460. J Pickles

As an author of an educational work, I have a major reservation about the recommendation below:

"Proposal 13–1 The fair use exception should be applied when determining whether an educational use infringes copyright. ‘Education’ should be an illustrative purpose in the fair use exception."

As far as I can tell, this means that educational institutions will be allowed to copy parts (including possibly substantial parts) of copyrighted works for educational purposes. If the market of the work is solely in the educational market, as mine is, this means that the market for such works will become very small indeed - in the limit, only one copy needs be bought, and no further licence fees will be payable. In these circumstances the incentives to produce new works will disappear completely - already these incentives are very low and marginal.

I therefore object very strongly to the new proposals.

Yours sincerely,

James O. Pickles.