



Commissioner Charlie McCreevy
European Commission
200, Rue de la Loi
1049 Brussels

CC:
Commissioner Viviane Reding
Commissioner Neelie Kroes
Commissioner Jan Figel

Brussels, 29 April 2008

Dear Sir,

Re: Commission's initiative to extend the term of copyright protection for European performers

In your speech of 14 February 2008, you announced your intention to bring forward a proposal to extend the term of copyright protection for European performers from 50 to 95 years.

Our five trade associations¹, all members of the Copyright Users' Platform (CUP) - a group of trade federations representing the interests of users of works subject to copyright - are strongly opposed to this proposal.

¹ See below the list of associations.

Our trade associations fully support the fair reward of artists for their intellectual creations. Nonetheless, we disagree with your argument that performers receive no pension through royalties in the late years of their life. After all, most performers do not stop playing music in their 20s' but keep performing artistic works during an important part of their life, which will give rise to another 50 years protection for each piece of work.

In addition, any extension of the protection term would simply increase further the domination of the four major record companies.

Furthermore, many recent economical studies have already shown that increasing the term of copyright protection would only marginally benefit artists while imposing important increased costs on the wider economy and society.

In this context, our organisations stress that, as intensive copyright users, our industries already pay a huge - and constantly increasing - amount of fees to various right holders' organisations. Any extension of the term of copyright protection for European performers will necessarily lead to another important increase in the total amount of fees copyright users are paying, and therefore discourage innovation.

Furthermore, our organisations are of the strong opinion that such a proposal should not be examined before the issue of copyright management by collecting societies has been addressed. CUP members have been stressing for years the need of transparency and respect for good governance principles by collective management societies in Europe. A potential increase of the term of copyright protection for European performers, without previously addressing the issue of copyright management by collecting societies, could therefore only amplify the problems our industries are facing in their relationships with these collective management societies.

In addition to these general concerns, the undersigned organisations will be happy to provide you separately with comments reflecting their specific worries regarding the envisaged extension of the term of copyright protection for European performers.

Please do not hesitate to contact any of the organizations listed for further information.

Yours sincerely,

The undersigned rights users' organizations

Frederik Stucki, Secretary General, AER - Association of European Radios

Nicola Frank, Deputy Head of Brussels Office, EBU - European Broadcasting Union

Caroline van Weede, Managing Director, - European Cable Communications Association

Marguerite Sequaris, Chief Executive Officer, HOTREC - Hotels, Restaurants & Cafés in Europe

Liesbeth Dejonghe, Executive Officer, PEARLE* - Performing Arts Employers Associations League Europe

For any further information, please contact

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