

## **Aldor Nini - Position paper - 15th Oct. 2009 - Dutch Parliament**

Hearing: Copyright - solutions for filtering and digital distribution

- Every citizen has the right to access intellectual property at fair conditions
- Every creative has the right to be honored for his creative work
  
- Involving technology providers, such as ISPs, Usenet Providers, UGC sites, Cyberlockers and other platforms into the regulation process of intellectual property didn't solve the piracy problem, although the technology is available to solve it
- Involving content owners into the process of creating technology which fits into the way how citizens use technology nowadays did mostly fail due to legal barriers, the mentality and most anti-piracy solutions were set up based on business models and not based on the ideology to protect and evolve the way copyright is handled
  
- Creatives want to use technology to produce and distribute content
- Technology providers want to let their users use intellectual property of creatives
  
- Artists should not need to understand technology, to be able to benefit from it or use it for the distribution of their content
- Technology vendors should not need to be involved into non-realistic collection society policies or negotiations with each content owner
  
- Artists should be able to block distribution of content without the need to be a member of an local anti-piracy organization or having technical skills
- Technology vendors should be able to work on filtering and monetization solutions with a neutral party, which does take care of citizens needs, rather than profit maximization strategies
  
- Rogue technology providers should not be allowed to misuse the Dutch notice and takedown code to create unfair business models
- Local/national anti piracy organizations should not be allowed to destroy technology, ignore available (alternative) solutions and especially not allowed to create business models based on "hunting pirates" rather than protecting and evolving the way copyright should be handled nowadays by the citizens
  
- The usual and sensible citizen should be in the focus of new laws and regulations created around copyright and the usage of IP
- The usual citizen wants fair (paid or sponsored) access to intellectual property, no limitations, competition among the technological providers (digital distribution platforms) and competition among content owners

A third trusted party is necessary:

- To take care of the technical infrastructure at providers to manage blocking/filtering and monetization of the content
- To set up separate rules for content owners and technology vendors
- To enforce sanctions on violations
- should not be funded by one of both groups but should operate independently
- should understand the requirements of technology to be able to handle content
- should understand the requirements of content owners, who need to benefit from distribution to be able to continue being creative and contributing more content for the digital world