

Reform of European Copyright to allow Text and Data Mining (TDM)

Graham Steel¹

¹Affiliation not available

April 17, 2023



Reform of European Copyright to allow Text and Data Mining (TDM)

GRAHAM STEEL

READ REVIEWS

WRITE A REVIEW

CORRESPONDENCE:

steelgraham7@gmail.com

DATE RECEIVED:

February 22, 2016

DOI:

10.15200/winn.145615.59636

ARCHIVED:

February 22, 2016

KEYWORDS:

text mining, data mining

CITATION:

Graham Steel, Reform of European Copyright to allow Text and Data Mining (TDM), *The Winnower* 3:e145615.59636, 2016, DOI: [10.15200/winn.145615.59636](https://doi.org/10.15200/winn.145615.59636)

© Steel This article is distributed under the terms of the [Creative Commons Attribution 4.0 International License](https://creativecommons.org/licenses/by/4.0/), which permits unrestricted use, distribution, and redistribution in any medium, provided that the original author and source are credited.



On 3rd December 2015, I used the writetothem.com website to establish names and contact details for my MEPs. This threw up five, and I messaged them urging them to argue for reform of Copyright to allow TDM for commercial and non-commercial purposes.

As of 18th December, I have now received three replies as below. I will update if I hear from the remaining two.

Alyn Smith, SNP

Dear Graham,

Many thanks for your email regarding Text and Data Mining (TDM).

In the area of TDM it is clear to see that Europe has fallen behind many other countries in providing clear and precise legislation to facilitate its use in scientific research. However with the recent publication of the EU Copyright Reform Communication we can see some positive steps forward.

One such welcomed outcome of the copyright reform communication is the inclusion of the mandatory text and data mining exception. The main objective of the exception is 'to increase the level of harmonisation, make relevant exceptions mandatory for Member States to implement and ensure that they function across borders within the EU.' This should help to ease research and development for European researchers like yourself. The new legislation will exist in order to:

- * allow public interest research organisations to carry out text and data mining of content they have lawful access to, with full legal certainty, for scientific research purposes;
- * provide clarity on the scope of the EU exception for 'illustration for teaching', and its application to digital uses and to online learning;
- * provide a clear space for preservation by cultural heritage institutions, reflecting the use of digital technologies for preservation and the needs of born-digital and digitised works;
- * support remote consultation, in closed electronic networks, of works held in research and academic libraries and other relevant institutions, for research and private study;
- * clarify the current EU exception permitting the use of works that were made to be permanently located in the public space (the 'panorama exception'), to take into account new dissemination channels.

The Commission has stated that they are presently considering options and will have legislative proposals by spring 2016. You can find a link to the full paper 'Towards a modern, more European copyright framework' here:

<https://ec.europa.eu/transparency/regdoc/rep/1/2015/EN/1-2015-626-EN-F1-1.PDF>

I understand the importance Text and Data Mining plays in allowing important scientific research to take place efficiently and effectively and I agree that unnecessary barriers must be eradicated to allow this to happen. Please rest assured that this is an issue I will continue to monitor and one that I will raise with the Commission and my fellow colleagues to ensure that the required legislation is adopted within the stated timeframe.

Yours aye,

Alyn

Ian Hudghton, SNP

Dear Mr Steel,

Thank you for your email regarding issues related to a report reviewing the 2001 EU copyright directive, which aims to harmonise certain aspects of copyright and related rights in the information society.

As an SNP MEP I am aligned in the European Parliament to the Greens/EFA political grouping, and the report in question is being drafted by my group colleague Julia Reda MEP. The report is an own-initiative report, meaning that the outcome of the report will be non-legislative. This is an important fact as even if the outcomes are not ideal they will not be introduced automatically into European legislation, but will rather form an influential opinion upon which the European Commission may choose to propose legislation from at a later date.

For your perusal, I include a link by the rapporteur, who fully explores the issues that you are writing to me about. Our group in the European Parliament is supportive of Ms Reda's conclusions - <https://juliareda.eu/copyright-evaluation-report-explained/#links>

Thank you again for bringing this matter to my attention.

Yours sincerely,

Ian Hudghton MEP

Catherine Stihler, Labour

Dear Mr Steel,

Thank you for your recent correspondence relating to TDM.

Catherine is very supportive of your call for action.

Recently the Commission has published a communication titled 'Towards a modern, more European copyright framework'. On page 8 of the communication, the Commission outlines its position on TDM: 'The Commission is assessing options and will consider legislative proposals on other EU exceptions by spring 2016, in order to: allow public interest research organisations to carry out text and data mining of content they have lawful access to, with full legal certainty, for scientific research purposes;'

Catherine strongly supports this call, we are especially happy that it does not mention any difference between TDM for commercial or non-commercial purposes (as Catherine supports TDM for both).

The slight uncertainty Catherine has is with the definition of 'public interest organisation' as SMEs working with universities and conducting research would not be covered as well as private research organisations, but this is something that Catherine will seek to address with

the Commission in the new year. Overall, she is happy that the Commission plans to adopt legislative proposals on TDM.

I am also attaching press briefings by Catherine, highlighting how Catherine is publically supporting the TDM exception and will continue to work closely with libraries, universities and research organisations.
http://cstihlermep.com/Press_Releases/id794.php

Kind regards
Yvonne

Yvonne Thorpe
Head of Office (Scotland)
Office of Catherine Stihler MEP
Labour MEP for Scotland