di effettuare il data-mining su opere legittimamente ottenute in base a licenza rende necessaria un'apposita eccezione. Tale eccezione, peraltro, non riguarderebbe l'uso dell'opera creativa, che è quanto il sistema del copyright protegge, ma permetterebbe ricerche su dati/informazioni presenti nell'opera che, di per sé, non sono né originali né creativi (p.e., la ricorrenza di determinati termini)</p>
444	Axel Voss	18. <i>Stresses the need to enable automated analytical techniques for text and data (e.g. 'text and data mining') for all purposes, provided that permission to read the work has been acquired;</i>	18. <i>Welcomes the fact that Member States may, on a voluntary basis and subject to licensing, enable automated analytical techniques for text and data (e.g. 'text and data mining'), provided that permission to read the work has been acquired;</i>	<p style="text-align: center;">NO</p> <p>Proprio l'impossibilità comprovata in molti casi di effettuare il data-mining su opere legittimamente ottenute in base a licenza rende necessaria un'apposita eccezione. Tale eccezione, peraltro, non riguarderebbe</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
				l'uso dell'opera creativa, che è quanto il sistema del copyright protegge, ma permetterebbe ricerche su dati/informazioni presenti nell'opera che, di per sé, non sono né originali né creativi (p.e., la ricorrenza di determinati termini)
446	Angelika Niebler	18. Stresses the need to enable automated analytical techniques for text and data (e.g. 'text and data mining') <i>for all purposes, provided that permission to read the work has been acquired;</i>	18. Stresses the need to enable automated analytical techniques for text and data (e.g. 'text and data mining') <i>through licensing agreements;</i>	NO Proprio l'impossibilità comprovata in molti casi di effettuare il data-mining su opere già legittimamente ottenute in base a licenza rende necessaria un'apposita eccezione. Tale eccezione, peraltro, non riguarderebbe l'uso dell'opera creativa, che è quanto il sistema del copyright protegge, ma permetterebbe ricerche su dati/informazioni presenti nell'opera che, di per sé, non sono né originali né creativi (p.e., la ricorrenza di determinati termini)
449	Jean-Marie Cavada	18. Stresses the need to enable automated analytical techniques for text and data (e.g. 'text and data mining') <i>for all purposes,</i>	18. Stresses the need to enable automated analytical techniques for text and data (e.g. 'text and data mining'), provided that	NO Se una licenza d'uso è stata

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		provided that permission to read the work has been acquired;	permission to read the work has been acquired <i>and that the rightholders have been remunerated</i> ;	legittimamente ottenuta, il data-mining non dovrebbe dare luogo a un ulteriore pagamento.
450	Julia Reda	18. Stresses the need to enable automated analytical techniques for text and data (e.g. 'text and data mining') for all purposes, provided that permission to read the work has been acquired;	18. Stresses the need to enable automated analytical techniques for text and data (e.g. 'text and data mining') for all purposes, provided that permission to read the work has been acquired, <i>as a mandatory exception</i> ;	SI
453	Angelika Niebler	<i>19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but any kind of educational or research activity, including non-formal education;</i>	<i>delete</i>	NO
454	Cecilia Wikström	<i>19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but any kind of educational or research activity, including non-formal education;</i>	<i>deleted</i>	NO
455	Jytte Guteland	<i>19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but any kind of educational or research activity, including non-formal education;</i>	<i>deleted</i>	NO
456	Constance Le Grip	<i>19. Calls for a broad exception for research and education purposes, which</i>	<i>19. Stresses the need for a sound economic and legal analysis of the use of protected</i>	NO L'emendamento si potrebbe

