

From: Martina Murphy <martina@onskeinteriors.com>
To: copyright@djei.ie
CC: micheal@michealmartin.ie
Date: 12/09/2016 11:13:44
Subject: **Submission on the proposal to amend sections 31A and 78B of the CRRA**

To Whom It May Concern

We are an Irish owned business, currently trading in the UK, and we have recently completed the formation of an Irish Limited company based on our plans to return home, to live and work in Ireland from December next, after spending a number of years in the UK.

1. Will the proposed amendment potentially impact in a positive or negative manner?

For us it will impact negatively. Our Irish company is registered as Stil Home & Office Limited and it is our intention to establish a warehouse/showroom with staff and an admin office in Cork. We would initially have to retail some replica design to survive in business, whilst building and establishing a new line of products.

This is a EU directive only and as such it does not necessarily have to be implemented. The wider ramifications of it will affect many designers and publishers also, and not just replica furniture, and it has many flaws and issues attached to it as the area is so grey and open to many interpretations on what is 'artistic' for copyright purposes.

2. Would a short transition period be the most appropriate and efficient?

No. On the contrary, it would be most detrimental as we will not be able to make this move back home should the transitional period be short for the amendment.

We would urge you to please consider a fair and proportional transitional period to allow businesses such as us time to adjust and this we sincerely believe needs to be fair and proportionate, being at least 24 months minimum, and not shortened by any undue lobbying and influence brought to bear on government, by the vested interests of other parties.

The original CJU recommendation for transitional period was five years:

"In 2011 the Court of Justice of the European Union (CJEU) in the Flos case ruled that a transitional period to bring copyright for artistic designs to the full term of protection may be lawful, but must take account of the principle of proportionality. The original transitional arrangements allowed for a five year period before the repeal came into effect."

We submit this based on wanting to maintain a livelihood.

We are not large, like many of the multi-national licence holders who have a vested interest in creating an elitist monopoly.

Our plans include employment for local people as well as contributing to other local Irish businesses such as packaging and office supplies, logistics and transport and advertising so overall we urge you to please take this into consideration for any transition period.

Your sincerely

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ATTACHMENTS: