[FR] Government Becomes Involved in Combating Unlawful Downloading

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In the letter of instruction sent by the French President Nicolas Sarkozy to Christine Albanel, the new Minister for Culture and Communication, on 1 August, he sets out the “priority objectives” that he intends to pursue in order to keep the promises made during the presidential campaign. These include the setting up of a plan to rescue the music industry and to protect the cultural industries that benefit from copyright. On 5 September, the Minister officially entrusted Denis Olivennes, chairman and managing director of FNAC, with the task of “combating unlawful downloading and developing lawful offers of musical, audiovisual and cinematographic works”. With a billion pirated files (music and films) exchanged in 2006, a corresponding drop of more than 40% in the market for discs over the past five years, and with on-line sales being significantly lower in France than in its main neighbouring countries, “it is an urgent matter”, according to Christine Albanel. Recalling that the “DADVSI” Act of 1 August 2006 (see IRIS 2006-7: 11) had created comprehensive arrangements for dealing with the editors of peer-to-peer software, as well as the “pirates” who find themselves committing the offence of counterfeiting, the Minister noted that “repression does not provide all the answers. It is also necessary to offer Internet users a real alternative to fraud”. This includes providing a more attractive offer of lawful downloading, with extensive, diversified catalogues and better adjusted prices, and overcoming the problems of interoperability. The Minister has therefore asked Denis Olivennes to begin by hearing all the parties involved (creators, producers, Internet professionals and Internet users) and a number of qualified specialists (economists, engineers, legal experts). The purpose of this is to encourage the conclusion of an agreement between the professionals concerned, dissuading large-scale unlawful downloading, and allowing the development of an attractive lawful offer. If no agreement can be reached, the conclusions of the mission “should give rise to legislative and regulatory measures, for which the Government would take the initiative”, according to the Minister. The results of work on the mission are to be submitted to the French President some time after 31 October 2007.

Présentation de la mission confiée à Denis Olivennes sur la lutte contre le téléchargement illicite et le développement des offres légales d'œuvres musicales, audiovisuelles et cinématographiques

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http://www.culture.gouv.fr/culture/actualites/index-copieprivee2007.htm

Presentation of the mission entrusted to Denis Olivennes on combating unlawful downloading and developing lawful offers of musical, audiovisual and cinematographic works

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