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		<i>should cover not only educational establishments but any kind of educational or research activity, including non-formal education;</i>	<i>works in education and research, and considers that any fresh exception to, or restriction of, copyright should be studied in depth;</i>	ribaltare: trattandosi di diritti fondamentali (quelli alla ricerca e alla didattica), la Commissione dovrebbe studiare approfonditamente l'utilità di subordinare a diritti esclusivi le utilizzazioni a scopo di ricerca e didattica. Sia l'Unione Europea, Sia altri organismi, come ad esempio l'UNESCO, affermano che l'accesso aperto ai risultati di ricerca e l'utilizzo di licenze open content per la didattica sono di grande beneficio per la società, le relazioni tra i popoli e l'economia generale.
459	Virginie Rozière	19. Calls <i>for a broad</i> exception for research and education purposes, <i>which should cover not only educational establishments but any kind of educational or research activity, including non-formal education;</i>	19. Calls <i>on the Commission to consider making the</i> exception for research and education purposes <i>compulsory, and observes that this exception should be strictly defined;</i>	NO
461	Enrico Gasbarra	19. Calls for <i>a broad exception</i> for research and education purposes, which should cover not only educational establishments but any kind of educational or research activity, including non-formal education;	19. Calls for <i>very careful consideration to be given to the importance of exceptions</i> for research and education purposes; <i>notes with interest, in this regard, the discussion under way on the drafting of a new international treaty governing exceptions for libraries and archives;</i>	NO L'emendamento avrebbe senso se fosse aggiuntivo, non sostitutivo, rispetto al paragrafo 19. della mozione.

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
466	Sergio Gaetano Cofferati Lidia Joanna Geringer de Oedenberg	19. Calls for a broad exception for research and education purposes, <i>which</i> should cover not only educational establishments but any kind of educational or research activity, including non-formal education;	19. Calls for a broad exception for research and education purposes, <i>in the general public interest and in order to promote a virtuous circulation of knowledge; takes the view that this</i> should cover not only educational establishments but any kind of educational or research activity, including non-formal education;	SI
467	Lidia Joanna Geringer de Oedenberg	19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments but any kind of educational or research activity, including non-formal education;	19. Calls for a broad exception for research and education purposes, which should cover not only educational establishments <i>in cross-border use</i> , but any kind of educational or research activity, including non-formal education;	SI
471	Tadeusz Zwiefka Bogdan Brunon Wenta		<i>19a. stresses that any new exceptions or limitations introduced to the EU copyright legal system needs to be duly justified by a sound and objective economic and legal analysis</i>	NO L'argomento potrebbe essere ribaltato chiedendo una capillare revisione di ognuno dei diritti esclusivi finora stabiliti dalle direttive europee e della loro estensione.
472	Constance Le Grip	<i>20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;</i>	<i>deleted</i> (Lending books to the public remotely in digital formats would again favour commercial providers in the digital environment, to the detriment of the protection of authors and of the actual content of the works. From the technical point of view too, this raises numerous	NO L'argomentazione è semplicemente oltraggiosa nei confronti delle biblioteche, oltre che semplicistica e priva di giustificazione basata su evidenze.

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			<i>piracy issues.)</i>	
473	Cecilia Wikström	<i>20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;</i>	<i>deleted</i>	NO
475	Jean-Marie Cavada	<i>20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;</i>	<i>20. Recognises the importance of libraries for access to knowledge; encourages the parties concerned to work out appropriate solutions to enable libraries to realise their potential in the digital environment, while respecting the interests of rightholders;</i>	NO
476	Angel Dzhambazki Sajjad Karim	<i>20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;</i>	<i>20. Stresses the importance of taking into account the conclusions of the numerous experiments being undertaken by the book industry to establish fair, balanced and viable business models;</i>	NO
477	Axel Voss Christian Ehler	<i>20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;</i>	<i>20. Recognises the importance of libraries for access to knowledge and calls for appropriate market-based solutions to be developed that allow libraries to develop their potential in the digital environment while respecting the interests of all stakeholders, including consumers;</i>	NO
478	Therese Comodini Cachia Eva Paunova Pavel Svoboda Marc Joulaud	<i>20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;</i>	<i>20. Recognizes the importance of libraries for access to knowledge and encourages the rightholders to identify appropriate market-based solutions to enable libraries to realise their potential in the digital environment while respecting the interests</i>	NO

