

**All-Party Parliamentary Group for Intellectual Property**  
**APPG for IP meeting with the Minister for Intellectual Property and AI & AGM**  
**Tuesday 16<sup>th</sup> May, 5:30pm – 6:30pm**  
**Committee Room 17, House of Commons**

**Meeting chair:**

- Pete Wishart MP (SNP, Perth and North Perthshire)

**Guest speakers:**

- Viscount Camrose, Minister for Intellectual Property and AI, Department for Science, Innovation and Technology (DSIT)
- Andy Bartlett, Deputy Chief Executive and Director of Services, IPO
- Nadia Vally, Deputy Director, Copyright Policy, Copyright and Enforcement Directorat

**Parliamentary Attendees**

- Pete Wishart MP (SNP, Perth and North Perthshire)
- Ruth Jones MP (Lab, Newport West)
- Lord Foster of Bath (Lib Dem)
- Sarah Olney MP (Lib Dem, Richmond Park)
- Giles Watling MP (Con, Clacton)
- Damian Collins MP (Con, Folkestone and Hythe)

**Other attendees**

- Dan Guthrie, Director General, Alliance for Intellectual Property
- Ben McCarthy, Consultant, Luther Pendragon, Secretariat for the APPG
- Jonny Girling, Senior Consultant, Luther Pendragon, Secretariat of the APPG
- 25-30 representatives from the creative sectors

**Meeting overview:**

**AGM**

At the beginning of the session, the APPG held its Annual General Meeting to confirm the Chair and officers for 2023/24:

- Chair: Pete Wishart MP (SNP, Perth and North Perthshire)
- Vice Chair: Ruth Jones MP (Lab, Newport West)
- Vice Chair: Kevin Brennan MP (Lab, Cardiff West)
- Vice Chair: Lord Clement-Jones (Lib Dem)
- Vice Chair: The Earl of Devon (Crossbench)
- Vice Chair: Lord Foster of Bath (Lib Dem)
- Vice Chair: Sarah Olney MP (Lib Dem, Richmond Park)
- Vice Chair: Giles Watling MP (Con, Clacton)

The Chair then opened the public meeting and invited the Minister to make some short opening remarks, followed by questions and discussion.

**Meeting with the Minister**

## Introduction

- The Minister talked about how the UK is a creative, inventive space and has excellent Intellectual Property (IP) rights and the best regarded IP system in the world, and was determined to maintain this and build on it. The Minister also said he would continue to be tough on IP crime and mentioned the counter-infringement activity.
- The Minister commented that he sees his role as an ‘enabler’ and wants to work with partners and rightsholders, as he wants the UK to be a leader in innovation.

## AI, TDM Exceptions & Code of Practice

- The Minister highlighted how the UK attracts great talent in both the technology and creative sectors. In order to keep pace with other countries, he stated it is essential that the Government embraces opportunities within the AI sector but ensures that the IP rights are protected.
- The Minister spoke about the Government’s plans to develop a Code of Practice for text and data mining (TDM), which will be a set of proposals subject to consultation where the creative sectors will be able to provide feedback, allowing for further discussion across the stakeholder community.
- The Government aims to have an outline of a Code of Practice by the summer, which Parliamentarians would have first sight of, and would be draft principles for discussion.
- Andy and Nadia commented further that they have not finalised the process of the roundtables nor exactly the outcome they foresee being delivered.
- They said that both the AI and creative sectors will be involved to ensure the creation of a balanced Code of Practice for both sectors.
- The IPO stressed the importance of ensuring that the stakeholders are from a broad cross-section of sectors and industries.
- Whilst he talked about AI developers having access to content on reasonable terms, the Minister acknowledged that any code would include responsibilities on the AI developers who have ingested content subject to copyright and was not simply a code for rightsholders.
- The Minister stressed the Code of Practice will ensure people who create IP are suitably rewarded for doing so, and machinery will be in place to create an ‘eco-system’ and not just a Code of Practice.
- (*\*We now know that the IPO is organising a working group involving a single group of TDM users and rightsholders. This aims to help develop and codify good practice on the use of copyright and database material in TDM, including in relation to generative AI. The working group seeks to provide balanced representation from multiple sectors and will include experts who are able to engage in discussions.*)
- The Minister also went on to talk about the three arms of AI:
  - Investment (in infrastructure and skills)
  - Regulation (including the AI White Paper)
  - Reach (using AI to access lower AI maturity sectors) – the Minister spoke about how there had been plenty of developments in AI in health and defence sectors but less development in construction, farming and creative sectors.
- The Minister finally talked about technical solutions to manage the TDM problem, giving the example of Deep Mind working to develop a watermark model, as well as the importance of

looking for opportunities where AI ‘tools’ can be used to run systems to enforce the Code of Practice.

### **Retained EU Law Bill**

- The Minister stated the Government has tabled an amendment which takes a new approach – the sunset clause is being scrapped for a list of legislation that will be revoked with the option to continue legislation after the December 2023 deadline, making it clear which regulations will be removed from the statute book.
- The Minister recognised the importance of IP as an enabler and the negative impact that uncertainty over the IP framework would have on creative workers.

### **Exhaustion of Rights**

- The Minister recognised the importance of the exhaustion regime to IP rights holders and his colleagues at the IPO are looking to announce a decision on the current regime soon.
- The Minister acknowledged the importance of stability to rightsholders in this area.

### **Trade**

- The Minister said the Government will continue to get the best deal in IP Chapters of current and future trade deals and protect IP assets.
- The Minister stressed he would maintain the established strong and balanced IP framework which enables creativity and innovation to flourish.
- The Minister accepted that one of the areas we need to do more in is giving IP a higher prominence in trade negotiations.

### **Collaboration**

- The Minister confirmed DSIT are taking part in a comprehensive set of engagements bilaterally with interested nations and with specific governmental groups to collaborate over IP frameworks and IP rights.
- The Minister highlighted that the UK alone cannot sufficiently regulate AI but that we can show thought leadership and take part in international engagement with a broad coalition of nations.

### **Music**

- The Minister said they are expecting the metadata agreement to be published shortly.

### **Designs framework**

- The Minister highlighted that the Government recognises the importance of design to the UK economy.
- In 2019, the design economy generated £100 billion – 5% of UK GDP.
- The Government are currently reviewing the regime to meet the needs for designers and the Minister hopes that everyone with an interest in design will engage constructively with the process.
- The IPO stated that work on the future of the designs framework would continue with a consultation in early 2024.
- The IPO confirmed that this would include a question around the protection of unregistered design rights.

## **Rights of Representation**

- The IPO confirmed that any changes in relation to address for service (rights of representation) would need a high bar of evidence and need to be agreed by the Ministry of Justice.