
COPYRIGHT and EDUCATION

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What's the legal standing in the EU?

Optional “prototype”

Technologically **neutral**

Applies to all InfoSoc rights

Open to all types of users

Covers all types of works to the necessary extent

Non-commercial; 3-step test

What was proposed?

Mandatory exception or limitation

Not applicable to the distribution right

“To allow for” **digital** uses

Physical and technological **barriers** to the use

Closed list of users

What was proposed?

Use deemed to occur where the school is located

Covers **all types** of works to the necessary extent

Optional **precedence** by licenses

Optional compensation

NC limitation

What positive changes are being discussed?

Add **non-digital** uses

No physical barrier

Add **heritage** institutions to the list of users

Give precedence only to licenses that are **already in place**

What negative changes are being discussed?

Optional exception or limitation

Covers only certain works

Add extent/time limitations

Mandatory **precedence** of licenses

Mandatory compensation

What are we doing?

Research

Policy influence (policy position papers, blog posts, drafting amendments, events, meetings with MEPs)

Public Campaigning:

RIGHTCOPYRIGHT.eu

**15 everyday
cases in 15
countries**

We created two studies.

**First, we researched
modern practices in
education.**

**Second, we resolved 15
hypothetical scenarios of
uses in education under the
laws of 15 countries.**

Which works can be used in education?

Some MS exclude certain **works**: textbooks in FR/DE, films and plays in DK/FI, musical scores in FR/ES.

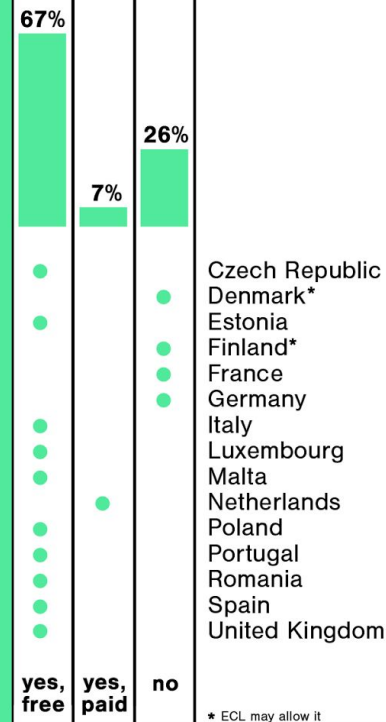
Others restrict the **extent** to which a work can be used.

Types of works

RIGHT COPYRIGHT



**Teacher wants
to scan pages
from a textbook
to show in class**
Is this legal?



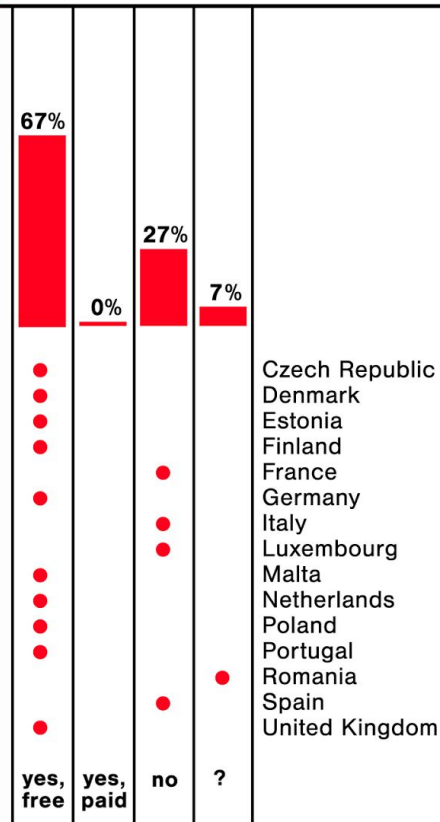
Extent of works

RIGHT COPYRIGHT



**Teacher wants
to quote
an entire poem
in a resource**

Is this legal?



Who can use works in education?

Majority of these MS focus only on the educational purpose of the use.

7 MS discriminate against the person or entity doing the teaching, allowing only certain types of users.

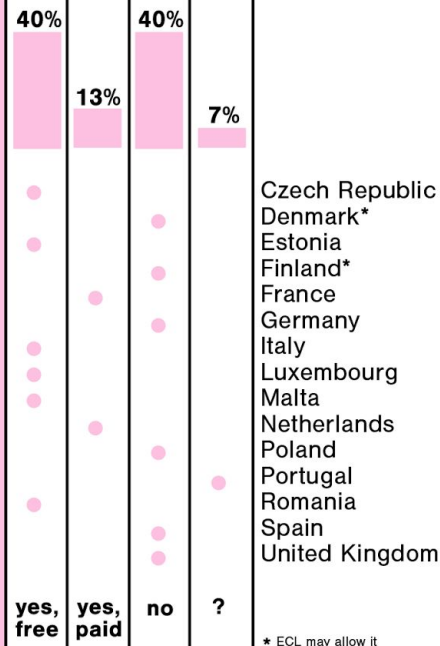
Types of users

RIGHT COPYRIGHT



**Museum wants
to scan pages
from artbook
to show to pupils**

Is this legal?

