

The EU copyright legislation

The EU copyright law consists of 11 directives and 2 regulations, harmonising the essential rights of authors, performers, producers and broadcasters.



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By setting harmonised standards, EU copyright law reduces national discrepancies, and guarantees the level of protection needed to foster creativity and investment in creativity. Harmonised standards promote cultural diversity and bring better access for consumers and business to digital content and services across Europe.

The EU acquis

The EU's regulatory framework for copyright and neighbouring rights (*acquis*) consists of:

- Directive on the harmonisation of certain aspects of copyright and related rights in the information society ('InfoSoc Directive'), 22 May 2001
- Directive on rental right and lending right and on certain rights related to copyright in the field of intellectual property ('Rental and Lending Directive'), 12 December 2006
- Directive on the resale right for the benefit of the author of an original work of art ('Resale Right Directive'), 27 September 2001
- Directive on the coordination of certain rules concerning copyright and rights related to copyright applicable to satellite broadcasting and cable retransmission ('Satellite and Cable Directive'), 27 September 1993
- Directive on the legal protection of computer programs ('Software Directive'), 23 April 2009
- Directive on the enforcement of intellectual property right ('IPRED'), 29 April 2004

- Directive on the legal protection of databases ('Database Directive'), 11 March 1996
- Directive on the term of protection of copyright and certain related rights amending the previous 2006 Directive ('Term Directive'), 27 September 2011
- Directive on certain permitted uses of orphan works ('Orphan Works Directive'), 25 October 2012
- Directive on collective management of copyright and related rights and multi-territorial licensing of rights in musical works for online use in the internal market ('CRM Directive'), 26 February 2014
- Directive on certain permitted uses of certain works and other subject matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print-disabled (Directive implementing the Marrakech Treaty in the EU), 13 September 2017
- Regulation on the cross-border exchange between the Union and third countries of accessible format copies of certain works and other subject matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print-disabled (Regulation implementing the Marrakech Treaty in the EU), 13 September 2017
- Regulation on cross-border portability of online content services in the internal market ('Portability Regulation'), 14 June 2017
- Directive on copyright and related rights in the Digital Single Market ('DSM Directive'), 17 April 2019
- Directive on the exercise of copyright and related rights applicable to certain online transmissions of broadcasting organisations and retransmissions of television and radio programmes ('Satellite and Cable II'), 17 April 2019

Three additional instruments (Directive 87/54/EC, Council Decision 94/824/EC and Council Decision 96/644/EC) harmonise the legal protection of topographies of semiconductor products. Moreover, the E-commerce Directive and the Conditional Access Directive also contain provisions relevant to the exercise and the enforcement of copyright.

The overall goal in the EU harmonisation efforts is to enable copyright protected goods (e.g. books, music, films, software etc.) and services (e.g. services offering access to these goods) to move freely within the internal market.

The International Framework

Many of the EU directives reflect Member States' obligations under the Berne Convention and the Rome Convention, as well as the obligations of the EU and its Member States under the World Trade Organisation 'TRIPS' Agreement and the two 1996 World Intellectual Property Organisation (WIPO) Internet Treaties (the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty).

In the last years the EU has signed two other WIPO Treaties: the Beijing Treaty on the Protection of Audiovisual Performances and the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or otherwise Print Disabled.

Moreover, free-trade agreements, which the EU concluded with a large number of third countries, reflect many provisions of EU law.

Implementation of the EU framework

The Commission monitors the timely and correct implementation of the EU copyright law and, in the

last years, the Court of Justice of the European Union (CJEU) has developed a substantive body of case law interpreting the provisions of the Directives.

This has significantly contributed to the consistent application of the copyright rules across the EU.

Legislative proposals and documents accompanying the proposals

Guidance on Article 17 of Directive 2019/790

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Copyright: Commission calls on Member States to comply with EU rules on copyright in the Digital Single Market

The Commission has requested Austria, Belgium, Bulgaria, Cyprus, Czechia, Denmark, Estonia, Greece, Spain, Finland, France, Croatia, Ireland,

Italy, Lithuania, Luxembourg, Latvia, Poland, Portugal, Romania, Sweden, Slovenia and Slovakia to communicate information about how the rules included in the Directive on Copyright in the Digital Single Market (Directive 2019/790/EU) are being enacted into their national law.

PRESS RELEASE | 04 June 2021

New EU copyright rules that will benefit creators, businesses and consumers start to apply

This Monday 7 June marks the deadline for Member States to transpose the new EU copyright rules into national law. The new Copyright Directive protects creativity in the digital age, bringing concrete benefits to citizens, the creative sectors, the press, researchers, educators and cultural heritage institutions across the EU. At the same time, the new Directive on television and radio programmes will make it easier for European broadcasters to make certain programmes on their online services available across borders. Furthermore, today, the Commission has published its guidance on Article 17

PRESS RELEASE | 14 October 2019

Copyright: dialogue between platforms and rights holders starts on 15 October

The first meeting of the stakeholder dialogue on the application of Article 17 of the Directive on Copyright in the Digital Single Market on the use of protected content by online content-sharing service providers will take place on 15 October in Brussels. The stakeholders will discuss best practices on how content-sharing platforms and service providers should cooperate with rights holders.

PRESS RELEASE | 28 August 2019

Copyright: Commission launches dialogue between platforms and rights holders

The European Commission opened today a call for

expression of interest to participate in the stakeholder dialogue on the application of Article 17 of the Directive on Copyright in the Digital Single Market on the use of protected content by online content-sharing service providers. The stakeholders will discuss best practices on how content-sharing platforms and service providers should cooperate with rights holders. This dialogue is requested under the new directive and will feed into the preparation of guidance on the application of Article 17.

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Copyright

The European Commission is adapting EU copyright rules to new consumer behaviours in a Europe which values its cultural diversity.

See Also

Implementation of the Marrakesh Treaty in EU law

The Marrakesh Treaty allows people with print disabilities to access more books and other print material in formats that are accessible to them.

Protection of databases

Databases in the European Union are protected under EU Law. The Directive on the legal protection of databases was adopted in 1996 and was evaluated in 2018.

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