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Policy Brief

The politics of the Digital Single Market: culture vs. competition vs. copyright

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BACKGROUND

- Digital technology has provided the European Union with a range of problems for the last 20 years. The solutions to these issues were scrupulously studied leading to the creation of the EU Digital Single Market (DSM) strategy. The DSM focuses on the distribution of rights, stemming from copyright.
- The European Commission believes that the music market could increase efficiency particularly when compared to the US market.
- Geo-blocking allows media content to be restrained within geographical borders. The EU has determined this to be the fundamental hindrance in allowing the DSM to operate effectively.

METHODOLOGY

- Understand the European Commission's decision to regulate the actions of CMOs through its perseverance of competition policy as the appropriate solution, whilst determining the consequences of this, comparing this method with ones used in U.S. and Canada.

KEY FINDINGS

- The default policy instrument of increased competition by EC, has caused significant policy weakness that have a negative impact on stakeholders.
- Through competition policy two problems have arisen. The European Commission has been unsuccessful in solving the difficulty that it encounters. Also, the negative effects that arise in relation to wider music culture through reducing diversity.
- The system will be more profitable to larger right holders than smaller ones, which it may struggle satisfy.

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POLICY ISSUES

- The method taken by the EC causes notable policy fragility. Discarding the link between copyright and collective management, whilst not accounting for the apparent variations in interests of copyright owners, generates these defects.

THE CCP

The Centre for Competition Policy (CCP), at the University of East Anglia, undertakes competition policy research, incorporating economic, legal, management and political science perspectives that has real-world policy relevance without compromising academic rigour.

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