

# ACAP Newsletter: September 2009

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## **ACAP supported by Hamburg Declaration on IPR**

ACAP's Mark Bide presented to news group Chief Executives from both the EPC and the World Association of Newspapers on 26<sup>th</sup> June in Berlin where the landmark 'Hamburg Declaration on IPR' was signed, calling for online copyright to be respected, to allow innovation to thrive and consumers to be better served. (See below for the full text of the Declaration.) The Declaration was launched publicly on the day that EU Commissioner Mrs Viviane Reding presented the EU Digital Europe Strategy.

With the list of signatories growing by the day, the international "movers and shakers" of the media have rallied around this Declaration, which started life in Hamburg, as a focus for support for the protection of copyright for publishers and broadcasters throughout the world.

Host of the most recent signing ceremony Dr. Mathias Döpfner, CEO of Axel Springer AG, said: "I am happy about this international declaration of publishers. This is an important step in the interest of the global Internet community. The Internet is not our enemy but rather the future of journalism, if intellectual property is respected in the digital world as well. In front of all I see two main goals: We want a fair share of the revenues, which are already being generated through the commercial exploitation of our content by others, as well as the development of a market for paid content in the digital world. We are confident that the representatives of search engines and other aggregators will join us in realizing and opening up the opportunities of the market for legitimate paid content in the Internet."

Francisco Pinto Balsemão, CEO of the Portuguese media group Impresa, and Chairman of the European Publishers Council said: "A fundamental safeguard of democratic society is a free, diverse and independent press. Without control over our intellectual property rights, the future of quality journalism is at stake and with it our ability to provide our consumers with quality and varied information, education and entertainment on the many platforms they enjoy. In this declaration we call on governments worldwide to support the copyright of authors, publishers and broadcasters on the net."

Gavin O'Reilly, Group Chief Executive Officer, Independent News & Media PLC, President of the World Association of Newspapers and News Publishers (WAN-IFRA) and Chairman of ACAP said: "We continue to attract ever greater audiences for our content but, unlike in the print or TV business models, we are not the ones making the money out of our content. This

is unsustainable. Publishers failing will benefit no-one, least of all consumers, or indeed the search engines and other aggregators who currently make huge profits on the back of our intellectual property."

In a letter to European Commissioners and in a news release on the declaration, O'Reilly said: "We need search engines to recognize ACAP as a step towards acknowledging that content providers have the right to decide what happens to their content and on what terms. The European Commission and other legislators call on our industry constantly to come up with solutions – here we have one and we call upon the regulators to back it up".

The declaration started life as a regional initiative in Germany and then enjoyed nationwide support. Now, with the support of members of EPC and WAN-IFRA, the "Hamburg Declaration" has become an important international initiative.

With copyright very much a live, hot issue in Brussels right now with the controversy of the Telecoms Package, digital libraries and new consultations expected soon on the follow up to Green Paper on Copyright in the Knowledge Economy and the post-i2010 strategy, this Declaration could not be timelier.

For the list of signatories, go to: [http://www.epceurope.org/issues/latest\\_issues.shtml](http://www.epceurope.org/issues/latest_issues.shtml)

## **Hamburg Declaration regarding intellectual property rights**

*The Internet offers immense opportunities to professional journalism – but only if the basis for profitability remains secure throughout the digital channels of distribution. This is currently not the case.*

*Numerous providers are using the work of authors, publishers and broadcasters without paying for it. Over the long term, this threatens the production of high-quality content and the existence of independent journalism.*

*For this reason, we advocate strongly urgent improvements in the protection of intellectual property on the Internet.*

*Universal access to websites does not necessarily mean access at no cost. We disagree with those who maintain that freedom of information is only established when everything is available at no cost.*

*Universal access to our services should be available, but going forward we no longer wish to be forced to give away property without having granted permission.*

*We therefore welcome the growing resolve of federal and state governments all over the world to continue to support the protection of the rights of authors, publishers and broadcasters on the Internet.*

*There should be no parts of the Internet where laws do not apply. Legislators and*

*governments at the national and international level should protect more effectively the intellectual creation of value by authors, publishers and broadcasters. Unauthorized use of intellectual property must remain prohibited whatever the means of distribution.*

*Ultimately, the fundamental principle that no democracy can thrive without independent journalism must also apply to the World Wide Web.*

Berlin, June 26th 2009

## **ACAP and AP News Registry: a common and collaborative approach to managing copyright online**

It has been reported that the Associated Press is to create a news registry that will tag, protect, and make online news content easier to use.

