

## The Copyright reform must also be fair to European researchers and entrepreneurs

30 August 2018

***Research and innovation organisations call on the European Parliament to revise Article 3 on Text and Data Mining (TDM) ahead of its vote on the EU Copyright Directive on 12 September.***

We, representatives of universities; research libraries; startups, scaleups and technology entrepreneurs; data, research and insights companies; open access publishers; and non-profits organisations, urge MEPs to **look beyond the partial debate between rightsholders and Internet giants**. This copyright reform impacts all of us, and particularly our ability to conduct future-looking research and innovate in technologies like Artificial Intelligence (AI), and create jobs in important emerging fields like data analytics.

For this reason, we deeply regret that **Article 3 on Text and Data Mining has not been updated to reflect Europe's AI ambitions**, despite TDM being fundamental to the development of AI and Europe's ability to participate in the next great technical innovation. In addition to this, Article 6 as proposed by the JURI committee, would severely undermine an individual or an organisation's ability to mine data.

Everyone in Europe agrees that we must have the strongest ambitions when it comes to AI, yet with Article 3, the EU is currently pushing for legislation that will significantly prevent many researchers and entrepreneurs from effectively using the tools they need to innovate. **The current proposal protects large publishers and big market leaders, at the expense of Europe's digital economy.**

The EU-based communities we represent constantly collaborate with each other to build the future. Without an effective TDM policy, Europe will be stuck in the past when other technologically advanced countries are choosing the opposite route, such as Japan, which recently passed a [new Copyright reform](#)<sup>1</sup> that will put the country at the forefront of the global AI race.

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<sup>1</sup> [http://www.mext.go.jp/b\\_menu/houan/kakutei/detail/1405213.htm](http://www.mext.go.jp/b_menu/houan/kakutei/detail/1405213.htm) (in Japanese)

A majority of MEPs rejected the JURI report on the EU Copyright Directive on 5 July. Yet amazingly, it seems that the voices which led to this outcome are not being heard, even though MEPs sent a clear signal to bring the proposal **back to the drawing board**.

On 12 September, MEPs have a unique opportunity to act to enable AI innovation in Europe across the board, researchers and entrepreneurs alike. We hope that they will amend **Article 3 to adopt a future-proof, broad mandatory exception for TDM** for all parties that have lawful access to the underlying work. Only with such an exception will we be able to succeed in our shared ambitions for Europe to become a global leader in AI and data analytics.

- Allied for Startups;
- Association of Library and Information Professionals of the Czech Republic (SKIP);
- Center for Democracy & Technology (CDT);
- Confederation of Open Access Repositories (COAR);
- European Alliance for Research Excellence (EARE);
- European Bureau of Library, Information and Documentation Associations (EBLIDA);
- ESOMAR;
- European University Association (EUA);
- France Digitale;
- Frontiers;
- The German Startups Association (Bundesverband Deutsche Startups);
- Libraries Archives Copyright Alliance (LACA);
- Open State Foundation;
- SPARC Europe;
- UCL (University College London).

