Position paper from
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1) The interoperability of DRM´s is a natural aim, for the concerned legislator, who takes an interest in consumer aspects. It is a given fact that a number of DRM´s are brought to the market with the sheer goal of keeping the consumer fixated to one playing device only or at least one hardware-companies different number of sound devices. The DRM have changed from being a tool to avoid illegal use of the purchased piece of content, into being a keeper of the content provider's exclusivity to his DRM protected repertoire and to his group of users.
   The uniformity of DRM´s, and interoperability would be of great value to the end-user, to be able to buy/use/store any legally purchased piece of digital content on any brand of equipment, at terms well described and well communicated to all would be a great help to the consumers. It would also strengthen the consumers understanding of the reasonability and the necessity of these protection systems. We would recommend the use of power of legislation to bring one common standard within DRM to life; it would be helpful to consumers, small and medium sized internet service provider's small and medium sized publishers, and every performer or author, big or small.

2) Like with the description/consumer information that accompanies your telephone subscription, you just can't expect the consumer to sit down and read, and understand a great number of pages of business law, just because you have bought say: a song for download. Or you might expect it, but it would be a totally unrealistic scenario, so the thing to do is to make sure, that the terms are uniform, well checked by representatives from consumer groups, and the legislators of EU, on behalf of the consumer, and then off course: Understandable and sufficient information/labelling to make the consumer aware, what kind of arrangement he/she has entered into. If it is unconceivable to reach a situation where all drms accepts all formats and machines, then off course clear information as to which type of equipment this piece of digital content is coded for, MUST be totally clear. Is it impossible to clear and simplify the wording of these supplier/end user engagements, it should at least be totally clear, what the consumer may and may not do, what do the consumer own by his purchase, what is his right as a and what is not, and guide the consumer to systems by which he can express his dissatisfaction and have a ruling.

3) See 2)

4) In Denmark we have this kind of dispute settling authority, and it functions very well. The existence of such an instrument is highly recommended, because we believe that it will definitely enhance consumer confidence in any of the existing services to provide them with internet content.

5) Non discriminatory access to DRM solutions for all players in this field is helping to achieve a fair and equal situation among competitive SME´s, and it is a way to actively make sure, that "diversity" is not just a nice word from speeches, but a widespread possibility for every player to protect his creative outlet.

6) We think that a well functioning multi territorial licensing of creative content on line should be obtained by expressing in clear terms what reality EU wants to see in this field, and a timeframe to achieve it. Then let CRM´s, institutions, and stakeholders find out in which way the existing systems, - tight woven, refined, sophisticated system of 100 years of experience in market know how as they are, - find their own way towards

this situation. Way too many positive solutions handling an extreme number of complex problems are thrown out in thoughtless striving for smart, fast, but insensitive internet handling of delicate content, working positively for big entertainment conglomerates, major publishers, big and dominant service providers, and influential consumer groups, but ruining nearly all existing possibilities to hang in there for the small entrepreneur, the solo creator, the niche genres, everyone/-thing you state, that you want to protect.

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8) I still need to see the theory of the long tail work for real. It is easy to see, that the number of works in f. instance music that are accessible on the internet have increased to numbers outside anyone's expectation, so there are good reason to assume, that selling even very few downloads pr. country COULD amount to something, when you put it all together, and - so to speak - have the world as your market. BUT to see the same action turn into real money for the "NON Radioheads" of the world remains to be seen.
If it ends up the way the world is turning in this field generally, the race to the bottom of the tariffs, might cause the situation, that you experiencing yourself very widely exposed –and used - but with no real income to prove it. This is partly because the systems to protect the creator/producer against misuse are too vague (half of EU will not help the creators find the internet pirates and put a stop to the illegal traffic, calling it unwanted interference in the private sphere of the single citizen.)
So rather than multiterritorial licenses to make the long tail theory blossom, a proper protection of what's already out there, a set of juridical tools to put power behind the fine words, and just a tariff to be cashed in somehow, then it really doesn't have to be multiterritorial at all, it just has to be functioning, preferably a tariff set according to the end users geographic position, and the level of tariffs there.

9 -10 -11) Increased cooperation of stakeholders can only be of interest to all legally involved in this field. There is an enormous task lying in front of us in education in – and promoting the respect for authors rights and copyright on online and elsewhere.
For the time being everybody's blaming the rights owners for unwillingness to let go, and let their participation to the worlds stock of digital content be available for every interested user.
But for us, the smaller players, the view out the window is this, that systems we have built up to protect our livelihood, are forced to their knee by EU recommendations, trying to armvrestle new business models through, that seem to benefit only consumers and major players.
The French memorandum of Understanding seems very sympathetic, but it remains to be seen if other parts of legislation will allow the shutting down of internet lines where illegal traffic has been proven, and if the ideal intent of the MOU will come into effect.
Filtering is one of several ways to control or monitor the traffic online, and its is obvious, that – like with real traffic – there has to be a real sense of danger in going where you shouldn't go. A sense of fear, that you will get caught, that you will lose your connection – your internet line, or you will have fines sent through your letterboks etc.
All of this off course has to be held against other parts of the law that might contradict these initiatives, and what is possible within a legal framework has to be examined.

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