

Name

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Of the six categories into which the Paper classified the first round of submissions, which one (if any) best describes you?

intermediary

Is the classification of the submissions into six categories – (i) rights-holders; (ii) collection societies; (iii) intermediaries; (iv) users; (v) entrepreneurs; and (vi) heritage institutions – appropriate?

I believe that many will find themselves fitting more than one category but I do not believe anyone has been missed.

In particular, is this classification unnecessarily over-inclusive, or is there another category or interest where copyright and innovation intersect?

I would agree that category iii (intermediaries) would contain too broad a range of concerns.

Should a Copyright Council of Ireland (Council) be established?

I believe it should be established.

If so, should it be an entirely private entity, or should it be recognised in some way by the State, or should it be a public body?

I think having it recognised by the state in some way would help it's effectiveness in copyright matter's.

Should its subscribing membership be rights-holders and collecting societies; or should it be more broadly-based, extending to the full Irish copyright community?

I believe it is essential that it is as broadly based as possible, so that it is best positioned to deal comprehensively with the copyright community.

Should the Council include the establishment of a Copyright Alternative Dispute Resolution Service (ADR Service)?

I would be very much in favour of an ADR service and would like to see legislative encouragement for complaint's to visit this option before court proceedings, especially high court proceeding's. As I operate site's that have strong element's of user submitted content but a very small budget I am very concerned at my exposure to expensive court proceeding's making the site's potentially too expensive to run.

Is it to Ireland's economic advantage that it does not have a system of private copying levies; and, if not, should such a system be introduced?

I believe it is to Ireland's economic advantage to not have such a system and I agree that it would be far too blunt an instrument which would adversely effect far too many legitimate and lawfull uses of the devices.

If not, should Irish law provide that linking, of itself and without more, does not constitute an infringement of copyright?

Irish law should provide that linking, of itself and without more, does not constitute an infringement of copyright. Mainly because it is content neutral in itself but also because the "linked too" material is not under the direct control of the posted link or the site it is posted to and can change at the second webpage without the involvement or knowledge of the poster of the link or the "linked from" site's owner.

Does copyright law pose other problems for intermediaries' emerging business models?

In my view current copyright law is very much being used to garner policing services from the intermediaries rather than being used to pursue directly the actual copyright infringer's, leading the intermediaries to spend extra resources on protecting against possible exposure's, measure's which invariably have an adverse effect on the accessibility of their services while eating into their operational budget's as well.

**Should all of the exceptions permitted by EUCD be incorporated into Irish law, including:
(a) reproduction on paper for private use?**

Yes.

(b) reproduction for format-shifting or backing-up for private use?

Yes.

c) reproduction or communication for the sole purpose of illustration for education, teaching or scientific research?

Yes.

d) reproduction for persons with disabilities?

Yes.

e) reporting administrative, parliamentary or judicial proceedings?

Yes.

f) religious or official celebrations?

Yes.

g) advertising the exhibition or sale of artistic works?

Yes.

h) demonstration or repair of equipment?

Yes.

i) fair dealing for the purposes of caricature, parody, pastiche, or satire, or for similar purposes?

Yes.

Should CRRA references to “research and private study” be extended to include “education”?

Yes.

Should there be a specific exception for non-commercial user-generated content?

Yes.

Should section 2(10) be strengthened by rendering void any term or condition in an agreement which purports to prohibit or restrict than an act permitted by CRRA?

Yes.