European Commission
Stakeholder Dialogue on Copyright Directive

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Let’s talk about smaller OCSSPs for a minute.

Why?

Because problem with piracy is often even more visible on smaller, local OCSSPs.
Challenges with smaller OCSSPs

- They do not have resources to build sophisticated systems like the “big” guys.

- They often tend to use the lack of resources as an argument to do nothing to protect rightsholders and just wave with the eCommerce directive as an excuse.

- We see more than 25% of all illegal views of our content through smaller OCSSPs.
Let’s see a typical example of a smaller OCSSP
Star Wars

Star Wars VI - Návrat Jedho (1983).mkv
Star Wars II - Kolny Útoč (2002).mkv
Star Wars Epizoda 8 - Poslední z Jedů (2017) CZ dábujcí by San75.avi
Star Wars Epizoda 3 - Pomsta Sithů (2005) CZ dábujcí by San75.avi
Star Wars Epizoda 2 - Klony útoč (2002) CZ dábujcí by San75.avi
Star Wars Epizoda 1 - Skrýnáchroba (1999) CZ dábujcí by San75.avi
The Mandalorian (6-8) Star Wars TitC2.mp4
The Mandalorian (4-8) Star Wars TitC2.mp4
The Mandalorian (1-8) Star Wars TitC2.mp4
The Mandalorian (3-8) Star Wars TitC2.mp4
▸ Users search for the content **through its name**.

▸ On the search results page, users themselves filter the content through human friendly metadata – size of the content, length of the content, preview thumbnail or sometimes few seconds of teaser of the content.

▸ All these attributes can be used for flagging even by the smallest OCSSP.
A very simple brute-force schema for smallest OCSSP

- Rightsholder identify its content with the OCSSP (name, length, cast, teaser, thumbnail, ...), either directly with the platform or trough a Rightsholder repository system accessible to the OCSSP.

- Using some of the provided attributes (name, length), during upload OCSSP can preselect suspicious content for later manual evaluation.

- When the content is manually identified as violating rights of its holder, OCSSP removes this content from the upload queue and also might add its own new attributes for future evaluation, like data size of the content.

- The goal is to reduce the amount of time necessary for manual evaluation and also to avoid any general filtering obligation by preselecting only relevant flagged content.
Some issues? Of course! But..

- What if users upload content under different name? Rightholder shall be allowed to provide common aliases. But mainly - a very different name will make the content impossible to find by users..

- Just a fraction of the content uploaded with the right name. Well, you still match the content with its name to preselect it for manual evaluation, right?

- Parody? Pastiche? Differences in length, cast, etc. The OCSSP will find out quickly during manual evaluation of the preselected content using the provided metadata.

- Still enormous amount of content to be manually evaluated? Try to tweak more the preselection algorithm. Also, you might no longer be that small OCSSP anymore and thus require “bigger guns”.
Conclusion

- The goal of this presentation is to show that obviously every OCSSP can do its part, even the smallest one. The example presented is intentionally simplified just to outline how even very primitive techniques can represent an effective basis for feasible solution in small scale.

- Such a brute-force method shall not be considered as a general replacement for robust content analyzer, but rather as a basis of an option for the smallest OCSSP on how to comply with Art 17 with acceptable costs.

- Of course, larger players need to use more sophisticated tools, as we can see in other presentations, adequate to its size of the service in accordance with Art 17(5).

- Commission guidelines shall explicitly dictate a set of minimum requirements for smallest players. As it is obvious, even the smallest OCSSP can do its part without any super-expansive toys.