

24 December 2024

IC-350067-G6J5

Request

You asked us:

"This is a Freedom of Information Act Request (FOIA) made in good faith under the FOIA and kindly sent to the UK Information Commissioner John Edwards (and the ICO) asking the ICO if they have ever heard of the "30 Year US Copyright Law" or "17 U.S.C. § 304 & 17 U.S.C. §203" or anything in reference to these US laws from either the British Phonographic Industry (BPI) the UK Intellectual Property Office, or the UK Department for Culture, Media & Sport - from anyone other than myself and the emails I have sent – and if so in how, in what context and regarding or in reference to what specifically or in particular! The information that I am respectfully asking to see under the FOIA from the UK ICO is all recorded information held by the (ICO) which could also include official documents, drafts, emails, notes, recordings of telephone conversations and CCTV recordings."

We have handled your request under the Freedom of Information Act 2000 (the FOIA).

Response

We are refusing your request because to locate any information held would exceed the cost limit set out by section 12 of the Freedom of Information Act 2000 (FOIA). Section 12(2) of the FOIA states that a public authority is not obliged to confirm or deny if requested information is held if the estimated cost of establishing this would exceed the appropriate cost limit.

This is because you have asked for any information we hold that might relate to this topic. While it is unlikely that we will hold much, if any, information on this (given that it does not directly relate to the legislation we regulate), locating any relevant instances would require extensive searches of our systems.

A search of just one of our document management systems for information mentioning copyright results in over 21,000 results, and if we search for one of the organisations you have mentioned, such as DCMS, this also results in thousands of results. Most of these results are unlikely to be about the topic you are interested in, and initial checks suggest that many of these search results only involve incidental mentions of copyright.

Even if we try and refine the searches by using terms such as 'US', 'U.S.' or '30 year' alongside 'copyright' or the names of the organisations you mention, there are so many different combinations we would need to use to cover everything, that this would not significantly reduce the amount of work or results involved.

As well as our document management system, we would need to check thousands of cases in our casework management system. Even if we only focused on the organisations mentioned, this would still involve over 100 cases. Furthermore, the ICO has over 1000 staff, whose inboxes could (although in most cases are unlikely to) contain references to this subject. There are many departments who work with stakeholders and issues that may have links to copyright, so it would be difficult to significantly narrow down the number of inboxes that would need to be searched.

It also is worth noting that not all of our systems are fully keyword searchable, and it is unclear what public interest there would be in such us investing such extensive amounts of time and resource into searching for information about an area of legislation we do not regulate and are unlikely to have any significant involvement in.

Given that it would likely take approximately one minute to check each of the above search results (and in some cases longer, for lengthy or complex items) this would clearly involve well in excess of 18 hours of work, and the request would certainly exceed the charge of £450 or less, triggering the provisions of section 12 of the FOIA. On this basis, we are refusing your request.

Advice and assistance

You could refine your request by providing additional search criteria such as a specific date range, information held by a particular department in relation to a specific area of our work and/or particular types of documentation (such as emails or reports). Additional keywords or subjects may help, although please note as mentioned above that not all of our systems are fully keyword searchable, and general terms such as copyright, US, 30 years etc are unlikely to help us narrow down the results to within the cost limit.

If you do decide to refine your request, please note that any request requiring us to manually search large numbers of records is likely to exceed the appropriate limit, and the accuracy of any such searches could not be guaranteed. Consideration can also be given as to whether the value to the public of any resulting information is proportionate to the effort to locate it, particularly given the issues regarding accuracy described.

You may also wish to consider whether the ICO is the most appropriate organisation to contact about this topic. The organisations you mention and any other public authorities that deal with copyright or intellectual property rights more broadly may be more likely to hold relevant information.

This concludes our response to your request.

Next steps

You can ask us to review our response. Please let us know in writing if you want us to carry out a review. Please do so within 40 working days.

You can read a copy of our full [review procedure](#) on our website.

If we perform a review but you are still dissatisfied, you can complain to the ICO as regulator of the FOIA. This complaint will be handled just like a complaint made to the ICO about any other public authority.

You can [raise a complaint](#) through our website.

Your information

Our [privacy notice](#) explains what we do with the personal data you provide to us, and sets out [your rights](#). Our [Retention and Disposal Policy](#) details how long we keep information.

Yours sincerely



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