



# Blue skies in Copyright and Licensing what's new, what's on the horizon

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Copyright Committee





encourage the dissemination of knowledge, by encouraging publication and sharing

The ultimate goal of copyright:  
a rich and diverse pool of knowledge that can be – and is  
- shared.



Stop! by Andy Arthur available at flickr  
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# Balance



COPYRIGHT'S ALL ABOUT **BALANCE**:  
BALANCING CREATORS' AND THE  
PUBLIC'S NEED FOR **FREE**  
**EXPRESSION...**



mimilandeunice.com

WITH COPYRIGHT  
LAWYERS' NEED FOR  
**PAYCHECKS!**



# Marrakesh Treaty

Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled

First treaty to focus on user rights

# Trans Pacific Partnership

## **Article 18.15: Public Domain**

1. The Parties recognise the importance of a rich and accessible public domain.
2. The Parties also acknowledge the importance of informational materials, such as publicly accessible databases of registered intellectual property rights that assist in the identification of subject matter that has fallen into the public domain.

## **Article 18.66: Balance in Copyright and Related Rights Systems**

Each Party shall endeavour to achieve an appropriate balance in its copyright and related rights system, among other things by means of limitations or exceptions that are consistent with Article 18.65 (Limitations and Exceptions), including those for the digital environment, giving due consideration to legitimate purposes such as, but not limited to: criticism; comment; news reporting; teaching, scholarship, research, and other similar purposes; and facilitating access to published works for persons who are blind, visually impaired or otherwise print disabled



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# Copyright Amendment (Disability Access and Other Measures) Act 2017

New disability access rights – including international book exchange

Simplification of educational statutory licences

Fixes preservation – including making it easier to supply onsite researchers

New copyright term provisions

Came into force 22 December 2017, except copyright term provisions

# Copyright Term

- Removes perpetual copyright for unpublished works
- Creates new term for works where the identity of the author is not known (eg anonymous, pseudonymous, orphan)



New basic rules (subject to transition):

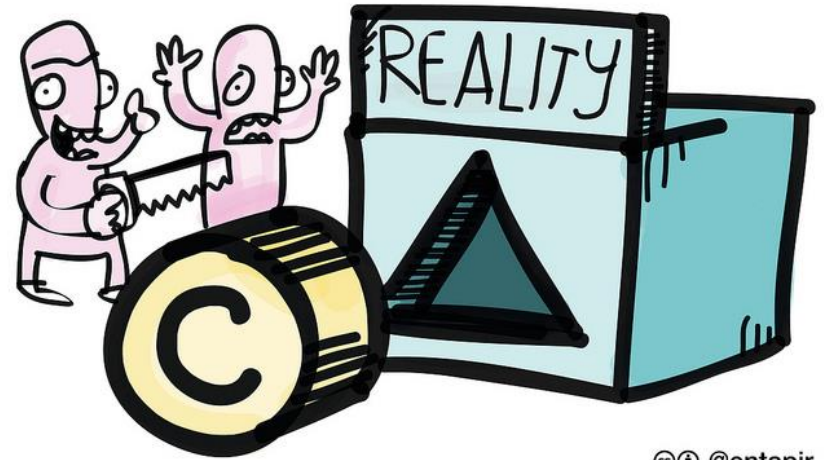
- Works with a known author - life of the author plus 70
- Audiovisual materials – 70 years from creation
- Works with unknown author - 70 years from when made public (if made public) or creation (not made public)

1 January 2019 millions of items fall into the public domain. What are we going to do about it?

# Copyright Modernisation Review

Gov is currently consulting on:

- Copyright and contract – protect exceptions from being overruled by contracts, including fair dealing and GLAM
- Orphan works – exception/limitation of liability to enable use of orphan works
- Limitations and exceptions – increase flexibility through fair use or fair dealing (and fix the rest of the GLAM exceptions)



Submissions due 4 June

# Thank you!

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