

## Q&A 'Web Central'

### General

- 1. What is the NLA proposing in the field of web monitoring?** Newspaper publishers have asked the NLA to extend its licensing remit and database capabilities to cover newspaper website content. This will include charges for systematic commercial use of web content. The aim is to encourage legitimate use of the content (Web Database licence) and support the growing need of businesses to monitor and source quality web content (eClips Web).
- 2. How do the proposals fit within the overall strategy and vision for the NLA?** Since 1996 the NLA has promoted and developed a framework for the legal use of newspaper publishers' content. In 2006 it created eClips: a digital database of press cuttings providing a secure, efficient source of print content for the UK press cuttings market. As monitoring of the online editions of newspapers grows it is natural that the NLA extends its licensing regime and database capabilities to cover this content. The proposed initiatives simply extend the principles the NLA has established for printed content to the regulation and use of newspaper website content.
- 3. What are the drivers behind the changes?** The principal driver for the change has been the growth in the online editions of newspapers, the need for publishers to control the commercial use of their content and the need for those in the media monitoring field legitimately to source and supply web content to their clients. These changes will ensure that those who produce web content receive a fair reward for its value.

**4. What is the timetable for the change?**

| Date           | Activity  |
|----------------|---|
| September 2009 | All third parties aggregators who supply web content will need to be authorised and licensed with the NLA although charging will not commence until January 2010.   |
| January 2010   | Organisations receiving a service from a third party aggregator will be charged for web content.  |
| 2010           | A central database of web content (eClips Web) will be released to the market. The eClips Web service will only cover national websites initially (growing to 100 regionals by January 2011) so will not replace the need for a Web Database Licence in most cases. |

**5. Why has the NLA and the publishers it represents, decided that now is the time to license previously unlicensed aggregators? What if anything has changed?**

The commercial exploitation of web content by companies that invest nothing in its creation has grown significantly in the last few years. Publishers invest heavily in the creation of the content and need to earn a fair return on their investment. To date, some have had individual arrangements with aggregators but inevitably with the growth of the web, the illegitimate harvesting of publisher content has grown and it has been cumbersome to keep track of. The NLA has offered publishers a timely and collective solution to the issue in the form of firstly, the web database licence and secondly, eClips web which publishers are actively investing in.

### Web Aggregators & Press Cuttings Agencies

**6. How and when will the changes impact my business?**

The NLA will start licensing aggregation of newspaper website content from 1st September 2009. Web aggregators will need to have the relevant licence in place from that date in order to legitimately index website content for the supply of commercial aggregation services. Charging will commence in January 2010.

**7. What authority does the NLA have to license our use of newspaper web content?**

The NLA's licensing of newspaper website content is undertaken with the full support of the eight national newspaper publishers that make up its shareholders. Mandates from the UK's regional newspaper publishers will allow the NLA to extend this licensing to also cover the websites of the UK's regional press. The legal justification for licensing is based in both copyright law and in the terms and conditions of the newspaper websites. Both prohibit the copying of newspaper website content (including the creation of search indices) for commercial gain.

**8. Will all newspaper publishers be represented/participating?**

The NLA website provides a list of all websites covered by the NLA's remit here: <http://www.nla.co.uk/pdf/NLAwebsitecoverageoct1008.pdf>. All websites listed therein will participate in the licensing of their content and in the supply of their content through eClips Web.

**9. What if I have existing relationships/contracts with publishers? What is the impact and what do I need to do?**

The NLA's activities in relation to web content are not exclusive and do not supersede any direct agreements that aggregators have in place with specific publishers.

**10. What is the cost?**

We don't have access to the details of aggregator charging and therefore we can't be precise on the % increase in costs. We estimate 10-15% on web content services (not overall NLA fees). Our price tariff shows a 5 user client with 50 staff would pay £279 pa in NLA fees for unlimited use. A variable rate option is also available, and NLA staff will advise on the most economical approach.

**11. How will the fees be collected? Us and end user?**

The fees due from individual aggregators will be payable monthly direct to the NLA. End user fees can be collected either direct by the NLA or by the client's aggregator. In either case, end user fees will be payable monthly subject to annual renewal of each end user's licence.

**12. How does the NLA propose to monitor/ensure compliance in respect of supply?**

Through auditing, external monitoring, and market intelligence.

**13. What are the reporting requirements?**

Web aggregators will be required under licence to report monthly which clients they are supplying with web monitoring services and what volume of links they are supplying to each client.

**14. What is the status of your discussions with third parties? What number do you anticipate will seek authorisation?**

The NLA has worked closely with the key players in the UK web aggregation market in ensuring that the licensing model they are creating fits the services aggregators are actually supplying. We have broad agreement that the pricing levels and licensing structure are suitable and sustainable and expect those key players to take NLA Web Database licences.

**15. What action will the NLA take against unauthorised agents?**

If reason fails, appropriate legal action.

**16. How do I apply for a licence?**

Licences are available direct from the NLA. Please contact us on 020 7332 6036 or by e-mail to [nlawebcentral@nla.co.uk](mailto:nlawebcentral@nla.co.uk).

**17. What are the key licence obligations?**

To respect publisher terms, to ensure clients have licences, to delete data after a period, to pay royalties

**18. What impact will the changes have on my clients – end users and PCAs?**

The requirement to complete a licence and pay a small increase in fees

**19. How will the changes be communicated to my clients?**

NLA seeks to work with aggregators and PCAs to design communications, but will also market the licence requirement directly.

**20. Is there any retrospective charging for web content?**

No – unless users fail to respect the January 2010 (aggregator end user) deadlines.

**21. Are there alternatives to purchasing a web database licence?**

Yes, either not copying and selling web content, or getting a direct agreement with each publisher.

**22. What is 'eClips Web' and why is the NLA creating a database of web content?**

It's a direct data feed of web content, which improves data quality v scraping services. eClips Web will be a comprehensive database of material available from January 2010, it will be available only on a wholesale basis. It will enable us to offer a significantly improved service to scrapers, and consequently to the PR industry as a whole.

**23. What are the benefits of 'eClips Web' over scraping?**

More content, reliable and timely delivery, and richer descriptive data, such as journalists name and AVE, permanence and archive functions. Some publishers may elect to make eClips web the only authorised data source for web content.

**24. Will I need to have both a Web Database licence and eClips Web?**

If you took all data through eClips web, you would not need a web database licence. But the user conditions will be similar in both.

**25. We currently supply web content in offline PDF format - will that be permitted beyond July 2009?**

26. Links to offline PDFs will be allowed for most publishers, but the costs will be the same as a link to an offline print PDF.