



# Cooperation with EUIPO

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# 8 years of cooperation

## ***Directive 2012/28/EU of the European Parliament and of the Council of 25 October 2012 on certain permitted uses of orphan works***

- adopted by EU countries by October 2014
- Office for Harmonization in the Internal Market (OHIM) (from 2016: EUIPO) → Orphan Works Database

## Orphan Works Database

All Criteria ▾

[Advanced Search](#)

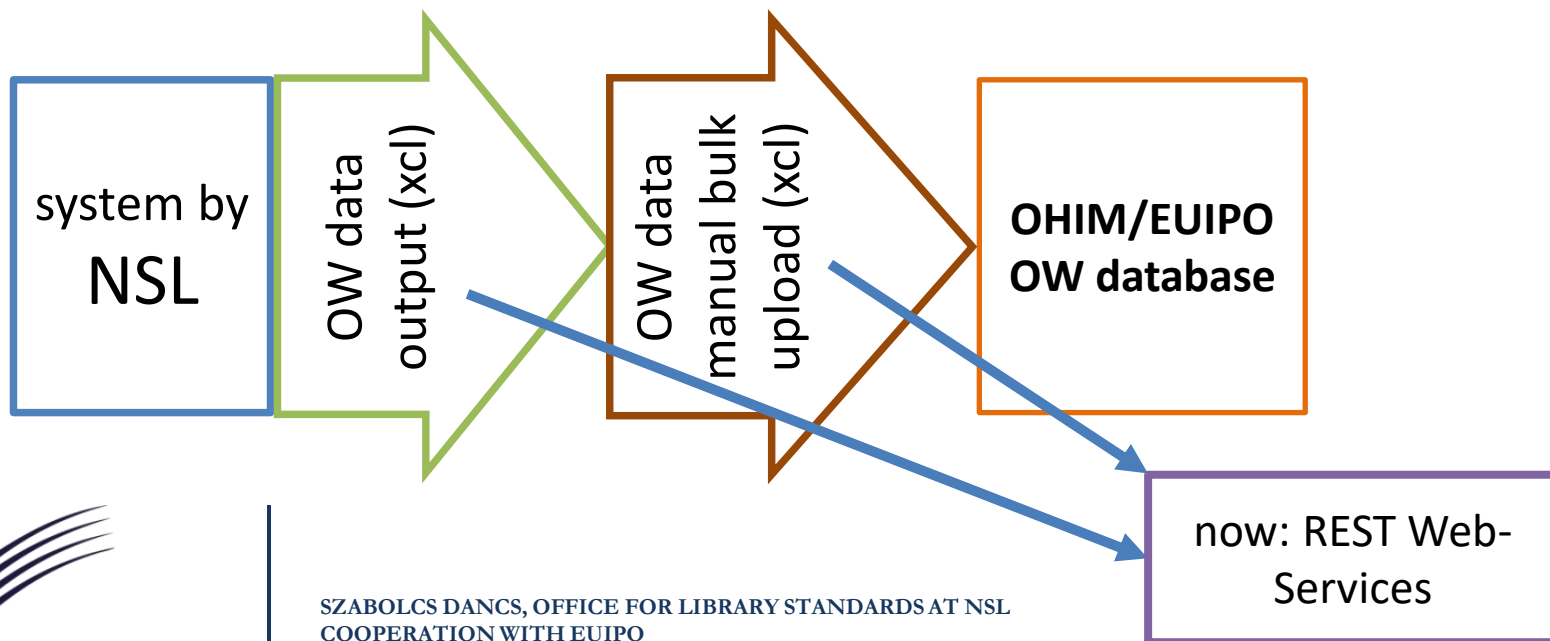


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COOPERATION WITH EUIPO  
6TH EODOPEN PROJECT MEETING: 12 - 13 MAY 2022

# Bulk Upload Cooperation

- testing OW database, providing feedbacks
- NSL development:
  - copy-on-demand system combined with workflow management supporting diligent search
- initiating cooperation for automatic data exchange



# DSM directive – a new momentum

## DIRECTIVE (EU) 2019/790 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

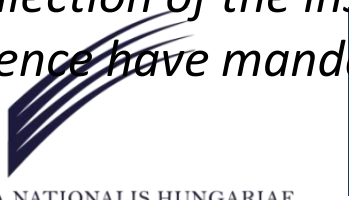
of 17 April 2019

on copyright and related rights in the Digital Single Market and  
amending Directives 96/9/EC and 2001/29/EC

