

# The Out-of-Commerce Works Portal

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- What? Legal framework
- How? Establishment and developments
- Outcome? Statistics and Main findings
- What next? OOC portal & Copyright infrastructures in EU (Euipo Copyright Knowledge Centre)

## WHAT: EU Legal framework Articles 8-11 C-DSM (Rec. 30-43)



### What is an OOC work?

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- Presumption
- Reasonable effort
- Specific requirements for MS (e.g. cut off date)

### Works from 3rd countries

- First published, first broadcast etc.
- Unless sufficiently representative CMO

### Two main legal routes (Art. 8)

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#### Licensing mechanism based on ECL, presumption of representation or similar

- Non-exclusive - Non-commercial purposes
- Sufficiently representative of RhS
- Safeguards for RhS (including **opt-out**)

#### “Fall-back” exception

- When no representative CMO
- To make available on non-commercial websites
- Safeguards for rightholders (including opt-out)

AND: cross-border use! (Art. 9)

### Publicity (Art.10)

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#### Public single online portal

Information that has to be made permanently, easily and effectively accessible for at least **6 months** before the use:

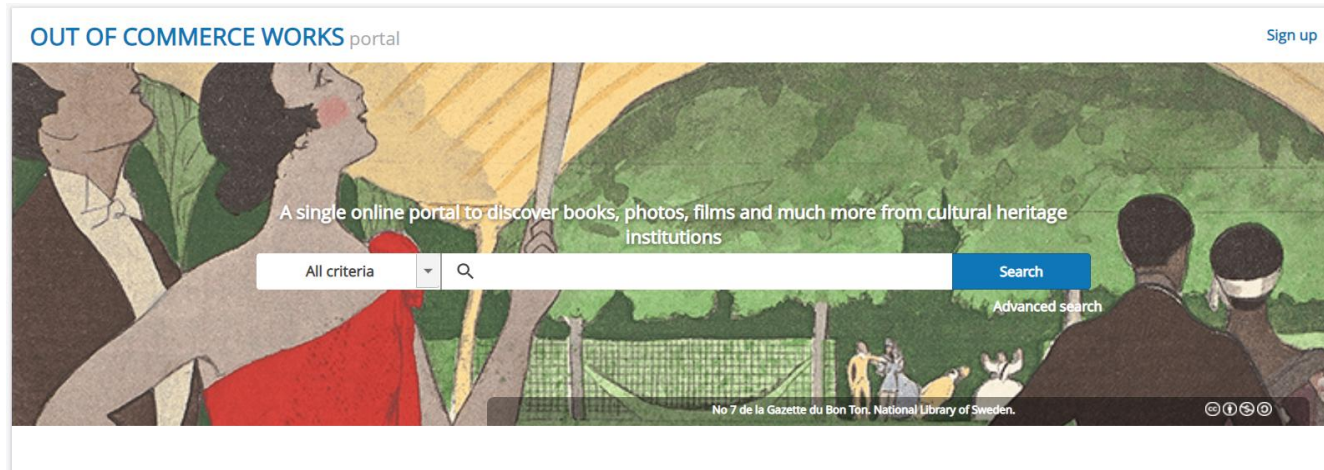
- identification of the **OOO works**;
- information about the possibilities for RH to object (**opt-out**);
- **parties** to the licence;
- **territories covered**;
- **uses**.

#### Further publicity measures

+ Stakeholders dialogues (Art. 11)

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## WHAT : Establishment of the « OOC Portal » at EUIPO



Per the **Copyright Directive (EU) 2019/790** the European Union Intellectual Property Office (EUIPO) has established a single publicly **accessible online portal to help the exchange of information about out-of-commerce works** so cultural heritage mass-digitisation projects can move ahead.

Live from **7 June 2021**

## CLARIFICATION : WHAT THE PORTAL DOES – WHAT IT DOES NOT

### WHAT IT IS **NOT**

**A COMMERCIAL SERVICE**

**A COPYRIGHT REGISTRY OR  
DIGITAL LIBRARY**

**AN OPEN PLATFORM**

**EUIPO IS NOT LIABLE FOR  
THE CONTENT**

### WHAT IT IS

Public interest transparency tool

It does not content the works themselves but **contain METADATA** (Rights management information) to make the intended use visible and searchable

Governance - decentralised verification process for users

It provides and maintain the portal  
Responsibility for legal assessment (OOC status) and accuracy of metadata remains with the users of the system

**Transparency tool and enabling infrastructure**

**In practice, good use of the Portal depends on cooperation and care from all actors involved.**

Institutions providing and managing information about out-of-commerce works - **Cultural Heritage Institutions, Collective Management Organisations, Public Authorities**

- Create/modify/delete records
- Basic and advanced search
- Manage opt-out requests
- Notifications, alerts