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
	Rosa Estaràs Ferragut Luis de Grandes Pascual József Szájer Giovanni Toti Milan Zver Sabine Verheyen		<i>of all stakeholders included consumers;</i>	
479	Mary Honeyball	20. <i>Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;</i>	20. <i>Recognises the importance of libraries for access to knowledge and encourages all stakeholders to enable libraries to realise their potential in the digital environment while respecting the rights of creators;</i>	NO
480	Angelika Niebler	20. <i>Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;</i>	20. <i>Emphasises the importance, in the age of digitisation, of licensing agreements in order to allow libraries to lend books legally to the public in digital formats;</i>	NO
481	Jiří Maštálka Kostas Chrysogonos	20. Calls for the adoption of <i>a mandatory</i> exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;	20. Calls for the adoption of <i>an</i> exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;	NO
483	Juan Fernando López Aguilar Sergio Gutiérrez Prieto	20. Calls <i>for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;</i>	20. Calls <i>on the Commission to examine ways for libraries to lend books to the public in digital formats in compliance with copyright law and guaranteeing a fair remuneration for said rights;</i>	NO

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
	Eider Gardiazabal Rubial José Blanco López			
484	Helga Trüpel Heidi Hautala	20. Calls <i>for the adoption of a mandatory</i> exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;	20. <i>Calls on the Commission to consider the introduction of an</i> exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access, <i>provided financial compensation (library royalties) is provided;</i>	NO
485	Sergio Gaetano Cofferati Lidia Joanna Geringer de Oedenberg Evelyn Regner	20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;	20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access, <i>so that their public interest duty of disseminating knowledge can be fulfilled effectively and in an up-to-date manner;</i>	SI
486	Julia Reda Victor Negrescu Josef Weidenholzer	20. Calls for the adoption of a mandatory exception allowing libraries to lend books to the public in digital formats, irrespective of the place of access;	20. Calls for the adoption of a mandatory exception allowing <i>public and research</i> libraries to lend books to the public in digital formats <i>for personal use</i> , irrespective of the place of access; <i>recommends that authors should be compensated for e-lending through a statutory licence to the same extent as this is the case for the lending of physical books;</i>	SI

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
487	Pascal Durand		<i>20a. Stresses the need to ensure the swift ratification of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled, without making the ratification conditional to the revision of the EU legal framework on copyright, and then ensure that the copyright laws of Member States contain adequate exceptions to facilitate the availability of works in formats accessible to persons with visual impairments and other disabilities, such as deafness.</i>	SI Tuttavia, forse è preferibile la formulazione dell'emendamento 555, che evidenzia il ruolo del Consiglio Europeo nel processo di ratifica del trattato.
488	Laura Ferrara		<i>20b. Calls for the adoption of a mandatory exception allowing libraries to digitalise content for the purposes of consultation, cataloguing and archiving;</i>	SI
489	Kostas Chrysogonos	<i>21. Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;</i>	<i>delete</i>	NO
490	Jean-Marie Cavada	<i>21. Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;</i>	<i>deleted</i>	NO
491	Tadeusz Zwiefka	<i>21. Calls on the EU legislator to preclude Member States from introducing statutory</i>	<i>deleted</i>	NO

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
	Bogdan Brunon Wenta	<i>licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;</i>		
492	Jiří Maštálka Kostas Chrysogonos	<i>21. Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;</i>	<i>deleted</i>	NO
493	Marie-Christine Boutonnet	<i>21. Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;</i>	<i>21. Considers that the licensing system currently in use should be improved with care;</i>	NO
494	József Szájer	<i>21. Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;</i>	<i>21. Invites the Commission to analyse the necessity of measures, if any, to be implemented by Member States so as to provide compensation to rightholders for the harm caused by acts made permissible by an exception, while they should ensure that rightholders receive fair compensation and that the exceptions or limitations do not conflict with a normal exploitation of the work or subject-matter and do not unreasonably prejudice the legitimate interests of the rightholders ;</i>	NO L'emendamento stravolge la finalità del paragrafo, che è quella di dare agli autori la possibilità di sottrarre le loro opere al regime dei compensi riscossi dalle società di gestione collettiva o da altri organismi cui viene attribuito mandato legale, quando gli autori stessi intendono invece concedere al pubblico l'utilizzazione libera con licenza aperta.
495	Therese Comodini Cachia	<i>21. Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of</i>	<i>21. Invites the Commission to analyse the necessity of measures, if any, to be implemented by Member States so as to</i>	NO L'emendamento stravolge la

