

As already noted in my previous response, copyright should be abolished. At the very least, copyright law needs severe reform along lines proposed by the Pirate Party of Sweden [1] and similar pirate parties in other countries. Perhaps an attribution right (right to be recognised as an author of a work, something logically independent from a power to restrict redistribution) could remain without causing severe difficulties, but in the main, copyright is questionable [2][3].

As Rick Falkvinge notes, "The pattern here is clear: copyright monopolies and patent monopolies encourage neither creativity nor innovation. Quite the opposite." [4]

When copyright requires some sort of horrible information police state for continued enforcement, it is copyright law that must be changed, not the internet.

Regarding the consultation paper published by the copyright review committee in particular:

1. "Balance":

I am at least made wary by talk of "balance". Copyright is imbalance by its very nature. If anything, the balanced position might be the abolition of copyright restriction on published information yet without imposition of any mandatory publication of private information.

See e.g. (positions not necessarily 100% identical to my own): "There Can Be No 'Balance' In The Entirely Unbalanced System Of Copyright" by Mike Masnick [5], referencing "Inside Views: 'Balanced' Copyright: Not A Magic Solving Word" by Alan Story. [6]

2. "Intellectual 'Property'" (sic):

Copyright really stands in opposition to property rights (see e.g. [7]). Repeated usage of the term "intellectual property" gets a tad obnoxious. As noted by Richard M. Stallman [8], it is misleading and best avoided.

3. Continued existence of copyright system:

The detailed questions seem to mostly be discussing variations of laws within a general debate frame of the existing system, i.e. apparently pretty much taking for granted that the system should continue to exist at all and is worth saving. Indeed, some of the measures proposed might conceivably stave off said system's total collapse for a time and as such might be welcomed by some copyright holders (at least ones not too busy making up absurd loss figures [9]), some of them might be changes worth considering if the system still exists, but hey, the system shouldn't exist in the first place.

[1] <http://www.piratpartiet.se/international>

[2] <http://questioncopyright.org/about>

[3] <http://levine.sscnet.ucla.edu/general/intellectual/againstfinal.htm>

[4]

<http://torrentfreak.com/history-shows-that-copyright-monopolies-prevent-creativity-and-innovation-120205/>

[5]

<http://www.techdirt.com/articles/20120227/03453017886/there-can-be-no-balance-entirely-unbalanced-system-copyright.shtml>

[6]

<http://www.ip-watch.org/2012/02/27/%E2%80%98balanced%E2%80%99-copyright-not-a-magic-solving-word/print/>

[7] <http://mises.org/against.pdf>

David De La Harpe Golden

[8] <http://www.gnu.org/philosophy/not-ipr.html>

[9] <http://torrentfreak.com/us-government-told-piracy-losses-are-exaggerated-100616/>