

Dear Sir,

I believe you are soliciting comment regarding the possible extension of copyright to 95 years.

Such a proposed extension to copyright protection may attract sympathy from those presented with the 68 year old artist whose recordings made fifty years' ago fall out of copyright. Where has his 'pension' gone as he sits alone, his fame and riches gone?

But the proposal to extend copyright protection to 95 years is an extreme response to such sad situations. If a change to reflect the fact that artists are living longer, needs to be made, it might better be directed to a change linked to the artists' lifetime plus a period after. My thoughts on this are given below.

I have always believed that copyright legislation aims to strike a balance between the rights of the holder and the wider world. The aim should be to allow the eventual free dissemination of knowledge after a decent period of protection for the creator. Thus the work of novelists are reprinted in cheap editions after the copyright period expires, enriching our knowledge, records of the great opera singers not only entertain, but tell us of performing styles, popular music from the Great War brings home to a younger generation the period with such intimacy, and so on.

I write with some authority: first, I am a university law lecturer who believes that the proposed 95 year rule may offend established Human Rights(Freedom of expression) case law, second, as a producer of CDs containing ancient popular recordings mainly drawn from the Edwardian period, and third as an author myself. Those early popular recordings found on my label have to be sourced, restored, and notes must be written – it is hardly a money-spinning business. If money be made it is ploughed back into the "project" to issue as much from the past, to educate, to inform, to move, to show the creativity of the past. I note also that I am quite happy for my own books to fall out of copyright after 50 years.

So to conclude, if the law must be changed (and I do not think it should), I propose the following compromise: mechanical copyright should remain for the lifetime of the artist plus twenty-five after the death of that artist, but copyright protection should never be less than fifty years after the issue of the recording. Thus the heirs of an artist who dies one day after his last recording is issued, would benefit for fifty years (as they would now). In addition the eighty year old faded pop star of the early 1950's, whose early records are at present no longer copyright protected would benefit – copyright in his lifetime and twenty five years after his death for the benefit of his heirs. This seems a sensible compromise and a fair balance between dissemination of knowledge, the interests of the artists and their families.

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