

Opponent review of dissertation

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Title: Private Copy Levies as Fair Compensation for Film Producers in Europe

Presented thesis is elaborated on an interesting topic, which has been a continuous concern related to the development of internet and its (ab-)use for illegal purposes, breaking the copyrights of the authors and projecting into a huge loss of sales of the particular organisations, and authors.

Dissertation is elaborated on the total of 125 pages plus 48 pages of annexes. The formal appearance of the dissertation is on a relatively good level, even though it would improve an orientation in the text if the tables and figures were numbered (as they are in the table of contents). The language used is clear and the author appropriately works with the key terms. The author correctly refers to information sources, even though the references to the data sources should have been also included in the particular tables (e.g. p. 92-95).

The objective of the dissertation (p. 10) is “to provide recommendations for a harmonisation – if necessary and possible – of the existing levy systems in Europe which have a significant economic impact on consumers, device manufacturers and rightsholders (obliged to be represented through collecting societies) to make these systems as consistent and effective as possible.”. Within this objective the thesis aims to bring recommendations, which should help the EU Commission and national governments in the EU to harmonise the levy systems to improve the Internal Market in Europe. The objective is appropriately demanding and provides a sufficient space for a scientific work on the level of dissertation within a doctoral study programme.

Methods used in the dissertation are described in chapter II.2, but only in a very general way, as well as the sample selection. There is a very brief note on data analyses without a more precise specification of the way of application of particular methods. The methodological part thus does not provide a clear guidance on the methods used in the dissertation, and specifically misses the description of specifics of application of particular data analysis methods. It was surprising, that methodology (p. 14) mentions reaching 200 respondents within phone interviews, which can be considered a success, but there is actually no complex analysis of the data found through the survey.

Theoretical part is elaborated on 24 pages, and it represents an effort to present an overview of the issues addressed within the dissertation from the perspective of situation in the EU and Germany. The author pays appropriate attention to the current developments in the field. The contents basically correspond with the needs of the aimed research, and the structure is relatively logical. Overall the dissertation utilizes about 90 literature sources including recent scientific papers addressing the topic of focus.

The result part of the dissertation represents a really detailed analysis of the field and its developments. It has a logical structure, and it is elaborated on a good level. Research done focuses not only on the formal and legal issues, but projects them into particular calculations to illustrate the impact of the particular measures and developments. The conclusions are briefly summarized at the end of particular chapters of the result part.

Discussion is not included as a separate chapter, but it actually mingles throughout the whole research done, and the author argues with opinions of various representatives of the field in order to give the partial proposals after the particular topics addressed. This approach seems to suit well the flow of presentation of the particular topics.

Formulated conclusions prove fulfilment of the stated objective, and provide a good summary evaluation of author's findings and of the overall situation in private levies and copyright issues in Germany and Europe.

Questions:

1. What does the author consider to be the main contribution of her dissertation to the theory development in the field?
2. What did the author do with the results of the phone interviews of the 200 respondents? Why are the results not included in the dissertation?
3. How will the author communicate her proposals to the appropriate subjects mentioned in the definition of the objective of the dissertation (i.e. to the EU Commission and national governments)?

Conclusion

It is possible to emphasize, that the dissertation represents a contribution to the issues dealt with, as it is commented in the above parts of this opponent review.

Presented dissertation of Mrs. Müller-Ernstberger by its methodological approach and achieved results fulfils the demands on dissertations of a doctoral study programme. It reaches the objectives, which have been set, and by its contents it brings an innovated knowledge related to the issues connected with private copy levies. The candidate proves to have an appropriate theoretical background, and the ability to apply it in practical application.

As far as the presented dissertation fulfils the normative criteria, I **recommend** it to be defended.

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