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**Computer & Communications Industry Association**

## **Intervention of CCIA for SCCR 18**

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CCIA offers its congratulations to you on your re-election, Mr. Chairman, and the election of the vice-chairs and we thank you for the opportunity to intervene in this important debate.

CCIA members represent a broad cross-section of the information and communications technology (ICT) industries collectively generating more than \$200 billion in annual revenues. They thus have a substantial stake in the effective operation of the international system of copyright and related rights.

Today, there is work to be done both to make the legacy of the Berne Convention more effective, and more relevant, and to foster greater appreciation for its incredible value.

ICT innovation is fostering creation and diffusion of artistic works, which in turn benefit from the uptake of ICT. Appropriate limitations and exceptions ensure that by encouraging artistic protection we do not discourage innovation.

We welcome the continued work of the SCCR related to L&Es, Mr. Chairman.

Firstly, because controversies between stakeholders in the course of events are very often related to whether or not a given act is covered by an exception or limitation.

Secondly, because it will enhance copyright's credibility, which is undermined by an unfortunate public perception that copyright is out of step with the Digital Age – leading to the notion that copyright unreasonably restricts use, encouraging non-compliance, leading to calls for greater enforcement and larger penalties - a vicious cycle.

We suggest that where there are sufficiently robust and appropriate L&Es, strong enforcement will be less controversial, since the rules will be clearer and perceived as more legitimate.

We submit that the continued work of the SCCR in this area should focus primarily on the *types of uses* that actually characterize modern copyright – especially digital uses, and how to ensure that the copyright system responds with the flexibility required by different stakeholders.

Mr. Chairman, Limitations and Exceptions are nothing to be afraid of – in fact, industry knows that a limitation or exception can produce great economic value. We know that

unreasonable restrictions to access can stifle markets, inhibit innovation, and reduce consumer choice.

We welcome those studies prepared to date on various subjects and limitations and exceptions, and believe more are needed. We would suggest a study on how L&Es facilitate development of new products and services based on access to copyrighted works in the digital environment – we believe the results of such a survey would be very valuable.

We are at the service of all parties now and on a continuing basis as the discussion progresses.