



IMMO  
Update  
Feb 2019

## German Courts Rule Digital Copying by MMOs Must Be Licensed

Berlin courts ruled on 18<sup>th</sup> December that MMOs need permission for a mastercopy (as opposed to one copy per client) digital processing of press content and have rejected Kantar Germany's counterclaim that publisher owned PMG is abusing market power.

The case follows MMOs resistance to PMGs introduction of a licence covering digital production. In Germany MMOs use press content from online, epaper or scanned print editions for their production of press reviews in competition with PMGs direct client service Presse Monitor. Individual copying of an article for a specific client has been replaced by the use of one master copy for a multitude of clients. These master copies are held within searchable databases from which a range of additional services can be created. That process and whether a licence is required for mass digitisation was the central point of the case. The ruling suggests that German MMOs will require permission (a licence) from individual publishers or PMG as a one-stop-shop. This could have significant financial impact on service fees.

Kantar were ordered to pay PMGs costs in this action. They have until early February to decide whether to appeal the ruling.

## New face at NLA client services

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NLA has welcomed Jonny to the Client Services team, replacing Gerald Okullo. Jonny will be playing the lead role on IMMO account management and can be contacted on [clientservices@nla.co.uk](mailto:clientservices@nla.co.uk) or +44 207 322 9350.

Jonny has a strong background in sales and account management and looks forward to working with NLA's 31 IMMO clients in the coming months

*“My name is Jonny, I’m 26 and am originally from Colchester, Essex. As one of the newest recruits to the NLA I’m very excited to be working for an organisation that truly supports modern journalism. I’ve spent the last 3 years working for Thomsons Online Benefits, a global software company that works with MNC’s to provide them with the market-leading employee benefits platform. Starting off in business development on the phones (wonderful cold calling!), I then moved into their client solutions team, working alongside the sales team to help close complex sales opportunities. I have also worked as a Duty Manager in various London pubs and for a start-up travel organisation as a content writer and in-house journalist. I also have a degree in Journalism from London College of Communication – something which influenced my interest when joining the NLA. “*



## EU copyright win for publishers right

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As we went to press EC states agreed a compromise on the publishers’ right which will see the DSM changes move to the next stage on approval. The changes would in general significantly strengthen the rights of publishers and licensing organisations if passed as proposed. The only certainty seems to be that some EU countries will take years to implement changes and judges will then spend more years trying to apply it.

## PDLN conference ‘Creative Destruction’ Berlin May

[PDLN](http://www.pdln.info) is the publisher licensing equivalent of FIBEP/AMEC. The core goal is “Supporting international cooperation between press owned database and licensing organizations leading to more efficient international licensing of press articles worldwide, for content owners, intermediaries and users”. [www.pdln.info](http://www.pdln.info). PDLN is meeting in Berlin 26- 28th May as guests of PMG. MMOs are welcome at the vent. See <http://pdln-conference2019.strikingly.com/>

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## Lawyer Watch

On top of legal actions between publishers and MMOs in Germany (above) there are actions in Poland, Portugal, Spain, Slovakia, Australia and Italy. We also here that Finnish MMO MBrain is being sued by Retriever, who allege under reporting of licensed content. Details here <https://tinyurl.com/y9wmdebe> (in Norwegian).

## IMMO – What's covered, what's not

We like to think we have made the IMMO simple. It covers all NLA licensed UK newspaper and newspaper website content. The content lists and other supporting data can be reviewed here <http://www.nlamediaaccess.com/default.aspx?tabid=153>

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# NLA IMMO licence summary

The International Media Monitoring Organisations licence is a service designed to assist international media monitoring agencies to quickly and easily deliver UK newspaper content to customers based outside the UK.

## FAQ – NLA IMMO Licence 2018

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### 1. What is an International Media Monitoring Organisation (IMMO) Licence?

The IMMO licence permits the supply of UK newspaper print and website content to end-user clients by a media monitoring organisation. It is simple, easy and used by 30 MMOs and over 2,200 clients.

### 2. Why does NLA have an IMMO Licence?

International MMO need a simplified and streamlined licence covering digital, web and paper copying that allows them to integrate UK content from other MMOs or direct from NLA into client services with minimal administration. IMMO is a light touch service that puts the MMO in control of the client and offers full copyright compliance.

### 3. Which UK newspaper print and website sources are covered by the IMMO Licence?

All print, digital and web sources licensed by the NLA are covered by the IMMO Licence. Details of the sources covered can be found [here](#)

### 4. How much is the IMMO Licence going to cost me?

The IMMO Licence is priced based on a per link per user delivered fee and is subject to a minimum monthly fee of €130/£110/\$149.

Number of clients	MMO delivery method		
	Paper (hardcopy)	Digital / Web offline	Web Link
0 to 5	4.2p (or local equivalent)	£1.80 / € 2.00	€ 0.50
6 to 10		£2.60 / € 3.00	€ 0.75
11 to 25		£4.40 / € 5.00	€ 1.25
25+		£8.80 / € 10.00	€ 2.50

### 5. Do I need to source NLA content myself or can I receive it from another MMO?

You can get the main UK titles from NLA eClips, self-source NLA content or receive it from an NLA licensed MMO.

### 6. What are the IMMO Licence reporting requirements?

We have adopted the PDLN Connect standard to ensure that any work required is applicable to other content suppliers. These match existing NLA MMO licences.

**IMMO questions? Please contact NLA Client Services: [clientservices@nla.co.uk](mailto:clientservices@nla.co.uk) +44 207 332 9380**

*The NLA IMMO newsletter is intended to provide useful updates on developments relevant to international content use by media monitoring and evaluation suppliers, users and publishers. For a free subscription please contact [clientservices@nla.co.uk](mailto:clientservices@nla.co.uk) or +44 207 332 9350*

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