

Internet and copyright:

Take care when using newspaper headlines online

In a recent case involving the Newspapers Licensing Agency (“NLA”) the issue of copyright in the web content of newspapers was considered.

The background to the case is that there are a number of companies that provide a new monitoring service, informing their customers when they appear in the Press. The NLA argued that if the customers of these companies were displaying links to the websites of newspapers by displaying the headline on their own websites, they were, in fact, breaching the copyright of the newspapers.

The court agreed with the NLA. The upshot of the case is that the NLA is demanding that “end users”, the customer in this case, need to pay a licence fee to use information provided to them by the news monitoring companies. The NLA is demanding that the end users pay a fee for 2010 and a licence fee going forward. This fee level is going to be determined by the Copyright Tribunal in early 2011.

If you have an arrangement in place with a company of this type, you need to contact them to see whether this case affects you. It is likely that the contracts you have with a company like this will become more expensive because you will have to pay an NLA licence fee on top of the price of the contract with the organisation. If this does apply to you, you should look at your contract to see what the implications are.

For further information, please contact:

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