When copying is not infringing

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HE two articles by Tan Suee Lim (“Copyright law for a digital age”, Sept 29) and Tan Suee Ming (“The Internet platforms have an obligation to invest in the creative process”, Sept 29) present a number of insights into the role that copyright plays in our media landscape. They also discuss whether the traditional rationales that underpin copyright law are still relevant.

Both authors draw attention to the fact that the copy-rewrite-publish cycle that characterises copyright law is based on an assumption that different uses of the same work do not compete with each other. However, they note that this assumption is fundamentally flawed and that the proper way to assess the value of a particular use is not to look at the use in isolation, but to examine the total social benefit that one use brings compared to another.

The two articles also draw attention to the fact that the copyright system is not the only way to protect creative works. Other systems, such as patent law, can also be used to encourage the creation of new works. They also argue that the copyright system is not the only way to ensure that creators are compensated for their work.

In their conclusion, the two authors call for a more flexible approach to copyright law that recognises the different uses that creative works can be put to. They call for a system that is not based on the idea of exclusive rights, but rather on the idea of a licence to use.

The two articles are a welcome contribution to the debate about copyright law and its role in our society. They challenge the traditional assumptions about copyright law and offer a more nuanced and realistic view of the role that copyright law can play.

The two articles also highlight the need for a more participatory approach to copyright law. They call for a system that is not only designed by lawyers and copyright experts, but is also informed by the views of creators, users and the public.

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