Potential rights holders of out-of-commerce works - **writers, photographers, publishers**

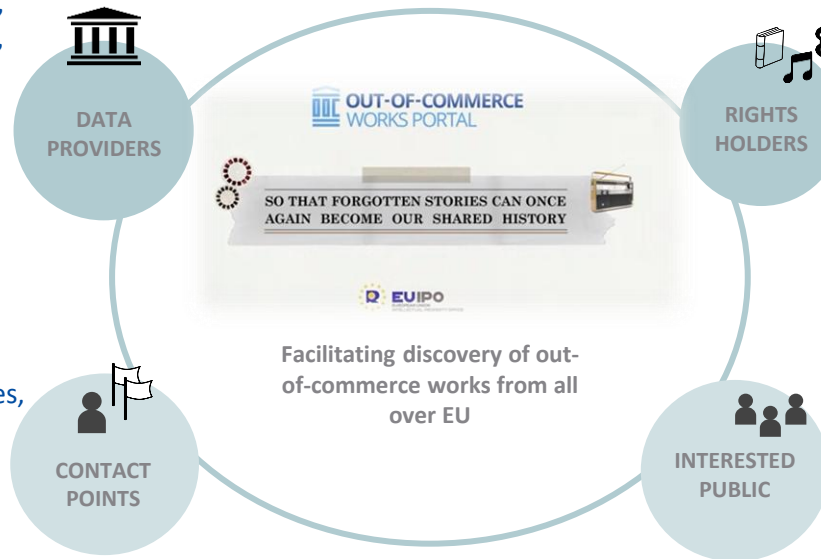
- Feature facilitating general opt-out
- Request specific opt-out
- Basic and advanced search
- Notifications, Alerts

**Authorities** designated in Member States, with overview of national institutions

- Manage national user requests
- Basic and advanced search
- Notifications

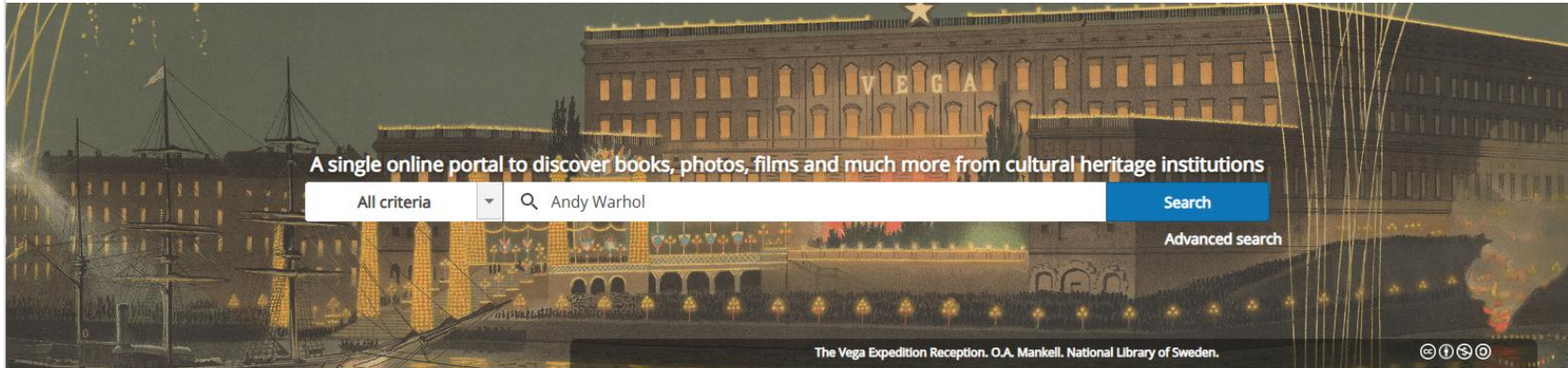
**Public users** interested in accessing information about out-of-commerce works

- Basic and advanced search
- General information
- Data logs



OUT OF COMMERCE WORKS portal

Sign up



[Home](#) / Basic search

Results Showing 1 - 10 of 10000 Results out of 49527 total [Export](#)

