

Westminster Media Forum Keynote Seminar: Next steps for copyright policy.

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Challenges and priorities for The Copyright Hub

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Thank you and good morning.

As we have been hearing this morning, copyright - and copyright law - is complex... often dauntingly so.

Which might make what I am going to say sound a bit counter-intuitive.

At the Copyright Hub, our mission is simple: make licensing simpler.

And copyright law, at its heart is rather simple too.

It says “you own your work” and “you get to decide what happens to it”. With a few “ifs” and “buts” thrown in as well, of course.

Yet, as we have also been hearing this morning, it has become a contentious issue over the last few years, much argued over especially in the context of the internet.

Copyright, some say, is not fit for purpose for the digital age, so the law should be changed to relax it, broaden exceptions, make space for innovators to innovate without the inconvenience of pesky outdated laws standing in their way.

Copyright, others say, is just fine, the only problem is that the law doesn't sufficiently punish people who ignore it and so it should be tightened up to protect creators and creative industries.

Copyright, from the point of view of the average internet user, also a creator and often, now, publisher of their own work as well, is frequently a confusing and complex thing whose relevance isn't entirely clear.

Copyright, say I, is a fundamentally sound and well proven principle, but the way it works in practice hasn't evolved very well to match the way in which the internet works, especially in the burgeoning "long tail" of high volume, low value use of content online.

In the simple terms I described above, the law says you own your stuff and get to decide what happens to it, but actually deciding in practice is rather hard.

The mechanisms of copyright need updating and that's at the heart of what the Copyright Hub seeks to do. Making licensing simpler means making it easy for creators to exercise their right to decide what happens to their work, and easy for those who want to use it to seek and get the permission they need.

So I'm six months into this job and the exciting and tricky business of turning that rather simple and abstract concept into a reality which really makes a practical impact is certainly not without its challenges.

But, despite my youthful appearance and happy-go-lucky demeanour, I'm a lot more than six months in the copyright world.

A million years ago I was a lowly worm at News International, trying to syndicate content from the newspapers to clients around the world. Typically, someone would phone me up, having seen, say, a photo in the paper that day, and ask if they could buy it to use in, for example, a newspaper in another country.

You would be forgiven for thinking that would be a pretty straightforward thing to deal with. The reality was considerably more complex and chaotic.

Partly that was because, well... newspapers are by their nature quite chaotic. In the midst of the intense and continuous process of producing complete new products, every day, against tight deadlines and constantly trying to out-smart their competitor, the average editor devotes approximately none of their time to worrying about copyright and even less to keeping any records of anything.

It was also because the law, when it says rights-owners can decide what happens to their work, doesn't say anything about how they should actually do so. That's a rather wonderful thing, because the people who find new ways to do things help keep the creative economy in a constant state of innovation and evolution.

But it also means that different ways get adopted by different sectors and players and there are few consistent rules about anything.

So before I could answer the guy wanting to use a photo, I had to find out whose photo it was. What deal had been made with them. Whether it belonged to us.

If a deal hadn't been done or wasn't clear, I might phone up the contributor – if I could find their phone number - and do one myself so that I could sell the picture in question. Doing all this for a photo that was published the day before was tricky and time consuming. Doing it for a photo from weeks, months or decades previously was trickier still.

As you might be gathering, this was not exactly a smooth process. Luckily, the deals we were doing were usually worth a fair bit of money and so it was worth it despite that. We weren't doing a huge number of them, and we had a nice profitable business despite the costs.

So I built up my syndication business and started spending more of my time trying to sort out the chaos a little bit, standardise things within the company and – if possible – the wider industry too, improve systems and metadata and other good business things to make the process more efficient and scalable.

Or to put it another way, I tried to sort out the mechanisms of copyright as it works in newspapers. With a bit of success, I think, but even within that relatively small world it wasn't easy.

So... fast forward a million years.

Here I am at the Copyright Hub.

We still have a copyright law which says that rights-owners can decide what happens to their work.

We still have people coming across content in one place and wanting to use it somewhere else.

We also have orders-of-magnitude more complexity because we have orders-of-magnitude more content available online, orders-of-magnitude more users wanting to do things with it and orders-of-magnitude smaller values attached to much of what they want to do.

And we still have, in large part, mechanisms for dealing with all this which are rooted in the days of someone picking up the phone to me and asking if they could use a picture of Princess Diana in Bild Zeitung the following day.

Except, of course, it's even more difficult than that, because if you find a picture or article or piece of music on, say, a search engine, even the job of working out who to call about it is considerably harder than finding the phone number for The Sun's syndication

department buried somewhere in the small print at the back. So even starting the conversation defeats most people.

I tell you this story because in a way it defines both the challenges and priorities for the Copyright Hub, as well as the absolutely huge opportunities for creators, consumers and the creative industries if we meet those challenges.

We're making licensing simpler.

A lot of work was done before I started last December. The Copyright Hub has a website which already provides much relevant information and links for those who need to know how to get permission right now. We're working on developing and expanding it right now.

The Hub has also become a major forum for different sectors of the Creative Industries to come together to talk about issues and find solutions.