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
	Mary Honeyball Marc Joulaud József Szájer Giovanni Toti Luis de Grandes Pascual Rosa Estaràs Ferragut Sabine Verheyen	rightholders for the harm caused by acts made permissible by an exception;	<i>provide compensation to</i> rightholders for the harm caused by acts made permissible by an exception <i>while they should ensure that rightholders receive fair compensation and that the exceptions or limitations do not conflict with a normal exploitation of the work or subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder;</i>	finalità del paragrafo, che è quella di dare agli autori la possibilità di sottrarre le loro opere al regime dei compensi riscossi dalle società di gestione collettiva o da altri organismi cui viene attribuito mandato legale, quando gli autori stessi intendono invece concedere al pubblico l'utilizzazione libera con licenza aperta.
496	Constance Le Grip	21. Calls on the EU legislator to <i>preclude</i> Member States <i>from introducing statutory licences for the compensation of rightholders</i> for the harm caused by acts made permissible by an exception;	21. Calls on the EU legislator to <i>ensure that</i> Member States <i>make provision for measures which are necessary in order to provide compensation</i> for the harm caused <i>to rightholders</i> by acts made permissible by an exception;	<p style="text-align: center;">NO</p> L'emendamento stravolge la finalità del paragrafo, che è quella di dare agli autori la possibilità di sottrarre le loro opere al regime dei compensi riscossi dalle società di gestione collettiva o da altri organismi cui viene attribuito mandato legale, quando gli autori stessi intendono invece concedere al pubblico l'utilizzazione libera con licenza aperta.
497	Virginie Rozière	21. Calls on the EU legislator to <i>preclude</i> Member States <i>from introducing statutory licences for the compensation of rightholders</i> for the harm caused by acts	21. Calls on the EU legislator to <i>continue to guarantee to</i> Member States <i>the option of compensating</i> rightholders for the harm caused by acts made permissible by an	<p style="text-align: center;">NO</p> L'emendamento stravolge la finalità del paragrafo, che è

