

Restrictive nonsense from the EU

Europeans on track to approve 'link tax' in push to make U.S. platforms pay up



Ted R. Bromund

In an act of unmitigated stupidity, the European Union Parliament has adopted a ban on Star Trek parodies. And posting photos at sporting events. Or photos with anything copyrighted in the background. The EU wants to tax your memes.

This new Copyright Directive is not final law. But as the directive has a 200-vote majority, it is unlikely to be changed much before a vote is held to finalize it early next year. The directive gives organizers of sporting events an exclusive right to all public media from the event. Want to take a selfie at the game

and post it on Facebook? In the EU, that's a violation of the law.

The EU has banned linking to any news article if you quote more than one word from that article unless you've bought a license to link. The directive's opponents call this a "link tax." That's exactly what it is.

And if this was the EU, if you didn't like my column and you quoted a few words from it without buying a license, I could shut you down. There will be no freedom to quote and criticize.

Then there's YouTube. You've probably tried to play a video on YouTube and found it's been taken down for copyright violation. Now Europe would require that all but the smallest sites use automatic filters to prevent any copyrighted material from being uploaded at all. These filters

don't work perfectly. They make no allowance for parodies or fair use. And they are expensive to develop. But big sites like YouTube can afford them, and small sites don't need them. That means filters are an EU tax imposed only on sites with an ambition to grow.

Just as bad as all of this is what the EU decided not to do. It turned down a proposal for "freedom of panorama." If you post a photo taken in the EU with a Marvel movie poster in the background, you've a criminal. The EU also turned down a proposal to exempt satire. You know those videos of "Star Trek" Capt. Jean-Luc Picard wearily putting his head in his hand? Or photos of Boromir of "The Lord of the Rings" saying, "One does not simply write an article about memes"? All illegal.

Unlike its libertarian critics, I believe in copyright. I don't want my writing stolen. And my publishers, like all media firms,

have legitimate interests in making sure my work's not stolen. I support strong, enforceable ways of protecting these interests.

But linking to me using two of my words doesn't hurt my publishers. Photos at sporting events aren't a problem: they're free advertising. Satire does not need a license. Fair use allows quotations a lot longer than one word. The EU's directive is restrictive nonsense.

Why did the EU do it? Well, partly because big media firms told it to. But mostly, it did it because the EU has almost no major internet firms. If YouTube were German, this directive never would have been adopted. As a backer of the directive put it, it's about making "huge American platforms" pay up.

The EU Parliament's vote is proof that the EU is pathetic and backward-looking. Europe has lost the battle for the internet. It has therefore decided to curl up

into a defensive ball and demand that the mostly American firms that lead the internet pay it lots of money.

No way, no how. For every EU effort to tax the First Amendment, we fine back.

As soon as the EU finalizes its law, Congress should retaliate by allowing U.S. courts to impose punitive fines on bogus or excessive European copyright complaints made under the law against U.S. companies or persons. Those fines should be enforceable by seizure of the complainant's U.S. property.

This law will be an attack on free speech. It is motivated by anti-Americanism. So when anyone tells us that the EU is our friend, remember it's not. The EU wants to tax your memes.

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EXPRESSWAY

Already dreaming of summer 2019

BY FRANCINE M. SCUDERI

Travel through the Five Towns, south on Route 878 or Rockaway Turnpike to the Atlantic Beach Bridge. Up ahead, sky and ocean meet. To the right, Reynolds Channel cuts past Far Rockaway and joins the Atlantic Ocean; to the left, the waterway leads boaters past Atlantic Beach, Long Beach, Lido Beach and parts north and east. Boaters keep the drawbridge busy before winter sets in.

It's late September, and things have quieted down dramatically in Atlantic Beach since the end of beach club season a week ago.

Gone are the members who inundated the village since May 1, keeping restaurants busy. Parking is legal again on Atlantic Boulevard. Traffic is lighter and the bridge doesn't have to shift toll lanes to accommodate the influx of cars each day.

There along Atlantic and Ocean boulevards are the beach clubs all in a row. Among them are Sun and Surf, Silver Point,

After a busy season, the cabanas at Sun and Surf in Atlantic Beach are quiet as the beach club is shut down in September 2016.



FRANCINE M. SCUDERI

Catalina, Sunny Atlantic, New York, Atlantic, The Shores, Inwood. Each has its own qualities and vibe. Annual fees are paid, and photo membership cards and parking passes are required to enter. From May to just after Labor Day, they are daily havens for thousands.

Sun and Surf is my staycation, my happy place where I get my best sleep anywhere on a lounge chair with a pillow under an awning; where I sit and do nothing, read, drink lemonade and munch on snacks guilt-free. Beachgoers put thousands of steps on their fitness trackers while walking at the ocean's

edge. Planes from Kennedy Airport roar overhead. I join my summer neighbors for four months of camaraderie.

Generations of families grow up at the clubs. Yesterday's kids are now adults with their own children enjoying the same beach activities. Teens get their first summer jobs carrying chairs to the beach, servicing cabanas and sweeping sand.

When I close my eyes, I can imagine it all, especially the peace I find while looking at the water. I see the rainbow of umbrellas on the shoreline, seagulls and piping plovers foraging for food, flags flying, freighters on

the horizon en route to New York Harbor, cruise ships heading to parts unknown. I feel the breeze on my face, the heat of the sun, the pinch of an insect bite and the vibration of the deck from kids running. I hear music, laughter, a child's squeals, a lifeguard's whistle, a helicopter's rotor. I smell the sunscreen and the aromas of the barbecue pits, bacon, burgers and fries from the cafeteria grill, and spices from a crockpot in a cabana.

In the off-season, an eerie silence comes over the sand and the nearly empty parking lots. Office staff and maintenance crews remain to keep

things running, plan for the next season, and prepare for whatever wrath nature will unleash before members return in May.

Right now, for me and perhaps others, May 1 is very far away. In the dead of winter, when I long for warmth, sunny videos and photos on the club's website remind me of what's to come.

Yes, May will arrive. The clubs will come alive — and there will be changes. Some members will have gone home to God and others will be just starting their lives.

Farewell, happy place. God and good health willing, I'll see you next year. I miss you already.



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