

Libraries caught in copyright changes

By Fergus Shiel
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Librarians have warned that the free trade deal will lead to huge increases in copyright licence fees paid by Australians for use of intellectual property, including novels, poems, films and songs.

And a legal expert said it was literally a "Mickey Mouse" deal, as the Disney Corporation had been among its most powerful backers.

The 20-year extension of copyright terms brings Australia into line with US restrictions.

"The outcome is bad for libraries," said Colette Ormonde, copyright adviser for the Australian Library and Information Association. "It is bad for students. It is bad for researchers. It is bad for all information users."

"We have agreed to a very restrictive US copyright regime with no clear dispute mechanism . . . it will cause huge problems.

"People who have been using information that is in the public domain will suddenly have to pay for it."

Australian National University law lecturer Matthew Rimmer said copyright protection had been extended under the deal from 50 to 70 years after the death of the author. In the case of film and television, the 70 years dates from the release of the production.

Dr Rimmer said two decades of culture, which would previously have been freely used, quoted and republished, would revert to corporate control.

"This is literally a Mickey Mouse cultural shift," Dr Rimmer said. "The US extended their copyright terms recently after intense lobbying by a group of powerful corporate copyright holders, most notably Walt Disney, which faced the expiry of its copyright on Mickey Mouse and other famous cartoon characters."

Ms Ormonde said Trade Minister Mark Vaile had signed Australia up to a US copyright regime that went well beyond international norms.

"We are a small country that consumes enormous amounts of information. The US, on the other hand, is an exporter of copyright material," she said.

"Two months ago, Mark Vaile said he was arguing the case of a whole constituency out there with a strong view against copyright term extension. Now he has totally capitulated."

A spokesman for Mr Vaile said the extension would come into force on January 1 and copyright fees would not apply to past use. He said Australian intellectual property holders would be pleased by the change.

"Our position was that we did not think we needed to go the extra 20 years . . . but in the context of the overall agreement we were happy to," the spokesman said.

Dr Rimmer described the changes as a victory for corporate America over Australia's public interest, and contradicted the Intellectual Property Review Committee's recent finding there was no evidence to support a copyright extension.

He said Project Gutenberg Australia, an online respository of public domain works, was likely to be among the first to suffer.

This story was found at: <http://www.theage.com.au/articles/2004/02/10/1076388365432.html>