

STATEMENT OF INTEREST: I am a writer who has benefited from copyright / intellectual property rights in the UK and who has seen his copyright ignored by unauthorised reprint of one of my books in Taiwan. I have friends in the recording industry but no professional connection except as a buyer of recordings.

INTRODUCTION: Copyright / Intellectual Property Rights are an attempt to balance the creator's right to control their own creations and the public's right to have access to those creations. It is arguable - depending on one's point of view - that IPR promote or stifle creativity. It is interesting to note that societies, such as the US, which built much of their wealth by ignoring IPR, now seek to protect that wealth by extending IPR in both time and geographically. The impact in the field of medicines is to limit the world's access to life-saving drugs, while the impact in the field of creativity (think Disney) has been to emphasise control over originality.

ARGUMENT: Who will benefit from the proposal to extend the 50 years' copyright on sound recordings in the UK? The performers. Theoretically all performers will benefit from being able to copy, distribute and promote their recordings.

In reality, however, only those performers with strong financial connections will be able to do so. They are unlikely to lease their copyright at competitive rates to other companies. In other words, extending copyright will enable rich performers to become richer.

Furthermore, performers who have died or who cannot be traced or whose copyright cannot be traced will be unable to grant licence to reissue their recordings. Significant and little-known recordings will be lost to the public.

Who will lose from the proposal? (a) The companies that promote and sell recordings of performances that would otherwise be forgotten at prices which the public can afford. These companies would theoretically be able to buy the copyright, but in practice copyright is only likely to be sold at financially unprofitable prices and that copyright may not be available. (b) The public, whose access to a wide variety of old recordings would be drastically cut to relatively few recordings sold at inflated prices.

IPR piracy is rampant, on the internet and increasingly on the streets of the UK. Extending copyright will reduce the number of legal options available to the consumer and increase the likelihood of IPR piracy.

Copyright is an essential element of modern society, but copyright was never intended to mean unnecessary monopoly. 50 years - more than two thirds of the average lifetime - is long enough for any performer to maintain copyright over his / her performance. Depriving the public of access to a wide range of recordings at a reasonable price is an action unworthy of a government which supposedly represents all people rather than an already-privileged minority.