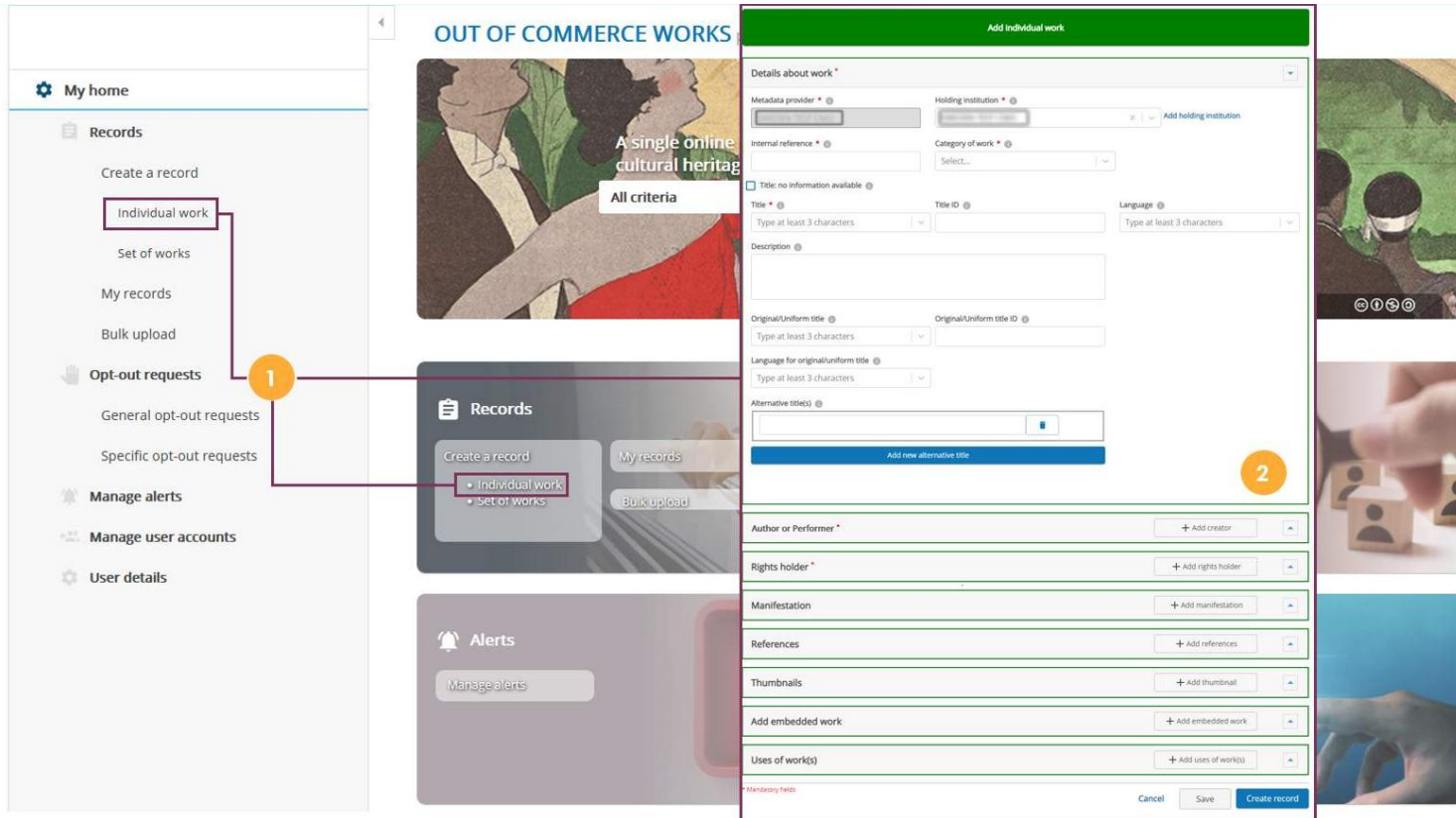


Items per page

[Configure columns](#)

File N.	Internal Reference	Title	Category	Author or Performer	Rights holder	Status	Metadata Provider	Opt-out
<a href="#">965946806488506368</a>	vts000395747	Warhol svojimi slov...	Literary work	Warhol, Andy., Magá...	Warhol, Andy., Magá...	● With possibility of...	Slovak National Lib...	
<a href="#">965947565284237312</a>	vts000396925	Z dennikov	Literary work	Warhol, Andy., Magá...	Warhol, Andy., Magá...	● With possibility of...	Slovak National Lib...	
<a href="#">969113558595465216</a>	vts010926217	WARHOL, Andy (do 19...	Literary work			● With possibility of...	Slovak National Lib...	
<a href="#">1319595543035219968</a>	PGM156262	DE WERELD VAN BOUDE...	Audiovisual or cine...		Büch, Boudewijn, Re...	● Under 6 months	Netherlands Institu...	
<a href="#">967013243009343488</a>	vts000796376	Niekoľko dojmov zo ...	Literary work	Warhola, Paul	Warhola, Paul	● With possibility of...	Slovak National Lib...	

