

**Representing:**

Self

**Organisation (if applicable):**

**What do you want Ofcom to keep confidential?:**

Keep name confidential

**If you want part of your response kept confidential, which parts?:**

none

**Ofcom may publish a response summary:**

Yes

**I confirm that I have read the declaration:**

Yes

**Ofcom should only publish this response after the consultation has ended:**

You may publish my response on receipt

**Additional comments:**

There are hundreds of music concerts on T.V around the world that never get released on DVD, yet I, as a fan, have no access to them unless I'm lucky and a 'local' station decides to broadcast, which is unlikely.

So why should I be denied the opportunity to search and download these concerts if no-one is suffering monetarily? If a concert 'is' released I purchase it, I am, after all, a FAN and FANS will do 'anything' to acquire such things, 'that's what fans do', don't threaten me after I've already purchased every album that's been released and every dvd worthy of purchasing just because I might download the occasional free concert from the other side of the world, when residents of that country CAN record it to dvd legally.

**Question 3.1: Do you agree that Copyright Owners should only be able to take advantage of the online copyright infringement procedures set out in the DEA and the Code where they have met their obligations under the Secretary of State's Order under section 124 of the 2003 Act? Please provide supporting arguments.:**

I don't think anyone should face a fine or imprisonment for downloading something that is 'not available' in any format.

**Question 3.2: Is two months an appropriate lead time for the purposes of planning ISP and Copyright Owner activity in a given notification period? If a notification period is significantly more or less than a year, how should the lead time be varied? Please provide supporting evidence of the benefits of an alternative lead time.:**

see above, unless someone is downloading 'available for purchase' material.

**Question 3.3: Do you agree with Ofcom's approach to the application of the Code to ISPs? If not, what alternative approach would you propose? Can you provide evidence in support of any alternative you propose?:**

No, it's not the job of an ISP to play gestapo for rich fat kids.

**Question 3.4: Do you agree with the proposed qualification criteria for the first notification period under the Code, and the consequences for coverage of the ISP market, appropriate? If not, what alternative approaches would you propose? Can you provide evidence in support of any alternative you propose?:**

no-one is going to stop people from downloading material that is otherwise unavailable, it's time the music industry, who probably rip artists off at a much higher rate than the fans, realized this and stop suing people so THEY can be rich. there should be a provision that 'allows' fans to download unavailable material without fear of prosecution.

**Question 3.5: Do you agree with Ofcom's approach to the application of the 2003 Act to ISPs outside the initial definition of Qualifying ISP? If you favour an alternative approach, can you provide detail and supporting evidence for that approach?:**

see all of the above

**Question 3.6: Do you agree with Ofcom's approach to the application of the Act to subscribers and communications providers? If you favour alternative approaches, can you provide detail and supporting evidence for those approaches?:**

absolutely not, fans shall continue to seek stuff the music industry chooses not to market if there's a way of acquiring such material.

**Question 4.1: Do you agree with the proposed content of CIRs? If not, what do you think should be included or excluded, providing supporting evidence in each case?:**

exclude all unavailable material, evidence? it's all around you or this discussion wouldn't be taking place.

**Question 4.2: Do you agree with our proposal to use a quality assurance approach to address the accuracy and robustness of evidence gathering? If you believe that an alternative approach would be more appropriate please explain, providing supporting evidence.:**

an alternative approach would be allowing the t.v station that broadcasts the concert 'in the first instance' should be allowed to sell the concert download online and split the money fairly with the artist(s)

**Question 4.3: Do you agree that it is appropriate for Copyright Owners to be required to send CIRs within 10 working days of evidence being gathered? If not, what time period do you believe to be appropriate and why?:**

No, they've been wrong too many times, at times prosecuting people that were dead!!

**Question 5.1: Do you agree with our proposals for the treatment of invalid CIRs? If you favour an alternative approach, please provide supporting arguments.:**

no idea.

**Question 5.2: Do you agree with our proposal to use a quality assurance approach to address the accuracy and robustness of subscriber identification? If not, please give reasons. If you believe that an alternative approach would be more appropriate please explain, providing supporting evidence.:**

privacy concerns and wrongful arrest.

**Question 5.3: Do you agree with our proposals for the notification process? If not, please give reasons. If you favour an alternative approach, please provide supporting arguments. :**

see above

**Question 5.4: Do you believe we should add any additional requirements into the draft code for the content of the notifications? If so, can you provide evidence as to the benefits of adding those proposed additional requirements? Do you have any comments on the draft illustrative notification (cover letters and information sheet) in Annex 6?:**

nothin to add

**Question 6.1: Do you agree with the threshold we are proposing? Do you agree with the frequency with which Copyright Owners may make requests? If not, please provide reasons. If you favour an alternative approach, please provide supporting evidence for that approach. :**

haven't they got anything better to do, like prosecuting bootleggers?

**Question 7.1: Do you agree with Ofcom's approach to subscriber appeals in the Code? If not, please provide reasons. If you would like to propose an alternative approach, please provide supporting evidence on the benefits of that approach.:**

no. people shouldn't be spied on, what give the music industry this 'sight'?

**Question 8.1: Do you agree with Ofcom's approach to administration, enforcement, dispute resolution and information gathering in the Code? If not, please provide reasons. If you favour an alternative approach, please provide supporting evidence on the benefits of that approach.:**

totally disagree, there's no evidence to support that monies collected will go to the artists or anyone other than the music industries fat cats.