

525
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82

7th April, 2006

Andrew Gowers, Esq.,
Gowers Review of Intellectual Property,
Zone 4/E1,
H.M. Treasury,
1, Horse Guards Road,
London SW1A 2HQ

Dear Mr. Gowers,

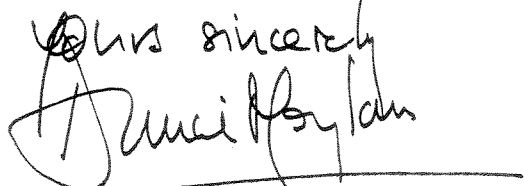
Extension of copyright protection for recorded music

This is a response to your call for evidence. I write as a consumer with friends active in the recorded music industry who specialise in the re-issue of little known vocal and show recordings from the mid-twentieth century or earlier. This is something of a cottage industry that lacks the clout of the big labels and it is possible that you are unaware of the output of companies such as Sepia, Flare, ASV Living Era and so forth. It will be clear to you on reflection, however, that this entire business sub-sector could be wiped out if copyright extension for performance artists were significantly increased from its current, I would say already generous fifty years.

These productions are already barely economic and are difficult enough to sell in quantity even at budget price. They appear because of the dedication and enthusiasm of the specialist record labels. If the cost of production were increased by, in effect, the extension of a state-sanctioned monopoly, the result would not, in my view, be that these records would be produced at a higher price but that they would not be produced at all. There would therefore be a real diminution in consumer choice.

And to what purpose? The current system protects performing artists for the bulk of their natural life. What public policy interest will be served by giving their descendants rights to a government protected income?

I hope you will take these considerations into account and decline to recommend an extension of copyright protection.

Yours sincerely


Daniel Moylan