

C.C.C.: Creators Copyright Coalition

CCC website: <http://www.creatorscopyright.ca>

The Creators Copyright Coalition (CCC) is an alliance of 15 professional associations of individual creators and performers and copyright collective societies active in the theatre, the visual arts, the applied arts, literature, music, recording and audiovisual (radio, television, film and commercials). Together these 15 associations and collectives represent more than 100,000 creators (authors and performers) who are copyright owners.

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FOR IMMEDIATE RELEASE

CREATORS PUSH FOR COPYRIGHT REFORM

Toronto – Canadian creators are urging the government to adopt copyright laws that support arts and culture in Canada.

“There are key steps the government could take today to reform Canadian copyright laws that would balance the interests of both Canadian creators and consumers,” said Bill Freeman, Chair of the Creators Copyright Coalition (CCC).

On behalf of Canadian creators from across the country, the CCC is looking for the new copyright bill to:

- Ratify the WIPO Internet Treaties
- Update the private copying regime
- Designate writers and directors as joint authors of AV works
- Facilitate consumer access to content while ensuring creators are fairly compensated
- No expansion of fair dealing
- Institute strong penalties against content piracy

“Our coalition brings together organizations with diverse interests. We all agree that these points must be reflected in the new copyright bill if the government is serious about taking a balanced approach that respects content creators,” said Freeman. “We also look forward to bringing our perspective to the upcoming digital economy consultations. For example, we’ll urge the government to consider the potential for collective licensing to facilitate consumer access to our works while ensuring Canadian creators are compensated.”

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BACKGROUND ISSUES OF COPYRIGHT REFORM

Position of the Creators Copyright Coalition

- Ratify WIPO Performances and Phonograms Treaty and WIPO Copyright Treaty. There is no good reason for Canada's conspicuous failure to fulfil our commitment to the WIPO "Internet Treaties", which Canada signed in 1997. In order to implement the WIPO Internet Treaties, Canadian copyright law must be updated on several fronts including a 'making available' right, adequate anti-circumvention provisions, protection of electronic rights management information, and moral and economic rights for performers.
- Screenwriters and Directors should be designated as the joint authors of audio-visual works.
- To maintain the balance between consumers and creators, copyright law must build on existing royalty systems so that income flows to artists regardless of how digital media develops. For example, the private copying regime needs to be updated and expanded to apply to technologies that are ordinarily used by Canadians for private copying so that creators are fairly compensated for this use of their work.
- Creators are looking for changes to copyright law that would facilitate the clearing of permissions, wherever practicable, through collective societies. These rights-holder-run societies, which provide reasonable access to users and reasonable compensation to rights holders, need amendments to copyright legislation in order to be able to function effectively in the digital environment. The real challenge facing legislators is how to provide reasonable access to our cultural heritage to everyone, including artists, without undermining the copyrights that allow art making to be an economically viable profession.
- New exceptions should only be introduced where the market has failed or is not able to meet the legitimate access needs of users. When exceptions are necessary, they should be carefully constructed to ensure that they meet the 3-step test mandated by the treaties that Canada has agreed to honour. Canada should not adopt fair use or an expanded fair dealing exception which would weaken copyright protection and require copyright owners and users to look to the courts for interpretation.
- We need strong penalties to prevent piracy of our works. At the same time, the government should concentrate on copyright reforms that facilitate legal access which fairly compensates creators.
- We need effective complaint-based mechanisms for rights-holders who object to their work being made available online without their authorization. It is not the role of ISPs to determine the legality of material being transmitted through their networks.

MEMBERS OF THE CREATORS COPYRIGHT COALITION

Alliance of Canadian Cinema, Television and Radio Artists (ACTRA)

American Federation of Musicians (AFM)

Canadian Actors' Equity Association (Equity)

Canadian Artists Representation/Front des Artistes Canadiens (CAR/FAC)

Canadian Artists Representation Copyright Collective (CARCC)

Canadian Association of Photographers and Illustrators in Communications (CAPIC)

Canadian Music Centre (CMC)

Canadian League of Composers

Guild of Canadian Film Composers (GCFC)

League of Canadian Poets

Professional Writers' Association (PWAC)

Songwriters Association of Canada (SAC)

Society of Composers, Authors and Music Publishers of Canada (SOCAN)

Writers Guild of Canada (WGC)

The Writers Union of Canada (TWUC)