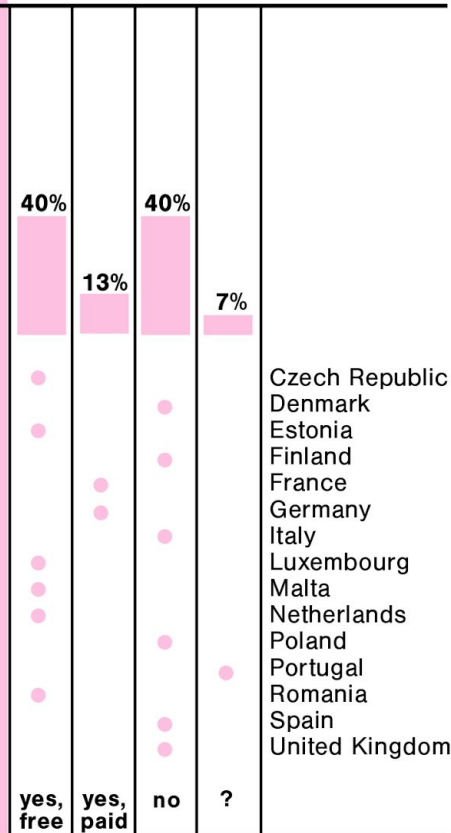


Types of users

RIGHT COPYRIGHT



**NGO wants
to show
parts of a video
in a free History
class on privacy**
Is this legal?



What educational uses of works can be done?

Public performances are allowed in most countries under general educational exceptions.

In IT, the NL, DE and UK, those activities are **excluded** from the scope of copyright protection.

Traditional Practices

RIGHT COPYRIGHT

**Teacher wants
students to play
a music piece
in class**

Is this legal?

73%

0%

27%

yes,
free

yes,
paid

no

Czech Republic
Denmark
Estonia
Finland
France
Germany
Italy
Luxembourg
Malta
Netherlands
Poland
Portugal
Romania
Spain
United Kingdom

Traditional Practices

RIGHT COPYRIGHT



**Teacher wants
to screen
and discuss
a DVD in class**
Is this legal?

60%

0%

40%

yes,
free

yes,
paid

no

Czech Republic
Denmark
Estonia
Finland
France
Germany
Italy
Luxembourg
Malta
Netherlands
Poland
Portugal
Romania
Spain
United Kingdom

What educational uses of works can be done?

Some MS differentiate between performance and communication, and thus offer **different solutions** depending on the means of communication.

This is the case of **Italy** and the **Netherlands**.

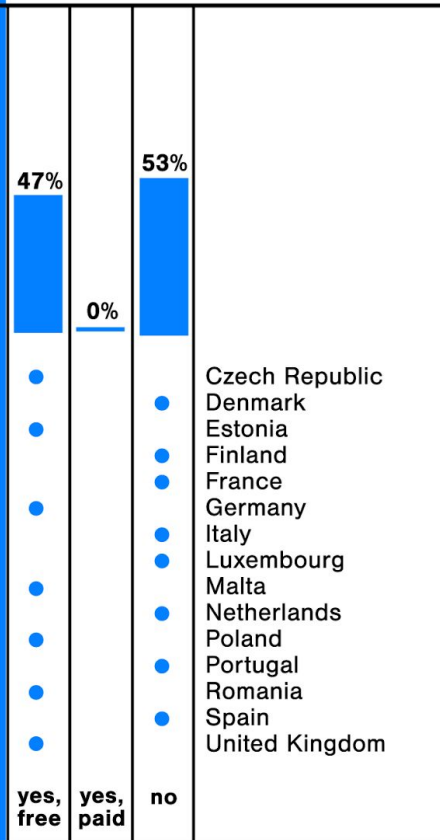
Modern Practices

RIGHT COPYRIGHT



Teacher wants to show and discuss an online video in class

Is this legal?



How can works be transmitted?

Several MS curtail the type of users that can use modern communication tools.

Only ES and UK require a secure electronic **network accessible only** by students and teachers from a given establishment.

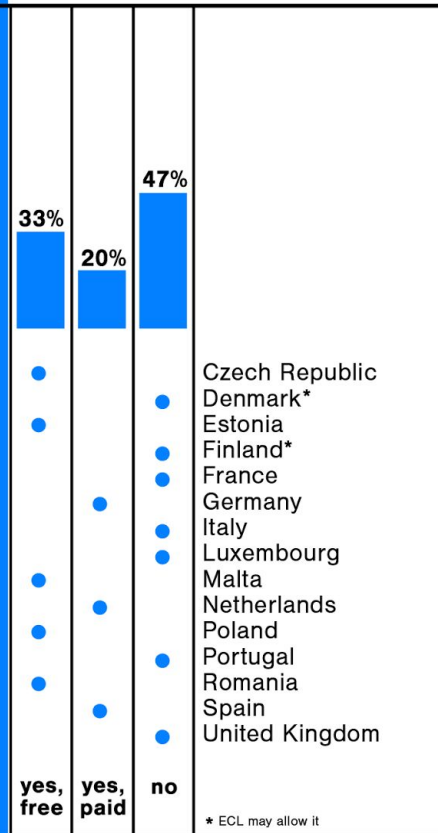
Intranet

RIGHT COPYRIGHT



**Teacher wants
to share
an article
on the school's
network**

Is this legal?