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		made permissible by an exception;	exception;	quella di dare agli autori la possibilità di sottrarre le loro opere al regime dei compensi riscossi dalle società di gestione collettiva o da altri organismi cui viene attribuito mandato legale, quando gli autori stessi intendono invece concedere al pubblico l'utilizzazione libera con licenza aperta.
498	Angelika Niebler	21. <i>Calls on the EU legislator to preclude</i> Member States <i>from</i> introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;	21. <i>Respects the possibility available to</i> Member States <i>of</i> introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;	<p style="text-align: center;">NO</p> <p>L'emendamento stravolge la finalità del paragrafo, che è quella di dare agli autori la possibilità di sottrarre le loro opere al regime dei compensi riscossi dalle società di gestione collettiva o da altri organismi cui viene attribuito mandato legale, quando gli autori stessi intendono invece concedere al pubblico l'utilizzazione libera con licenza aperta.</p>
499	Axel Voss	21. <i>Calls on the EU legislator to preclude</i> Member States <i>from introducing statutory licences</i> for the compensation of rightholders for the harm caused by acts made permissible by an exception;	21. <i>Proposes that</i> the EU legislator <i>examine whether</i> Member States <i>should take measures</i> for the compensation of rightholders for the harm caused by acts made permissible by an exception;	<p style="text-align: center;">NO</p> <p>L'emendamento stravolge la finalità del paragrafo, che è quella di dare agli autori la</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
				<p>possibilità di sottrarre le loro opere al regime dei compensi riscossi dalle società di gestione collettiva o da altri organismi cui viene attribuito mandato legale, quando gli autori stessi intendono invece concedere al pubblico l'utilizzazione libera con licenza aperta.</p>
500	<p>Juan Fernando López Aguilar Sergio Gutiérrez Prieto Eider Gardiazabal Rubial José Blanco López</p>	<p>21. Calls on the EU legislator to <i>preclude Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;</i></p>	<p>21. Calls on the EU legislator to <i>guarantee rightholders fair remuneration</i> for the harm caused by acts made permissible by an exception;</p>	<p style="text-align: center;">NO</p> <p>L'emendamento stravolge la finalità del paragrafo, che è quella di dare agli autori la possibilità di sottrarre le loro opere al regime dei compensi riscossi dalle società di gestione collettiva o da altri organismi cui viene attribuito mandato legale, quando gli autori stessi intendono invece concedere al pubblico l'utilizzazione libera con licenza aperta.</p>
504	<p>Mary Honeyball</p>	<p>21. <i>Calls on the EU legislator to preclude Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;</i></p>	<p>21. <i>Invites the Commission to analyse the necessity of measures, if any, to be implemented by Member States so as to provide compensation to rightholders for the harm caused by acts made permissible by an exception while they should ensure</i></p>	<p style="text-align: center;">NO</p> <p>L'emendamento stravolge la finalità del paragrafo, che è quella di dare agli autori la possibilità di sottrarre le loro</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			<i>that rightholders receive fair compensation and that the exceptions of limitations do not conflict with a normal exploitation of the work or subject-matter and do not unreasonably prejudice the legitimate interests of the rightholder;</i>	opere al regime dei compensi riscossi dalle società di gestione collettiva o da altri organismi cui viene attribuito mandato legale, quando gli autori stessi intendono invece concedere al pubblico l'utilizzazione libera con licenza aperta.
505	Cecilia Wikström	21. Calls on the EU legislator to <i>preclude</i> Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;	21. Calls on the EU legislator to <i>protect consumers by precluding</i> Member States from introducing statutory licences for the compensation of rightholders for the harm caused by acts made permissible by an exception;	SI
508	Marietje Schaake		<i>21b. Calls for ensuring access to information for persons with a disability, which is directly related to the disability and of a non-commercial nature;</i>	SI
509	Julia Reda Christian Ehler Josef Weidenholzer		<i>21c. Deplores the lack of harmonisation between Member States as regards the interpretation of Article 5.2 b of Directive 2001/29/EC on exceptions for reproductions on any medium made by a natural person for private use, and as regards the remuneration schemes to compensate for the prejudice to rightholders put in place in some Member States to allow for the fair compensation of the rightholders in relation to these acts</i>	SI

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			<i>of copying, which affects the functioning of the internal market;</i>	
510	Jean-Marie Cavada	<p>22. <i>Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures as regards the private copying levies put in place in some Member States</i>¹³;</p> <p>¹³ As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.</p>	<p>22. <i>Believes that the private copying system is a virtuous system that balances the exception for copying for private use with the right to fair remuneration of rightholders, and that it is a system worth preserving;</i></p> <p>¹³ As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.</p>	NO
512	Cecilia Wikström	<p>22. <i>Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures as regards the private copying levies put in place in some Member States</i>¹³;</p> <p>¹³ As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.</p>	<p>22. <i>Underlines that citizens in all Member States should have a legal right to make private copies for their own use of legally acquired content without having to pay extra compensation to right holders through cumbersome and illogical levies on technical devices; thus urges the commission to propose a fully harmonised private copy exception which would not cause harm to right holders and which would thus not need to be compensated through a levy system;</i></p>	SI

