



21<sup>st</sup> December 2015

**Open Consultation on GEO-BLOCKING AND OTHER GEOGRAPHICALLY-BASED RESTRICTIONS WHEN SHOPPING AND ACCESSING INFORMATION IN THE EU.**

Dear Sir or Madam,

UK Music is the umbrella body representing the collective interests of the UK's commercial music industry, from songwriters and composers to artists and musicians, studio producers, music managers, music publishers, major and independent record labels, music licensing companies and the live music sector.

UK Music exists to represent the UK's commercial music sector, to drive economic growth and promote the benefits of music to British society. The members of UK Music are listed in an annex.

We note the consultation on geo-blocking and other geographically-based restrictions when shopping and accessing information in the EU. UK Music is not providing detailed comments to the consultation given that "Copyright" has been expressly excluded from the scope of the consultation yet asks that this letter will be considered alongside responses to the inquiry.

UK Music is concerned that any activities on geo-blocking could have an unintended ripple effect on the delivery of digital goods that incorporate copyright content. The more so in view of some questions which expressly address the cross border availability of digital goods (e.g. question 2 for traders which asks for the evaluation of: "Allowing access to websites across borders but denying the possibility to download digital products across borders.") Some of the questions envisage an absolute bar on geo-blocking (e.g. questions asking respondents whether it is *never* justified to geo-block based on customer location or to refuse download of video games). However, since copyright licensing is out of scope of the consultation, then an *absolute* bar cannot be in scope.

The copyright framework as established in the European Copyright Acquis is the bedrock of the music industry. It allows companies to invest in talent and musicians and composers to make a living. To achieve success for the music industry it is vital that a fully functioning legitimate digital market exists whereby rightholders can derive the correct value for the use of their creative content in the online world.

UK Music  
4th floor  
49 Whitehall  
London, SW1A 2BX

T. 020 3713 8444  
info@ukmusic.org  
www.ukmusic.org

The system enabling the downloading of digital music across border has been in place for some time now and is based on established licensing mechanisms and copyright. We suggest that clarity on the scope of the geo-blocking review and its relationship to other Digital Single Market issues such as portability and cross border access to content is of utmost importance.

Kind regards



Jo Dipple  
CEO, UK Music

### Annex

UK Music's membership comprises of:-

- AIM – Association of Independent Music - representing over 850 small and medium sized independent music companies.
- BASCA - British Academy of Songwriters, Composers and Authors – BASCA is the professional association for music writers and exists to support and protect the artistic, professional, commercial and copyright interests of songwriters, lyricists and composers of all genres of music and to celebrate and encourage excellence in British music writing
- BPI - the trade body of the recorded music industry representing 3 major record labels and over 300 independent record labels.
- FAC – The Featured Artists Coalition – the voice of the featured artists.
- MMF - Music Managers Forum - representing 425 managers throughout the music Industry.
- MPG - Music Producers Guild - representing and promoting the interests of all those involved in the production of recorded music – including producers, engineers, mixers, re-mixers, programmers and mastering engineers.
- MPA - Music Publishers Association - with 260 major and independent music publishers in membership, representing close to 4,000 catalogues across all genres of music.
- Musicians' Union representing 30,000 musicians.
- PPL is the music licensing company which works on behalf of over 90,000 record companies and performers to license recorded music played in public (at pubs, nightclubs, restaurants, shops, offices and many other business types) and broadcast (TV and radio) in the UK.

- PRS for Music is responsible for the collective licensing of rights in the musical works of 114,000 composers, songwriters and publishers and an international repertoire of 10 million songs.
- UK Live Music Group, representing the main trade associations and representative bodies of the live music sector

For more information please contact Tom Kiehl, Director of Government and Public Affairs, UK Music on [tom.kiehl@ukmusic.org](mailto:tom.kiehl@ukmusic.org) or 020 3713 8454.