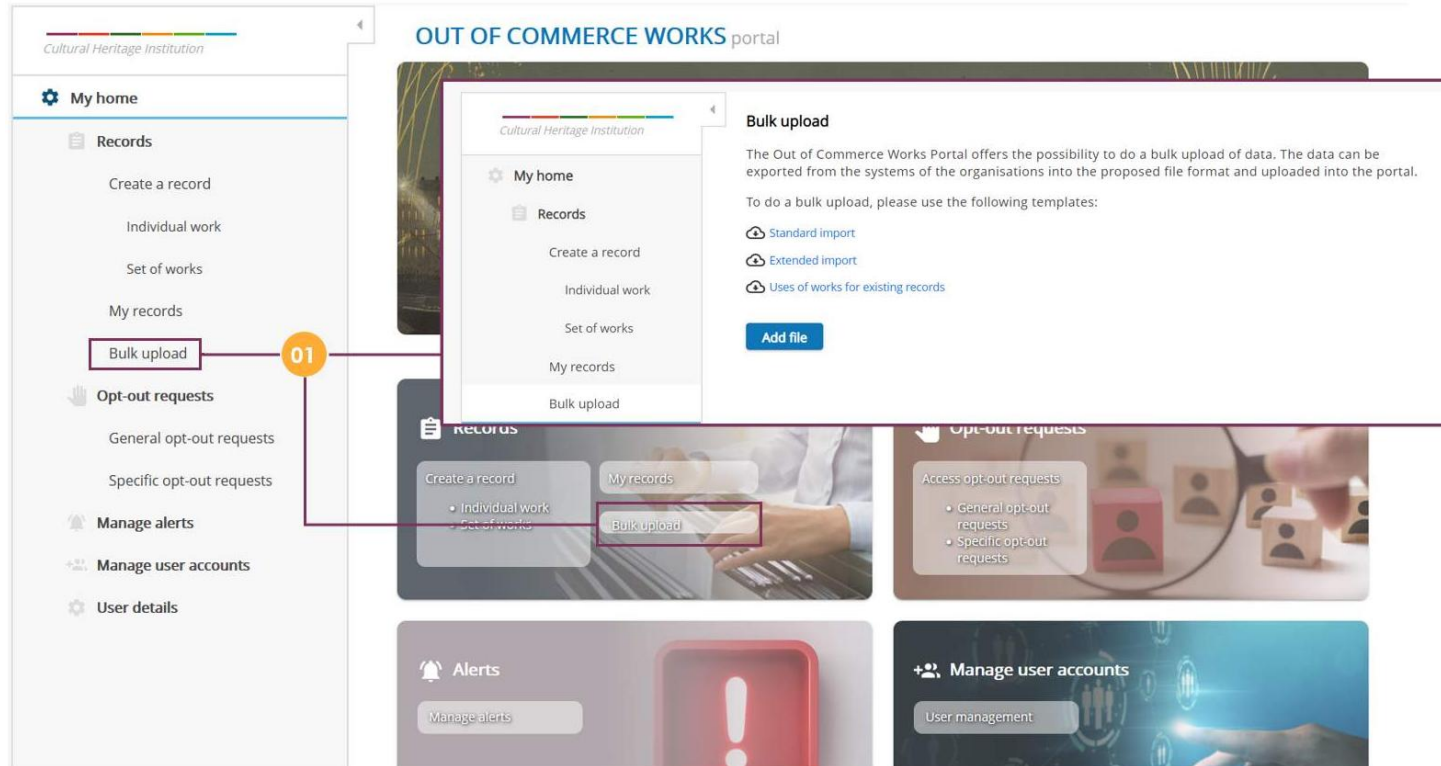
# Create a record manually in OoC UI



The screenshot illustrates the manual record creation process in the OoC UI. It is divided into three main sections:

- Sidebar (Left):** A navigation menu with categories: My home, Records, Opt-out requests, Manage alerts, Manage user accounts, and User details. Under 'Records', 'Individual work' is highlighted with a red box and a red line leading to the main content area.
- Main Content Area (Middle):** Titled 'OUT OF COMMERCE WORKS', it features a header image with the text 'A single online cultural heritage' and 'All criteria'. Below this is a 'Records' section with buttons for 'Create a record', 'My records', 'Bulk upload', and 'Individual work' (highlighted with a red box and a red line). A red circle with the number '1' is positioned near the 'Individual work' button.
- 'Add individual work' Form (Right):** A detailed form for creating a record. It includes fields for 'Meradata provider', 'Holding institution', 'Internal reference', 'Category of work', 'Title', 'Title ID', 'Language', 'Description', 'Original/Uniform title', 'Original/Uniform title ID', 'Language for original/uniform title', and 'Alternative title(s)'. A blue button at the bottom of this section is labeled 'Add new alternative title' and has a red circle with the number '2' next to it. Below the form are sections for 'Author or Performer', 'Rights holder', 'Manifestation', 'References', 'Thumbnails', 'Add embedded work', and 'Uses of work(s)', each with a '+ Add' button. At the bottom right, there are 'Cancel', 'Save', and 'Create record' buttons.

