



Intellectual Property is an engine of economic growth and has been so since the Statute of Anne in 1709 assured economic returns for authors and inspired the Industrial Revolution. **The overwhelming majority of commercial creators agree with and wish to retain their moral and property rights granted to them by copyright law. If law as it applies to Intellectual Property is to be changed** to make this growth engine more effective, then given the UK's current and foreseeable economic circumstances it is obvious that **any such changes should have two primary aims:**

- 1. to stimulate activity in Intellectual Property markets and thereby promote economic growth, and**
- 2. encourage this economic growth to take a form that maximises HM Government's tax receipts as a result of it**

Individual and micro-business creators, particularly photographers, suffer economic harm from defects and deficiencies in current law. Primarily:

- We lack the right in law to assert ownership of our property in all circumstances, and we must proactively assert our rights - they are not automatic;
- We can be and are contractually coerced by oligopsonistic market bullies into waiving our rights and relinquishing our copyright - we need an "OFCOM for IP";
- We have no access to any low-cost, simple means of gaining redress for infringement of our rights and copyright;
- Existing means of redress in practice do not penalise the infringer, offer no deterrent, can be costly and time-consuming and usually result in a loss to us no matter what the outcome

We propose that these defects and deficiencies be rectified and that copyright, contract and competition law be improved to stimulate growth at the individual and micro-business creator level. **Strengthening our moral and property rights will** increase our confidence that our efforts and investments are worth making, increase our economic activity, as a direct consequence **increase HM Government's tax receipts at the effective rates we pay rather than the much reduced rates corporations usually contrive to pay, and thereby achieve the two primary growth aims we have identified**, because any sector in which high value is initially created at the individual and micro-business level always contributes more tax revenue as a percentage of the value of its market than a similar sector that has become corporatised.

Stop43 have devised an innovative self-funding scheme to implement our recommendations which makes use of existing, proven software, digital infrastructure and Internet-based structural and business models, and that will:

- be a free, online machine-searchable metadata registry that by way of a revokable statutory license makes cultural digital Intellectual Property including so-called "orphan works" freely available to the public for their Cultural Use;
- enable rights-holders to find and readopt their "orphan works" and make them commercially licensable;
- educate the public about Intellectual Property Rights and enforce digital copyright law;
- streamline the licensing process; and
- act as a market-making infrastructure strengthening the entire cultural Intellectual Property sector, self-funded by levies on licensing transactions that it facilitates.

We have called it The National Cultural Archive. It will increase confidence on the part of creators in the viability of their businesses, encourage greater innovation based upon that increased confidence, **drive economic growth, and maximise corporation tax, income tax and VAT receipts for the Government at a time when it sorely needs them.** We believe that this scheme could be realised today at relatively low cost.

[Stop43 led the successful public campaign against the "orphan works" Clause 43 of the UK Digital Economy Bill.](#)