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Answer given by Executive Vice-President Virkkunen
on behalf of the European Commission
(6.3.2025)

Directive 2001/29/EC¹ grants exclusive rights to authors over their works, allowing them to authorise or prohibit the reproduction, communication to the public and distribution of such works, unless exceptions apply. The Text and Data Mining (TDM) exception introduced in the 2019 Copyright Directive² applies only to reproductions of works to which the beneficiaries of the exception have lawful access, therefore excluding content obtained through websites making available copyright-infringing content. In case of infringements, the authors may take action to enforce his/her rights. Directive 2004/48/EC³, a minimum harmonisation measure, provides that certain measures, procedures and remedies should be available in Member States. However, enforcement of rights is subject to the jurisdiction of national courts in individual Member States where an act takes place in the territory of the Member State. The Commission has no standing in the private enforcement of copyright before national courts.

The Commission will continue to promote the development of artificial intelligence (AI) in the EU, in the respect of copyright rules, by facilitating licensing between creative industries and AI companies.

¹ OJ L 167/10, 22.6.2001.

² OJ L 130/92, 17.5.2019.

³ OJ L 157/45, 30.4.2004.