



Canadian Internet Policy and Public Interest Clinic
Clinique d'intérêt public et de politique d'internet du Canada

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December 21, 2007

BY ELECTRONIC MAIL

The Honourable Jim Prentice, P.C., M.P.
Minister of Industry
5th Floor, West Tower, C.D. Howe Bldg.
235 Queen St.
Ottawa, Ontario
K1A 0H5

- and -

The Honourable Josée Verner, P.C., M.P.
Minister of Canadian Heritage, Status of Women and Official Languages
25 Eddy St.
Gatineau, Quebec
K1A 0M5

Dear Minister Prentice and Minister Verner:

Re: Canadian Copyright Policy

The Canadian Internet Policy and Public Interest Clinic (CIPPIC) is a legal clinic based at the University of Ottawa. Since the fall of 2003, CIPPIC has been engaged in research and advocacy on a number of issues involving law and technology from the public interest perspective. Our mission is to fill voids in public policy debates on technology law issues, ensure balance in policy and law-making processes, and provide legal assistance to under-represented organizations and individuals on matters involving the intersection of law and technology. Copyright law reform has been a focus of our study and advocacy throughout our existence.

CIPPIC is writing to you to express our view with respect to reform of Canada's *Copyright Act*.

Copyright is a complex regulatory structure. Any amendments to Canada's *Copyright Act* will have implications for Canada's innovation policies, security policies, educational policies, balance of trade, and cultural policy. Anti-circumvention laws, in particular, raise important privacy, security, competition, and consumer rights issues. The events of

December, 2007, demonstrate that Canadians are alive to these issues and will demand copyright policies that are fair and attentive to Canada's interests.

Accordingly, CIPPIC calls on the Canadian government to conduct thorough consultations with all stakeholders with an interest in copyright policy. Such consultation should address both (a) the appropriate scope and reach of, and limitations on, anti-circumvention laws in a country in Canada's position; and (b) fair and balanced copyright laws, paying particular attention to reconciling the Act with widely-accepted practices.

Copyright is not special interest legislation, but rather regime that touches on diverse interests. Accordingly, consultation on copyright should take particular care to reach the full range of stakeholders that will be affected by amendments under consideration. This includes, in addition to the usual participants:

- Consumer groups;
- Privacy experts;
- Security researchers and businesses;
- Open source software innovators and businesses;
- Consumer electronics developers and retailers;
- Songwriters and artists (as distinct from their collectives and labels);
- Independent record labels;
- Students;
- Teachers;
- Artists;
- Museum curators and gallery owners;
- Librarians;
- Documentary filmmakers;
- Etc.

We look forward to engaging with you on these issues in 2008.

Yours truly,



David Fewer
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CIPPIC

cc: Susan Bincoletto (bincoletto.susan@ic.gc.ca)
Director General, Marketplace Framework Policy Branch
Industry Canada

Barbara Motzney (barbara.motzney@pch.gc.ca)
Director General, Copyright Policy
Department of Canadian Heritage