

Intergraf position paper on the review of the EU Copyright Directive *August 2015*

Intergraf represents 22 national printing federations in 20 countries in Europe. Intergraf's main task is to promote and protect the interests of the European graphic industry, which provides jobs to more than 637,000 Europeans active in 117,000 companies and generates a turnover of approximately € 85 billion.

In the context of a future review of the Copyright Directive, we call on the European Commission to clarify that industrial/professional printing machines should not be considered as a device subject to a copyright levy.

Industrial printing machines are equipment used by printing companies; this equipment has to be differentiated from the equipment used by individuals or offices. A printing company typically has different types of equipment (called presses). New professional equipment includes digital printing machines enabling to print from a digital-based image to paper or other substrates; this equipment is technically similar to office and household printing devices.

These professional printing machines are not used by individuals for private copying – as in copyshops - but for professional use under a contract with a customer. Customers of printing companies are either right holders (authors) or have already paid their compensation to the rightholder (example: for the re-printing of a book, the publisher who is the customer of the printing company would initially pay copyright fees to the rightholder).

Imposing a levy on printing companies or professional printing machines would lead on the one hand to instances of double payments whereby copyright levies would be claimed on top of licence fees for the same artwork. On the other hand, it would imply higher printing costs for customers, ie authors, publishers. In this case, the levy has the opposite effect to that intended as it ultimately punishes rightholders.

Although the devices are technically similar, the functions of these devices are totally different. The new legal framework should therefore ensure that Member States do not charge printing companies with unjustified reprography levies.

For legal certainty and European harmonisation, we call on the European Commission to exempt printing companies (NACE 18.1) or professional printing devices from the scope of the legislation.