Launch of the Consumers International IP Watch List 2009

Jeremy Malcolm
Project Coordinator, Consumers International
April 2009
Introducing the Consumers International IP Watch List

- A global survey of copyright law and enforcement
- Country reports prepared for 16 countries
  - 2010 IP Watch List will cover about 25 countries
  - Criteria developed by an expert advisory group
  - Over 60 questions in 11 categories
- Identifies countries whose IP policies and practices are harmful to consumers
Example questions from the IP Watch List

- Is the period of protection of each type of copyright work limited to the minimum duration mandated by the Berne Convention?
- Is time, space and format shifting allowed (such as ripping music from CD to an MP3 player)?
- Can copyright works be non-commercially remixed or mashed up into new works?
Criteria were weighted to allow countries to be ranked.

<table>
<thead>
<tr>
<th>Best-rated countries</th>
<th>Worst-rated countries</th>
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<tbody>
<tr>
<td>1. India</td>
<td>1. United Kingdom</td>
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<tr>
<td>2. South Korea</td>
<td>2. Thailand</td>
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<td>3. China (PRC)</td>
<td>3. Argentina</td>
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<td>4. United States</td>
<td>4. Brazil</td>
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<td>5. Indonesia</td>
<td>5. Chile</td>
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Australia's ranking

- Australia rated a “C”
  - Number 8 of 16 countries
  - Higher than Malaysia, lower than the Philippines
- Most praised: personal copying exceptions
- Most criticised: Australia-US FTA amendments
Areas of concern

- All countries were found lacking in 3 of 11 areas:
  - Freedom to access and use by content creators
    - eg. non-commercial re-use of content
  - Freedom to share and transfer
    - eg. fostering and maintaining the public domain
  - Administration and enforcement
    - eg. limiting abuse of TPMs and three strikes
Global best practices

- Some best practices also highlighted
  - Spain requires vendors of products with TPM to provide means to overcome it for permitted uses
  - Israel has adopted a US-style fair use exception, and come under fire from the IIPA for doing so
  - Australia's 2006 Copyright Act amendments to allow time, space and format shifting
What happens to the Watch List?

- Intended to balance the USTR Special 301 Report
  - China, India and Indonesia feature on both lists!
- CI has advocacy activities planned to promote fairer copyright laws and practices for consumers
- Your participation is valued too!
  - Publicity, feedback, review of country reports
Jeremy Malcolm
Project Coordinator, Consumers International

a2knetwork.org/watchlist
www.consumersinternational.org