

# SaveCodeshare.eu

The FSFE and OFE Copyright Campaign

# SAVE CODE SHARE

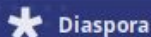
Current [EU Copyright Review](#) threatens Free and Open Source Software.  
[Take action now](#) to preserve the ability to collaboratively build software online!

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# European Parliament exception (May 2018)

## Article 2

(5) 'online content sharing service provider' means a provider of an information society service whose main or one of the main purposes ~~of which~~ is to store and give ~~the public direct access to the public to a significant amount of~~ copyright protected works or other protected subject-matter uploaded by its users, which the service ~~optimises-organises, including amongst others displaying, tagging, sequencing the uploaded works or other subject-matter.~~

~~Services acting in a non-commercial purpose capacity such as online encyclopaedia, and providers of online services where the content is uploaded with the authorisation of all concerned rightholders, such as Non-for-profit online encyclopaedia, educational or scientific repositories, where the content is uploaded by the rightholder, code sharing services, or non-for-profit open source software developing platforms should not be considered online content sharing service providers within the meaning of this Directive are not covered by this definition. p~~ Providers of cloud services for individual use which do not provide access to the public, ~~non-for-profit open source software developing platforms~~ and online ~~market places~~ whose main activity is online retail of physical goods, should not be considered online content sharing service providers within the meaning of this Directive.

(5a) 'information society service' means a service within the meaning of Article 1(1)(b) of Directive (EU) 2015/1535 of the European Parliament and of the Council 1.



# Council of Ministers exception (May 2018)

- (5) ‘online content sharing service provider’ means a provider of an information society service whose main or one of the main purposes is to store and give the public access to a large amount of works or other subject-matter uploaded by its users which it organises and promotes for profit-making purposes.

Providers of services such as non-for-profit online encyclopaedias, non-for-profit educational and scientific repositories, non-for-profit open source software developing platforms, as well as internet access service providers, online marketplaces and providers of cloud services which allow users, including businesses for their internal purposes, to upload content for their own use shall not be considered online content sharing service providers within the meaning of this Directive;

# Trilogue Text (latest version)

5) ‘online content sharing service provider’ means a provider of an information society service whose main or one of the main purposes is to store and enable user to upload and share a large(\*) amount of works or other subject-matter uploaded by its users which it organises and promotes for profit-making purposes.

[EP: Microenterprises and small-sized enterprises within the meaning of Title I of the Annex to Commission Recommendation 2003/361/EC] providers of services such as not-for profit online encyclopedias, [Council: not-for profit] educational and scientific repositories, **open source software developing and sharing platforms**, electronic communication service providers [as defined in the new Telecom Code], online marketplaces and business-to business cloud services and cloud services which allow users to upload content for their own use shall not be considered online content sharing service providers within the meaning of this Directive.

[(\*) COM to provide recital on “large amount”; exclusion of Micro- and SMEs to be further discussed; non-for profit/acting in a non-commercial purpose open for educational and scientific repositories]

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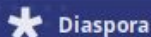
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# Advocacy Efforts

- Launch of campaign and petition at [SaveCodeshare.eu](https://savecodeshare.eu)
- FSFE and OFE White Paper “**European Copyright Reform: Impact on FOSS and Developer Communities**”
- Meetings and event in the European Parliament
- Letters to all relevant Members of the European Parliament, with follow-up calls and meetings
- Letters sent to French, Spanish, Italian, Portuguese, German and Austrian governments in their respective languages.
- Broad alliances of Free and Open Source Software groups, as well as digital trade associations, engaged and organized.
- Signatories of each letter set up meetings with government officials resulting in meetings with:
  - Portuguese Ministry of Culture
  - Spanish Ministry of Culture
  - Cabinet of French Minister of Digital
  - French Ministry of Culture
  - German Ministry of Innovation and Economy
  - Romanian Presidency
  - DG CNECT
  - Vice President Ansip’s Cabinet
- Together with Red Hat and GitHub, OFE organised a high level lunch ahead of the attache meeting 16 October, as well as a cocktail evening for local software developers and policy makers in Brussels.
- OFE sent out a letter to all member states, followed up by calls and meetings.
- Letters before and during the trilogues
- Final letter



open source initiative

European DIGITAL SME Alliance



LibreOffice  
The Document Foundation



Cat PL

Associació d'Empreses per al Programari Lliure



BUILDING THE INNOVATION ECOSYSTEM

ESOP



Software Heritage  
THE GREAT LIBRARY OF SOURCE CODE



startups  
asociación española



Alvatal

Estonian Free and Open-Source Software Association

ANSOL

CNLL

Les entreprises du numérique ouvert



eLiberatica  
The Benefits of Open & Free Technologies



syntec numérique

OSB Open Source Business

ALLIANCE

GOVONTS



KDEev



AGASOL

ASOCIACIÓN DE EMPRESAS GALEGAS DE SOFTWARE LIBRE

GFOSS  
Open Technologies Alliance



fsfe

[esle]

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