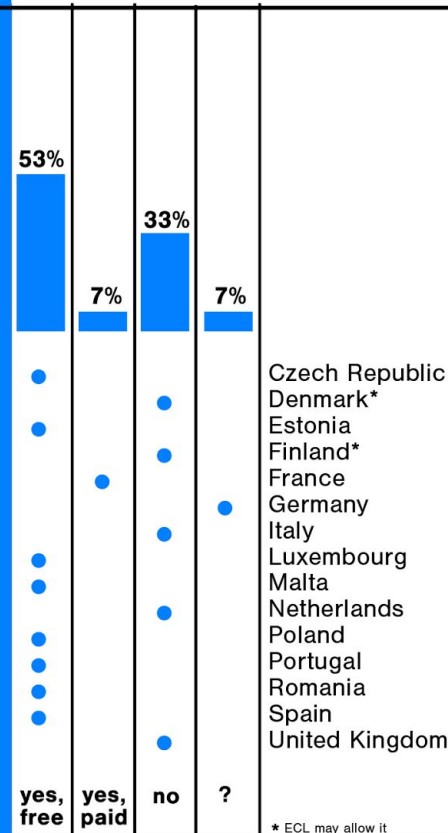
Emails

RIGHT COPYRIGHT



**Teacher wants
to email reading
materials to
students**

Is this legal?



Creation of resources

Many MS treat equally a teaching compilation and a commercial publication, and require **compensation** in both cases.

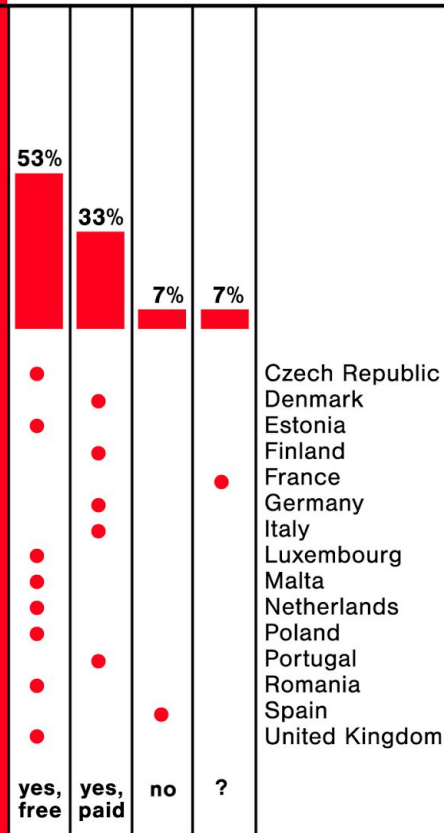
DK, FI, IT and ES do not allow educational translations and other adaptations.

Creation of resources

RIGHT COPYRIGHT



**Teacher wants
to compile
novel chapters
for use in class**
Is this legal?



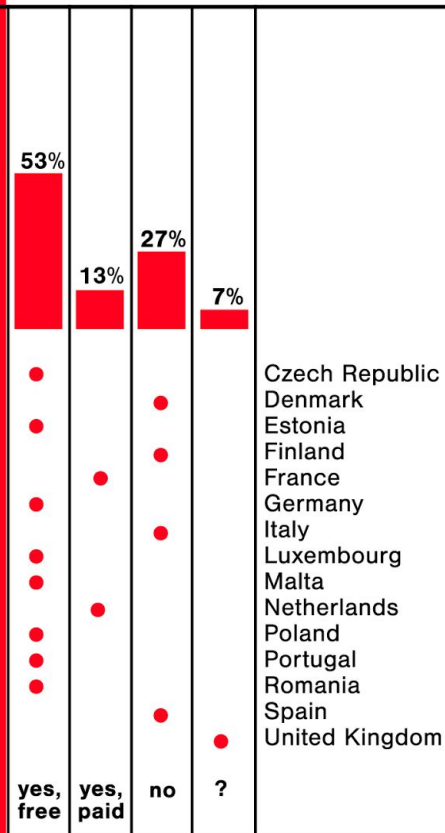
Creation of resources

RIGHT COPYRIGHT



**Teacher wants
to translate
parts of a book
for use in class**

Is this legal?



**What can
you do?**

**Sign petition at
RIGHCOPYRIGHT.EU**

Email

info@communia-association.org

**to sign joint letter
to MEPs**

**Spread the word
on social media
and events**

Thank you!

**The study and infographics
are available at:**

<https://rightcopyright.eu/why-now/>

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