

April, 2006

**NAXOS**  
*- Protecting the Consumer -*  
**SOUND RECORDING COPYRIGHT**

**Introduction**

The Naxos record label was established in 1987 and is now the leading classical music label in the world, with over 15% of the UK market. Under the direction of its founder, Klaus Heymann, Naxos has become a fully-fledged classical and jazz music label, committed to offering new listeners and more established collectors a wide range of titles - recorded using state-of-the-art digital technology - with performances comparable to those the major record companies offer *yet at an affordable price*.

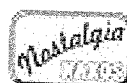
Not only does Naxos make new recordings for their catalogue, it also digitally enhances old recordings, which have fallen out of copyright and, using the most modern technology available, creates new CDs with high sound quality. As a result, Naxos has made classical music accessible and affordable, allowing people to experiment with different types of music which they might not otherwise be willing to do if paying the usual commercial price. *Naxos CDs sell for around a third of the price of established record label CDs.*

**Sound Recording Copyright**

In the EU and most of the rest of the world (other than the United States of America), Sound Recording Copyright currently lasts for 50 years from the end of the year in which the recording was first published, at which point it passes into the public domain. *The copyright in this instance applies only to the specific recording in question, and is separate from, and does not affect, the rights accorded to a composer (or lyricist) under other forms of copyright.*

Starting in 1998, Naxos has built a large catalogue of such public-domain recordings and is today considered to be the market leader in the field of historical recordings, thanks to the number of new titles it releases every month but also due to the outstanding quality of its re-masterings and its world-wide distribution network.

*As a result, Naxos is able to present consumers with a greater choice of music and do so at a significantly lower price compared to the cost of large, longer-established record label CDs.*



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Very often, the recordings Naxos re-masters are ones which the original publisher no longer offers to the public in its catalogue. It has been estimated that some record companies with a long history have in excess of 25,000 CD-length classical recordings, yet offer in the region of only 2,000 of these to the public. A similar ratio applies in the fields of Jazz, Blues, Folk and World Music. Thus, it is Naxos, rather than the original record labels, that keeps the history of recorded music alive.

### The Threat

Following extensive lobbying from major corporations, Sound Recording Copyright in the USA was extended to 95 years in an Act rushed through in a single day [Copyright Extension Act, 1998].

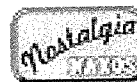
However, increasing the current period of protection from 50 to 95 years would force the removal of hundreds of discs from the public domain, leaving consumers with a significantly diminished choice of music or forced to pay a markedly higher price to other record labels. In either event, the ability of people to enjoy and experiment with a broader range of music would be severely curtailed – in direct contradiction of the principles copyright law first sought to protect.

As the *Economist* noted: “Copyright was originally the grant of a temporary government-supported monopoly on copying a work, not a property right. Its sole purpose was to encourage the circulation of ideas by giving creators and publishers a short-term incentive to disseminate their work.” [12<sup>th</sup> August, 2003]

Naxos believes that the correct balance has been struck, in the case of sound recordings, with the current 50 years from the year of release. The effect of extending the copyright period would diminish the availability of a broad range of music at an affordable price. Naxos does not believe this would be in the best interests of the consumer.

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Naxos-recorded orchestras now include the BBC Philharmonic Orchestra, BBC Symphony Orchestra, BBC Scottish Symphony Orchestra, Bournemouth Symphony Orchestra, Royal Scottish National Orchestra, Ulster Orchestra, as well as other pre-eminent Orchestras from around the globe.



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