

May 23, 2016

To whom it may concern:

I'd like to address the issues of copyright and parallel imports, though I am not a commercial author, editor or publisher or working in the industry at all.

Lifting or parallel import restrictions will reduce the number of locally made, written and published books. The case of New Zealand makes this clear, where multinational publishers have closed NZ offices. Since major players like the USA have parallel import restrictions, it is not like we are even creating a level playing field. It may be time to open an international dialogue about PIR, it is not time for self-destructive unilateral action. Unless we like the idea of local voices being even more marginalised.

As to 'DRAFT FINDING 4.2', this is clearly a discouragement to create. It is also absurdly inequitable. It may be true that most works have a short commercial life, but this is far from universal. How can the commission simply assume that all books have the same pattern of sales? Many books go through multiple editions over twenty, thirty or more years, especially in technical fields. Successful books by living authors remain in print for decades. Why after 15 or even 25 years is it acceptable for a publisher to make money from a book but not the author? What gives the publisher more rights than the actual originator and creator of the work? These priorities are, well, backwards.

And if an author does not want a book back in print, they need to keep that right, too. An author's reputation is a major asset. Allowing publication of early, inferior works, or of works that the author no longer believes in, against the author's wishes, has the potential to damage their reputation and hence livelihood. One can easily imagine a well-resourced publisher putting a non-copyright version of an early work up against a newer book by the same author, capitalising on the publication of the new book, but paying no royalties and possibly muddying the waters and reducing sales of the new book, which after all has to pay royalties where the out-of-copyright edition does not. That is not equitable. Maybe it is or is not a bad financial decision for an author to not allow a work back into print – but it must be *their* decision.

Just because it is easy to reproduce a work, especially in the electronic age, does not make it right. It is easy to slap a baby; that does not make it right. We download stuff for free all the time, legally and easily. We must guard against the attitude that we *should* get stuff for free just because it is easy.

Productivity includes ensuring that the creators have a position from which to create, otherwise there is no industry, no productivity. While it may be true that artists and writers are driven to express themselves, that does not mean laws should be changed to make them easier to exploit. If they cannot make a living from their work, they will do it part time or not at all, and we will all be the poorer.

Perhaps the pendulum needs to swing, but in this case it is swinging too far.

Best wishes

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