



AMEND EU RENTAL & LENDING DIRECTIVE

The European Union should amend the Rental and Lending Directive to ensure equal treatment of eBooks and paper books, reflecting the 2016 Court of Justice ruling*.



UPDATE NATIONAL LAWS

Governments should amend their own © laws in line with the 2016 Court of Justice ruling*, to clarify that libraries can digitise and lend eBooks.

THE SOLUTIONS



STOP BYPASSES OF THE LAW

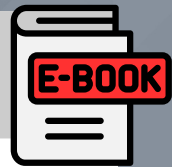
Even if the law does allow libraries to lend eBooks like paper books, this possibility must also be protected from override by contract terms.



USE COMPETITION POWERS

When publishers use their dominant market position against libraries, competition authorities should investigate.

* Vereniging Openbare Bibliotheken v. Stichting Leenrecht. Case C-174/15. See <https://ipcuria.eu/case?reference=C-174/15>



LACK OF AVAILABILITY

Publishers do not make every book available as an eBook to libraries, even when they do to individual users, e.g. on a Kindle.



EXCESSIVE PRICING

eBooks can cost 3 to 10 times more than their print version, for a copy that only one user at a time can access.

THE PROBLEMS



MANDATORY BUNDLING

Publishers force libraries to buy (more expensive) bundles of eBooks even when they only want a single eBook.



UNFAIR TERMS FOR AUTHORS

Authors are not paid for loans of eBooks by libraries like they are for the lending of paper books.

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