Incl.:

OOC regulations –

*Member States shall provide that a collective management organisation, in accordance with its mandates from rightholders, may conclude a non-exclusive licence for non-commercial purposes with a **cultural heritage institution for the reproduction, distribution, communication to the public or making available to the public of out-of-commerce works** or other subject matter that are permanently in the collection of the institution, irrespective of whether all rightholders covered by the licence have mandated the collective management organisation...*



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1. *Member States shall ensure that information from cultural heritage institutions, collective management organisations or relevant public authorities, for the purposes of the identification of the out-of-commerce works or other subject matter, covered by a licence granted in accordance with Article 8(1), or used under the exception or limitation provided for in Article 8(2), as well as information about the options available to rightholders as referred to in Article 8(4), and, as soon as it is available and where relevant, information on the parties to the licence, the territories covered and the uses, is made permanently, easily and effectively accessible on a public single online portal from at least six months before the works or other subject matter are distributed, communicated to the public or made available to the public in accordance with the licence or under the exception or limitation.*

***The portal shall be established and managed by the European Union Intellectual Property Office in accordance with Regulation (EU) No 386/2012.***

# Consultations

*„Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 7 June 2021”*

- Technical Expert Group Meeting on the Establishment of the Out-of-commerce Works Portal – Brussels, 10 December 2019

*Topic:* Main technical features of the Out-of-commerce works portal

*Participants:* EUIPO representatives & wide range of stakeholders (from different areas: publishers/visual artists associations, film producers, etc.)



# Development of OOC database

- orphan works database experiments
- Challenge:
  - data on various work types to handle: literary, visual, musical, audiovisual, software
- Private collaboration:
  - Sz.D. as expert consultant (Spring 2020)
    - supporting portal requirements definition
    - supporting the analysis of main standards, identifiers and metadata



# Bulk upload

- providing data for bulk upload test
- providing data to launch OOC database
  - data on works last published before 1999 (= published before 1999 + has no editions after 1999)
  - automatically filtered data in cooperation with Monguz Ltd.
  - filtering feature based on IFLA LRM model
    - WEMI: Work-Expression-Manifestation-Item





# Automated filtering

Details MARC Download

Author: **Kertész Imre (író, műfordító) (1929-2016)**  
Title: **Kaddis a meg nem született gyermekért**  
Orpus Type: work / literaryWork / novel  
Language: Hungarian  
First edition: Budapest, 1990  
Subjects: Holocaust túlélők, regény  
Zsidók, regény, Magyarország  
Holocaust survivors, Fiction  
Jews, Fiction, Hungary

**WORK**

**IFLA Library Reference Model**

20 items

**EDITIONS**

▲ Editions (Original text) 6 edition(s)

<input type="checkbox"/>	963 14 1695 X	[Budapest] Magvető	1990	(7 items)	▶
<input type="checkbox"/>	963 14 221 X	[Budapest] Magvető	1990	(1 item)	▶
<input type="checkbox"/>	963 14 2317 4	Budapest Magvető	2002	(3 items)	▶
<input type="checkbox"/>		Budapest Magvető	2002	(4 items)	▶
<input type="checkbox"/>		Budapest Magvető	2002	(2 items)	▶
<input type="checkbox"/>		Budapest Magvető	2003	(3 items)	▶

▼ Translations Slovenian 3 language(s), 3 literary translation(s), 3 edition(s) 3 items

