

DSM Directive Survey

Questions for Information Society Service Providers (ISSPs)

Section 2.3: Press publisher right and obligations of online content sharing service providers (OCSSPs)

Article 15 (press publisher right) and Article 17 (OCSSPs).

For the next few questions please note that Article 15 provides press publishers with a neighbouring right regarding the online use of their press publications by information society service providers. This protection does not apply to private or non-commercial uses by individual users, hyperlinking, or the use of very short extracts.

Q57. For which types of press publications have you concluded licensing agreements under Article 15?

Instructions: Please select all that apply.

1. National news publications
2. Local or regional news publications
3. Magazines / periodicals
4. Specialist or trade press
5. Press agency content
6. Other (please specify)
7. I don't know

Q61. Since the national transposition of Article 15, approximately how many publishers and / or CMOs has your organisation concluded licensing agreements with concerning the online use of press publications? Have you experienced any changes in this regard?

Note: For the purposes of this question, a licensing agreement refers to a legal authorisation granted by a publisher of a press publication, or a collective management organisation, to an information society service provider for the online use of press publications in relation to reproduction and making available to the public rights.

OPEN QUESTION

Q62. In which Member States have these agreements been concluded?

Instructions: Please select all that apply.

1. [Member State list]
2. No agreements concluded
3. I don't know

Q63. What, if any, have been the main practical issues encountered in relation to the implementation of Article 15?

Instructions: Please select all that apply.

1. Difficulty identifying uses covered by Article 15
2. Difficulty distinguishing covered uses from hyperlinking or the use of very short extracts
3. Difficulty agreeing remuneration
4. Differences across Member States
5. No major practical issues encountered
6. Other (please specify)

Q64. What unexpected benefits or challenges have you experienced in relation to the implementation of the provisions of Article 15?

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