

Digital Britain Unconference - London

Defining the Uploaders' Charter

There are three points that we almost managed to agree on [Laughter]

Symmetry in value creation is an important driving concept  
Symmetry of rights, however governed, needs fair dealing, where individuals have the same access to rights protection as large corporates  
Universal Services must be symmetrical

Symmetry is a key concept for Digital Britain  
It's all about symmetry. Stop thinking about individual uploader's rights. Communal uploaders, rights are much more valuable to consider in relationship to how material is created for sharing within communities. Rather than constantly looking at the aggregation of individuals creating content.. No real mechanism in the Digital Britain Interim report for looking at those rights.

Uploaders, Charter Clause 1 - fair recognition of value creation.  
Where communities create value by uploading and sharing content, there should be symmetry in how that value is shared out. Currently too much of the value is trapped by people who are not the creators of that value. Such value needs to be reinvested in the community which creates the content.

Equality of access to rights protection  
Symmetry must also apply to uploaders rights. In general, larger enterprises are better protected than SMEs and individuals. Many examples given by participant of large enterprises with Significant Market Power ignoring the rights of individual creators of content. Should a Rights Agency be created (and there was significant disagreement in the group as to the practicability or efficacy of a Rights Agency), there should be symmetrical treatment of all. The group noted that there is already a significant body of law around copyright which applies to content. It may be that this can form the basis of protection in the new world,. Clear questions that we risk corrupting the new world by using the tools of the past.

Uploaders, Charter Clause 2 - rights protection must be symmetrical,.  
The rights of all content creators shall be equally respected. The creator must be able to determine licensing rights. The rights of individuals and SMEs shall be protected with equal force to those of large powerful organisations whether public or private.

Symmetrical Universal Services  
Within a Universal Service Obligation, upload speeds need to be considered. They are not currently. Participants will be brought much more into Digital Britain through more symmetrical access. Upload speeds will become increasingly important in future as an engine of value creation.

Uploaders, Charter Clause 3 - networks must be symmetrical

In Digital Britain, upload speeds will play an increasing role in the level of participation and inclusion for individuals and groups. Any Universal Service Obligation must ensure that services are symmetrical (upload speeds equal download speeds).