

29 February 2008

**HOTREC¹ reply to the European Commission's consultation concerning
Creative Content Online – Policy/Regulatory issues for consultation
(COM (2007)836)**

HOTREC welcomes the Commission's initiative to launch a consultation on Creative Content Online.

The Commission Communication accompanying the consultation clearly shows a need to adapt the current system of copyright management to the realities of the 21st century. The current copyright management system was set-up to fit with the realities of a fragmented European society in which territorial licensing and national monopolies were not an issue. Such a system is now out of date and is clearly in contradiction with the aim of achieving a truly Single Market in Europe. It is therefore high time to revise it.

Transparency in the management of Collective Societies and in the composition of the copyright fees is needed for protected work available both online and offline. Moreover, the introduction of fair competition on the market for rights management, as promoted by the Commission communication, should not be limited to Digital Rights Management but should also be extended to protected works available offline. There are no convincing

¹ HOTREC represents the hotel, restaurant and café industry at European level. It counts 1.6 million businesses, with 92% of them being micro enterprises employing less than 10 people. The micro and small enterprises (having less than 50 employees) in the hospitality industry representing 99% of businesses make up some 62% of value added. The industry provides some 9 million jobs in the EU alone. HOTREC brings together 40 National Associations representing the interest of the industry in 25 different European countries.

reasons why the management of rights of the same protected work should be regulated differently whether it is available online or offline.

Therefore, HOTREC calls for, in relation to both online and offline works protected by copyright and similar:

- An increased transparency on the part of collecting societies in relation to their management and in particular in relation to the setting-up of their tariffs;
- The strict application of EU and national competition rules to the collecting societies, as they tend to abuse their monopoly position;
- Simplified procedures and recourse to new technologies minimizing the administrative burdens imposed on small enterprises;
- Easy, speedy, and affordable dispute settlements systems in relation to Rights Management Systems.

Yours Sincerely,



Marguerite Sequaris

CEO of HOTREC