



Collective Management of Rights in the European Union: Collective Rights Management Directive 2014

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Contents



Relevant EU directives



The CRM Directive



Further licensing opportunities:
a new EU Directive



Relevant EU directives

- Directive 2001/29 (InfoSoc Directive)
 - Directive 2014/26 (CRM Directive)
 - Directive 2019/790 (DSM Directive)
 - Other directives
-
- How are EU directives relevant to individual countries?



The CRM Directive 2014/26



Funded by the European Union





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

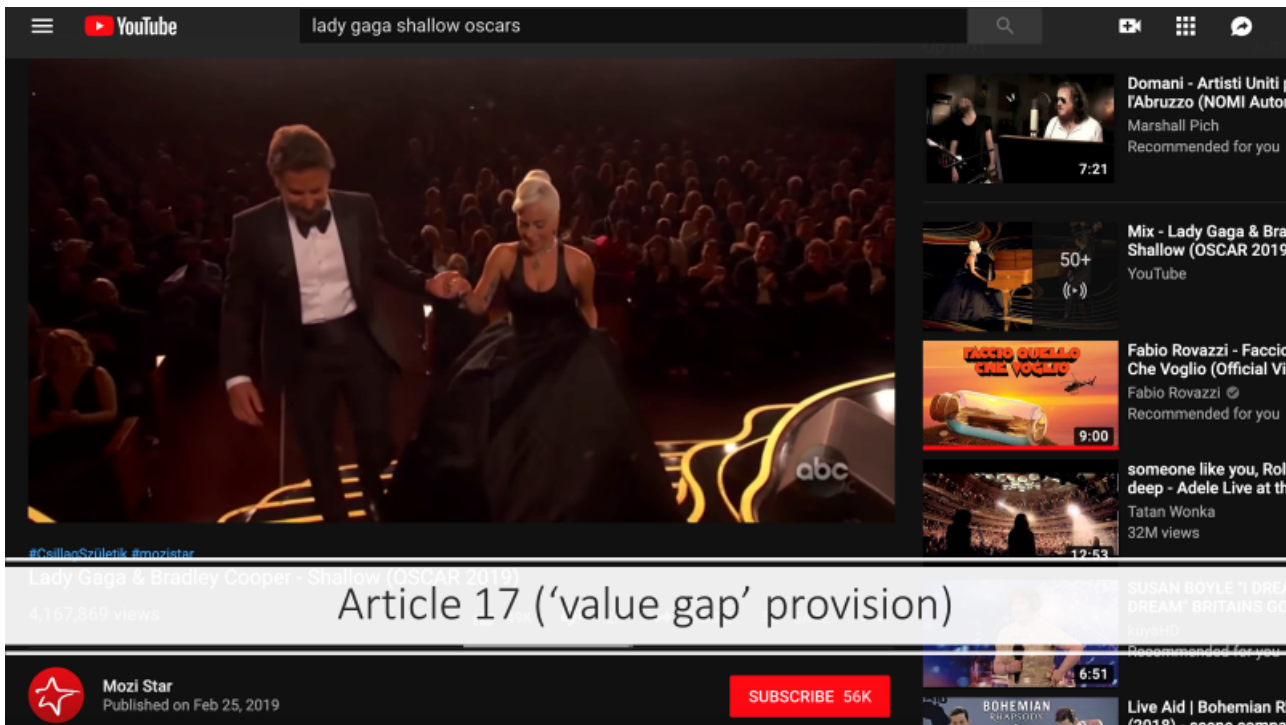


A new EU
directive:
Directive
2019/790



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lady gaga shallow oscars

#CsillagSzületik #mozistar

Lady Gaga & Bradley Cooper - Shallow (OSCAR 2019)

4,167,869 views

Article 17 ('value gap' provision)

Mozi Star
Published on Feb 25, 2019

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Domani - Artisti Uniti per l'Abruzzo (NOMI Autori) Marshall Pich Recommended for you 7:21

