

EN

E-003582/2025

Answer given by Executive Vice-President Virkkunen
on behalf of the European Commission
(5.11.2025)

The Commission remains committed to fostering a healthy competitive environment that promotes digital innovation in Europe, while upholding copyright protection throughout the artificial intelligence (AI) value chain.

By referencing Article 4(3) of Directive 2019/790¹ in relation to the obligations established in the Artificial Intelligence Act² for general purpose AI (GPAI) providers, the legislators have taken the view that the text and data mining (TDM) exception established therein is relevant to AI training. The Commission has recently endorsed the GPAI Code of Practice, which explicitly requires respect of rights reservations under Article 4(3) as a means for GPAI providers to demonstrate compliance with their obligations under the AI Act.

The existing EU copyright framework respects the principle of technological neutrality, according to which the law must specify the rights and obligations of personas in a generic manner, so as not to favour the use of one technology to the detriment of another³. Accordingly, the EU copyright acquis is well-balanced and suitable for the development of new technologies in Europe. The TDM exceptions will be assessed in the upcoming review of Directive 2019/790.

¹ Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC. <https://eur-lex.europa.eu/eli/dir/2019/790/oj>.

² Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act). <https://eur-lex.europa.eu/eli/reg/2024/1689/oj/eng>.

³ C 433/20, *Austro-Mechana*, EU:C:2022:217, paragraph 27.