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Contents

- Relevant EU directives
- The CRM Directive
- Further licensing opportunities: a new EU Directive
Relevant EU directives

- Other directives

- How are EU directives relevant to individual countries?
The CRM Directive 2014/26
Context in which the directive was adopted

- Situations of legal or de facto monopoly
  - EU competition rules
  - Key EU principles (freedom to provide services)
- Functioning of CMOs
  - Fee setting and representation agreements
  - Opacity of structure and functioning of CMOs
- Multi-territorial licensing
- Rightholders’ choice
  - Limited freedom
  - Royalty collection and distribution
Aims

- To improve rightholders’ position
  - Adequate participation in decision-making
- Governance, transparency and financial management standards of CMOs
- Common standards for multi-territorial licensing of authors’ rights in musical works for online use
  - Level playing field to expand the legal offer of online music
- Enforcement measures
Rightholders’ position

- CMOs have to act in their ‘best interest’ and cannot impose unnecessary obligations

- Freedom of choice irrespective of nationality / residence / establishment

- Right of termination (inc. segmentation) and withdrawal

- CMOs to adopt objective, transparent and non-discriminatory criteria
  - Non-discrimination of rights managed under representation agreements

- Fair representation of different rightholders’ categories

- General assembly and regular information
CMOs

- Supervisory function

- Control of persons who manage CMO business (conflicts of interest, etc)

- Revenues
  - Collection and use of right revenue
  - Regular, diligent, and accurate distribution

- Transparency and good faith in negotiations with users

- Disclosure of information to the public
Multi-territorial licensing of online rights in musical works

- CMOs that grant multi-territorial licences must have:
  - Capacity to process data in an efficient and transparent manner
  - Ability to provide up-to-date information allowing identification of repertoire represented
  - Accurate and timely reporting, invoicing and payment

- Obligation to represent
Article 17 (‘value gap’ provision)
How AI can reveal why some films do better than others.

Text and data mining

The emotions that make a film a hit... or a miss
In a world of ‘algorithmic culture,’ music critics fight for relevance

By Cherie Hu
December 11, 2018

A white, chart-topping rapper criticized as “an avatar of algorithm culture.” A young, major-label rock debut dismissed as “an algorithmic fever dream.” A 20-year-old band’s first release after a five-year hiatus bashed as “more algorithmic pop psych.”

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Fashion Has Become ‘Survival of the Fittest’

Andrew Rosen just stepped down as the chief executive of Theory, the brand he founded more than 20 years ago. He learned a few things along the way.

By Vanessa Friedman

April 3, 2019
**StreetStyle: Exploring world-wide clothing styles from millions of photos**

Kevin Matzen *  
Kavita Bala †  
Noah Staveley ‡

Cornell University

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(a) Massive dataset of people  
(b) Global clusters  
(c) Representative clusters per-city


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Directed by the European Commission, IP Key South-east Asia is implemented by the European Union Intellectual Property Office (EUIPO)
Artificial Intelligence Writes
Bad Poems Just Like An
Angsty Teen

The algorithm-written poems were convincing enough to make judges think a human had written them.

Dan Robleski  |  April 26th 2018
Approaches to TDM

USA: “to furnish statistical information to internet users about the frequency of word and phrase usage over centuries” Authors Guild v Google, Inc, No. 13-4829 (2d Cir. 2015)

Certain EU Member States

Now 2 mandatory exceptions at the EU level
Article 3

DSM Directive

Article 4

• Possibility to reserve TDM and room for licensing
Next steps and conclusion

NATIONAL TRANSPOSITIONS BY 7 JUNE 2021

WHAT DOES ALL THIS MEAN FOR CRM IN EUROPE?
Thanks for your attention!

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