

2014 International IP Enforcement Summit
Remarks by Senator Chris Dodd
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As Prepared for Delivery

Good morning, and thank you, Sarah, for that very kind introduction.

I am thrilled to be here in London for the 2014 International IP Enforcement Summit.

And I want to thank the Intellectual Property Office, the Office for Harmonization in the Internal Market, and, of course, the European Commission for organizing this impressive event.

Today's summit pays tribute to copyright's importance in the success of the creative industries in the UK. By engaging interested parties from all sides of the IP enforcement debate, in a thoughtful and constructive discussion, we have an opportunity to encourage meaningful changes, and to ensure the continued success of this important sector for years to come.

I particularly want to applaud my good friend, Minister Ed Vaizey, who you will hear from momentarily. Minister Vaizey has been a catalyst in promoting industry dialogue.

It is under his leadership that discussion between industries, rights holders, ISPs, and search engines, has occurred, facilitating the development of industry-led solutions. For that we all owe him a tremendous thank you.

I would also like to acknowledge Vince Cable, Secretary of State for Business, Innovation and Skills; Francis Gurry, Director General of WIPO; Donald Toon, of the National Crime Agency; and Victoria Espinel, the former Intellectual Property Enforcement Coordinator at the White House and current CEO of the Business Software Alliance.

Finally, I want to thank all of you for adding your voices to this important conversation. Only through cooperation and open dialogue can we begin developing practical, sustainable solutions to the problem of IP infringement – solutions that benefit creators and consumers alike.

It is fitting that we are gathered in the United Kingdom – the national birthplace of Shakespeare, Dickens, and Bronte; of Danny Boyle, Sir Anthony Hopkins, Kate Winslet, Helen Mirren and countless other artists. I believe it is safe to say that the UK's standing as a globally recognised hub of creativity and innovation is secure.

Today, images, words, sounds and ideas drive British innovation, growth, jobs and prosperity. In 2012, 5.2% of this nation's GDP came from the creative sector, amounting to £71 billion, and accounting for 1.7 million direct jobs. And employment in this sector has been booming. Between 2011 and 2012 it increased by 8.6%, much larger than growth in the wider economy.

But it is this country's holistic approach to protecting intellectual property and confronting piracy that truly makes London the perfect place for this discussion.

Here in the United Kingdom, the balanced and proportionate use of civil procedures has made tremendous progress in tackling infringing websites. To date, access to over 40 pirate sites focused on infringing copyright for commercial gain, have been blocked.

In particular, Section 97A of the Copyright Act allowing courts to issue injunctions against service providers who know their services are being utilized for infringing purposes, has been one of the most effective tools anywhere in the world.

Not only does it take action, but Section 97A sends a clear message to others operating infringing websites – and it is an approach supported throughout the creative industry.

New ground was also broken in the IP protection fight when the UK formed a Police unit dedicated to IP Crimes. Together with the advertising sector and creative industries, this unit is focused on cutting off advertising revenue to pirate sites.

Additionally, we are continuing to examine ways of bringing search engines into the fight against online piracy.

A recent report by Mike Weatherly, a Member of Parliament and the IP Advisor to Prime Minister Cameron, demonstrated the significant role search engines play in guiding users to sites with illegal content. The report acknowledged that Google, as the major player in the UK search market, must take the lead in setting responsible industry standards on this issue.

It also contained some excellent recommendations, including that search engines should remove sites from their search listings that are subject to 97a injunctions.

If we convince these search engines to join our efforts to shut down illegal sites, it would be a significant step forward in our ongoing efforts to protect creators.

However, it is important to note that our focus is broader than merely taking down infringing websites.

We know that we, the content producing industries, must provide consumers with legal access to more content.

And every day, the movie and TV industries are working hard to develop innovative and consumer-friendly platforms to deliver the content audiences want to see – while also ensuring that those who have labored to make that content, are compensated. As a result we have seen a global explosion in legal online services.

Across the planet today, more than 400 of these services for watching many of the world's best films and television shows exist – with more distribution services being created every day.

What we need now is to help consumers find them. That's why easy to use directories such as thecontentmap.com and findanyfilm.com have been created here in the UK.

As the creators of movies and television programs loved by audiences everywhere, the global film and TV industry relies on intellectual property – especially copyright – to bring these stories to life in an ever-growing variety of ways.

I cannot stress enough the importance of educating young people everywhere about the significant time and effort that goes into the creation of these television and cinematic wonders.

We need to educate people everywhere that the movie and television industry is more than big stars and red carpets. It is the hundreds of people it takes to make a TV show or single film – carpenters, sound and lighting engineers, costume designers, truck drivers, electricians and so many others.

So when you steal a movie or TV show by whatever means, it is those hard working men and women who are the real victims.

As important as educating the public is, however, we need strong copyright protections in place for that education to be truly effective. As you are no doubt aware, “copyright reviews” are occurring around the world today – in the United States, Brazil, Australia, Brussels, and yes, here in the United Kingdom as well.

For far too many, unfortunately, these “reviews” are seen as an opportunity to weaken the copyright and intellectual property protections that have been the cornerstones, of not only the global film industry, but of creative and innovative industries everywhere.

The evidence being advocated by those seeking sweeping reforms of copyright law, is lacking, to say the least, and based on very misleading assertions. And I fear that those behind these efforts do not seem to care whether the producers, directors, and hundreds of cast and crew members that I represent who make these films, are compensated for their creative efforts.

For generations, existing copyright protections have fostered surges of creativity, innovative business models, and historically unparalleled offerings of films, television programs, and other forms of entertainment enjoyed by the citizens of the UK and Europe. And they must continue to be protected.

Copyright remains the most effective enabler for the creation, financing, production and dissemination of cultural works. Those of us working in the creative economy - creators, lovers of culture, creative and media businesses, and yes, governments - must share a responsibility to identify the dangers of weakened copyright.

Copyright's role is not restricted to providing an incentive for creators to re-invest in new creative works. Copyright also provides the legal certainty that creative businesses need to innovate and provide their work to consumers in new ways and on new platforms, particularly in the digital world.

For example, well intentioned initiatives can have unintended effects and impede the emergence of innovative new services on cloud-based platforms. That is why it is imperative that any changes to the framework, such as the newly proposed copyright exception for private copying, are approached with great care and attention, so as not to undermine efforts to innovate and provide better services to consumers.

We sincerely hope governments around the globe will respond positively to the ongoing representations being raised by the creative industries on this point.

Cultural diversity, imagination, investment and innovation must be encouraged, and strongly supported, in order to flourish. The UK government has an important role to play in guaranteeing that thousands of companies, and millions of creators and workers from the UK and across the EU who depend upon copyright and its effective protection, can afford to continue creating and investing in the artistic and media businesses.

Our creators and creative industries deserve a future at least as bright as their past. Key to that bright future is a sustainable internet benefiting everyone – one that operates fairly, with proportionate, balanced rules while also nimble enough to innovate and meet consumer demands.

By working together to ensure that creators continue enjoying the freedom and protections they need, we can also ensure that these great innovations continue to drive the digital age.

So once again I want to thank the UK government for putting this terrific summit together and I thank all of you for being here to help ensure that bright future.