



ALLIANCE
FOR INTELLECTUAL PROPERTY

Digital Economy Bill Summary

Tuesday 29th November

Last night, the House of Commons considered the Digital Economy Bill at Report Stage and Third Reading before it goes to the House of Lords next month.

Although most of what was discussed had already been debated at the Committee Stage of the Bill, the Alliance for Intellectual Property was interested to see the Government confirm its plans to legislate as soon as possible to extend the public lending right to include the remote lending of e-books.

In other matters that are of significant importance to Alliance members – namely developing a Code of Practice for search engines to remove copyright infringing material, and IPTV boxes – the Minister for Digital confirmed that the Government will consider legislation should current systems fail to work.

In terms of developing a Code of Practice, rights-holders and search engines attend the IPO's Search Roundtable, Chaired by Minister for Intellectual Property, Baroness Neville-Rolfe. Shadow Minister for Culture, Media and Sport, with whom we have previously met, name-checked the Alliance as attending these meetings along with our member, the BPI. Whilst various MPs who spoke on this matter in last night's debate, and indeed the Minister for Digital himself, acknowledged that a significant amount of improvements must be made in this area for an agreement to be reached, the Government is reluctant to legislate at this time. The Minister confirmed that as there are conversations ongoing to reach a voluntary agreement, legislating now would not be the right time. Former Secretary of State for Culture, Media and Sport and friend to the Alliance, John Whittingdale, also agreed with this position.

IPTV and set top boxes also remain a great concern for the AV sector as it threatens the prosperity of our creative industries. A New Clause regarding IPTV was rejected at the Commons Bill Committee Stage as the wording was too specific for this technology, and that a new technology would soon supersede this one making legislation a fruitless exercise. Alarming, John Whittingdale made reference to Kodi boxes being marketed on Amazon as having 'no viewing restrictions... unlike Apple TV'. The Minister stated that as there are ongoing legal cases that have followed the route of prosecution through existing legislation, that Government will only consider legislation should existing avenues be insufficient to tackling this issue.

The Bill passed Third Reading without a vote and will now make its way to the House of Lords for further consideration. The Alliance has arranged numerous meetings with Peers to highlight our support for Clauses 26, 27 and 28 in the coming weeks.