



ARCHITECTS' COUNCIL OF EUROPE  
CONSEIL DES ARCHITECTES D'EUROPE

European Commission  
Mrs Ilektra Papadaki  
Policy Officer Sustainable Industrial Policy  
and Construction  
DG GROW.H.1

Dear Mrs. Papadaki,

We write to alert you to a problem ...

*The cost of essential software for consulting, architectural and engineering companies is increasing - even when little-development has occurred to justify this. Compulsory-upgrades to new versions have to be paid for each time. There are limitations on the possibility of "floating" users and compatibility challenges if older software versions are maintained. There are very few real alternatives... and if a company were to presume to terminate its licensing agreements, it would basically lose access to its own data from the projects. In addition, it is unclear what the software companies use our data for and whether our know-how is protected.*

*The above topics are major concerns that are shared across the industry, by both large companies and SMEs. Even the largest companies are too small to be able to significantly resist software vendors and their terms. Suppliers have, if not a complete monopoly, something close to a de facto monopoly. And size also matters if we look at whether legislation could make a difference. We believe that the problem must be raised to EU level.*

*The problem described above has also been noticed by FIEC, the European Construction Industry Federation, who issued a position statement, outlining the challenges of data ownership and interoperability and setting out recommendations.*

*EFCA, the European Federation of Engineering Consultancy Associations, and ACE, the Architects' Council of Europe, have written a joint position paper endorsing the FIEC statement while emphasising two very important additional issues for architects, engineers and consultants, namely data accessibility & ownership and intellectual property. Please find attached both the FIEC statement and the EFCA-ACE paper.*

*The digitalisation of the construction sector, the promotion of sustainable infrastructure and construction, the closer monitoring of our environmental footprint, the increasing collaboration between owners, architects, engineers and contractors via new tools and many other aspects are visions many of us share. We acknowledge that this is an effort of both the construction sector and the information technology sector, but the owners of data should remain in the driver's seat regarding accessibility and exploitation-of its data.*

*Thank you in anticipation of your attention to the above challenges that the construction industry and the design community are facing. We hope for an opportunity to elucidate these concerns and discuss further possible steps with you.*

Jan Van der Putten  
EFCA Secretary General

Ian Pritchard  
ACE Secretary General

Cc: Mrs Fulvia Raffaelli, DG GROW Head of Unit H.1.