

**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?**

rights-holder

collection society

intermediary

user

entrepreneur

heritage institution

**Is our broad focus upon the economic and technological aspects of entrepreneurship and innovation the right one for this Review?**

Yes

**Is there sufficient clarity about the basic principles of Irish copyright law in CRRA and EUCD? [Note: CRRA is the Copyright and Related Rights Act, 2000; and EUCD is the European Union Copyright Directive (Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society)].**

Yes

**Should any amendments to CRRA arising out of this Review be included in a single piece of legislation consolidating all of the post-2000 amendments to CRRA?**

Potentially

**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?**

Yes

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

No

**What is the proper balance to be struck between the categories from the perspective of encouraging innovation?**

Yes

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

Potentially, but not to act as an authority.

**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?**

Combination of both. Statutory basis.

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

Broadly based, lay, legal and independent members.

**What should the composition of its Board be?**

As mixed/representative as possible.

**What should its principal objects and its primary functions be?**

Innovation, advocacy and reform - absolutely not enforcement.

**How should it be funded?**

By the State.

**Should the Council include the establishment of an Irish Digital Copyright Exchange (Exchange)?**

No view.

**What other practical and legislative changes are necessary to Irish copyright licensing under CRRA?**

Incorporation on intermediary defences into primary law.

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

No. This would delay the inevitable appeals to Court. A fast track procedure to Court should be looked at.

**How much of this Council/Exchange/ADR Service architecture should be legislatively prescribed?**

Only the Council formation and objects.

**Given the wide range of intellectual property functions exercised by the Controller, should that office be renamed, and what should the powers of that office be?**

No current view.

**Should the statutory licence in section 38 CRRA be amended to cover categories of work other than "sound recordings"?**

No view.

**Furthermore, what should the inter-relationship between the Controller and the ADR Service be?**

Don't agree with ADR service.

**Should there be a small claims copyright (or even intellectual property) jurisdiction in the District Court, and what legislative changes would be necessary to bring this about?**

No, Circuit with jurisdiction changes. Must in my view have a quasi equitable function.

**Should there be a specialist copyright (or even intellectual property) jurisdiction in the Circuit Court, and what legislative changes would be necessary to bring this about?**

Yes potentially, though legislative changes could be limited by use of the Commercial Court,

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which can already be used per Order 63A. Costs might be a problem with that model though.

**Whatever the answer to the previous questions, what reforms are necessary to encourage routine copyright claims to be brought in the Circuit Court, and what legislative changes would be necessary to bring this about?**

Not many, I'd have simply thought Court Rule Reforms linked to a new Act or reformed Principal Act.