In the AP news release, Dean Singleton, chairman of the AP board of directors says: “The AP news registry will allow our industry to protect its content online, and will assure that we can continue to provide original, independent and authoritative journalism at a time when the world needs it more than ever.”

This is entirely in line with the objectives of ACAP which has, of course, been driven from the outset by the news sector but has been working for the good of all content providers who wish to put their content online.

Both ACAP and the AP News Registry have functionality to express permission semantics for individual pieces of news content online. AP and ACAP are committed to a standards-driven agenda, and to ensuring that the News Registry and ACAP work effectively together.

“AP hosted the launch event for ACAP and has been a supporter of ACAP since its inception”, said Sri Kasi, General Counsel of AP. “ACAP was conceived as a solution for a part of the jigsaw puzzle of managing rights online”, he added, “AP’s news registry addresses other parts of that jigsaw and working with ACAP we will create a suite of tools which will help content owners manage their rights more effectively”.

ACAP’s mission is the standardization of permission semantics – to ensure that permission expressions can be interpreted consistently in all machine-to-machine transactions; ACAP’s initial implementation is focused on search permissions and ACAP is working on other use cases which expand the scope of ACAP’s capabilities. ACAP’s interest is in enabling the widest possible interoperability, using the most appropriate technology, so that content owners can implement the policies of their choice.

AP’s permissions requirements which go beyond the existing ACAP semantics will form the basis of new ACAP use cases and we are working together on coordinating this within our two complementary projects.

AP news release: [http://www.ap.org/pages/about/pressreleases/pr\\_072309a.html](http://www.ap.org/pages/about/pressreleases/pr_072309a.html)

## ACAP Implementation

When we last measured the extent of implementation of ACAP on publishers' web sites, on July 21<sup>st</sup>, we found we had over 1,250 implementers worldwide. Of these, US implementers make up 51%.

Notable increases since the last count in April can be seen in the following countries:

- Australia
- Canada
- Denmark
- Ireland
- Finland
- Italy
- Netherlands
- Switzerland
- UK
- US

As always, a full list of current implementers can be found on the ACAP website:

<http://www.the-acap.org/Files/4b/4b771559-b9b2-4782-a338-9f53d8f6bf7d.pdf>

## Technical Update

Members of the ACAP Technology Working Group have been working hard to finalize the specifications for ACAP Version 1.1. As well as incorporating a small number of minor new features, ACAP Version 1.1 will improve the definition of existing features, making it easier for crawler operators to implement. The drafting process is reaching its final stages, and we hope to be able to announce the publication of ACAP Version 1.1 in time for the next ACAP newsletter.

## Article on ACAP and copyright

ACAP Project Director Mark Bide has written an article, to appear in the British Information Review Journal in December, on ACAP and copyright. It is a succinct round up of the issues and arguments and can be read on the ACAP blog at: <http://www.the-acap.org/Blog.aspx>

We ask you please to:

- implement ACAP on your website
- provide us with speaking platforms
- distribute our information as widely as possible inside and outside your organisations
- publish our articles in your newsletters/publications
- link to us on your website

- carry editorial on us on your website
- let us know which of your press contacts we should be speaking to
- check our blog for our comment on latest relevant developments or commentary

**PLEASE CONTINUE TO SPREAD THE WORD...**

*If you have any questions, please do not hesitate to contact us:*

Heidi Lambert, ACAP Marketing Manager [[heidilambert@hlcltd.demon.co.uk](mailto:heidilambert@hlcltd.demon.co.uk)]

Mark Bide, ACAP Project Director [[mark.bide@rightscom.com](mailto:mark.bide@rightscom.com)]