407. G Elliott

**From:** geoffrey elliott

**Subject:** Australian Law Reform Commission – Copyright Inquiry

**Australian Law Reform Commission – Copyright Inquiry**

**Comments from Geoffrey Elliott *Painter Printmaker Digital Photographer***

Dear Law Reform Commission

The Copyright Law as it stand is clear and should be applied to the digital age not to be complicated with ' Fair use ' exemptions

The proposed ' Fair use ' exemptions benefit anyone who wishes to diminish the protection that the Copyright Law gives

The Copyright Law as it stands already gives protection to those in the creative world who most need it   .

Who in the creative world would condone such a move ? Stick with the Copyright Law as it stands please .

Please refer to an article published on Arts Hub citing Fiona Phillips  which clearly outlines ' fair use ' problems

I have provided an extract from her article below

Geoffrey Elliott   Painter Printmaker Digital Photographer

Proposed changes to copyright place unfair burdens on creators, argues the Copyright Council.

Extract :-

*But Executive Director of the Australian Copyright Council Fiona Philips said fair use won't mean a fair return for creators.*

*She said a fair use clause would take away the opportunity for creators to decide how they are going to market their work.*

*'Someone can merely claim that what they are doing is "fair use". Fair use is not tied to socially valuable purposes - e.g.  such research or study, news reporting, criticism or review, parody or satire.*

*'The only option for a copyright owner to challenge that assertion is to go to court. That doesn’t seem to benefit anyone, except of course, the legal profession.'*

*Phillips says the recommendation is troubling because:*

*It is likely to reduce the opportunities for creators to license and receive a fair return for their work;*

1. *It is likely to further reduce the ability of creators to retain artistic control over their work; and*
2. *It is likely to put a burden on creators to go to court to protect their rights.*

*'At the same time, an open-ended exception is unlikely to offer users of content any certainty about when they can and cannot use other people’s copyright material.'*

Article: “Fair Use Unfair: Copyright Council” published online at Arts Hub Wednesday 5 June 2013

<http://au.artshub.com/au/news-article/news/arts/fair-use-unfair-copyright-council-195592>