

Opinion

THOMAS G. C. HOOD

We Can Make Remuneration Work for Musicians if We Learn From Europe 263

This work assesses European approaches to equitable remuneration, specifically comparing French and Belgian approaches, in order to propose a model of proportionate remuneration for the UK. The outline here suggests we should combine legislation and with a mechanism of review within the Courts. It is the belief of the author that it could provide fairness of pay to musicians while protecting the interests of smaller labels who may struggle if the UK government instead decided to implement equitable remuneration. This initial sketch provides something that could benefit both musician and label.

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Data Protection and Digital Information Bill: Key Proposals for Reform of the UK’s Data Protection Framework 266

This article considers the key proposals for reform of the UK’s data protection framework following the introduction into Parliament of the Data Protection and Digital Information Bill.

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“Let the Music Move”: All-Party Parliamentary Group on Music urges UK Government to Help Musicians and Crew Tour Europe More Easily 271

This article reviews the All-Party Parliamentary Group on Music report, Let the Music Move—A New Deal for Touring, in which the APPG, in association with UK Music, sets out the urgent action the Government should take to help UK musicians and crew tour Europe more easily following Brexit.

SUNNIVA HANSSON

The Interplay Between the DSA and the DSM Directive art.17 273

There is an awful lot of content available on online platforms that infringes copyright, including content uploaded by users of online platforms. But for legal provisions limiting their liability, many online platforms would be liable for copyright infringement. This article considers the interplay between the liability limitations in the Digital Services Act and in Article 17 of the Directive on Copyright in the Digital Single Market, specifically as it relates to infringement of copyright.

Comments

JON OAKLEY AND HUGO MASON

Cadwalladr Vindicated: It isn’t a SLAPP, But That’s Not Enough to Save Banks 276

In Banks v Carole Cadwalladr the journalist Carole Cadwalladr successfully defended a libel claim brought by Arron Banks in relation to comments that she made in a TED talk and a tweet about his alleged relationship with the Russian government and the funds that he contributed to the Leave.EU campaign. Yet her attempts to characterise the claim as a SLAPP were not considered fair or appropriate.

SEAN IBBETSON AND MARIA RYAN

Time is Up: High Court Confirms Invalidity of IT Consultants’ TIKTOK Trade Mark 279

This comment considers the judgment of the High Court in Tik Tok v TikTok which upheld a decision by the UKIPO hearing officer to invalidate the mark TIK TOK, which had been registered by an IT consultancy, in cancellation proceedings brought by the social media platform Tik Tok

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A Mysterious Affair Solved: Evidence Suggests that “Wagatha Christie” was Right All Along 281

In the high-profile case of Vardy v Rooney, the High Court has dismissed Rebekah Vardy’s libel claim against Coleen Rooney. The claim arose from a revelation posted by Ms Rooney on social media that Ms Vardy had leaked private Instagram content to The Sun. Ms Rooney, dubbed “Wagatha Christie” by the tabloid press for her sleuthing to identify the informant, succeeded in establishing that the essence of the libel was substantially true. The court rejected her alternative defence of publication in the public interest, especially as she had not given Ms Vardy an opportunity to respond to the allegation.

SEAN IBBETSON

***Costa v DisassociaDID: The Dangers of Collaborating Without a Contract* 284**

This article considers the judgment of the Intellectual Property Enterprise Court (IPEC) in *Costa v Dissociadid*. The judgment considers joint authorship of copyright protected works, implied terms of contracts, bare copyright licences, and the tort of causing loss by unlawful means. It serves as a useful reminder of the pitfalls of collaborating informally on a project without a formal agreement of the terms.