

From: [Stuart Prior](#)
To: [Section52CDPA](#)
Subject: Potential changes to section 52 of the Copyright, Designs and Patents Act
Date: 23 December 2015 16:11:03

Sir/Madam,

I write from [Wikimedia UK](#), a UK charity that supports Wikipedia and the other Wikimedia projects and is the local chapter of the global Wikimedia movement. We support the widest possible public access to, use of and contribution to open content of an encyclopaedic or educational nature.

We have recently become aware of the potential changes to section 52 of the Copyright, Designs and Patents Act.

The proposed changes are of great concern to us and our community of amateur photographers and users/producers of images on Wikipedia, other Wikimedia projects and beyond that.

We believe that the proposed copyright extension on images of artistic craftsmanship is regressive, and at odds with a free and creative digital economy where the legal line between what constitutes commercial and non-commercial use is already blurred. (e.g, a blog with some adverts to help cover the costs of hosting the site, or that accepts micropayments, but in no way turns a profit , could be considered a commercial enterprise).

Additionally, research suggests that these extensive copyright terms (Life plus 70 years) are at odds with a world where production of creative works is far cheaper, easier and more accessible than it was when these terms were established, with a recommendation of 14 years after production as the best balance between encouraging and incentivising creative works, and the social benefits (and further creativity) that come from having works enter the public domain.

We have great freedoms in the UK in terms of our ability to take photos and publish them that are the envy of the rest of Europe. We all take photos, all the time, and the increase to an effective ~120 years of copyright protection for say, furniture we own, or a poster that decorates a home, absurdly criminalises photos taken in our own homes, to questionable benefit for the creators.

This extension risks criminalising amateurs, not to mention the increased costs of professionals ascertaining whether the images they are producing/publishing are protected by copyright or not, or the potential costs of any retrospective licensing.

I hope that the IPO sees sense and allows no increase to the current 25 year term. It's similar to the kind of quietly regressive amendments that we see lobbied for at a European level which only serves large rightsholders organisations under the guise of protecting and incentivising creative industries, with no concern for the public "collateral damage" .

Thanks for taking the time to read this. Let me know if you need any further information.

Kind regards

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