

Dear Members of the European Parliament,

March 19<sup>th</sup>, 2019

The companies signing this letter to the European Parliament are urging you to vote against Articles 11 and 13 of the proposed copyright directive. The text of the trilogue agreement would harm the European economy and seriously undermine the ability of European businesses to compete with big Internet giants like Google.

We support the goal of the legislation to protect the rights of creators and publishers, but the proposed measures are inadequate to reap these benefits and also fail to strike a fair balance between creators and all other parts of society. The success of our business enterprises will be seriously jeopardized by these heavy-handed EU regulations.

Especially Article 13 is dangerously experimenting with the core foundation of the Internet's ecosystem. Making companies directly liable for the content of their users forces these businesses to make billions of legal decisions about the legality of content. Most companies are neither equipped nor capable of implementing the automatic content filtering mechanisms this requires, which are expensive and prone to error.

Article 11 is creating a completely new intellectual property right for press publishers. The experience with similar laws in Germany and Spain raises serious doubts about the expected benefits, while the negative impact would be very real. An additional layer of exclusive rights would make it harder to clear the necessary legal hurdles to start new projects. It will make entrepreneurs more hesitant to just launch new projects. Europe would lose any chance to play a significant role on the world stage. Startups that build services based on aggregated online information would go out of business, and every company that publishes press summaries of their appearance in the media would be in violation of this law.

Although the purpose of these regulations is to limit the powers of big US Internet companies like Google or Facebook, the proposed legislation would end up having the opposite effect. Article 13 requires filtering of massive amounts of data, requiring technology only the Internet giants have the resources to build. European companies will be thus forced to hand over their data to them, jeopardizing the independence of the European tech industry as well as the privacy of our users. European companies like ours will be hindered in their ability to compete or will have to abandon certain markets completely.

Given all of these issues it is noteworthy that the final trilogue agreement lacks meaningful safeguards for small and medium enterprises. The broad scope of this law would most likely lead to less new companies being founded in Europe and existing companies moving their headquarters out of Europe. For all those reasons we urge every pro-Startup politician to vote against Article 11 and Article 13.

Sincerely,

Frank Karlitschek, Founder & CEO, Nextcloud GmbH, Germany

Jutta Steiner, CEO & Founder, Parity, United Kingdom

Alan Duric, CTO/COO and Co-Founder, Wire, Switzerland

Jon Karlung, CEO Bahnhof AB, Sweden

Stefan Lingler, CTO, findex GmbH, Austria

Philippe Kalaf, CEO, Collabora Limited, United Kingdom

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Tobias Gerlinger, CEO, Owncloud, Germany  
Adela Zábrazná, Executive Manager, SAPIE - The Slovak Alliance for Innovation Economy, Slovakia  
Travis Todd, Co-founder, Silicon Allee, Germany  
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