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Norsk faglitterær  
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oversetterforening

European Commission  
DG Internal Market D 1  
Copyright and Knowledge bases Economy Unit

Oslo, November 30<sup>th</sup> 2008

## **Submission to the European Commission Green Paper Copyright in the Knowledge Economy (COM (2008) 466/3)**

This statement is submitted by The Norwegian Non-fiction Writers and Translators Association (NFF). NFF currently organises some 5300 writers and translators of non-fiction – scholarly monographs, academic books and articles, and textbooks. As researchers, scientists, teachers, freelance writers and translators the members of the association are important contributors to the knowledge economy.

Buttressed on the extensive collective licence managed in Norway by the collecting society Kopinor, NFF collects remuneration for photocopying, digital copying and similar uses of copyright protected works in all areas of society. The association also collects remuneration for Public Lending Rights. The collected fees are distributed as grants to the owners of copyright – members of the association and non-members alike. A total amount of 3800 books has been written and published since the scheme was introduced in 1983.

The focus of the *The Green Paper* is the dissemination of copyright protected works in the online environment, and it intends to "address all issues in a balanced manner taking into account the perspective of publishers, libraries, educational establishments ...." (page 3). It is with some surprise and sadness that NFF observes that the presence of authors is hardly mentioned at all in this paper. The European knowledge industry's main competitive advantage is the rich and diverse authors' community on the continent and we strongly encourage the Commission to take the position of the authors into account in a more explicit fashion than appears to be the case of the *Green Paper*. Without the authors, the creators of the works, the knowledge economy has little to trade.


The creation of new copyrighted works is indispensable to any aspect of the knowledge economy, and NFF fully endorse the *Green Paper* when it states: "A high level of copyright protection is critical for intellectual creation. Copyright ensures the maintenance and development of creativity in the interest of authors, producers, consumers and the public at large." (page 4)

A problem occurs when we encounter the development of a huge gap between "the high level of protection" and the lack of pay back we suffer from as authors. Authors, composers, film directors, journalists and performers have all argued that they have not earned any significant revenue from the exercise of the new "making available" right in relation to the on line exploitation of their works.

It is very threatening to day to observe the conflict of interests between the rights holders (typically an academic writer) and their institutions (typically a university). The individual academics are forced into a position where they are expected to waive to their institutions the rights of their literary endeavours, which in due course appear as "industrialized" merchandise in the market place.

Rather than assessing further normative initiatives on a European Commission level, the focus needs to be addressed to the application of the current ones and the deployment of available solutions. The Commission should as well consider to develop communication strategies to enhance the users' awareness of the value of copyright in the knowledge economy itself.

Sincerely yours  
The Norwegian Non-fiction Writers and Translators Association

  
Trond Andreassen  
Secretary General

for