



INTERNATIONAL VIDEO FEDERATION

Publishers of Audiovisual Content
on Digital Media and Online

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Submission by the International Video Federation (IVF) in response to public consultation on the proposed Portuguese implementation of EU Directives 2019/789 and 2019/790.

The members of the International Video Federation (IVF) are businesses active in all segments of the film and audiovisual sector in Europe. Our members are thus involved in the development, production, marketing, and distribution of all types of films and audiovisual works, ranging from feature-length films, short films, documentaries, television drama and other audiovisual content, as well as the publication of such content on digital media (DVD, Blu-ray, etc.) and through all online channels such as transactional, subscription and advertisement-based distribution models.

The IVF's membership is active in all EU Member States and comprises both integrated companies involved in all relevant activities throughout the film and AV value chain as well as companies focused specifically on publishing content in the home entertainment market segment off-line (DVD, Blu-ray, etc.) and online as described above.

We appreciate this opportunity to convey our support for the Portuguese government's proposals to transpose Directive (EU) 2019/790 on Copyright and related rights in the Digital Single Market (The DSM Copyright Directive) and Directive (EU) 2019/789 laying down the rules on the exercise of copyright and related rights applicable to certain online transmissions of broadcasting organisations and retransmission of television and radio programmes (the 2019 SatCab II Directive).

We wish to commend the Portuguese legislator for achieving the policy goals set out in both Directives. In particular, the draft transposition bills:

- Provide a high level of protection for right holders (as foreseen in Recitals 4 and 9 of the 2001 Copyright Directive and Recitals 2, 3 and 62 of the DSM Copyright Directive);
- Ensure an effective exercise of the rights of right holders while respecting the specificities of the different content sectors involved;
- Stimulate innovation, creativity, investment, and production of new content; and

- Successfully avoid fragmentation of the internal market (as required by Recital 2 of the DSM Copyright Directive) and achieve the harmonization goal by faithfully transposing the text of both Directives.

We fully expect the proposed Portuguese implementation of the two Directives to be future proof, robust and serve to incentivise technological development. The proposed implementation will foster a well-functioning marketplace for copyright content to the benefit of right holders across the value chain as well as consumers.

We believe the draft bills will provide opportunities for the cultural and creative industries in Portugal to continue to offer culturally diverse content across multiple different types of distribution models and channels. We therefore support and encourage the swift adoption of the implementation proposed by the Portuguese government to ensure Portugal's copyright-based industries' active participation in the EU Digital Single Market.

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