



Richard Bruton T.D.  
Minister of Jobs, Enterprise & Innovation  
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Dear Minister Bruton,

I am writing to you on behalf of the ISPai membership to express our concern about the wide-ranging and adverse international attention paid to Ireland's digital industry as a result of recent statements made by the National Newspapers of Ireland about linking on the internet.

The Copyright Review Committee pointed out the fundamental role that links play in the internet ecosystem. They are essential to the architecture of the web and make access to content straightforward for users. It is an important way for users to discover new and related content and linking hierarchy is an important way for content owners to make their content more discoverable. The courts are increasingly concluding that links simply convey something that exists and do not in themselves publish, reproduce or communicate the content.

The NNI statement inappropriately pre-empts the outcome of the copyright review and could be construed as an attempt to sway the forthcoming Green Paper.

There has been wide-ranging and adverse international attention paid to Ireland's digital industry as a result of NNI's statement. The issue has been covered extensively by global media outlets and online forums over the past number of weeks, particularly across the United States and by online technology commentators and publications. The New York Observer, for example, referred to it quite negatively, and, of particular concern, Forbes depicted the issue as a particularly Irish error, in a piece titled "It Would Have to Be the Irish Newspapers Trying Something Insanely Stupid like Charging for Links to Websites".

Such negative coverage stands in stark contrast to the positive view of Ireland taken by the Economist in a September editorial regarding the necessity for global copyright reform in which Ireland's on-going review was cited favourable. It also, unfortunately, comes at precisely the time when the UK Government has published their final proposals to implement urgently swiftly, and in full, the Hargreaves Review recommendations on copyright exceptions.

We believe this incident exemplifies the importance of ensuring a progressive and innovative copyright regime if Ireland is to retain its standing as a leading location for digital enterprise. We encourage government to support the view that the Copyright and Related Rights Act should not be amended so as to afford copyright protection to links.

Yours sincerely,

Paul M. Durrant  
CEO ISPai  
CC: Taoiseach Enda Kenny; Sean Sherlock; Pat Rabbitte