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INFORMATION

From:	the Services of the Commission
To:	Working Party on Intellectual Property (Copyright)
Subject:	Study supporting the review of the Copyright in the Digital Single Market Directive (CDSM) – Presentation by the Commission

Delegations will find attached the Powerpoint presentation on the above-mentioned matter as presented by the Services of the Commission (DG CNECT) at the meeting of the Intellectual Property Working Party (Copyright) on 6 February 2026.

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CDSM review study

Information from the Commission on the study supporting the review of the Copyright in the Digital Single Market Directive

[redacted] – *CNECT I.2*

06/02/2026

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Structure

- Context
- Objectives and scope of study
- Study methodology
- Consultation approach
- Timeline

Context

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- Article 30 CDSM Directive: Commission to review the Directive with a report on the main findings no sooner than 7 June 2026 2026
- Review supported by an external study launched in November 2025
- The review will assess the practical impact of the CDSM rules in Member States and their relevance in the current online environment, in order to evaluate how the provisions have performed so far.

Objectives and scope of the study

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Spark
Legal and Policy Consulting

CSES Centre for Strategy & Evaluation Services

- **Objective**: provide methodological and analytical support in gathering quantitative and qualitative information on the application of the Directive in Member States.
- Support the assessment of its impacts on rightholders, online market players and users, e.g.;
    - how the use of copyright-protected content in the digital environment has developed
    - how it affected licensing practices and the functioning of the copyright marketplace

Study methodology

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Task 1: Impact of the DSM Directive on the digital use of protected content for education, research and preservation
(Articles 3 – 7, 14)

Use of the exceptions; e.g.

TDM and teaching exception

Task 2: Impact of the DSM Directive on licensing practices and the online access to protected content across the EU
(Articles 8 – 13)

Out-of-commerce works

Extended collective licensing

Task 3: Impact of the DSM Directive in achieving a well-functioning marketplace for protected content
(Articles 15, 17)

Press publishers' right

Online content-sharing platforms

Task 4: Impact of the DSM Directive in achieving fair remuneration in exploitation contracts for authors and performers
(Articles 18 – 23)

Fair remuneration of authors and performers

Task 5: Synthesis

- Triangulation of collected evidence per Task and across study
- Assessment of evidence
- Identification of challenges and shortcomings, if any
- Possible ways to address challenges identified

Horizontal data collection

Analysis of existing evidence

- Literature review
- Legal review
- Market data review

Collection of information from Member States

- Member State questionnaire
- Country fiches

Stakeholder consultation

- Interviews (up to 60)
- Stakeholder survey targeting key stakeholder groups

Case studies

- Case studies supporting analysis in Task 3 and Task 4

Spotlight on case studies

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Task 3: Impact of the DSM Directive in achieving a well-functioning marketplace for protected content
(Articles 15, 17)

1. **Impact on press publishers**:
   Case study on practical effects in Member States

2. **Sector-specific effects Article 17**:
   music; audiovisual; visual arts & gaming

Task 4: Impact of the DSM Directive in achieving fair remuneration in exploitation contracts for authors and performers
(Articles 18 – 23)

3. **Impact on authors and performers**:
   Case study on practical effects in Member States

4. **Sector-specific transparency measures**
   Focus on transparency in the audiovisual sector

Horizontal data collection

Case studies

- Case studies supporting analysis in Task 3 and Task 4

Stakeholder consultation activities included in the study

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1 stakeholder survey

- Online survey for all stakeholders
- Quantifying and comparing insights
- Covering all EU languages



up to 55 targeted interviews

- Deeper qualitative insights
- Tailored to each type of stakeholder



1 questionnaire

- Distributed to all Member States
- Appreciation of effectiveness and information on the national application of DSM rules

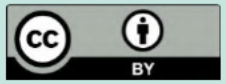
Timeline

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~March 2026 1st interim report	• First results of data collection and desk research • Preliminary findings per task
~May 2026 2nd interim report	• Full analysis of consultation and research results • Data gaps identified in 1st interim report remediated
July 2026 Draft final report	• Full synthesis of results; addressing review criteria

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Questions?