
From: CopyrightEnquiries
Sent: 15 August 2016 10:23
To: [REDACTED]
Subject: RE: Streaming

Dear [REDACTED]

Thank you for your query.

Please be aware that the Copyright Enquiries service is only able to provide general advice regarding current UK Copyright law and cannot provide legal advice regarding how the law should be interpreted in specific cases.

The case referred to in this article was concerned with temporary copies of newspaper headlines made on a computer screen, as well as in the internet 'cache' of that computer's hard disk, when an end-user viewed them on a website. We are not able to advise whether, or to what extent, the ruling in this particular case would apply to the issue of streaming 'pirated' (unlawful) content as this is not a set of circumstances the Court considered. However, it is worth noting that the Court of Justice of the European Union is due to consider this particular question in its upcoming judgment on case C-527/15 (Stichting Brein).

I hope this response has been of some assistance.

Best regards,

Copyright Enquiries.

While we take every reasonable care in provision of information and advice, we do not guarantee its accuracy nor accept any responsibility for errors or omissions or their consequences.

To help us offer a better service to our customers, we'd be very grateful if you'd complete a short satisfaction survey (it shouldn't take more than 5 minutes).

Click on the link below to start the survey:

<http://www.ipo.gov.uk/satisfaction>

From: [REDACTED]
Sent: 12 August 2016 13:48
To: Information <Information@ipo.gov.uk>
Subject: Streaming

I have been advised to send this question to you by the DCMS.

My question refers to the statement shown below and what i need to know is this statement correct

"The Court of Justice of the European Union (CJEU) has confirmed that watching pirated video streams online does not break any copyright laws.

The ruling comes via a legal battle between rights holders and European media service company Meltwater. Copyright holders including the Associated Press

charged Meltwater with copyright infringement when the company extracted headlines from various news sources and sent these via email to users.

In an interesting twist, the media groups suing Meltwater, led by the U.K. based Newspaper Licensing Agency (NLA), also argued that users receiving these emails should be liable for licensing fees, an argument which led to this week's ruling.

Early court rulings initially favored the NLA, but the Supreme Court of The United Kingdom eventually ruled against the NLA, confirming that viewing copyrighted content online is not copyright infringement. The court cited existing EU copyright law which that temporary copies are given a specific exemption from copyright law. The court did refer the matter for further comment to the CJEU.

This week, the CJEU confirmed that the existing EU copyright exemptions for temporary copies applies to viewing and streaming online. Viewing or streaming, the court says, is different to making a copy and would be exempt from copyright laws, but the copies "must be temporary, that they must be transient or incidental in nature and that they must constitute an integral and essential part of a technological process."

While this ruling provides clarification on this issue, the ruling may anger rights holders who have in recent times devoted more resources in tackling the piracy problem caused by the increasing use of streaming services. It's worth noting that this ruling does not exempt operators of these streaming services from legal responsibility, only the viewers and users of these services."

– source <http://www.digital-digest.com/>

So as you have read you can stream to your hearts content without the worry that your breaking any law as your not! This ruling is obviously pointing at the EU so we are not sure what other countries views on this, but our EU readers can now stream in confidence.

Regards

[REDACTED]