## Create a record – Bulk Upload



**Cultural Heritage Institution**

**OUT OF COMMERCE WORKS portal**

**My home**

- Records
  - Create a record
    - Individual work
    - Set of works
  - My records
  - Bulk upload**
- Opt-out requests
  - General opt-out requests
  - Specific opt-out requests
- Manage alerts
- Manage user accounts
- User details

**Bulk upload**

The Out of Commerce Works Portal offers the possibility to do a bulk upload of data. The data can be exported from the systems of the organisations into the proposed file format and uploaded into the portal.

To do a bulk upload, please use the following templates:

- Standard import
- Extended import
- Uses of works for existing records

**Add file**

**Records**

- Create a record
  - Individual work
  - Set of works
- My records
- Bulk upload**

**Opt-out requests**

- Access opt-out requests
  - General opt-out requests
  - Specific opt-out requests

**Alerts**

- Manage alerts

**Manage user accounts**

- User management

## Create a record – API



### API Portal

Develop #IPtech applications with our API Catalog

[Getting started](#) [Security](#) [API Products](#) [Problems registry](#) [Status](#) [FAQ](#) [Sandbox](#)

[Products](#) / [Out of Commerce Works](#) / [Out of Commerce Works 1.2.0](#) ● Online

🔍 Search...

Overview

New in this version

Main concepts

Understanding Errors and Warnings

Works >

Record >

Bulk operations >

## Out of Commerce Works (1.2.0)

Download OpenAPI specification: [Download](#)

API Platform Team: [apiplatform@euipo.europa.eu](mailto:apiplatform@euipo.europa.eu) | URL: <https://dev.euipo.europa.eu> | [Terms of Service](#)

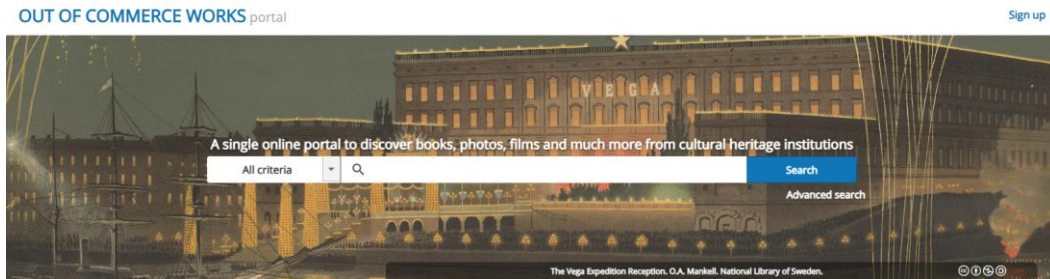
### Overview

This API lets you share and update metadata for your out-of-commerce works in the Out of Commerce Works Portal by mapping it to our Information Model to create records.



## New search engine for Basic Search and Advance Search

available since June 2025



## Main improvements in Basic Search

- Changes in the fields for search: Title, Author, Right holder, Internal Reference, File number
- Introduce 1st level of relevance when there is an exact match and second
- Introduce field weighting to prioritise specific fields in search results:
  1. Title,
  2. Author,
  3. Right holder,
  4. Internal Reference,
  5. File number
- Improvements in the presentation of results



## New “My Alerts sections”

Cultural Heritage Institution





















- My home
  - Records
    - Create a record
      - Individual work
      - Set of works
    - My records
    - Bulk upload
      - Microsoft Excel File
      - XML file
    - Opt-out requests
      - General opt-out requests
      - Specific opt-out requests
    - Manage alerts**
    - Manage user accounts
    - User details

### Manage alerts

Get notified when a new out of commerce work is available

Create alert Delete all

Items per page: 10

Alert name	Frequency	Actions
Alert for Title	Daily	 
Alert for Author	Daily	 
Alert for Title and Author	Weekly	 
Alert for Author and Category of work	Weekly	 
Alert for Title, Author and Category of work	Weekly	 
Alerts for Rights Holder and Organisation	Weekly	 
Alert for Internal Reference	Monthly	 
Alert for File Number	Monthly	 
Alert for Title, Organisation country and language	Monthly	 
Alert for Title, performer and Broadcast country	Monthly	 

## General Opt-out complete reshape

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- New, more complete, opt-out request form
- General opt-outs active immediately
- Revision and validation done by registered user
- Once rejected, same opt-out request cannot be repeated. But needs to be reactivated again by registered user

Why? Ensure “clean” database with clear responsibilities

## Excel bulk upload reshape

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- Three new field added: Edition, Volume and Issue
- Impact on extended template !