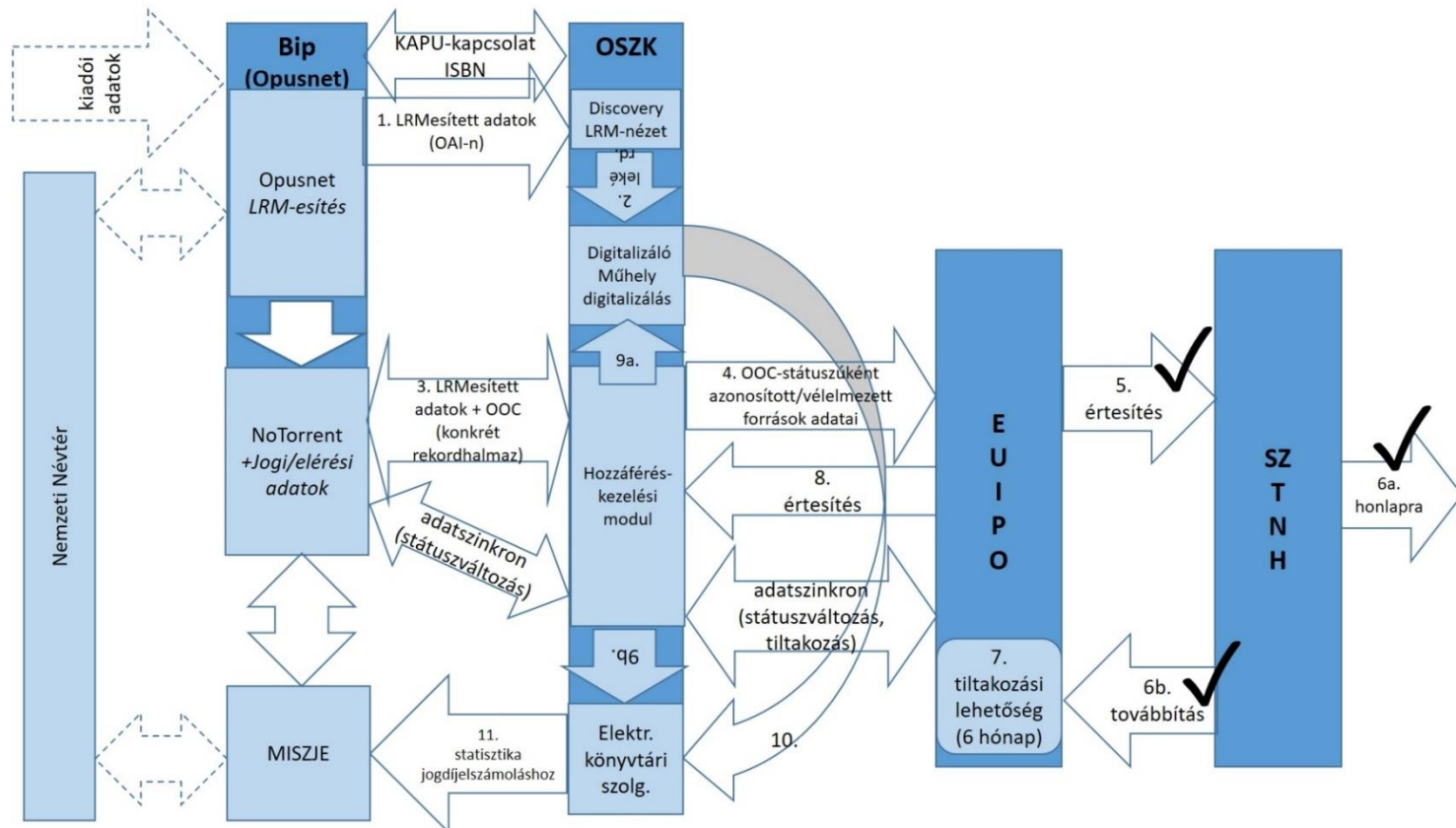
▼ Prefaces 1 language(s), 1 author(s), 1 edition(s) 1 item

▲ Holdings (Use the checkboxes above!) total: 23 items selected: 20 items

TYPE LANGUAGE ISBN PUBLISHER YEAR VOLUME LOCATION CALL NUMBER STATUS

# Perspectives

- OOC infrastructure based on smooth data exchange



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# DATATHON EVENT

## OUT-OF-COMMERCE WORKS

HELP US MAKE  
THE CULTURAL HERITAGE OF ALL EUROPEANS  
AVAILABLE ONLINE!



### ONLINE SESSIONS:

**26 APRIL | 10.30-12.00**

What is an Out-of-commerce work?

**10 MAY | 10.30-12.00**

How to use the portal

**24 MAY | 10.30-12.00**

How to prepare and upload the datasets for the portal

→ **28 JUNE | ALICANTE AND HYBRID**

Datathon Closing Event