



PRIVATE COPYING Netherlands

Hester Wijminga





Dutch System

- Copyright Act, levies decree amended last 1-1-2015.
- Result of won court case against Dutch state; failed to uphold obligation of result: Opus – case
- Result of ACI – case; tariffs lowered 30% in 2015
- Upfront and refund provisions professional use; ECJ jurisprudence compliant
- Verdicts; Reprobel/HP, Copydan



Dutch levies

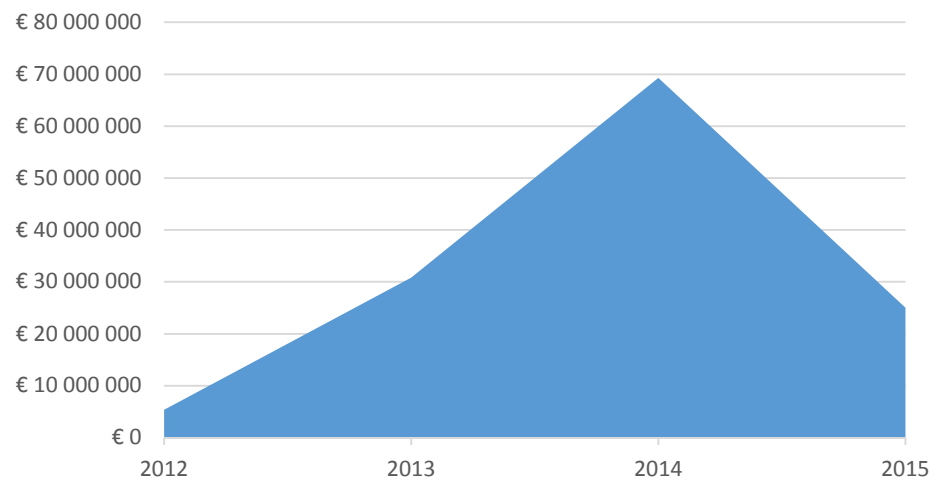
CD-r & DVD-r	€ 0.02
E-reader	€ 0.70
External hard drive	€ 0.70
Portable audio/videoplayer	€ 1.40
Smartphone/phone with MP3 function	€ 3.50
Tablet	€ 3.50
Desktop/PC/notebook/server/mediacenter	€ 3.50
Settopbox with hard drive / HDD Recorder	€ 3.50



Revenues

2012	2013	2014	2015
€ 5,375,000	€ 30,831,000	€ 69,295,000*	€ 25,000,000*

Revenues ThuisKopie





Court cases

- Acer – illegal sources
- Nokia (Microsoft Mobile)
 - illegal sources
 - Smart Phone professional use
- Telecom providers
 - Smart phone professional use
- Imation I and II
 - Professional use in the past
 - Levies too high in past due to illegal source
 - Copydan; no damage if levies paid by consumer



Conference June 23- 24

- **23 June 2016: Day 1: International conference on private copying 09.30 – 17.00**

- Presentation WIPO – ThuisKopie International Survey on Private Copying – H. Wijminga
 - Trends in PCL tariffs and revenues in EU and beyond
 - Copyright reform developments
- Presentation market developments in hardware/consumer electronics/mobile and cloud services and Presentation on private copying behaviour by consumers
- EU Copyright Policy and initiatives on harmonisation of PCL
- Recent jurisprudence ECJ
- Panel discussion on private copies in the cloud

For: all stakeholders

- **24 June 2016: Dag 2: Morning session best practices Operational 09.30 – 13.00**

- Practical enforcement issues in PCR systems
- Exchange of information on legal matters

For: Managers Collective Management Organisations/Private Copying Collecting Societies



More information

International Survey on Private Copying Law & Practice

www.thuiskopie.nl

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de Thuis kopie

