

# The future for copyright and design rights policy - rights management, enforcement and the UK's approach post-Brexit 22<sup>nd</sup> June 2017

## **CONDITIONS FOR USE OF TRANSCRIPTS:**

This document is intended to provide a timely reference for interested parties who are unable to attend the event to which it refers. Some portions are based on transcripts of proceedings and others consist of text submitted by speakers or authors, and are clearly marked as such. As such, apart from where it is indicated that the text was supplied by the speaker, it has not been possible for the transcript to be checked by speakers and so this portion of the document does not represent a formal record of proceedings. Despite best endeavours by Westminster Forum Projects and its suppliers to ensure accuracy, text based on transcription may contain errors which could alter the intended meaning of any portion of the reported content. Anyone who intends to publicly use or refer to any text based on the transcript should make clear that speakers have not had the opportunity for any corrections, or check first with the speaker in question. If in doubt please contact the forum first.

# **Contents**

About this Publication	3
<u>Agenda</u>	4
Session Chair's opening remarks Lord Clement-Jones (transcript)	6
<u>Latest developments in EU-level reforms and the UK's position going forward</u> Phil Sherrell, Partner and Head of International Media, Entertainment and Sport, Bird & Bird (transcript)	7
Priorities for the future of the UK copyright framework  Ros Lynch, Director, Copyright and IP Enforcement, Intellectual Property Office (transcript)  Questions and comments from the floor with Phil Sherrell, Partner and Head of International Media,  Entertainment and Sport, Bird & Bird (transcript)	11 14
'An artist's perspective: rights management and enlivening the music industry ecosystem' Imogen Heap, Recording Artist; Founder, Mycelia and Artist in Residence Creative Executive Officer, Featured Artist Coalition (transcript)	18
Martin Kretschmer, Professor of Intellectual Property Law and Director, CREATe Centre, School of Law, University of Glasgow (transcript)  Susie Winter, Director of Policy and Communications, The Publishers Association (transcript)  James Bennett, Head of Rights and Licensing, Copyright Licensing Agency (transcript)  Ben White, Head of Intellectual Property, British Library (transcript)  Questions and comments from the floor with Imogen Heap, Recording Artist; Founder, Mycelia and Artist in Residence Creative Executive Officer, Featured Artist Coalition (transcript)	22 24 26 28 30
Session Chair's closing remarks Lord Clement-Jones (transcript)	35
Session Chair's opening remarks Lord Bichard, former Chair, Design Council (transcript)	36
<u>Rights protection for UK designers and implications of EU withdrawal</u> Steve Rowan, Director, Tribunals, Trade Marks and Designs, Intellectual Property Office (transcript)	37
Options for strengthening UK design rights: legislative gaps, scope of protection and future-proofing policy Martin Darbyshire, Chief Executive Officer, tangerine (transcript) Nick Kounoupias, Chief Legal Counsel, Anti Copying In Design (transcript) Stuart Helmer, Senior Associate, CMS (transcript) Questions and comments from the floor with Steve Rowan, Director, Tribunals, Trade Marks and Designs, Intellectual Property Office (transcript)	41 43 45
Rights enforcement and anti-piracy strategies: voluntary agreements, policy options and the future of international co-operation  Stan McCoy, President and Managing Director, Motion Picture Association EMEA (transcript)  Matthew Hibbert, Head Counsel, Sky (transcript)  Helen Burrows, Head of Policy, BT Group (transcript)  Questions and comments from the floor (transcript)	53 55 58 61
Keynote closing remarks  Ros Lynch, Director, Copyright and IP Enforcement, Intellectual Property Office (transcript)	67
<u>Westminster Media Forum closing remarks</u> <b>Daniel Patefield</b> , Forum Lead, Westminster Media Forum (transcript)	6 <b>8</b>
<u>Comments</u>	69
List of Delegates Registered for Seminar	70
Contributor Biographies	76
About the Core Sponsors of the Westminster Media Forum	80

Please be advised that speakers' PowerPoint presentations are included within the transcript itself, just beneath the relevant speaker's text. Please note that not all speakers are able to grant permission for us to include their slides.

# **About this Publication**

This publication reflects proceedings at the Westminster Media Forum Keynote Seminar: The future for copyright and design rights policy - rights management, enforcement and the UK's approach post-Brexit held on 22<sup>nd</sup> June 2016. The views expressed in the articles are those of the named authors, not those of the Forum or the sponsors, apart from their own articles.

Although Westminster Media Forum is grateful to all sponsors for the funding on which we depend, participation in events and publications is never conditional on being a sponsor. As well as funding ongoing operations, sponsorship enables the Forum to distribute complimentary copies of publications, and offer complimentary tickets for events, to Government ministers, parliamentarians and officials most involved in policy.

This publication is copyright. Its copying, in whole or in part, is not permitted without the prior written consent of the publishers. However, extracts of the text may be reproduced for academic or review purposes, subject to the conditions of use outlined in the previous page, providing they are accurate, are not used in a misleading context and the author, their organisation and the Westminster Media Forum are acknowledged. We would also appreciate being informed.

### **Westminster Media Forum**

UK Headquarters 4 Bracknell Beeches Old Bracknell Lane West Bracknell Berkshire RG12 7BW

T: 01344 864796 F: 01344 420121 publications@westminsterforumprojects.co.uk

### **Directors**

Peter van Gelder Chris Whitehouse