

## Press Release

**EMBARGOED 27 July 2011**

### Newspaper Licensing Agency welcomes Court of Appeal ruling

The Newspaper Licensing Agency (NLA) welcomed today's Court of Appeal judgment on its newspaper website licensing scheme, which upholds the ruling of the High Court, given in November 2010.

Managing Director David Pugh said:

"The Court of Appeal has today unequivocally confirmed the ruling of the High Court that online newspapers are copyright protected. It has given a clear declaration that most (if not all) businesses subscribing to a media monitoring service that contains content from online newspapers require a licence. We welcome this ruling and the clarity it provides for publishers, media monitoring agencies and their clients.

"This positive interpretation of UK copyright law provides legal clarity and certainty for all players in the market. Publishers can be sure of fair royalties for the use of their content, suppliers of paid-for online monitoring services will benefit from a level playing field and clients of such services know that their licence provides a simple way to guarantee compliance with the law.

"It also provides a clear vindication of our decision to have two licences, one for paid-for online monitoring service providers and one for their customers. Now we have legal clarity, we look forward to the Copyright Tribunal review of the commercial aspects of newspaper website licensing. The NLA would like to see as swift and complete a resolution as possible for all parties – publishers, media monitoring companies and their clients. Eighteen leading media monitoring organisations have already taken web licences, and they, like us, want a fair and equitable system."

Simon Clark of Berwin Leighton Paisner, who represents the NLA and the publishers, commented:

"The Court of Appeal has fully endorsed the trial judge's findings that copyright can subsist in a newspaper headline alone, and that most of the extracts from the articles sent by Meltwater electronically to their clients will infringe copyright unless their clients have a licence from the NLA or the publishers to receive them."

#### Background

- ☑ Licensing for newspaper web content began on 1 January 2010.
- ☑ Aggregators and end-users each need to take separate licences.
- ☑ Web licensing will begin to give content owners a fair albeit modest share of revenue made from their copyrighted content by commercial organisations.
- ☑ It applies only to paid-for services to businesses. No free-to-consumer service is affected.
- ☑ Invoicing for end users will commence following the Copyright Tribunal and will be backdated to January 2010.

**Notes to editors:**

The NLA is owned by the 8 national newspaper publishing houses and generates B2B revenues for 1,300 national and regional publishers through licensing use of their content by press cuttings agencies (PCAs) and their client companies. Please see [www.nla.co.uk](http://www.nla.co.uk) for more information.

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**Berwin Leighton Paisner**

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