

**Name**

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**Of the six categories into which the Paper classified the first round of submissions, which one (if any) best describes you?**

rights-holder

user

I create my own works and use others.

**Is our broad focus upon the economic and technological aspects of entrepreneurship and innovation the right one for this Review?**

No, cultural aspects are needed too.

**Is there sufficient clarity about the basic principles of Irish copyright law in CRRA and EUCD? [Note: CRRA is the Copyright and Related Rights Act, 2000; and EUCD is the European Union Copyright Directive (Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society)].**

No. Questions remain as to their limits, e.g. is a link to breaching content counted as breaching content? Where do mashups fit?

**Should any amendments to CRRA arising out of this Review be included in a single piece of legislation consolidating all of the post-2000 amendments to CRRA?**

Yes

**Is the classification of the submissions into six categories – (i) rights-holders; (ii) collection societies; (iii) intermediaries; (iv) users; (v) entrepreneurs; and (vi) heritage institutions – appropriate?**

No as multiple categories exist.

**In particular, is this classification unnecessarily over-inclusive, or is there another category or interest where copyright and innovation intersect?**

Intersections. I host a website (class V) which allows comments (Class iii) on which I host my own work (class i) and I use others work (class iv). And I'm NOT unusual.

**What is the proper balance to be struck between the categories from the perspective of encouraging innovation?**

Hard line definition as to what the breaches/limits are so that I am not constantly breaking a law for which the limits have not been defined in the courts.

**Should a Copyright Council of Ireland (Council) be established?**

Depending on its limits and abilities; yes

**If so, should it be an entirely private entity, or should it be recognised in some way by the State, or should it be a public body?**

It should be recognized by the state and my the courts as a body for arbitration, e.g. the first port of call to determine a breach and initial appeal.

**Should its subscribing membership be rights-holders and collecting societies; or should it be more broadly-based, extending to the full Irish copyright community?**

Broadly-based

**What should the composition of its Board be?**

No single hat permitted. All members of the board should straddle at least 3 of the classifications. This straddling will prevent single focus causes and limit lobbying.

**What should its principal objects and its primary functions be?**

Determine when /how breaches occurred, and limits. Also to determine what to do with orphaned works.

**How should it be funded?**

Public purse. And private funding will call in to question motives of the board.

**Should the Council include the establishment of an Irish Digital Copyright Exchange (Exchange)?**

Unknown, insufficient information about the council

**What other practical and legislative changes are necessary to Irish copyright licensing under CRRA?**

1) Is a link illegal? 2) How much original work is needed to make a mash-up novel enough to count as new, or does simply mixing multiple sources release the boundary? 3) Conditions under which it is legal to break a digital lock? 4) Full permissions to break all digital lock when the source material is out of copyright (e.g. locked e-book of James Joyce)

**Should the Council include the establishment of a Copyright Alternative Dispute Resolution Service (ADR Service)?**

Yes

**How much of this Council/Exchange/ADR Service architecture should be legislatively prescribed?**

All. Creating a body without any power is simply a waste of time and money.

**Given the wide range of intellectual property functions exercised by the Controller, should that office be renamed, and what should the powers of that office be?**

Determine if there is a breach, what severity the breach is, who is to be blamed

**Should the statutory licence in section 38 CRRA be amended to cover categories of work other than “sound recordings”?**

Insufficient information

**Furthermore, what should the inter-relationship between the Controller and the ADR Service be?**

Either Same body or Controller determines the rules ADR determines their application

**Should there be a small claims copyright (or even intellectual property) jurisdiction in the District Court, and what legislative changes would be necessary to bring this about?**

Unknown, insufficient information, but it would fit in with severity categorization.

**Should there be a specialist copyright (or even intellectual property) jurisdiction in the Circuit Court, and what legislative changes would be necessary to bring this about?**

Would make sense for criminal piracy cases, but I think the legislation for this should exist already.

**Whatever the answer to the previous questions, what reforms are necessary to encourage routine copyright claims to be brought in the Circuit Court, and what legislative changes would be necessary to bring this about?**

Think routine claims should be dealt with in the ADR