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
513	Helga Trüpel	<p>22. <i>Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures as regards the private copying levies put in place in some Member States¹³;</i></p> <hr/> <p>¹³ <i>As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.</i></p>	<p>22. <i>Urges the legislator to secure the right to (digital) private copying coupled with a levy for a reasonable remuneration that may not be technically limited;</i></p>	SI
520	Angel Dzhambazki Sajjad Karim	<p>22. Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, and for harmonised transparency measures as regards the private copying levies put in place in some Member States¹³ ;</p> <hr/> <p>¹³ As stated in António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.</p>	<p>22. Calls for the adoption of harmonised criteria for defining the harm caused to rightholders in respect of reproductions made by a natural person for private use, <i>taking into account recital 35 of the Directive, which recognises that harm to rightholders in some circumstances is minimal and no payment is made</i>, and for harmonised transparency measures as regards the private copying levies put in place in some Member States¹³ ; <i>Draws attention to the the discretion of Member States to provide alternative modes of compensation to levies;</i></p> <hr/> <p>¹³ As stated in António Vitorino's</p>	SI

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
			recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.	
523	Laura Ferrara		<i>22a. Notes that the right to impose private copying levies should be governed in such a way as to inform citizens of the actual amount of the levy, its purpose and how it is going to be used;</i>	SI
524	Christian Ehler Sabine Verheyen Marc Joulaud		<i>22b. Stresses that digital levies should be made more transparent and optimised to safeguard rightholder and consumer rights and by taking into account Directive 2014/26/EU of the European Parliament and of the Council of 26 February 2014 on collective management of copyright and related rights and multi-territorial licensing of rights in musical works for online use in the internal market;</i>	SI
526	Marietje Schaake		<i>22d. Cautions against private enforcement of copyright to ensure a clear separation of powers, and the appropriate judicial and democratic oversight;</i>	SI
528	Evelyn Regner Josef Weidenholzer		<i>22f. Asks for further clarification that in the light of a fair balance, no double remuneration should be charged, if the user makes a backup copy, where no harm is caused. The remuneration should refer to the actual damage.</i>	SI

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
529	Constance Le Grip	<i>23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be hindered by technological measures;</i>	<i>deleted</i>	NO
530	Virginie Rozière	<i>23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be hindered by technological measures;</i>	<i>deleted</i>	NO
531	Angelika Niebler	<i>23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be hindered by technological measures;</i>	<i>23. Stresses that, especially in the digital age, the use of technological protection measures should be allowed to redress the balance between free reproduction (e.g. in the context of private copying) and the exclusive right to reproduction;</i>	NO
532	Cecilia Wikström	23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be hindered by technological measures;	23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be hindered by technological measures <i>and that member states should have sufficient enforcement measures in place to deter any such actions;</i>	SI Ma preferiamo di gran lunga la formulazione dell'emendamento n. 535, che si limita ad aggiungere al testo originale del paragrafo un riferimento (dal nostro punto di vista fondamentale) ai contratti di licenza, che – come le misure tecnologiche di protezione – possono regolare le utilizzazioni in modo da annullare le eccezioni e limitazioni.

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
533	Jean-Marie Cavada Virginie Rozière	23. <i>Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be hindered by technological measures;</i>	23. <i>Notes that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, is guaranteed by Article 6(4) Of Directive 2001/29/EC;</i>	NO
534	Marie-Christine Boutonnet	23. <i>Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be hindered by technological measures;</i>	23. <i>Considers that the concept of the principle of territoriality should be respected;</i>	NO
535	Julia Reda Josef Weidenholzer	23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be hindered by technological measures;	23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be hindered by technological measures <i>or contractual terms;</i>	SI
536	Pascal Durand	23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be hindered by technological measures;	23. Stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be <i>waived by contract or</i> hindered by technological measures <i>of protection or online contracts in the digital environment;</i>	SI
538	Christian Ehler Sabine Verheyen Marc Joulaud		23a. <i>Points out that the rapid rate of technological development in the digital market calls for a technologically neutral legislative framework for copyrights;</i>	SI

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
539	Kostas Chrysogonos	<i>24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;</i>	<i>delete</i>	NO
540	Constance Le Grip	<i>24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;</i>	<i>deleted</i>	NO
541	Juan Fernando López Aguilar Sergio	<i>24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the</i>	<i>deleted</i>	NO

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
	Gutiérrez Prieto Eider Gardiazabal Rubial José Blanco López	<i>interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;</i>		
542	József Szájer	<i>24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;</i>	<i>deleted</i>	NO
543	Angel Dzhambazki Sajjad Karim	<i>24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in</i>	<i>deleted</i>	NO

