

Dated: 26 September 2011

Submission to the Productivity Commission Inquiry: The Economic Structure and Performance of the Australian Retail Industry

By: Paul's Warehouse

This submission by Paul's Warehouse is in support of the submissions of W Lawyers dated 21 September 2011.

The issue is the parallel import restrictions contained within the Australian *Copyright Act 1968* for artistic works printed on branded clothing and footwear.

The copyright restrictions against Australian retailers from the option of purchasing competitively priced genuine goods overseas (rather than the inflated prices of the Australian distributors) is a primary factor why Australian retailers of branded clothing and footwear are paying higher prices for legitimately manufactured goods than overseas retailers selling products direct to the Australian market through the internet.

[CONFIDENTIAL MATERIAL REDACTED]

Recent changes in the *Copyright Act* for CD's

Parliament has recently legislated to exempt CDs from the *Copyright Act 1968* ss 44D and 112D (sound recordings). The change was to address the concern that owners of copyright in the musical works were using the copyright regime to prevent parallel importation into Australia of legitimately produced goods.

The effect has been cheaper cost of goods for Australian Retailers of CDs. This has resulted in greater competition in relation to the supply of CDs. The ultimate beneficiary of the amendments to the *Copyright Act 1968* has been the Australian consumers who can enjoy the availability of competitively priced goods rather than from offshore internet retailers.

Following the above, I propose as a similar change to the *Copyright Act 1968* in relation branded clothing and footwear.

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