

Ms BINDU NARULA  
SYDNEY

**Submission to the Productivity  
Commission Draft Report (April 2016) –  
Intellectual Property Arrangements**

2 June

Dear Sir/ Madam.

I am writing to strongly object to the recommendations made in your draft report on Intellectual Property Arrangements, which was released on 29 April 2016.

My name is Bindu Narula. I am a writer and am working on my first book, which is a memoir.

The main reason why I object to the recommendations in the draft report on Intellectual Property Arrangements is that I think that the Commission is at risk of walking away from one of the tenets or pillars of Freedom and Democracy that all Australians have always enjoyed: the freedom to speak and write stories that can change lives. For thousands of years, whether it is the first peoples of this beautiful island continent, or more recent migrants like myself, we have used the art of crafting stories to make meaning, and spread empathy and compassion. It is books that change the lives of ordinary people when they 'wake up' from complacency and recognise that each of us can and must make an effort to uphold democracy in Australia and the world. It is books that inspire us with other people's courage or educate us on topics we are not familiar with. It is books, and all other art forms that bring out the best in all of us; for they are a glimpse of hope and possibility of a better today and tomorrow.

I have other concerns that affect my livelihood as a writer.

**1. Term of Copyright**

While I understand that it is not possible for Australia to reduce the term of copyright to 15-25 years as proposed in your report, due to a range of free trade agreements, the recommendation was nonetheless very disturbing to me as an author. I have the right to retain ownership of my work in the same way that any individual may maintain ownership of any other business that they have built and it is very concerning that your report is apparently underpinned by the belief that this should not be the case.

**2. Parallel Importation Rules**

Your draft report proposes a change to Australia's parallel importation rules for books. I believe, however, that the current system has sufficient safety nets in place to protect the interests of the consumer, while still allowing all authors to

retain control of their rights and income and enjoy a level playing field with our fellow authors in the UK and USA.

### **3. Fair Use**

Territorial copyright helps publishers manage risk and support the creation of new Australian stories. Without these rules, as an author, I would lose income and the support of a vibrant local publishing industry.

Australian law currently sets out a series of clear exceptions to copyright restrictions under "fair dealing". This is a fair arrangement that works well for all parties, including authors. If this were to change to the American-style system of fair use, however, I would not only lose valuable income, but would also have to pay the litigation costs if I discovered free copying that I considered to be unfair usage. This would be beyond my means and beyond the means of most authors.

I, along with thousands of Australian authors, am deeply concerned that these changes will affect my ability to continue to write, earn a living and find a publisher. I respectfully ask that you reconsider your position.

Kind regards,

Bindu Narula