

Public Consultation on Content Online in the Single Market

A Contribution from the Music Users' Council of Europe

Introduction

The Music Users' Council of Europe (MUCE) is the only umbrella body in Europe representing all users of copyright music in any delivery form. Its membership numbers 25 trade associations and individual companies which together represent some 280,000 separate businesses.

It has a remit to improve the way collective rights management is organised through legislation to introduce more balance in the relationship between users and rights owners.

In the context of your current public consultation it is important to recognise that online music providers and users have specific problems regarding the copyright regime historically operated within the European Economic Area (EEC).

Over the past five years or so the European Commission, largely through the Internal Market DG, has sought to achieve better harmonisation in this sector in accordance with the Single Market Act. Following this activity and the more recent action by the Competition DG regarding the monopoly situation operated by collection management societies, the interest of Information Society DG is to be welcomed in encouraging content online.

Specifics

You have rightly detected that online content is important to the European economy and our members are concerned that this development be encouraged through the establishment of more efficient operating methods. However, there is a brake on online music development caused through the current territoriality of copyright content licences and lack of suitable dispute resolution systems over copyright licence regimes and tariff levels. It is essential that this old fashioned way of operating be reformed and brought up to date. In brief, we need a digital solution for a digital age.

One of the most significant developments in this direction is the arrival of digital rights management systems. It is important that more research is carried out to improve these devices, especially in connection with the problems of inter-operability. Through this development it would be possible to eventually be able to arrive at a completely different business model for the management of online content rights which would finally bring about a more competitive situation in the use of the world-wide repertoire and finally eliminate the problem of territoriality.

Contact details:

Music Users' Council of Europe, 2 Cour Choudy, 21 rue Alfred Delcluze, 62100
Calais, France. Tel/fax: +33 (0)3 21 35 61 75 email: john.clarke@wanadoo.fr
Director: John Clarke

9 October 2006