

Dear Productivity Commission

I have read your draft report into copyright and it gave me no pleasure. I could speak about our glorious literary heritage and all that, but, hey. Others have already been Only Too Available For Comment on that. I am assuming you are economists. I used to be one. Today I'm best described as a Recovering Economist. So by all means let's talk economics. And unscrambling omelettes. Because lots of stuff has been rolled into one Great Big Thing. A little disentanglement seems in order, and a personal disclaimer. The only public funding I get is via PLR and ELR, where every year I receive a modest little sum to make up for the extra copies of my books I would have sold were it not that schools and libraries made my books available to those who wanted them. As economists, you will appreciate that this is a policy designed to reward people for writing books other people want to read.

What I want to complain about is Parallel Importation, Fair Use, and The Destruction Of Copyright. PI is at least defensible. Yes, it will probably kill off the local industry. But, you may ask, what about the car industry? We killed that off too. Maybe we now regret this. Because when the \$A was par or so with the USD, our car plants had not a hope in hell of competing. It isn't there now. It's around 70 US cents and (probably) falling. But car plants take a while to start up. The lead-time is a killer. Our manufacturing industry was a victim of The Curse of Silver. Look it up if you don't know it. But where then do we look for high-end industries? When tariffs come down, you go up-market. We all know this. And given likely trends in robotics, the need to head upmarket is accelerating.

The one reliable place for a country with First-World pretensions is intellectual property. That's where the real money is now. And apparently you're intending to destroy it. Fair Use??? What WERE you thinking? I can only assume you were told to do this. You know about complexity costs. Everyone does. Why would you want to give complexity a steroid-enhanced breakfast? Give Fair Use a trial run and we'll be drowning in litigation. I understand that American lawyers have a serious problem getting enough clients who can afford their services. But why would you want to help them out? Ah, but the Trans-Pacific Partnership....

There are two views about the TPP. One is that it hands over our national sovereignty lock, stock, and smoking ruin to the USA. The other is No, actually, we don't have that sort of legal system and our High Court will uphold us against them. But when there's a swimming-pool filled with piranhas outside the front door, you don't wave roast chickens in front of them. We don't know what the High Court will decide. And one way or another there's a bucket-load of litigation in front of us. Don't encourage these people. This is a terrible idea. Combine the TPP with Fair Use and we will be swamped with third-party lawsuits from Duluth, Tallahassee, Detroit and Albuquerque. They have fifty states to choose from and

they will pick the best one for their purposes. And yes, the Minister for Foreign Affairs and Trade CAN grant exemptions. But what if it's not politically convenient? What then?

Oh, and please don't think this is just about a bunch of whingeing writers. Let's talk about young Australians. There are no factory jobs for them any more. There aren't many low-paid jobs because they've all gone to endlessly exploitable foreign students and 457 visa folks. There is only a small number of Top End Of Town careers and they are mostly reserved for children of the patrician class. So they decide to make a career in New Media. Good luck with that. Here's one guy talking about his experiences with Fair Use in the USA:

https://www.youtube.com/watch?v=gjvoJe4_v9k

That is our new media's future under Fair Use. It was designed by lawyers, for lawyers, and nobody else will make anything out of it. Don't do this.

Copyright. Fifteen years (or 25, or whatever)?? Are you out of your minds? Under the TPP, we are now bound to respect the lifetime-plus-70-year rule for them. But our copyright is to be extinguished??? So foreigners can pinch our works, turn them into something awful, and demand we give up all moneys we have made from what is now rightfully their intellectual property? Yes, Frederic Bastiat had a point. Unilateralism sometimes works. This country is richer because we largely dismantled protection without corresponding guarantees. If you told M. Bastiat that you were thinking not only of allowing cheaper imports; but that you wanted to hand over the patents, designs and intellectual property of your business to foreigners so they could sue you in the event that your factories became suddenly competitive again, he would tell you that you were out of your tiny minds. And you would be.

You want cheaper books? Why not let people just steal them? In a way, that seems to be what you're advocating. But respect for private property is the cornerstone of economic prosperity. You cannot be serious. This weird concoction of yours has all the earmarks of being produced under orders. You don't have to obey them. Full, frank, fearless independent advice? It used to be a thing in the public sector. It still was when I worked there. Please do it. You will feel better afterwards.

Best wishes

David Greagg

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