



EUROPEAN
VISUAL
ARTISTS

Press Release: Brussels, 23 May 2016

EVA joins CEPIC's competition law complaint against Google Image Search

EVA's members approved to join the competition law complaint against Google image Search, which was filed by CEPIC with the European Commission.

EVA is the umbrella organisation for 25 European collective management organisations managing the rights of 100 000 painters, sculptors, illustrators, photographers, street artists, designers, architects and other visual authors as well as picture agencies.

Google Image Search is the dominant market player in offering access to images online in Europe. Modified in 2013 Google's service is offering access to high resolution images bypassing the source websites and allowing the direct downloading of images. The new features facilitate accidental copyright infringement by internet users, including the general public and commercial entities. Google's functionalities provide the users directly with the final image material, making all contact with the original source website and the authors or their representatives redundant. These changes have allowed Google to maintain its monopoly over site traffic, engagement data and advertising spent but deprive authors and their representatives on a return on their investments and creativity.

Google is a highly commercial company generating billions of Euros by using third-party content to keep users within its ecosystem and collecting engagement data but without paying a cent to the authors of images.

"We join our colleagues from CEPIC and the long list of professional associations in this important task to safeguard visual authors' rights and their ability to make a living from the proceeds of their works which are needed to continue creation of works in the European Union", **says EVA President, Marie-Anne Ferry-Fall.** "Google uses third party owned images to fuel its search advertising empire and causes Internet users to by-pass legal sources of image material but does not share any of their high profits with the artists. They invite the general public and commercial entities to use our members' works without prior permission and without payment. We urge the European Commission to stop this illegal practice which is an abuse of its clear dominant position."

Background

In January 2013 Google modified its features, presenting images in full size and high resolution on its site and enabling users to download them without ever clicking to the original website hosting the image. This new design has diverted users from source websites and drained traffic from source websites. Image providers who have raised concerns with Google are being told that the only way for their images not to appear in full size in Google Images is to opt-out of image search. Considering Google's dominant position, opting out of image search is not a sustainable business option as it means opting out of the Internet.

CEPIC's claim was filed on 13 November 2013 and is supported by visual artists and visual businesses' trade associations in the US and in Europe ([LINK](#)). On 26 April 2016 Getty images, a world leader in visual communication, has filed a similar and an additional competition law complaint.

About EVA:

[EVA](#) is a European Economic Interest Group representing 25 European collective management organisations in 23 countries for visual works towards the Institutions of the European Union. The member societies manage rights of 100.000 painters, sculptors, illustrators, photographers, street artists, designers, architects and other visual authors as well picture agencies.

EVA members manage reproduction and distribution rights in print and other media, broadcasting, making available online and remunerations for secondary rights. They also manage the resale right of works of fine art. EVA is accredited observer of WIPO.

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About CEPIC

[CEPIC](#) is a European not-for-profit trade association in the field of image rights. CEPIC was founded in 1993 to present a unified voice to advise and lobby on new legislation emerging from Brussels. It was registered as an EEIG (Economic European Interest Group) in Paris in 1999. As the Centre of the Picture Industry, CEPIC brings together nearly 600 picture agencies and photo libraries in 20 countries across Europe, both within and outside the European Union. It has affiliates in North America and Asia. It has among its membership the larger global players such as Getty or Reuters. Through its membership, CEPIC represents more than 250.000 authors in direct licensing.

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