New templates with build in controls

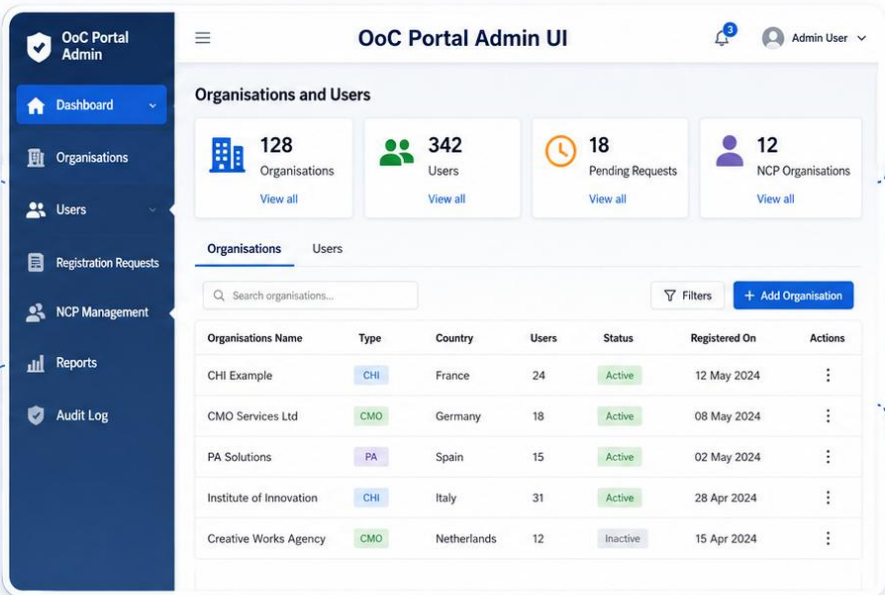
- Filter out any errors before uploading

**Click on button to start all validation checks.**

**Upon successful completion, an .xlsx file will be produced in order to use it for bulk upload.**

# New User Management Interface for the Out-of-Commerce Works Portal

A clearer and more powerful administration area



The screenshot shows the OoC Portal Admin UI dashboard. The main content area displays 'Organisations and Users' with four summary cards: 128 Organisations, 342 Users, 18 Pending Requests, and 12 NCP Organisations. Below these is a table of organisations with columns for Name, Type, Country, Users, Status, Registered On, and Actions. A sidebar on the left contains navigation items: Dashboard, Organisations, Users, Registration Requests, NCP Management, Reports, and Audit Log. Callouts on the left describe 'Organisation management' (centralised view of CHIs, CMOs, PAs) and 'Registration requests' (track requests, review statuses). Callouts on the right describe 'User management' (manage Master Users, subaccounts) and 'NCP management' (manage National Contact Point organisations).

**Organisation management**  
Centralised view of CHIs, CMOs, PAs and their details

**Registration requests**  
Track requests, review statuses and send reminders

**User management**  
Manage Master Users, subaccounts and access status

**NCP management**  
Manage National Contact Point organisations and users

Organisations Name	Type	Country	Users	Status	Registered On	Actions
CHI Example	CHI	France	24	Active	12 May 2024	⋮
CMO Services Ltd	CMO	Germany	18	Active	08 May 2024	⋮
PA Solutions	PA	Spain	15	Active	02 May 2024	⋮
Institute of Innovation	CHI	Italy	31	Active	28 Apr 2024	⋮
Creative Works Agency	CMO	Netherlands	12	Inactive	15 Apr 2024	⋮



Easier administration



Better visibility



More efficient workflows

# Other Foreseen Developments for the OoC Portal

Making the portal more informative, easier to use and more efficient for daily work



### Portal insights

Visualise basic statistics directly in the portal

Quick access to key figures and activity indicators for easier monitoring and better visibility.



### User guidance

Improve support for portal users

Provide video tutorials, FAQs and updated user manuals to help users navigate the portal more easily.



### Enhanced workflows

Make recurrent tasks faster and easier

Introduce new functions that reduce manual work and improve flexibility in record management.

- ✓ Apply the same use of works to multiple records at once
- ✓ Move works more flexibly between individual works and sets of works



