

# DSM Directive Survey

## Questions for Dispute Resolution Bodies

### Section 2.6: Mediation and dispute resolution

*Experience with negotiation, mediation and dispute resolution mechanisms (especially Articles 13, 17.9, and 21).*

#### **Q131. What disputes or negotiations do you handle under the Directive?**

*Instructions: Please select all that apply.*

1. Article 13 — negotiation mechanism to support the licensing between rightholders and VoD services
2. Article 17.9 — Out-of-court dispute resolution for the settlement of disputes related to the use of copyright-protected content on online content sharing platforms
3. Article 21 — Alternative Dispute Resolution for disputes related to transparency obligations and contract adjustment mechanism for authors and performers

#### **Q132. What is the legal basis (if applicable) and operational structure of your body?**

*OPEN QUESTION*

#### **Q133. [If Q131=1,2] How many cases have you received since the Directive's implementation?**

*Open numeric*

- I don't know

#### **Q134. [If Q131=3] How many cases have you received since the Directive's implementation?**

*Instructions: Please distinguish between cases received regarding Article 19 transparency disputes and Article 20 contract adjustments.*

*Open numeric (for Article 19)*

*Open numeric (for Article 20)*

- I don't know

#### **Q135. Based on your industry knowledge, how often do stakeholders come to you for mediation / dispute resolution?**

*Instructions: Please select one option.*

1. Never
2. Rarely
3. Often
4. Always
5. I do not know

#### **Q137. [If Q131=2,3] What types of disputes have most frequently been brought before your body?**

*OPEN QUESTION*

#### **Q138. What suggestions do you have for improving the effectiveness or efficiency of the negotiation / dispute resolution mechanism?**

*OPEN QUESTION*

## Section 2.5: Other impacts

*The following questions concern the value added by the Directive, as an EU-level intervention, compared to the pre-existing situation in the Member States. Please respond based on your direct experience.*

**Q126. Based on your experience, please indicate one key benefit or value added by the DSM Directive, if any?**

*OPEN QUESTION*

*The following questions concern the efficiency of the Directive and aim to assess the incurred costs of the Directive. Please respond based on your direct experience.*

**Q127. To what extent has your organisation incurred compliance costs because of the Directive?**

*Instructions: Please select one option.*

1. To a great extent
2. To some extent
3. To a little extent
4. Not at all
5. I don't know

**Q128. What is the nature and level of those compliance costs and in relation to which of the Directive's provisions are they incurred?**

*OPEN QUESTION*

*The following questions concern the coherence of the Directive and aim to assess to what extent the provisions of the Directive are coherent with other national or international laws.*

**Q129. How well do the DSM Directive's provisions align with other relevant EU legislation (e.g., GDPR, AI Act, Digital Services Act, Orphan Works Directive)?**

*Instructions: with 1 being not at all aligned and 5 being fully aligned.*

1. Slider: 1 2 3 4 5

**Q129\_1 [If Q129=1 or 2] Please specify any particular laws where you have noticed alignment or conflict.**

*OPEN QUESTION*

**Q130. Have you experienced any legal or practical tensions or conflicts between the DSM Directive as implemented and other national laws in your country?**

*Instructions: Please select one option.*

1. Yes
2. No
3. I don't know

**Q130\_1 [If Q130=Yes] Please describe the tension or conflict and its impact.**

*OPEN QUESTION*