

The Impact of TPP and Trade Agreements on Copyright and Investment in the Creative Economy

Susy Frankel, Professor of Law, Director of the New Zealand Centre of International Economic Law, Chair of the Copyright Tribunal (NZ) and President ATRIP 2015-2017

This paper will discuss the impacts of trade agreements- in particular the Trans-Pacific Partnership, Regional Comprehensive Economic Partnership and the fledgling Free Trade Agreement of the Asia Pacific - on copyright law. These agreements and negotiations politically compete with each other and may not be entirely compatible. They will likely require substantive changes to copyright law in the region. This paper will explain those changes and discuss what they signal for copyright works, their creators and various other actors involved in the creative economy.

The intellectual property chapters are not the only parts of these trade agreements that are relevant to copyright. Investment chapters and the availability of investor-state dispute settlement is of increasing importance to copyright and to intellectual property more broadly. In this paper the relationship between investment agreements and copyright will be explored.