Better information

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Better support

•



Less manual work

**So... Five Years Later: Is It working in Practice?**

# OoC Portal statistics: records by country

≈ 2.72M

active records in the country split

16

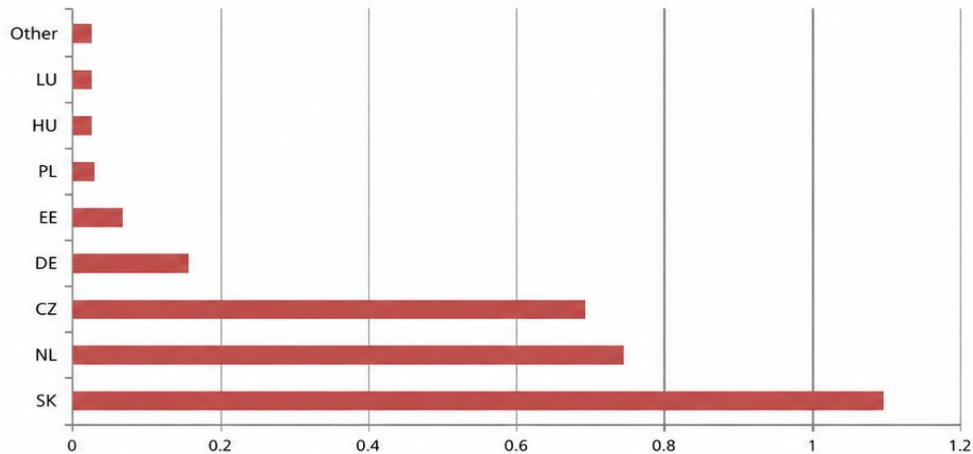
countries represented

39%

share from Slovakia

## Top countries by records

Values shown in millions of active records



## What the data shows

- Slovakia, the Netherlands and Czechia account for most records.
- Germany has around 134k active records in this extract.
- Smaller contributions are spread across another 13 countries.

[Slide message](#)

Usage is substantial but very uneven across countries.

# OoC Portal statistics: record structure and opt-outs

High-level overview of record types, lifecycle status and opt-out figures.

**2.68M**

individual work records

**42k**

set-of-works records

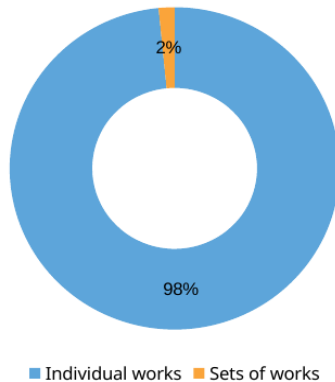
**7**

general opt-outs

**442**

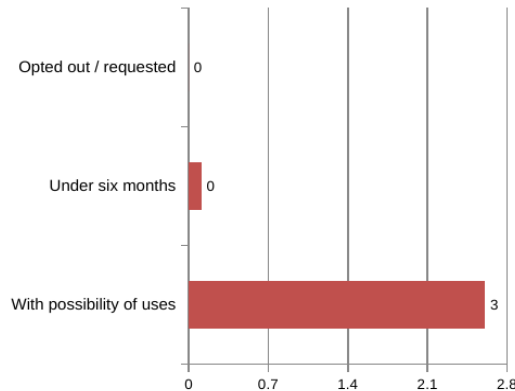
specific opt-outs

## Record type mix



≈98.4% of records are individual works; sets of works represent ≈1.6%.

## Lifecycle status



The vast majority of active records are already in the “with possibility of uses” status.

## Opt-out snapshot

General opt-outs

**7**

Specific opt-outs

**442**

### Specific opt-outs by status

Accepted: 426  
Requested: 13  
Declined: 3

[Slide message](#)

**Opt-outs remain small compared with the overall number of records.**

## MAIN FINDINGS - Practical challenges

### Operational reality for CHIS

- CHIs lacking resources to fully digitise
- Uncertainty:
  - Which CMOs is responsible for which work or subset of works
  - How to manage complex collections (mixed archives, text, image, audio)

### Governance & trust layer: validation process – contacts points and users

### Interoperability Gap/ Fragmented data and metadata

- Metadata systems not harmonised across institutions
- Uneven data management and quality

### New complexity with GenAI (AI training)

## MAIN FINDINGS

Legal Framework & Implementation



OOO portal with enhanced functionalities



Technical tools for large-scale



Usage and engagement



- **Awareness raising** and stakeholder engagement
- **Education and practical support**
- Sustainable **funding and dedicated budget** (Digitisation projects)
- **Stronger coordination** at EU and national level
- OOO portal - as a bridge- within a **broader copyright infrastructure** ecosystem for CHIs (Europeana – Common EU data Space for Cultural heritage)

Opportunity to onboard Institutions  
Make greater use of the possibilities offered



# **EUIPO Copyright** Knowledge Centre

**What's Next? The OOC Portal in the Broader context of  
EU Copyright Infrastructures**

# Copyright - Priorities for 2026

## INFORM



What is copyright?

Copyright gives creative intellectual rights over the use of their original works. Writing, recording, inventing, etc. done from within public. It applies to literary, artistic, scientific, technical, design and also to their original expressions of various kinds. Copyright is granted automatically. While there is no formal copyright file, creators make provision under the national law of all EU Member States, and beyond.

