

DSM Directive Survey

Questions for Users of Online Content-Sharing Services (OCSSPs)

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

For the next few questions please note that Article 17 concerns copyright-protected works uploaded by users to an online content-sharing service. The online content sharing service provider needs to obtain the authorisation of rightholders and, under certain circumstances, block or remove unauthorised content. Finally, service providers must put in place a fast and effective redress mechanism for users whose content has been blocked or removed.

Q88. Do you upload content to online sharing platforms?

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

Q88_1 [If Q88=Yes] How often do you upload to online sharing platforms?

OPEN QUESTION

Q88_2 [If Q88=Yes] Does the content you upload to online sharing platforms include protected works?

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

Q88_3 [If Q88=Yes] What type of protected content does it include (e.g., background music, extracts from films)?

OPEN QUESTION

Q88_4 [If Q88=Yes] Do you check whether you have authorisation to upload such content?

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

Q89. Have you experienced situations where your uploads of copyrighted or otherwise protected content (e.g., music, films, etc.) were blocked or removed from online content sharing platforms since 2021, and how often this occurred?

Instructions: Please select one option.

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

Under Article 17, users must be able to rely on certain copyright exceptions and limitations when uploading content, including uses for quotation, criticism, review, caricature, parody and pastiche. The next question asks whether you have experienced blocking or removal in such situations.

Q89_1 [If Q89=2,3,4] How often have your uploads been blocked or removed since 2021 where you believe the upload was lawful because it was for one of the following purposes?

- a) Quotation, criticism or review

- b) Caricature, parody or pastiche
- 1. Frequently
- 2. Occasionally
- 3. Rarely
- 4. Never
- 5. I don't know

Grid question with the following answer options:

Q89_2 [If Q89=1,2,3] Have you ever used the complaint and redress mechanism put in place by the OCSSP?

Instructions: Please select one option.

- 1. Yes
- 2. I wanted to, but could not find the complaint and redress mechanism
- 3. No, I have never used the complaint and redress mechanism
- 4. I did not know such complaint and redress mechanism exists
- 5. I don't know
- 6. Other (please specify)

Q89_3 [If Q89_2=Yes] When you used the complaint and redress mechanism, were complaints resolved in a timely manner?

Instructions: with 1 being resolved late and 5 being resolved in a timely manner.

- 1. Slider: 1 2 3 4 5
- My complaint was not resolved

Q89_4 [If Q89_2=Yes] After using the platform's complaint and redress mechanism, have you ever pursued the dispute through an out-of-court dispute settlement mechanism available in your Member State?

Instructions: Please select one option.

- 1. Yes
- 2. No
- 3. I was aware, but did not use it
- 4. I was not aware that such a mechanism existed
- 5. I don't know

Q89_5 [If Q89_2=Yes] Was the issue ultimately resolved?

- a) by the complaint and redress mechanism
- b) by out-of-court dispute settlement
- 1. Yes, fully resolved
- 2. Yes, partly resolved
- 3. No, not resolved
- 4. The complaint was still pending when I last checked
- 5. I don't know / prefer not to say

Grid question with the following answer options: