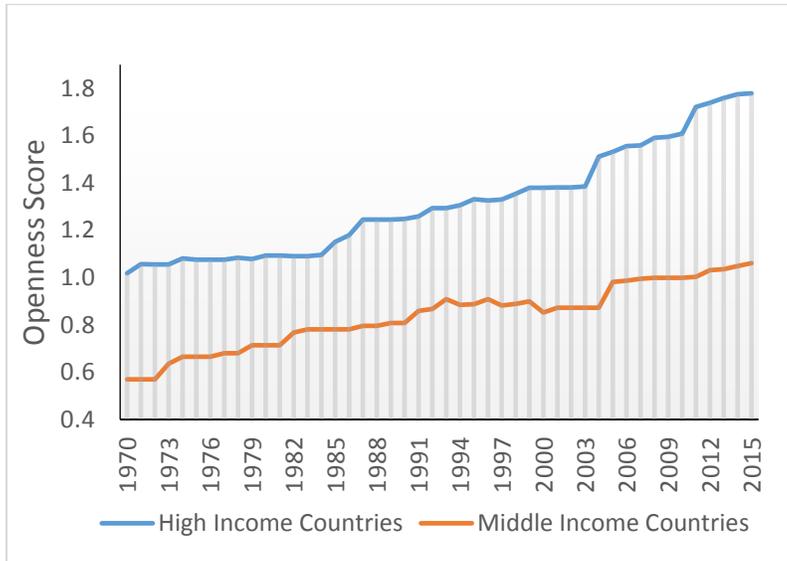


The User Rights Database: Measuring the Impact of Copyright Balance

Sean Flynn and Michael Palmedo, PIJIP
American University Washington College of Law
(CC-BY)

PIJIP's Copyright User Rights Database tracks changes to copyright user rights (aka limitations and exceptions) over time in a sample of 21 countries of different development levels. The data assesses the degree to which other countries have adopted exceptions that are as open as the US fair use right – i.e. open to a use of any kind of work, by any kind of user and for any purpose. The instrument and results are available at infojustice.org/survey.

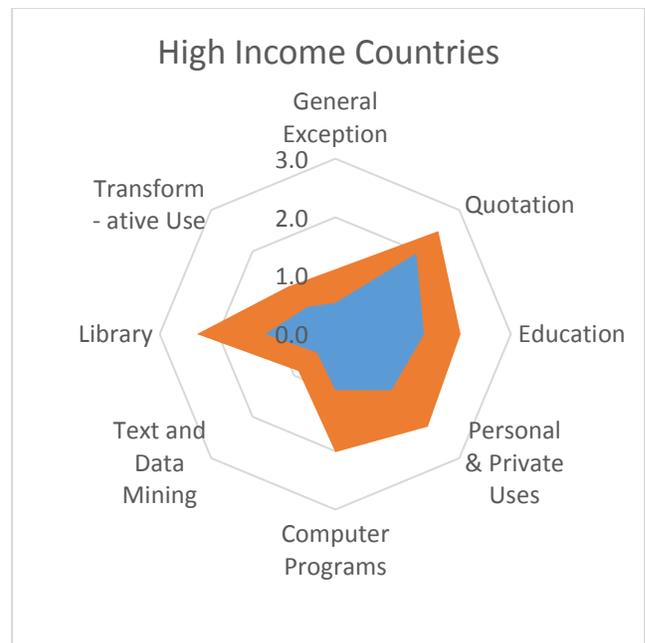
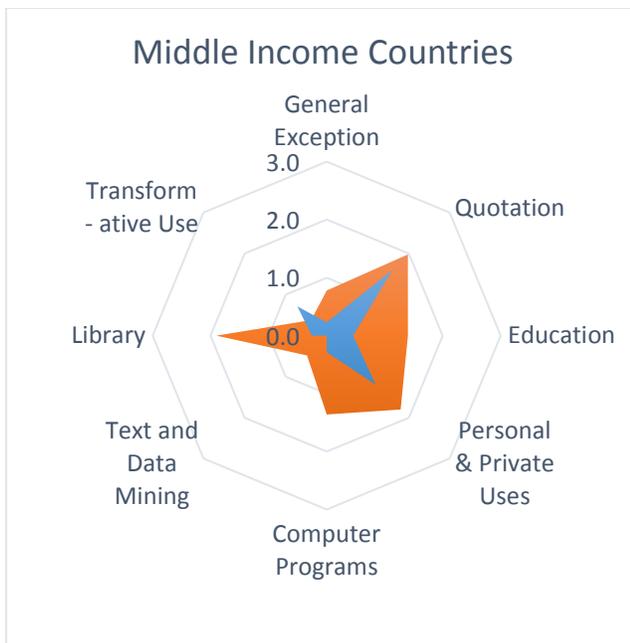
Growth of copyright openness, 1970-2016



Although all countries are trending toward more open user rights, there is a clear gap between wealthy and developing countries. Developing countries in our sample are now at the level of openness that existed in the wealthy countries 30 years ago.

Few countries, and almost no developing countries, have sufficient user rights most needed to support the digital economy, including for transformative use or text- and datamining.

Disaggregation of changes to copyright limitations

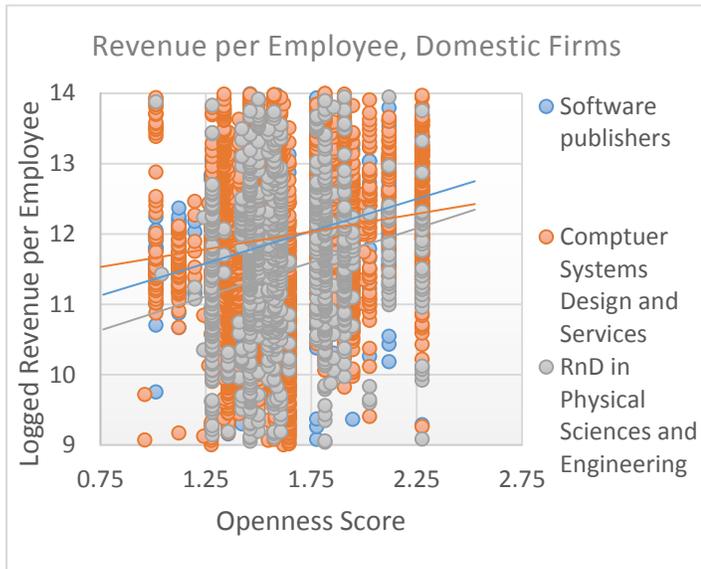


1970 | 2016

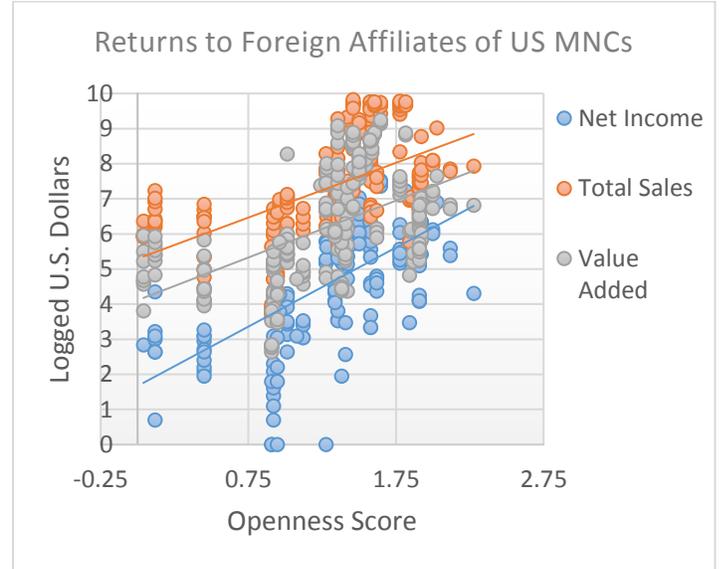
Econometric Tests of Copyright Openness

The Openness Score of a country is positively related to economic development as well as to creativity – as measured by firm performance and scholarly output controlled for firm size, national wealth, population, and time.

Openness and firm performance

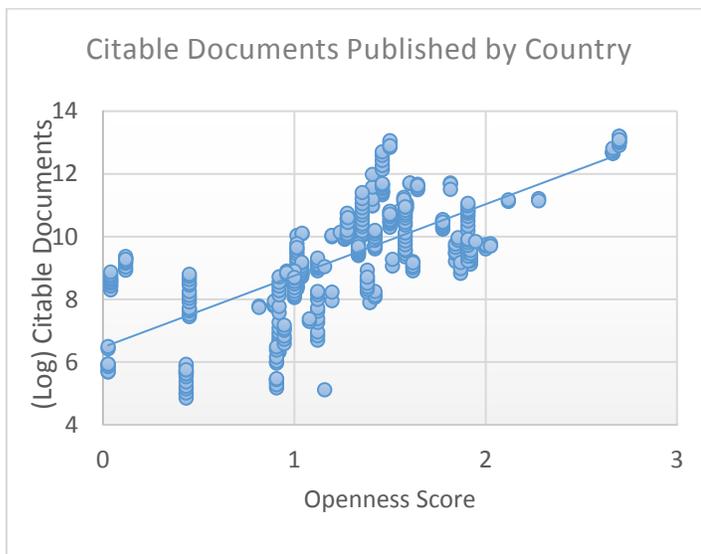


Firms in industries that rely on copyright limitations reported higher revenues in countries with more open limitations.

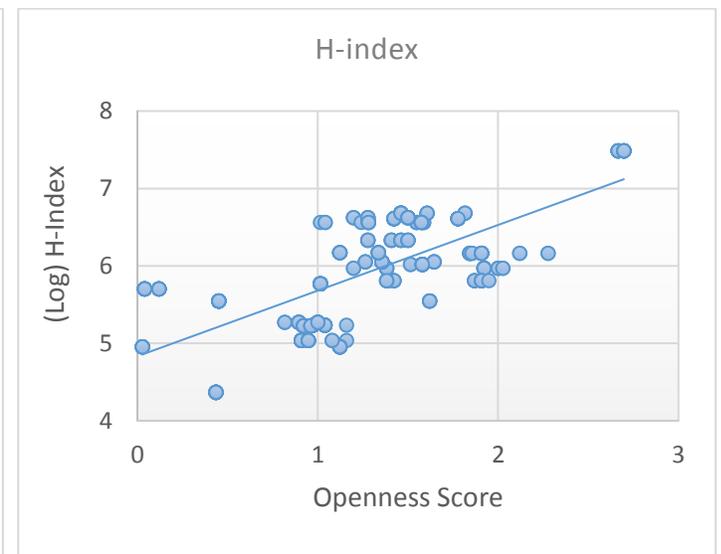


Foreign affiliates of U.S. multinational firms reported higher income, sales and value added in host countries with more open copyright exceptions.

Openness and the creation of new knowledge



Scholars in countries with more open copyright limitations published more scholarly works when their countries had more open copyright limitations.



Scholars also produced more high-quality works – as measured by the citation-based H index - when their countries had more open copyright limitations.