

Intellectual property and the music cluster organization new paradigm: agents' motivations and creativity

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Recent institutional and technological developments, namely the popularization of the Internet, digitalization and new copy technologies have imposed a lively debate around copyright in the music industry. Two opposing realities have backed different understandings of copyright protection. Conventionally, copyright has been taken as a necessary device to foster creativity and creation. Only with well defined property rights can efficient incentives be generated to all the agents in the industry. Following this point of view, copyright law should be strengthened and expanded in order to preserve and foster the market for the music business. Nonetheless, the new forms of copyright infringement have not only allowed the illegitimate access to protected music but have also opened the gates for what may be perceived as a new paradigm of culture production and distribution. Such paradigm may entail a redefinition of intellectual property rights.

In order to better recognize the advantages and disadvantages of such cultural production paradigms, we theoretically address the effects of such recent institutional developments on the role, motivations and behaviour of different, and conflicting, cultural agents: artists, labels, distributors and cultural gatekeepers (music critics, media and agents). We will argue that the future of copyright and its role in the music cluster rests on how the music industry agents will adapt their behaviour and working directions. Possible paths for future music creation, distribution and mediation, undetermined, are thus presented.

In the first section, a brief overview of the current debate around copyright will be presented. In the second section, we identify the implications on agents' motivations and behaviours related to the new institutional arrangements that have been emerging in the music cluster. In the third section, we grasp the systemic repercussions over cultural gatekeepers, evidencing their crucial role on the construction of symbolic and, consequently, economic value in the cluster. Finally, the final section will express our main conclusions, including some insights on possible policy guidelines.