

QUESTIONNAIRE

TYPES OF CREATIVE CONTENT AND SERVICES ONLINE

QUESTIONS

Types of creative content and services online

1. Do you offer creative content or services also online? If so, what kind of content or services? Are these content and services substantially different from creative content and services you offer offline (length, format, etc.)?

Yes. <http://www.blackpool4me.com> and www.blueiris.info

Blackpool4me is a creative content portal for community

blueIRIS is a streaming and podcasting service for blind and visually impaired users

blueIRIS is the only service run offline. Indeed blueIRIS takes content that was part of a 'Talking News' Service based 100% on tape. Blackpool Fylde and Wre Society for the Blind distribute 144,000 audio tapes a year.

2. Are there other types of content which you feel should be included in the scope of the future Communication? Please indicate the different types of content/services you propose to include.

Streamed, Podcasts, Downloadable, to various platforms (mobile and static)

Consumption, creation and diversity of online content

3. Do you think the present environment (legal, technical, business, etc.) is conducive to developing trust in and take-up of new creative content services online? If not, what are your concerns: Insufficient reliability / security of the network? Insufficient speed of the networks? Fears for your privacy? Fears of a violation of protected content? Unreliable payment systems? Complicated price systems? Lack of interoperability between devices? Insufficient harmonisation in the Single Market? Etc.

Network issues are important, but it is the security and dangers with viruses etc that hamper developments. Interoperability is important, but NOT if it impacts security and rights. Simplicity has been shown to be most relevant - in the iPod. Its success is clear, but in part due to the fact - it actually works. Many systems 'sort of work....sometimes'.

4. Do you think that adequate protection of public interests (privacy, access to information, etc) is ensured in the online environment? How are user rights taken into account in the country you live / operate in?

Virtual products only become 'real' where media are concerned. I think currently imposed restrictions (such as Region coding) are now defunct and should be abandoned. Better encryption needed and DRMs.

5. How important for you is the possibility to access and use all online content on several, different devices? What are the advantages and / or risks of such interoperability between content and devices in the online environment? What is your opinion on the current legal framework in that respect?

It is very important. The user should choose to receive this 'virtual content' in the way they want it.....and be able to move it from device to device. I think that there simply needs to be stiffer penalties for 'blatant' piracy.

6. How far is cultural diversity self-sustaining online? Or should cultural diversity specifically be further fostered online? How can more people be enabled to share and circulate their own creative works? Is enough done to respect and enhance linguistic diversity?

Ultimately cultural diversity can only be served sensibly digitally. Opening up content standards allows annotation and interpretation. How you then accommodate copyright and the ability to add to content, I am not sure. The V&A in London has done a lot of work around this.

Competitiveness of European online content industry

7. If you compare the online content industry in Europe with the same industry in other regions of the world, what in your opinion are the strengths and weaknesses of our industry in terms of competitiveness? Please give examples.

Not my area

New business models and transition of traditional ones into the digital world

8. Where do you see opportunities for new online content creation and distribution in the area of your activity, within your country/ies (This could include streaming, PPV, subscription, VOD, P2P, special offers for groups or communities for instance schools, digital libraries, online communities) and the delivery platforms used. Do you intend to offer these new services only at national level, or in whole Europe or beyond? If not, which are the obstacles?

We believe that 'community created' and community relevant content has a real life. It is not going to have huge take up except in its communities - however the market in 'mashed' and 'outtakes' shows how widely accepted some content is. There is a danger that complexity and costs may start to reverse the opening up of opportunities such as 'People's Network' which cannot be easily sustained. We need creators and generators, not just consumers.....

9. Please supply medium term forecasts on the evolution of demand for online content in your field of activity, if available.

Medium term (no short term) demand and interest is in exponential growth. Podcasts are now outgrowing Blogs in the USA

10. Are there any technological barriers (e.g. download and upload capacity, availability of software and other technological conditions such as interoperability, equipment, skills, other) to a more efficient online content creation and distribution? If so, please identify them.

Network speed/capacity/caps will always be a barrier, but the nature of ADSL in the UK limits what people experience. In Blackpool we are looking at Symmetrical services. Some software really makes content generation extremely simple (See Apple iLife). There are few to match this integration. .Mac also provides a substantial model for publication and distribution - it just works so well.

11. What kind of difficulties do you encounter in securing revenue streams? What should in your view be the role of the different players to secure a sustainable revenue chain for creation and distribution online?

Not applicable

Payment and price systems

12. What kinds of payment systems are used in your field of activity and in the country or countries you operate in? How could payment systems be improved?

We try to use systems that deliver the goods, but the costs of some services are far too high. Costs per stream and bandwidth need to be reduced. We use QuickTime - it is the most open, cross platform and free distribution engine.

13. What kinds of pricing systems or strategies are used in your field of activity? How could these be improved?

N/A

Licensing, rights clearance, right holders remuneration

14. Would creative businesses benefit from Europe-wide or multi-territory licensing and clearance? If so, what would be the appropriate way to deal with this? What economic and legal challenges do you identify in that respect?

N/A

15. Are there any problems concerning licensing and / or effective rights clearance in the sector and in the country or countries you operate in? How could these problems be solved?

