

Open Rights Data Exchange, a European Digital Infrastructure Consortium

Report to Ms Heddi Lutterus, Deputy Secretary General at the Ministry of Justice (Estonia), Mr Luukas Kristjan Ilves, Undersecretary for Digital Transformation (Estonia), Mr. Tuomo Puumala, State Secretary at the Ministry of Education and Culture (Finland), Mr Antti Varis, Special Adviser to the Minister of Science and Culture (Finland), Mr Mário Campolargo, Secretary of State for Digitalisation and Administrative Modernisation (Portugal), and Mr Matevž Frangež, State Secretary at the Ministry of Economic Development and Technology (Slovenia)

The undersigned task force is seeking your guidance and approval to prepare an application for the establishment of a European Digital Infrastructure Consortium (EDIC) to deploy an Open Rights Data Exchange (ORDE) and support copyright management in the Digital Single Market.

An **Open Rights Data Exchange** allows on one side rightsholders to declare copyrights related to digital content, and on the other side rights users to retrieve reliable, exhaustive, current, and interoperable rights data in real-time.

European Digital Infrastructure Consortia is a new mechanism which can be used to implement large scale **Multi-Country Projects** (MCP) for the EU digital transformation, supporting the achievement of the Digital Decade objectives and targets. Through MCPs, Member States can pool resources and cooperate closely to build strategic digital capacities that they would struggle to deliver on their own.

A task force of ministerial officers and government advisors of **Estonia, Finland, Portugal, and Slovenia** and the company Digiciti Networks OÜ has explored the opportunity to establish an EDIC that would ultimately support the fair, appropriate, proportional, and transparent remuneration of authors, creators, and producers. See attachment "[EDIC – Meetings of the EE-FI-PT-SI task force – 20221221.ppsx](#)" for scope, modus operandi, and references. The task force met twice with the European Commission to validate the intention, ask questions, and seek guidance. See attachment "[EDIC – Questions and answers – 20221221.pdf](#)".

Conclusions

Everybody on the content value network will benefit from trusted rights data provided by the ORDE, a neutral **Data Intermediation Service** regulated by the EU/2022/868 Data Governance Act.

Aligned with the **Finnish** stocktaking document 15016/19 on the copyright infrastructure, the prototype developed in **Estonia** by Digiciti will be used to develop an ORDE for the independent music and film sectors in the EU (project Musika Peripherika, led by **Portugal** and co-funded by the Creative Europe Programme) and to validate modules and architecture of the European Blockchain Service Infrastructure (project TRACE4EU, led by **Slovenia** and co-funded by the European Commission).

The EDIC would bundle the strengths and efforts of Member States that are already loosely collaborating towards a cross-sector, cross-border copyright infrastructure.

The European Commission confirmed that the ORDE would be a Common European Data Service supporting the Digital Decade objectives and leveraging other programmes of the European Union.

First technical, economic, legal, and operational considerations of the ORDE show that it will be worthwhile to deepen the analysis of its feasibility and plan its development whilst preparing the application.

Application process

The task force (we) would like to **meet with you online** in January 2023, answer your questions, seek your guidance, and get your green light to launch the application process.

Separately and independently from the application process, the Member States could prepare and coordinate national **expressions of interest** to be filed with the Commission in January 2023.

With the support of the Commission, we will prepare in February 2023 the **Request to the Commission, Proposed Statutes of the EDIC, and Technical Description of the MCP** and submit them for your review.

In March and April 2023, we will support your services to choose the **hosting country** and agree on the **proposed statutes**. The Commission will stay at disposal to facilitate this step.

At the end of April 2023, you will hopefully be able to authorise the **Request to the Commission**. The application will then be assessed by the Commission with the aim to establishing the EDIC during the autumn of 2023.

The task force

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