

5: *Would the creation of a new neighbouring right covering publishers in all sectors have an impact on authors in the publishing sector such as journalists, writers, photographers, researchers (in particular on authors' contractual relationship with publishers, remuneration and the compensation they may be receiving for uses made under an exception)?*

The position of academic publishers is already very strong. Researchers – in order to receive academic credit - are forced to transfer copyrights of content to publishers without remuneration, whereas academic publishers exploit those transferred rights by selling the right to access academic and scientific content with a considerable profit. Granting academic publishers additional rights, would allow them to an even higher degree exploit researchers in the role as authors with additional cost as the consequence for individual researchers, research institutions and society at large.

6: *Would the creation of a neighbouring right limited to the press publishers have an impact on authors in the publishing sector (as above)?*

Research performed on news and popular media resources could be reduced with the introduction of neighbouring rights for press publishers.

7: *Would the creation of a new neighbouring right covering publishers in all sectors have an impact on rightholders other than authors in the publishing sector?*

9: *Would the creation of a new neighbouring right covering publishers in all sectors have an impact on researchers and educational or research institutions?*

For both the researcher and the research institution an introduction of neighbouring rights also for academic publishers is likely to result in charging of extra fees for using scientific and societal content in the research work together with additional juridical restrictions on the actions of the scientist and/or scientific institution. Widening the scope of the copyright with neighbouring rights will therefore make the scientific process more rigid, harder to perform and expensive for the individual researcher and/or institution. As individual researchers - in order to receive academic credit - are forced to transfer copyrights of content to publishers without remuneration, an possible introduction of such rights for academic publishers would contribute to a even more screwed balance between right holders and right users within academia.

The further societal knowledge sharing of passing scientific results on to small and medium sized enterprises which is also a core action of research institutions today. This task of great economical importance to the European Union will also be restricted and made more expensive by the introduction of neighbouring rights.

10. *Would the creation of a neighbouring right limited to press publishers have an impact on researchers and educational or research institutions?*

Research is based on the circulation, citation and re-using of scientific content. For the researcher and the research institution an introduction of neighbouring rights to press publishers is likely to result in the charging of extra fees for using societal content in the research work together with additional juridical restrictions on the actions of the scientist (eg. Collection of empirical data). Widening the scope of the

copyright with neighbouring rights will therefore make the scientific process more rigid, harder to perform and expensive for the individual researcher and their research institutions.

*11. Would the creation of new neighbouring right covering publishers in all sectors have an impact on online service providers (in particular on their ability to use or to obtain a licence to use press or other print content)?*

Scientific infrastructure which includes library systems helps the researcher to access scientific material such as publications and data. An introduction of neighbouring rights could harm the usefulness of academic search engines by disallowing use of content without juridical and financial restrictions.

This would endanger the free movement of scientific knowledge and results. It would also bring new costs due to building new processes within the existing research infrastructure. All this is in conflict with the political and strategic principles that the EU wants to promote under the Europe 2020 Strategy, the Digital Single Market and the Horizon2020 program

*12. Would the creation of such a neighbouring right limited to press publishers have an impact on online service providers (in particular on their ability to use or to obtain a licence to use press content)?*

*13. Would the creation of new neighbouring right covering publishers in all sectors have an impact on consumers/end-users/EU citizens?*

The circulation, citation and re-using of academic content is important in the constitution of culture and citizenship. An introduction of neighbouring rights to publishers is likely to result in the charging of extra fees for accessing content otherwise free to use. Widening the scope of the copyright with neighbouring rights will make the dissemination of knowledge through public libraries, television shows, news papers and internet medias more restricted and expensive.

*14. Would the creation of new neighbouring right limited to press publishers have an impact on consumers/end-users/EU citizens?*

*15. In those cases where publishers have been granted rights over or compensation for specific types of online uses of their content (often referred to as "ancillary rights") under Member States' law, has there been any impact on you/your activity, and if so, what?*

*16. Is there any other issue that should be considered as regards the role of publishers in the copyright value chain and the need for and/or the impact of the possible creation of a neighbouring right for publishers in EU copyright law?*

Recently EU's Competitiveness Council announced its goal that all European scientific articles should be freely accessible by 2020. This ambition is parallel to other official EC policies like the Horizon2020 and Digital Single Market. The introduction of neighbouring rights especially for academic publishers would not be coherent with these EU policies. On the contrary it works against them and therefore constitute a serious contradiction in EU policy. On this background it is strongly recommended that publishers, already holding a strong position due to receiving copyright from researchers free of charge, should be exempted from the possible introduction of neighbouring rights.