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### Copyright reform also harbors data protection risks

The reform of copyright law currently being discussed in Brussels could also lead to significant data protection problems.

Especially when using so-called upload filters, there is a risk that a few large providers who provide the appropriate technology will collect more data about users of many platforms and services on the Internet.

The Federal Commissioner for Data Protection and Freedom of Information, Ulrich Kelber, therefore warns of the possible consequences of the current reform: Even if upload filters are not explicitly required in the draft law, they will amount to them in practical application. Smaller platform and service providers in particular will not be able to conclude license agreements with all conceivable rights holders. Nor will they be able to do the immense programming effort to create their own upload filters. Instead, they will fall back on offers from large IT companies, as is already happening today with analysis tools, for example, in which the corresponding building blocks from Facebook, Amazon and Google are used by many apps, websites and services. Ultimately, this would result in an oligopoly of fewer providers of filter technology, through which more or less the entire Internet traffic of relevant platforms and services would then run. The current reporting on data transmission from health apps to Facebook illustrates the extensive information they then receive about all users.

From the point of view of the BfDI, the current EU plans therefore harbor the acute danger of promoting a further concentration of data in an oligopoly of providers as a side effect. Against the background of the Bundeskartellamt's decision on Facebook, which is only a few weeks old, the focus should actually be on achieving exactly the opposite.

Ulrich Kelber is therefore calling for concrete steps to avert the scenario outlined above: if the EU believes that platform operators can sensibly fulfill their new responsibilities even without an upload filter, they must state this clearly. In this respect, I am very excited about the Commission's announced recommendation for action. Otherwise, the plans will have to be fundamentally revised again from a data protection point of view. Despite all the need to offer authors a modern ancillary copyright, this must not be done at the expense of the data protection of Internet users.

With the current copyright reform, the EU is planning, among other things, to strengthen authors in enforcing their rights against commercial internet platforms such as YouTube. Platform operators should be liable in the future if they have not taken any measures to prevent the unauthorized distribution of protected works via their service.

contact finder

Here you can find out in just a few clicks who is responsible for your inquiry or complaint about data protection.

public bodies

The term public body not only includes the traditional administrative authorities, but also courts, parliaments and public foundations. This also includes social insurance, such as health insurance.

company

Private companies are mostly supervised by state authorities, but there are some exceptions. Private organizations such as clubs and associations also fall into this category.

Press, radio, church

Special responsibilities apply in these areas. Churches and public broadcasters have e.g. B. via their own data protection officers. The federal and state supervisory authorities are not responsible for other organizations either.