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José Manuel Barroso
President of the European Commission
European Commission
B 1049 Brussels
Belgium

Dear Mr Barroso,

According to press reports, a draft directive extending the term of copyright for sound recordings by 45 years to 95 years is about to be adopted by the Commission ("before the summer break of 2008"). This Copyright Extension Directive, proposed by Commissioner McCreevy, is likely to damage seriously the reputation of the Commission. It is a spectacular kowtow to one single special interest group: the multinational recording industry (Universal, Sony/BMG, Warner and EMI), hiding behind the rhetoric of "aging performing artists".

The Commission is required to conduct an impact study for each directive it proposes. We, the leading European centres for intellectual property policy research, have collectively reviewed the empirical evidence. Our findings are unanimous. The proposed Copyright Extension Directive will damage European creative endeavour and innovation beyond repair.

The attached open statement contains a full impact assessment of the empirical effects of extension:

1. The prime beneficiaries of extension are the incumbent owners of large back-catalogues of sound recordings
2. The supply of historically significant recorded music will be reduced
3. Competition will be impeded, and consumer prices are very likely to be higher than without extension
4. The EU balance of trade will be affected negatively by copyright extension

On behalf of the joint signatories given below,

Professor Martin Kretschmer

The text of this letter has also been sent to the following EU Commissioners: Neelie Kroes, Meglena Kunera, Charlie McCreevy, Janez Potočnik, Viviane Reding and Günter Verheugen.

Professor Lionel Bently, Director, Centre for Intellectual Property and Information Law, University of Cambridge
Professor Michael Blakeney, Co-Director, Queen Mary Intellectual Property Research Institute, University of London
Christian von Borries, Composer, Producer, Conductor, project lead "Music about music", Berlin
Richard Chesser, Chair, Trade and Copyright Committee, International Association of Music Librarians (UK/IRL)
Dr Martin Cloonan, Chair, International Association for the Study of Popular Music (UK/IRL)
Professor Nicholas Cook, Director, AHRC Research Centre for the History and Analysis of Recorded Music, Royal Holloway, University of London
Professor Johanna Gibson, Co-Director, Queen Mary Intellectual Property Research Centre, University of London
Professor Bernt Hugenholtz, Director, Institute for Information Law, University of Amsterdam
Professor John Kay, Chair, British Academy Copyright Review
Professor Martin Kretschmer, Director, Centre for Intellectual Property Policy & Management, Bournemouth University
Professor Hector MacQueen, Co-Director, SCRIPT/AHRC Centre Intellectual Property & Technology Law, University of Edinburgh
Professor Charlotte Waelde, Co-Director, SCRIPT/AHRC Centre Intellectual Property & Technology Law, University of Edinburgh

First signatories:

Anne Barron, law, London School of Economics
Dr Maurizio Borghi, law, Brunel University
Abbe E. L. Brown, SCRIPT/AHRC Centre Intellectual Property & Technology Law, University of Edinburgh
Dr Ronan Deazley, law, University of Birmingham
Professor Simon Frith, Tovey Chair of Music, University of Edinburgh
Dr Christophe Geiger, Associate Professor and Director elect, Centre for International Industrial Property Studies (CEIPI), University of Strasbourg; lead researcher French speaking countries, Max-Planck-Institute for Intellectual Property, Munich
Jonathan Griffiths, law, Queen Mary Intellectual Property Research Institute
Dr Pekka Gronow, music, University of Helsinki
Professor Paul Heald, University of Georgia and Bournemouth University
Dr Natali Helberger, Institute for Information Law, University of Amsterdam
Prof. Dr. Thomas Hoeren, Director, Institute for Information, Telecommunications- and Media Law, Münster University
Professor Graeme Laurie, Director, SCRIPT/AHRC Centre Intellectual Property & Technology Law, University of Edinburgh
Professor Fiona Macmillan, Pro-Vice Master for Research, Birkbeck, University of London
Dr Lee Marshall, sociology, University of Bristol
Professor Christopher May, political economy, Lancaster University
Tim Padfield (Chair) and Barbara Stratton (Secretary) for LACA: the Libraries and Archives Copyright Alliance
Professor Jeremy Phillips, IP KAT weblog, intellectual property consultant
Rufus Pollock, economics fellow, Emmanuel College, Cambridge University
Dr Andy C Pratt, LSE Centre for Urban Research, London School of Economics
Dr Mark Rogers, economics fellow, Harris Manchester College, Oxford University
Professor Derek Scott, School of Music, University of Leeds
Professor Ruth Soetendorp, Associate Director, CIPPM, Bournemouth University
Dr Jason Toynbee, ESRC Centre for Research on Socio-Cultural Change, Open University
Professor Ruth Towse, Professor of the Economics of Creative Industries, Erasmus University Rotterdam and Bournemouth University
Stef van Gompel, Institute for Information Law, University of Amsterdam
Professor Roger Wallis, Royal Institute of Technology (KTH) Stockholm, and composer
John Williamson, manager Belle and Sebastian, honorary research fellow, Department of Music, University of Glasgow