

Minutes of first meeting of Copyright Advisory Panel 2nd October 2014

Attendees

Tim Suter – Non Executive Director IPO (Chair)
Ros Lynch – Director, Copyright and Enforcement Division (CED), IPO
Joanna Huddleston – CED, IPO
Richard Mollet – CEO The Publishers Association
Crispin Hunt – CEO Featured Artists Coalition
Gilane Tawadros – CEO Designers and artists copyright society
Magnus Brooke – Director of Policy and Regulatory Affairs, ITV
Maureen Duffy – Writer, Poet, President of Honour of British Copyright Council and Author's Licensing and Collecting Society

Apologies

Bill Bush – Director of Policy, Premier League
Geoff Taylor – Chief Executive British Phonographic
Jo Twist – CEO UKIE
Julian Ashworth – Global Director of Industry Policy, BT

Introduction & welcomes

- Attendees introduced themselves and briefly set out their affiliations
- There was agreement that all present were comfortable with the basic premise of the panel, as set out in section 1.1 of the terms of reference.
- Attendees also indicated that, while they recognised that the panel is not a board with all the ensuing collective responsibilities and decision making powers, they were nevertheless content that the panel should operate with the characteristics of a “board”: regular, high-level meetings, with named members.
- The links between the IPO's board, of which Tim Suter is a member, and the panel were discussed. It was noted that the IPO's board is not a policy making body of itself but has a responsibility to assist the IPO as it considers how to best formulate policy.
- It was acknowledged that the concept of the panel arose from the recent Creative Industries Strategy, which had identified the need for an additional mechanism for promoting high-quality engagement between IPO and stakeholders.

Membership of panel

- Attendees agreed there was a need to limit membership of the panel in order to promote fluid discussion at meetings. It was felt that up to 15 external representatives would be appropriate.
- IPO indicated that they were in discussions with public sector funding representatives and were expecting to have two representatives from this sector.
- There was consensus that representation from the journalism & photography sectors would be helpful, although the difficulties in identifying an individual with experience of the whole sector were acknowledged.
- In addition to representatives from trade bodies and larger companies, there was support for including representation from smaller, newer IP-focused companies if possible.

- It was also felt that representation from a practicing IP lawyer and also potentially an IP academic may be of value.
- There was agreement that it might be appropriate on occasions to invite external experts in to present e.g. policy leads from the IPO or other external experts

ACTION: RL/TS to further consider membership with a view to finalising before the next meeting [Update: Stephen Edwards from Reed Smith has agreed to join the panel]

Terms of reference

- Attendees were generally content with the draft terms of reference. Attendees felt that 4 meetings per year would be more effective.
- It was noted that the intention is to publish meeting dates for the full year ahead and to use on-line polls to find a date that the majority of members can make.
- Attendees felt that it would be helpful to publish a review of the panel at the end of the two years proposed for its initial operation. This should include some assessment of how the topics discussed at the panel have contributed to policy development. It was agreed that the terms of reference should be updated accordingly.
- Attendees were content that minutes and terms of reference would be published online, subject to agreement by email.

ACTION: IPO to re-circulate revised terms of reference and poll for meeting dates, aiming for late November/early December, February, May and September

Update on year ahead

- There was a brief discussion of key events coming up for CED:
 - ❖ Publication of IP Crime Report (10th October)
 - ❖ Publication of Annual Review of Innovation (probably early November)
 - ❖ Consultation on implementation of CRM directive (early next year)
 - ❖ Research on criminal sanctions (likely November), research on impacts of social media on IP infringement (timescale tbc)
 - ❖ Debates on Orphan Works (14 October in the House of Commons and 23 October in the House of Lords)
 - ❖ Consultation on reforms to 2039 copyright rule (imminent)
 - ❖ Section 52 consultation (closes 26th October)

ACTION: IPO to check that all members of the panel are included on the copyrightpolicy mailing list [update – done]

Topics for future meetings

- It was agreed that the focus of the next meeting would usefully be on copyright reform in Europe, taking the Government's response to the EU Consultation on Copyright as a starting point and including discussion of the role of copyright law in shaping the Digital Single Market
- Other suggested topics for future meetings included:
 - ❖ A discussion of the potential impacts of copyright reform in other countries on the UK, in particular Canada and the US.

- ❖ A discussion of legislative changes proposed internationally through WIPO
- ❖ A broader discussion on market and technology developments and their likely impact on IP policy
- It was agreed that the next meeting would scope out a discussion on broader international developments in copyright

AOB

- None