### Copyright in Europe - Interactive map

Click on any EU Member State, on the map or in the list below, to explore information on copyright at national level



**NEW Corner for Knowledge and Cultural Institutions**

## ENGAGE

More targeted expert engagement

- Copyright infrastructure
  - Piracy (Network – online piracy)
  - Public Interest Institutions
- + EUIPO Observatory Networks and meetings

Targeted audiences

- Creators (Authors- Rightsholders), Judges Network, Users' associations, academics



## ENHANCE & EXPLORE

Enhance

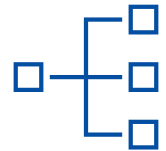


eSearch Case Law



Explore opportunities

- Copyright Data Infrastructure
- CommonsDB



**NEW Study Mapping on Copyright-related databases in EU**

# Corner on copyright for knowledge and cultural institutions



Choose your community below to access tailored resources.



## Cultural Heritage Professionals

Museums, libraries, archives, audiovisual heritage institutions

[Explore heritage resources →](#)



## Educators

Teachers, schools, vocational and higher education institutions

[Explore teaching resources →](#)



## Researchers

Universities, research centres, research staff

[Explore research resources →](#)

## Copyright for Cultural Heritage Professionals

If you are a museum or a library, this page provides practical information on how to work with copyright-relevant materials; from digitised cultural heritage and public-domain content to licensing, rights clearance and other aspects of copyright management.

### EU-wide resources

[Infographics](#) [Webinars and training](#) [Tools and guidelines](#) [Studies and publications](#) [More copyright essentials](#)

#### Infographics



#### A step-by-step guide to copyright for museums

European Commission  
(available in all EU languages)

[Download \(EN\)](#)



#### A step-by-step guide to copyright for libraries

European Commission  
(available in all EU languages)

[Download \(EN\)](#)

PLACE HOLDER  
1920x1080

#### Open licensing: The Creative Commons case

The infographic explains how open licensing works, using Creative Commons licences as the example.

[Download \(EN\)](#)

#### National resources

[Webinars](#) [Presentations](#) [Events information](#)

#### Webinars



#### Understanding copyright law for cultural heritage institutions in Sweden

European Commission

[Visit now ↗](#)



#### Understanding copyright law for cultural heritage institutions in Croatia

Access and (re)use of works, exceptions and limitations, licensing, key takeaways and case examples.  
European Commission

[Presentation slides](#)

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#### Understanding copyright law for cultural heritage institutions in Italy

European Commission

[Presentation slides](#)

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#### Understanding copyright law for cultural heritage institutions in Ireland

European Commission

[Presentation slides](#)

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# Mapping of EU databases and metadata standards providing information on copyright-protected works



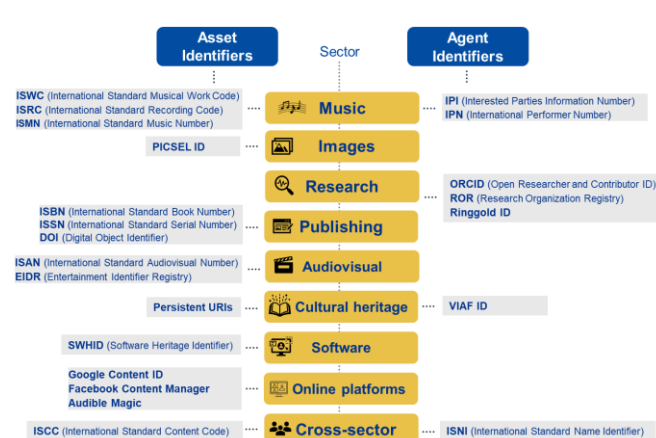
## Study Mapping – A first step CopyrightView initiative

### Copyright data landscape is highly fragmented

- Many databases **with overlapping mandates** and heterogeneous governance models.
- Sector-specific metadata practices, with limited **use of international standards**
- Challenges related to **data quality, interoperability, legacy systems** and legal constraints (and in particular data protection).

### Opportunities:

- **Educational** actions, improving **transparency** (standard, identifiers)
- **Central access point** to metadata for better searchability and discoverability of copyright information
- Support for **EU-level approach**, provided that existing infrastructures and sectoral realities are respected - legal liability remains with data providers.



## CopyrightView initiative

Publication of the study  
mapping

28 May 2026



Creation Expert Group  
Copyright View

June 2026



Feasibility Studies –  
Copyright View and  
GenAI opt-out  
procurement

July 2026



Information resources  
for creators- users

September 2026



Further step(s)?

2027...



# EUIPO Copyright Knowledge Centre

Welcome to the EUIPO Copyright Knowledge Centre, a central access point for clear and reliable information for anyone involved in creating or using creative works. Tailored to your interests and level of knowledge, it provides the latest information on ways to protect, respect and value copyright across the European Union.

Come and visit us  
<https://www.euipo.europa.eu/en/copyright-knowledge-centre>

