

Minutes of the Copyright Advisory Panel Meeting 6 July 2pm -4pm

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
Geoff Taylor – Chief Executive British Phonographic
Bill Bush – Director of Policy, Premier League
Julian Ashworth – Global Director of Industry Policy, BT
Stephen Edwards – ReedSmith

Apologies

Maureen Duffy –President of Honour of British Copyright Council and ALCS
Crispin Hunt – CEO Featured Artists Coalition
Susie Winter –The Publishers Association
Hamish Crooks – Magnum Photos
Jo Twist – CEO UKIE
Roly Keating – British Library
Gilane Tawadros – CEO Designers and Artists Copyright Society
Amanda Nevill – BFI

Presentations

GT gave a presentation on duty of care, slides to be circulated among the group. The presentation highlighted data on the use of search engines by consumers to access illegal content, the impact of advertising being hosted on infringing sites, the domain registry process, increasing use of stream rippers and the development of apps that encourage access to infringing content. Members thanked GT for the presentation. Discussion covered the interaction of these issues with other policy issues, including net neutrality and child protection legislation. Issues of how intermediaries are defined, including when supply chains are very complex such as in the online advertising world were also discussed. Concerns were raised that Government-mediated dialogue between industries may not always be the most effective way to facilitate progress. There were mixed views on whether more legislation is necessary; however, the need for specific pieces of legislation – and the impact of the threat of future legislation in other cases – was noted.

BB and MG gave a joint presentation on the role of geoblocking in the territorial model of financing. Slides to be circulated among the group. The presentations highlighted the role of geoblocking in allowing content to be produced and targeted appropriately to consumer preferences, both in TV and sport. This included the role of geotargeting intra-state, for example, broadcasting arrangements in the UK differ between England and Scotland, the role of geotargeting in ensuring that advertising is targeted appropriately and the use of geoblocking to avoid the need to comply with rules in 27 Member States that may not be understood by the broadcaster without significant input. There was discussion on possible models for extension of the

SatCab Directive and whether it is possible to genuinely distinguish between active and passive sales in free to air broadcasting, and in the digital environment more generally. The ongoing pay-TV competition case may have significant implications for the broadcasting world. Differences in views on the desirability of geoblocking between consumer groups was noted, as it was felt that BEUC (EU consumer group) were very anti-geoblocking despite their own research noting the positive benefits of geoblocking whereas Which? have a more nuanced position.

Brexit

There was a general discussion on the potential impacts of Brexit on creative industries, including the risk of investment decisions being delayed if businesses are concerned that broadcasting revenues will decrease in the future. The regulatory landscape is complex and participants felt that it would be beneficial if the UK Government could make clear that existing legislation determining IP rights would stay in force. There were concerns that there will be a rush to de-regulate that could have detrimental impacts on the UK's copyright framework, which is largely working well. Government should state clearly that changes should only be made in the UK's interest based on evidence. There was a request for more clarity from Government on the process for negotiating Brexit, including how stakeholders will be able to feed in. It was noted that many organisations will be consulting their membership over the summer to seek more detailed views and that the IPO would be grateful for further input once these discussions have happened.

AOB

None.

The next meeting of the CAP is scheduled to take place on Thursday 20th October between 2-4pm at the IPO, 4 Abbey Orchard Street, London SW1P 2HT.