



Conversations on Copyright 2013

Copyright Governance: The Regulation and Enforcement of Copyright on the Internet

Speaker Bios and Abstracts

Professor Paul Heald is a Professor of Law at the University of Illinois, Professorial Fellow at the Centre for Intellectual Property Policy and Management at the University of Bournemouth, and is currently the Herbert Smith Visitor & Affiliated Lecturer at the University of Cambridge. Professor Heald says "In two studies, I look at patterns of distribution of copyright works available to consumers on Amazon.com and YouTube. The Amazon study looks at the initial publication dates of hundreds of works and reveals how copyright makes works disappear. Publishers of public domain books are much better at making works available than copyright owners. The study also shows a positive public domain effect in one music market, although it is less dramatic. The YouTube study examines patterns of tolerated or undiscovered infringements and provide surprising information about how number one songs from 1930-2000 from the US, Brazil, and France are made available to consumers."

Dr Irini Stamatoudi is the current Director General of the Greek National Copyright Organization. She was a lecturer in Law at the Faculty of Law of the University of Leicester in England (1999-2001) before she returned permanently to Greece. Dr Stamatoudi says "I intend to look at Internet Service Providers with regard to online copyright infringements as this role is reflected in the EU Directives and the CJEU case law. I could also examine whether the relevant ACTA provisions contradict or are in compliance with the *acquis communautaire* in this particular field. I could also discuss whether there will be any progress made in the near future in this particular area by the EU (e.g. as part of a potential updating of the Enforcement Directive or the Information Society Directive). I can also comment on the different types of national initiatives in the area and their outcome (where this outcome is known). I can also bring into the discussion relevant national case law. Lastly, I have some thoughts as to whether ISPs will co-operate with rightholders in the future and how."

Dr Daithi Mac Sithigh is a Lecturer in the Law of Digital Media at the University of Edinburgh, and was previously a lecturer at the University of East Anglia and Director of its LLM Information Technology and Intellectual Property course. Dr Mac Sithigh says, "It is taken for granted that while the US adopted a two-track approach to intermediary liability (strong immunity in respect of civil claims in general, but conditional immunity in respect of IP), the EU chose in Directive 2000/31 to deal with all claims in the same fashion. This paper considers whether subsequent developments (including IP directives, defamation reform, and graduated response schemes) mean that intermediaries (both conduits and hosts) in the UK are more similar than ever to their equivalents in the US. The recommendations of European Commission reviews of legislation are also discussed."

Dr. Dinusha Mendis is a Senior Lecturer in Law and Co-Director of the Centre for Intellectual Property Policy and Management (CIPPM) at Bournemouth University. This paper will outline the rise of 3D printing, its inroads into the domestic market and focus on intellectual property (IP) implications, particularly the implications in relation to copyright law. In looking to the future and in drawing parallels with the entertainment industry and the download culture, the paper will consider whether any lessons can be learnt from the Napster revolution and if so, how they can be applied to this new type of technology which will most certainly challenge copyright and IP laws. The paper also suggests that rather than focusing on stringent IP laws the future lies in adopting new business models in adapting to this new technology.



Dr Benjamin Farrand is Lecturer in Intellectual Property Law and Policy at the University of Strathclyde. Dr Farrand says, "The purpose of this paper is to link these theoretical considerations of the creation of 'networks of power' to a practical case study involving the transnational, multi-level development of law through nodes within a network. In terms of law and regulation the various institutions and actors within those institutions ultimately constitute 'nodes' within a network, in which power is not 'held' by one actor, but diffused amongst many, operating through relationships. These networks are not static, but dynamic, connecting and disconnecting as necessary to respond to, or shape, a particular law or policy. In particular, I seek to demonstrate that recent (and contentious) extensions to the duration of copyright for sound recordings in the EU have largely been the result of interaction between nodes in a policy network. Through process tracing and discourse analysis, the paper will show how a policy for term extension began with music industry representatives based in the UK, filtering through to British governmental actors, before then being acted upon by the European Commission, resulting in the creation of a European Directive."