

# DSM Directive Survey

## Questions for Press Publishers

### 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.*

**Q52. Since the national transposition of Article 15 in your Member State, to what extent have negotiations with information society service providers concerning the online use of your press publications been satisfactory?**

*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
6. No negotiations undertaken

**Q52\_1 Please briefly explain your answer, including any issues relating to engagement, transparency, valuation, or the conduct of negotiations.**

*OPEN QUESTION*

**Q53. In relation to which types of information society service providers have you entered into licensing negotiations and / or licensing agreements under Article 15?**

*Instructions: Please select all that apply.*

1. Search engines
2. Social media services
3. News aggregation services
4. Media monitoring / press review services
5. Other online services reusing or displaying press publications
6. None
7. Other (please specify)
8. I don't know

**Q54. 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 securing engagement from information society service providers
4. Difficulty obtaining sufficient information for negotiations
5. Difficulty agreeing remuneration
6. Difficulty enforcing the right in practice
7. Differences across Member States

8. No major practical issues encountered
9. Other (please specify)

**Q55. To the best of your knowledge, has Article 15 led to increased revenues and / or bargaining power for you?**

*Instructions: Please select one option.*

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

**Q56. Since the national transposition of Article 15 in your Member State, approximately how many ISSPs have you entered into licensing agreements with concerning the online use of your press publications? Have you experienced any changes in this regard?**

*OPEN QUESTION*

**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

**Q58. Overall, how would you rate the impact of Article 15 on your organisation?**

*Instructions: Please select one option.*

1. Very positive
2. Somewhat positive
3. Neither positive nor negative (no overall impact)
4. Somewhat negative
5. Very negative
6. I don't know

**Q58\_1 Please briefly explain your answer. Consider any effects on revenues, bargaining position, licensing practices, visibility of press content, or administrative burden.**

*OPEN QUESTION*

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

*OPEN QUESTION*

**Q65. To what extent does the press publishers' right under Article 15 remain fit for purpose, in the context of current technological and market developments?**

*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

**Q65\_1 Please elaborate on your response.**

*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*