This started when Richard Hooper and Ros Lynch brought them together as they began their work a couple of years ago and continues now, with a broad swathe of creative industries providing us with advice, ideas and steering as well as talking to each other.

The major piece of work, which is our biggest challenge – and priority – by far, is technical.

Making licensing simpler isn't about being simplistic. It's about hiding complexity – something the internet, when it works well, is brilliant at.

Let me explain by talking a little about licensing.

Licensing is the process of getting and giving permission to use copyright works.

Distilled down to its simplest components, it consists of three stages.

- Firstly, find the work you want to use.
- Secondly, find the person you need to speak to about it.
- Thirdly, speak to them and get an answer – “yes you can” or “no you can’t” or – most commonly – “yes, if...”

The internet makes the first of those three, often, a whole lot easier than it ever was, so we’re worrying about the last two.

Finding out who to speak to and speaking to them.

We want to build the technology which enables someone who comes across a piece of content to click on it and find the person – or more likely machine – which can give them permission to use it.

And we want the process to be capable of being fully automated, so that the huge volume of low value licences can be dealt with at a cost which makes it worthwhile.

This is a big priority and a big challenge. Luckily we have some big shoulders to stand on. Let me talk a little more about some of our challenges.

The first thing you need is an identifier. Something attached to your work, a bit like a serial number.

It needs to be unique, and it needs to be resolvable, so that someone who finds it can use it look up who to talk to about it. A bit like the way the domain name system connects someone typing a URL with a web server.

Luckily, lots of identifiers already exist and there is immense expertise about them within the creative industries. Digital Object Identifiers, ISANs and EIDRs for TV and film, ISWC and ISRC in music, ISBNs and ISSNs in publishing and so on.

Our technology needs to work with all these, and provide new identifiers for those who need them, but we don't have to start from scratch.

Every piece of content with an identifier, which can connect to a machine or human who can answer for it, will have created the first link connecting the content with its creator or rights-holder and thus giving them an ability to decide what happens to it.

Our technology also needs to make sure that when the right machines are talking they can understand each other. Similar to the way web browsers talk to web servers and are able to display the webpages they get in response.

For this we need a language of rights, so that one machine can say to another what use is being proposed and then understand the reply.

Fortunately a number of these exist already, as does an organisation, the Linked Content Coalition, which is developing protocols to enable those languages to be interoperable, so that machines can understand each other clearly. We are working closely with LCC to integrate their work into ours.

And of course we need some real life applications to make it real. Some use cases.

When I started this I thought we would have to build all the first ones ourselves, to show the way.

But it turns out that there are lots of people – creative people – with ideas which will benefit directly from our technology.

So I'm optimistic that we can use real-life use cases right from the very start, and we're working with some of them right now.

We'll have more to say about them as they develop, but many of them are ambitious and brilliant.

There is one which makes certain kinds of music licensing, traditionally a complex business, something which can be achieved with a single click.

Another which does something similar for photography. Yet others in the fields of publishing, radio and audio visual.

Shortly we will be asking for more, and we expect that as the Hub starts to emerge from its foundation-building stage, more and more will find us. But we already know that there is a considerable pent-up need for the work we are doing.

But as well as all that, of course, our technology also needs to be capable of wide adoption. A solution just for the UK, or just for "the creative industries" as we think of them today, is no solution at all. The issue is universal.

It's just as relevant in one country as another.

It's just as relevant to you or I uploading funny things to Facebook as to huge media conglomerates

It's just as relevant to someone who wants nothing more than acknowledgement in return for their permission as someone who wants money.

Our solution has to be one which can be adopted by everyone, everywhere.

That means it has to be, at its root, free and open, unencumbered by financial and governance overheads.

And that is something we absolutely could not deliver without the great partnership we have with the Connected Digital Economy Catapult. They have extraordinary skills and resources to help us build the technology as well as a perfectly aligned vision about how this work can deliver meaningful economic, cultural, innovative and entrepreneurial opportunities for the UK.

Working with the Catapult we are now accelerating our work to deliver on the challenges I just outlined, to turn theory into technology and technology into a range of real, meaningful, useful and value-creating services and businesses.

We will have a demonstrator at the start of next month, an alpha version of our core technology by October and a beta by the end of the year, with the use cases I mentioned being developed alongside. We are moving at speed.

We anticipate the day it's commonplace to right-click on a piece of content you find online and go directly to a licence to use it.

We're building our technology to allow that capability to exist and to allow anybody to enter the market to take advantage of it by providing content, services and products.

We want copyright to be able to work the way the internet works, and to be able to benefit everybody who creates and uses copyright works.

We can be sure that in any market that emerges, the UK will gain a generous share as it always does in so many of the creative fields, to our huge economic and cultural gain. Creative innovation and entrepreneurialism is an opportunity which can produce our next multi-billion pound success stories.



The Copyright Hub, together with the Digital Catapult, is building the foundations for that and then we want to step out of the way and watch what happens when creators really get to decide what happens to their work, when popularity leads to success.

If I thought I could imagine what might happen I don't think I would be being ambitious enough.

But I am sure what we're trying to do is achievable.

And I am sure it's going to be extraordinary.