

**Cassina, Vitra and Knoll's Response
to the Consultation on Changes to
Schedule 1 of the CDPA and 1995 Regulations**

This is Cassina, Vitra and Knoll's response to the consultation dated 21 July 2016 on the changes to Schedule 1 of the Copyright, Designs and Patents Act 1998 (**CDPA**), amendment to Regulation 16 of the Duration of Copyright and Rights in Performance Regulations (**1995 Regulations**) and repeal of Regulations 24, 25, 34 and 35 of the 1995 Regulations.

Cassina, Vitra and Knoll have already provided responses to the Government's various consultations on the transitional provisions for the repeal of s.52 including, in their submission dated 18 December 2015, that amendments would be required to Schedule 1 of the CDPA.

Proposed Amendment to Schedule 1 of the CDPA and Regulation 16 of the 1995 Regulations

Questions:

Do the proposed amendments to Schedule 1 and Regulation 16 equalise copyright protection for works created before and after 1 June 1957?

Do the amendments confer copyright protection to any matter not currently eligible for copyright protection in the UK?

Cassina, Vitra and Knoll's Response:

1. In our view the proposed amendments to Schedule 1 and Regulation 16 achieve their objective of equalising copyright protection for works created before and after 1 June 1957.
2. The reference in proposed sub-paragraph 6(1A) to an exclusion from paragraph 6A of works that were protected in another EEA state will be of uncertain scope if the UK ultimately ceases to be a member of the EEA. However it is clearly inappropriate at this point in time to legislate on the basis that the UK is not a member of the EEA. If at some point in future the UK ceased to be a member of the EEA an appropriate legislative solution will need to be implemented which addresses the how the 1995 Regulations and sub-paragraph 6(1A) apply.

Transitional Provisions for the Repeal of Regulations 24 and 34 of the 1995 Regulations

Questions:

Do these amendments achieve our aim of complying with Article 2 of the InfoSoc Directive?

Are there any other regulations we need to repeal or amend in light of these issues?

Cassina, Vitra and Knoll's Response:

3. In our view the proposed amendments and repeals achieve the desired objective and we are not aware of any other regulations that need to be repealed.