



The next move in a world of free content

The tension that exists between the enthusiastic amateur uploader and professional creative businesses in the context of copyright law is examined by Alexander Ross, partner in the music and technology sectors.

The current copyright law and the changes suggested by the Gowers Review in peeling away certain protections and bolstering others, is expected to result in legislation, possibly by the end of the year. These proposals, while welcomed by consumers, have been greeted with caution by certain industry participants who are want to ensure that the principle that copyright is an economic right is not lost or diluted.

The opposing view is also considered - again, in the context of the power of the consumer and the acceptance by some service-led industries that as the consumer is always right, changes to copyright law are needed to protect both the owner and the user. In this respect, the recent Digital Entertainment Survey provides some interesting findings - the Survey reveals a willingness to pay for certain content (the latest films (53%), sport (52%) and live music (40%)) however, 70% would prefer a free service supported by advertising.

In this context however the application of the Audiovisual Media Services Directive, which is to be implemented by 2010, must be considered - it introduces regulation of advertising and sponsorship on Internet services.

For further details see The Guardian Media Law Supplement, 10 March 2008; see also the 2008 Digital Entertainment Survey Report, available from www.wiggin.co.uk.