N/A

16. How should the distribution of creative content online be taken into account in the remuneration of the right holders? What should be the consequences of convergence in terms of right holders' remuneration (levy systems, new forms of compensation for authorised / unauthorised private copy, etc.)?

N/A

Legal or regulatory barriers

17. Are there any legal or regulatory barriers which hamper the development of creative online content and services, for example fiscal measures, the intellectual property regime, or other controls?

Creative Commons are rather good.

18. How does the country you mainly operate in encourage the development of creative online content and services?

It does not particularly - we see no benefits.

Release windows

19. Are “release windows” applicable to your business model? If so, how do you assess the functioning of the system? Do you have proposals to improve it where necessary? Do you think release windows still make sense in the online environment? Would other models be appropriate?

N/A

Networks

20. The Internet is currently based on the principle of "network neutrality", with all data moving around the system treated equally. One of the ideas being floated is that network operators should be allowed to offer preferential, high-quality services to some service providers instead of providing a neutral service. What is your position on this issue?

OK, provided this does not hinder freely accessible services

Piracy and unauthorised uploading and downloading of copyright protected works

21. To what extent does your business model suffer from piracy (physical and/or online)? What kinds of action to curb piracy are taken in your sector/field of activity and in the country or countries you operate in? Do you consider unauthorised uploading and downloading to be equally damaging? Should a distinction be made as regards the fight against pirates between “small” and “big” ones?

We do not suffer - but 'big' pirates need a good slapping.

22. To what extent do education and awareness-raising campaigns concerning respect for copyright contribute to limiting piracy in the country or countries you operate in? Do you have specific proposals in this respect?

Not at all

23. Could peer-to-peer technologies be used in such a way that the owners of copyrighted material are adequately protected in your field of activity and in the country or countries you operate in? Does peer-to-peer file sharing (also of uncopyrighted material) reveal new business models? If so, please describe them?

It must be a relevant model as it is popular, but it is predicated on piracy. The dominance of Windows is based on a model of 'copyright infringement'. Free, cheap, not protected.

Rating or classification

24. Is rating or classification of content an issue for your business? Do the different national practices concerning classification cause any problem for the free movement of creative services? How is classification ensured in your business (self-regulation, co-regulation)?

We have to protect minors.

Digital Rights Management systems (DRMs)

Digital Rights Management systems (DRMs) involve technologies that identify and describe digital content protected by intellectual property rights. While DRMs are essentially technologies which provide for the management of rights and payments, they also help to prevent unauthorised use.

25. Do you use Digital Rights Management systems (DRMs) or intend to do so? If you do

not use any, why not? Do you consider DRMs an appropriate means to manage and secure the distribution of copyrighted material in the online environment?

DRMs are a necessary evil. How else can you limit piracy? Most of the objection is from people who want to break the terms.

26. Do you have access to robust DRM systems providing what you consider to be an appropriate level of protection? If not, what is the reason for that? What are the consequences for you of not having access to a robust DRM system?

I use DRM in iTunes - it works very well.

27. In the sector and in the country or countries you operate in, are DRMs widely used? Are these systems sufficiently transparent to creators and consumers? Are the systems used user-friendly?

DRM on CDs is very limiting - why should I not listen to music on a computer based system?

28. Do you use copy protection measures? To what extent is such copy protection accepted by others in the sector and in the country or countries you operate in?

Accepted

29. Are there any other issues concerning DRMs you would like to raise, such as governance, trust models and compliance, interoperability?

None

Complementing commercial offers with non-commercial services

30. In which way can non-commercial services, such as opening archives online (public/private partnerships) complement commercial offers to consumers in the sector you operate in?

There is no reason why they cannot interrelate. Digital efficiencies can allow micro management of funds. Why not allow this to operate across all content.

What role for equipment and software manufacturers?

31. How could European equipment and software manufacturers take full advantage of the creation and distribution of creative content and services online (devices, DRMs, etc.)?

Look to the USA

What role for public authorities?

32. What could be the role of national governments / regional entities to foster new business models in the online environment (broadband deployment, inclusion, etc.)?

By staying out of the issues - but supporting community activity and cracking down on piracy

33. What actions (policy, support measures, research projects) could be taken at EU level to address the specific issues you raised? Do you have concrete proposals in this respect?

No concrete proposals, but keeping the digital 'channels' free, supporting internet take up and keeping their own projects lean would make sense. Look beyond the usual ICT solutions to companies like Apple who actually make things happen,

The Directorate-General Information Society and Media of the European Commission invites you to reply to this Questionnaire by **13 October 2006**.

Please submit your comments in a generally readable electronic format. All submissions will be published on the Commission's website if not requested otherwise.

If you would like your contribution to be treated confidentially, please indicate this at the top of the first page of your submission.

Should you want to add a cover letter please do so in a separate document.

In case your comments exceeds four pages please start your submission with an **executive summary**. All submissions should be mailed to the functional mailbox of the Audiovisual and Media Policies Unit of the Directorate-General for Information Society and Media:

avpolicy@ec.europa.eu.

Team Blackpool

Blackpool Council

Rm 5 Queens Chambers

16 Queen's street

Blackpool

FY1 1PD