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		<i>particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;</i>		
544	Jiří Maštálka Kostas Chrysogonos	<i>24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;</i>	<i>deleted</i>	NO
545	Enrico Gasbarra	<i>24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be</i>	<i>deleted</i>	NO

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
		<i>available;</i>		
546	Axel Voss	<i>24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;</i>	<i>delete</i>	NO
547	Jean-Marie Cavada Therese Comodini Cachia	<i>24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;</i>	<i>deleted</i>	NO
548	Therese Comodini	<i>24. Recommends making legal protection against the circumvention of any effective</i>	<i>deleted</i>	NO

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
	<p>Cachia Eva Paunova Marc Joulaud Pavel Svoboda Jean-Marie Cavada Mary Honeyball József Szájer Giovanni Toti Luis de Grandes Pascual Rosa Estaràs Ferragut Sabine Verheyen</p>	<p><i>technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;</i></p>		
549	<p>Angelika Niebler</p>	<p><i>24. Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;</i></p>	<p><i>24. Stresses that, especially in the digital age, the use of technological protection measures should be allowed which redress the balance between free reproduction (e.g. in the context of private copying) and the exclusive right to reproduction;</i></p>	<p>NO Emendamento fuorviante, anche perché riferito alla sola copia privata. Omette la menzione di numerose altre utilizzazioni, quale ad esempio la resa in formato accessibile per persone con disabilità o per la conservazione a lungo termine etc.</p>

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL DRAFT REPORT RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
550	Marie-Christine Boutonnet	24. <i>Recommends making legal protection against the circumvention of any effective technological measures conditional upon the publication of the source code or the interface specification, in order to secure the integrity of devices on which technological protections are employed and to ease interoperability; considers, in particular, that where the circumvention of technological measures is allowed, technological means to achieve such authorised circumvention must be available;</i>	24. <i>Notes that the aims of the 2001 directive have not been attained; technologies which make it possible to limit unauthorised use of works, with the exception of software, must ensure interoperability;</i>	NO
554	Virginie Rozière		24c. <i>Calls on distributors to publish all available information concerning the technological measures necessary to ensure interoperability of their content;</i>	SI
555	Enrico Gasbarra Silvia Costa Lidia Joanna Geringer de Oedenberg		24d. <i>Expresses concern and regret with regard to the political obstacles in the Council which are still delaying ratification of the Treaty of Marrakesh for the Blind, which was already signed by the European Union in 2013;</i>	SI
556	Constance Le Grip Marc Joulaud Jean-Marie Cavada Sabine Verheyen		24e. <i>Calls on the Commission and the legislature to consider solutions for the displacement of value from content to services; stresses the need to adjust the definition of the status of intermediary in the current digital environment;</i>	SI tuttavia gli stessi contenuti online sono considerati servizi dalla direttiva 2001/29/CE. Da questo discende un regime non perequato che rende di fatto

RACCOMANDAZIONI DELL'ASSOCIAZIONE ITALIANA BIBLIOTECHE SU ALCUNI EMENDAMENTI AL *DRAFT REPORT* RELATIVO ALLA DIRETTIVA 2001/29/CE CHE SARANNO SOTTOPOSTI ALLA DISCUSSIONE E AL VOTO DELLA COMMISSIONE GIURIDICA DEL PARLAMENTO EUROPEO (DATA PREVISTA: MAGGIO 2015)

N.	Proponente/i	Testo del draft report	Testo dell'emendamento	Raccomandazione di voto
				<p>illimitati i diritti esclusivi e privi di tutele effettive gli acquirenti finali e persino le biblioteche, le università e altri istituti culturali e scientifici. Stretti tra i vasi di ferro rappresentati dagli intermediari dei titolari dei diritti e dai fornitori di servizi commerciali, istituti pubblici fondamentali nell'ecosistema della conoscenza incontrano crescenti barriere nell'assicurare tutela, valorizzazione, promozione culturale e accesso agli utenti di oggi e di domani.</p>