

## Minutes of the Copyright Advisory Panel Meeting 20<sup>th</sup> October 2015 2:30-4:30pm

### Attendees

Tim Suter – Non Executive Director IPO (Chair)  
Ros Lynch – Director, IPO  
Joanna Huddleston – CED, IPO  
Magnus Brooke – Director of Policy and Regulatory Affairs, ITV  
Maureen Duffy – President of Honour of British Copyright Council and ALCS  
Stephen Edwards – ReedSmith  
Gilane Tawadros – CEO Designers and artists copyright society  
Crispin Hunt – CEO Featured Artists Coalition  
Geoff Taylor – Chief Executive British Phonographic  
Bill Bush – Director of Policy, Premier League  
Amanda Nevill – BFI  
Richard Mollet – CEO The Publishers Association  
Ben Beadle – CED, IPO (minute-taking)

### Apologies

Jo Twist – CEO UKIE  
Roly Keating – British Library  
Julian Ashworth – Global Director of Industry Policy, BT  
Hamish Crooks – Magnum Photos

### Introductions & welcomes

The chair welcomed the group and explained that the meeting today was to be used as a forum for members to discuss international copyright issues facing their respective industries. The chair thanked the three members (Crispin, Gilane and Richard) who had volunteered to give presentations to the group.

### Update from the IPO

**s73** – The Government response to the DCMS consultation on the balance of payments will be launched later this year. In the event of any change to the current framework, the IPO would need to conduct a further technical review of any changes to legislation

**s72** – The consultation has closed and the responses are being analysed with the aim of publishing a response as soon as possible

**s52** – The consultation for the repeal of s52 and the new transitional period will start shortly (**update – the consultation went live on Wednesday 28<sup>th</sup> October**)

**Criminal sanctions** – The consultation has closed and the Government response is likely to be released as soon as possible.

**EU Commission Enforcement Consultation** – The consultation is expected to begin at some point in November 2015 [update, the consultation was launched 9 December 2015].

**EU Regulations on Portability** - The Commission is expected to release its proposals on Portability on 9<sup>th</sup> December. A Communication is expected dealing with other aspects of the DSM package. It appears there is going to be a longer timetable than originally planned. The IPO will continue the process of talking to stakeholders and gathering evidence.

## **Presentations**

Crispin Hunt gave a presentation on 'Fair Remuneration for Songwriters and Musical Performers' which raised several points about the way music is being bought and sold in the digital age and the effect this is having on artists and their creative output. Members of the panel commented that similar issues relating to the digital age were present in other areas. The panel agreed that a balance needs to be struck to ensure fairness alongside responsiveness to new mechanisms of marketing and content delivery to consumers.

Gilane Tawadros gave a presentation on 'Artists Resale Rights' and the challenges facing artists in its operation, which included:

1. The growth of online sales of artwork where the AAR fee is not applicable and issues defining what constitutes an online sale
2. Other definitional issues – what constitutes an artwork? When is a sale not a sale?
3. Ensuring galleries, auction houses and dealers comply with ARR

Members of the panel asked if there is a penalty for galleries or art houses who do not comply. Artists can threaten legal action however, many artists cannot afford to go to Court.

Richard Mollet gave a presentation on 'Developments in Text and Data Mining (TDM)', the licensing solutions that are on offer and the role of Orchid id numbers to identify researchers. There was discussion on how data mining tools are becoming more and more sophisticated and likely to extend in the future to copyright works beyond text, including the role of the in enforcement.

The chair thanked the members for their presentations as it is very useful for the group to have an understanding of the issues facing other industries and to see where crossovers occur.

## **Wrap Up**

It was agreed by the group that the next CAP meeting should be held in mid January 2016 so that all members will have had time to digest the Commission's proposals on portability.

**(Action – IPO to canvass members availability for mid January 2016)**

**(Update – The next meeting is being held 20<sup>th</sup> January 14:30-16:30 at the IPO)**

**AOB None**