

Dear Mr Gowers

I have been reading your excellent paper on ownership of intellectual property and can see why the review is required. I have one concern. It is a very wide sweeping review on many aspects and it seems to me that one has to be very careful to make certain each aspect is considered separately no matter how convenient it would be to increase all to the same number of years.

One point that took my eye was the 50 year protection of sound recordings. As a theatrical researcher and writer I have spent a considerable amount of time listening to theatrical and theatre related sound recordings, a task often only possible because of recordings issued by independent companies. The recordings are over 50 years old and the original companies who owned them had not bothered to issue them thus denying the consumer the possibility to enjoy them.

You ask for views on this:

The original recording company can still issue their original recordings.

How can there be exploitation on material that would otherwise remain locked away?

Why should our cultural heritage be hidden away because of large companies not finding it financially beneficial to issue them when smaller companies can?

I think the evidence points to the consumer being the one who suffers because of lack of choice.

I've heard that many of our ageing pop stars are concerned about their earlier recordings becoming easily available. It is a concern that begs question. Surely if these record companies believed there was scope in the reissue of these recordings they would be doing so themselves. They have access to world-wide markets and marketing powers to do this. If there are people you want to buy recordings that the companies have not bothered to reissue then surely the pop stars should be thrilled as there could be a new generation of fans that otherwise would not exist.

I believe the true talent of these recordings, the writers of the songs, etc. are already covered by payment and so they, arguably, could be worse off if the law were to change.

Surely the consumer should be considered in this for I come back to choice. Pop stars can influence their record companies to issue their recordings other artists cannot.

Perhaps you should seek the opinions of writers of songs for the stage, screen and simply record who are thrilled to hear their work is available to the masses and not locked away.

In short, 50 years would seem an ample time for the 'protection' of sound recordings. It allows the companies to exploit their catalogues for a considerable time and it also allows them to hide important material away.

Yours faithfully

Rexton S Bunnett