



## (Brief) The Copyright Directive (2020)

29<sup>th</sup> April 2020

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## (Brief) The Copyright Directive (2020)

The law as stated during this webinar is up to date as of **23<sup>rd</sup> April 2020**

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## Introduction

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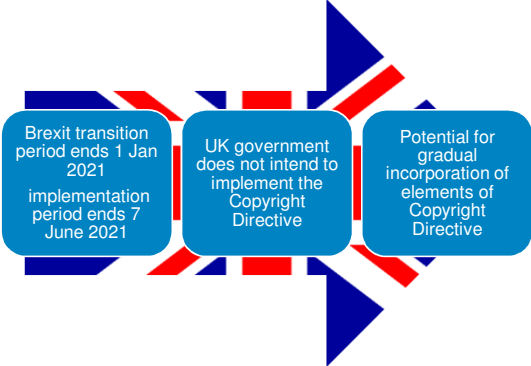
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Implementation and Brexit



Brexit transition period ends 1 Jan 2021  
implementation period ends 7 June 2021

UK government does not intend to implement the Copyright Directive

Potential for gradual incorporation of elements of Copyright Directive

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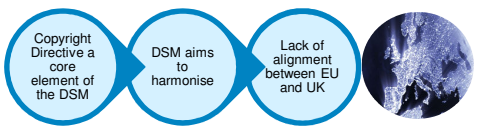
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Effect on the Digital Single Market



Copyright Directive a core element of the DSM

DSM aims to harmonise

Lack of alignment between EU and UK



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CRD and eCommerce Directive

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- eCommerce Directive implemented in the UK
- Copyright Directive not implemented in the UK

- eCommerce Directive provides safe harbour if not monitoring
- Copyright Directive appears to require some form of monitoring
- Potential for online content-sharing providers to be directly liable

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Issues with varying legislation

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OCSSPs are international businesses with international users → already navigating multiple different national laws → aim for gold standard

Confusion for rightholders

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Key take aways

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- > the UK is not, at this stage, implementing the Copyright Directive 
- > there are inconsistencies between national laws in the UK and the Copyright Directive
- > guidance on the interpretation of the Copyright Directive is still in development
- > delaying an update to copyright legislation in the UK may be beneficial

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Thank you and reminders

- This webinar is designed to help solicitors meet requirements A2 (Maintain competence and legal knowledge) and A4 (Draw on detailed knowledge/understanding) of the SRA's Statement of solicitor competence. There is no quiz associated with this webinar.
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**We hope you've enjoyed this session.**



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