



The Author People

PO Box 159  
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Re: Draft Report on Intellectual Property Arrangements

As the creator of a startup, time is precious, so this submission will be necessarily brief, however I wanted to ensure that my voice joined the chorus of concern and dismay surrounding the draft report through this official channel even though we have already loudly announced our concerns directly to an audience of consumers, creators, entrepreneurs and the publishing industry via social media.

Much has been written already regarding the collective disappointment about the recommendations in the draft report on intellectual property in Australia, so rather than repeat all that has been said I am retendering Kim William's recent article [Fair use doesn't = free use](#) as it clearly articulates the legitimate concerns.

However, I would also like to add a personal and alternative perspective as this is a debate I have been close to for most of my career.

After many years working in senior roles in traditional publishing, including heading up Simon & Schuster Australia, Vice Presidency of the board of The Australian Publisher's Association and chair of the Productivity expert reference group for The Book Industry Collaborative Council, I left the relative security of a corporate career to launch my own enterprise, The Author People last year.

The reason I did this was that I wanted to start participating in a new conversation about an exciting and dynamic future for Authors and publishing, especially for Australian Authors. I knew I not only wanted to be part of that future but also wanted to be involved in charting it.

I am a big believer that as copyright champions and custodians we remain in step with consumer behaviour and have always been a vocal advocate for collaborative and positive reforms. As a member of the Book Industry Collaborative Council, I was heavily involved in creating a blueprint as to how the industry might go about collaborating successfully to support a consumer first paradigm <https://www.publishers.asn.au/documents/item/157>

It is so disappointing to see how all of this work and genuine collaborative enterprise has been disregarded and overlooked in any view taken by the commission and that with the publication of this report we are once again embroiled in the wrong conversation.

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The draft report is concerning on so many levels. Much of the supporting material was repurposed and is now redundant. A lot has changed since we last had this debate and will keep on changing. Book prices have dropped and the majority of commercially desirable international books are available almost simultaneously and sometimes even ahead of the originating market. That's because market forces, rather than a legislative stick have demanded it.

People still love books, reading and authors. The much cited, Nielsen Bookscan analysis, along with the success of events like the latest Sydney Writer's Festival prove that. <http://www.smh.com.au/entertainment/books/sydney-writers-festival-on-fire-with-superstars-and-record-crowds-20160524-gp2koc.html>

Right now books still provide a great medium for sharing stories, though forms may continue to morph and new platforms are continually emerging. However, irrespective of how they are delivered and shared, our collective stories nourish us, inform us and build tolerance and understanding as they highlight our similarities as much as our difference. As Neil Gaiman says: "...fiction is an empathy machine. It throws you into somebody else's head".

But the ways people interact with books and Authors is changing and the ways Authors are interacting with people has also changed. The old walls between Authors and Audiences are tumbling down, leading to a deeper and ongoing exchange between them and this has created a fundamental shift in Authors' expectations of their publishers.

This is the time to nurture and highlight the value of storytellers (Authors) storytelling and story sharing. Authors are the most entrepreneurial and innovative participants in the industry so it is bewildering to see their endeavours and intellectual property so devalued.

Assertions like 4.2 - Copyright term and scope, recommending that a creator should only have the right to the copyright on their own creation for 15 - 25 years just don't make any sense at all. As Jackie French recently asked in her open letter to the Productivity Commission, would we expect that someone could just come and occupy a house that we built after a certain period expired. Another assertion that really stands out for me is that the commercial lifespan of creative work is around 5 years. In publishing, "backlist" or long tail books are the Holy Grail and many works don't even find their commercial feet for at least three years after publication. Even in our connected world, driving or riding zeitgeists or finding new audiences through other mediums can take time.

One of the most exciting elements of digital disruption is that we can finally fully streamline and support the relationship between Authors and their audiences. For instance, these days, no book





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ever needs to go out of print, new formats and updates are incredibly easy to produce and can be provided directly to audiences all around the world simultaneously. Authors can connect with people in whatever ways work best for both parties. My excitement about all these possibilities and opportunities is what led to the creation of The Author People. We set out to actively celebrate and harness digital disruption and to reimagine and re-engineer the skills and knowledge of the past to support the Author/Audience relationship and "bring Authors and People together". Our business model enables us to provide speed to market, access to global audiences and better remuneration to Australian authors. Our aim is to build audience engagement, develop the profile of individual authors and their own direct relationship with audiences to provide a commercial platform to enhance book sales as well as an inbuilt audience for testing, developing and consuming additional product types based on book content and Author IP. In order to do that we need Author's intellectual property and our own investment in helping them create a commercially viable enterprise from their work to be valued.

Reforms should challenge preconceived assumptions and business models and support innovation but unfortunately the Productivity Commission has missed that opportunity. All these recommendations will achieve is to crush our creators and innovative enterprises. The very people we should be supporting and applauding.

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