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**[Private copy reform in Spain]**

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# EGEDA and the private copy reform in Spain

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# EGEDA: What we are



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## What is EGEDA?

- EGEDA is a Spanish non-profit association and collection society that provides services for audiovisual producers and the audiovisual industry as a whole.
  - The right of remuneration for Private Copying
  - The Public Communication right.
  - Communication in public places
  - Audiovisual rights for sequences

# EGEDA'S INTERNATIONAL PRESENCE



## OTHER SERVICES OFFERED BY EGEDA

- [WWW.FILMOTECH.COM](http://WWW.FILMOTECH.COM)
- CREA SGR: A non-profit financial entity to enhance and facilitate the financing of the cultural sector. CreaSGR offers guarantees for the audiovisual sector.
- Anti-piracy
- Sponsorship of festivals
- “Premios Platino” and “José María Forqué” Awards.



## José María Forqué Awards

- 23rd edition of the Jose María Forqué Awards
- Economic impact of over 8 million €
- Retransmitted by TVE
- The second most important film awards in Spain



## Platino Awards

- 23 countries
- More than 800 films.
- Ceremony retransmitted by TNT, TVE and 17 TV Broadcasters
- Economic impact of over 40 million €





## Private Copy Remuneration in Spain

- Private Copy scheme up to 31 December 2011
  - Paid by importers and manufacturers
  - applied to equipment and recordable media formats which can be used for private copies
  - Analog and digital environment
  - 115 million € per year
  - Padawan case

## Private Copy Remuneration in Spain

- Private Copy scheme from 01/01/2012 until 01/08/2017
  - Paid out of the General Budget
  - Political issue: the PP announced the phasing out of the private copy exception in their 2011 electoral program
  - 5 million € per year (less than 4% of the 2011 income)
  - Reduction of the scope of private copy

## Actions undertaken by EGEDA during these years

- Complaint to the European Commission (01/08/2012)
- Appeal to the Supreme Court
- Preliminary Ruling: EGEDA case (June 2016)
- Supreme Court decision. The Spanish reform is declared null and invalid. (September 2017)
- Complaint to the European Commission: exception without remuneration
- EGEDA promotes a return to the old system

## RDL 12/2017

- The Spanish Government changes the intellectual property law:
- Levy on equipment and recordable media
- Paid by manufacturers and importers
- Adjusted to the Padawan case.
  - Professional exceptions for companies
  - Reimbursement system for professional uses
  - Reduction of the 2011 rates
- Effective since August 1, 2017



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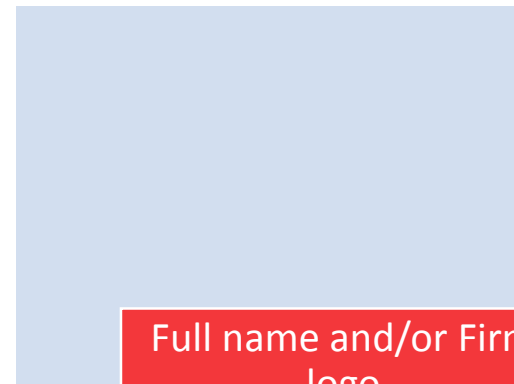
# Thank you !

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