Mix - Lady Gaga & Bradley Cooper - Shallow (OSCAR 2019) YouTube 50+

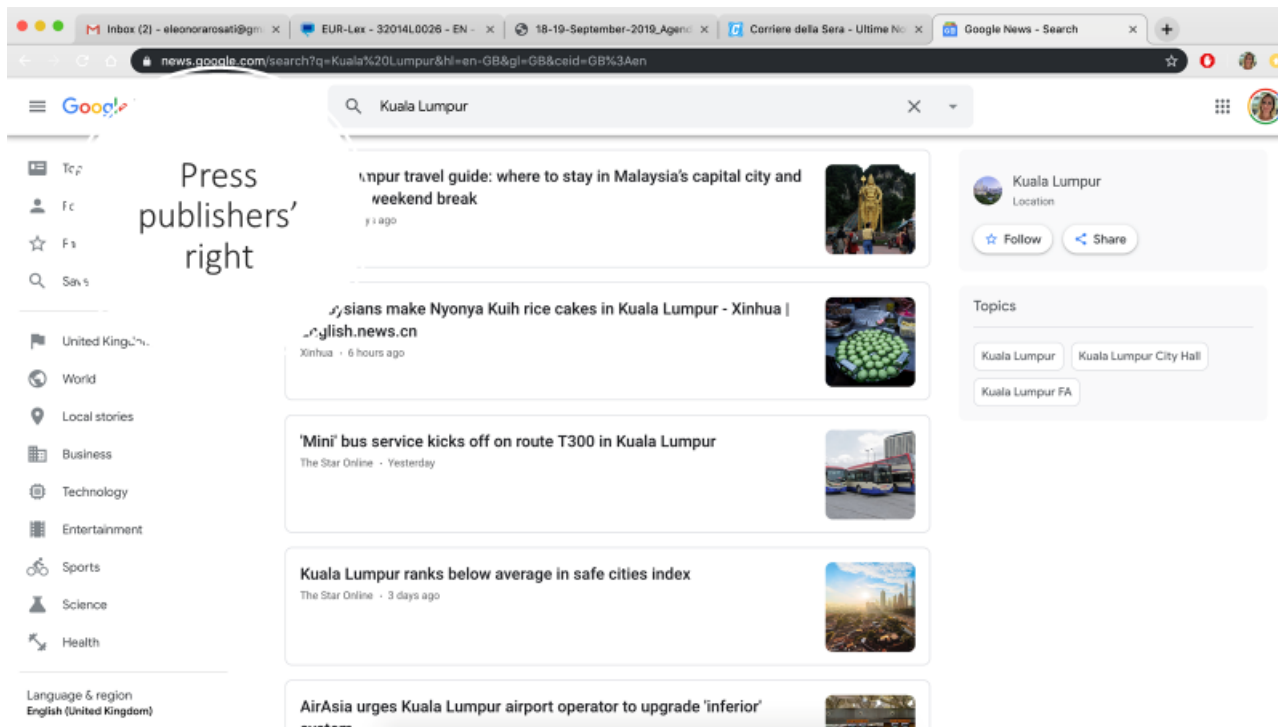
Fabio Rovazzi - Faccio quello che voglio (Official Video) Fabio Rovazzi Recommended for you 9:00

someone like you, Rolling Stones - Adele Live at the Royal Albert Hall Tatan Wonka 32M views 12:53

SUSAN BOYLE "I DREAM A LITTLE DREAM" BRITAIN'S GOT TALENT 2006 kuyas10 Recommended for you 6:51

BOHEMIAN Rhapsody Live Aid | Bohemian Rhapsody (2018) - scene comparison







Text and data
mining



ANALYSIS

In a world of 'algorithmic culture,' music critics fight for relevance

By Cherie Hu

DECEMBER 11, 2018



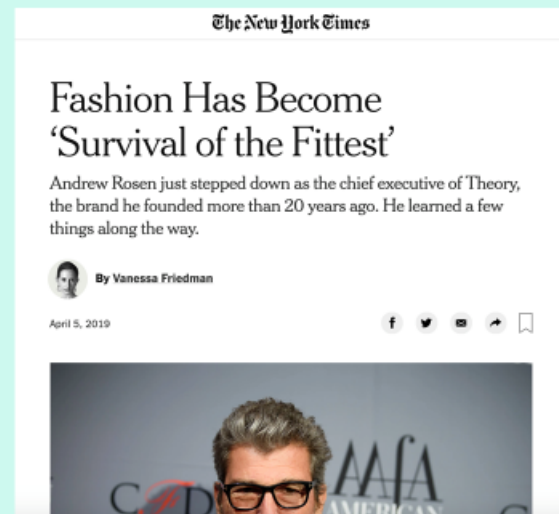
A WHITE, CHART-TOPPING RAPPER criticized as “an avatar of algorithm culture.” A young, major-label rock debut dismissed as “an algorithmic fever dream.” A 20-year-old band’s first release after a five-year hiatus bashed as “more

MOST POPULAR

Freelancers have a name for end rounds of edits: scope creep



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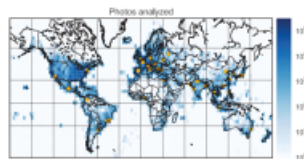
StreetStyle: Exploring world-wide clothing styles from millions of photos

Kevin Matzen *

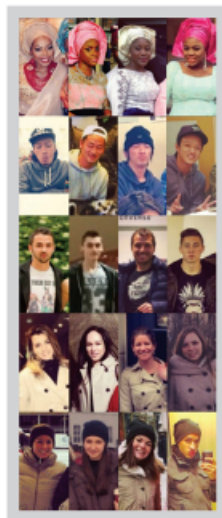
Kavita Bala †

Noah Snaveley ‡

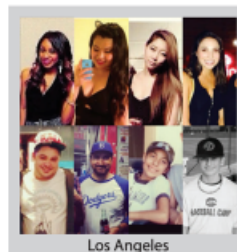
Cornell University



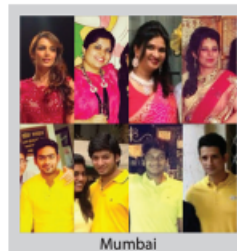
(a) Massive dataset of people



(b) Global clusters



Los Angeles



Mumbai

(c) Representative clusters per-city

<https://arxiv.org/pdf/1706.01869.pdf>



Celebrating Johann Sebastian Bach



<https://www.google.com/doodles/celebrating-johann-sebastian-bach>



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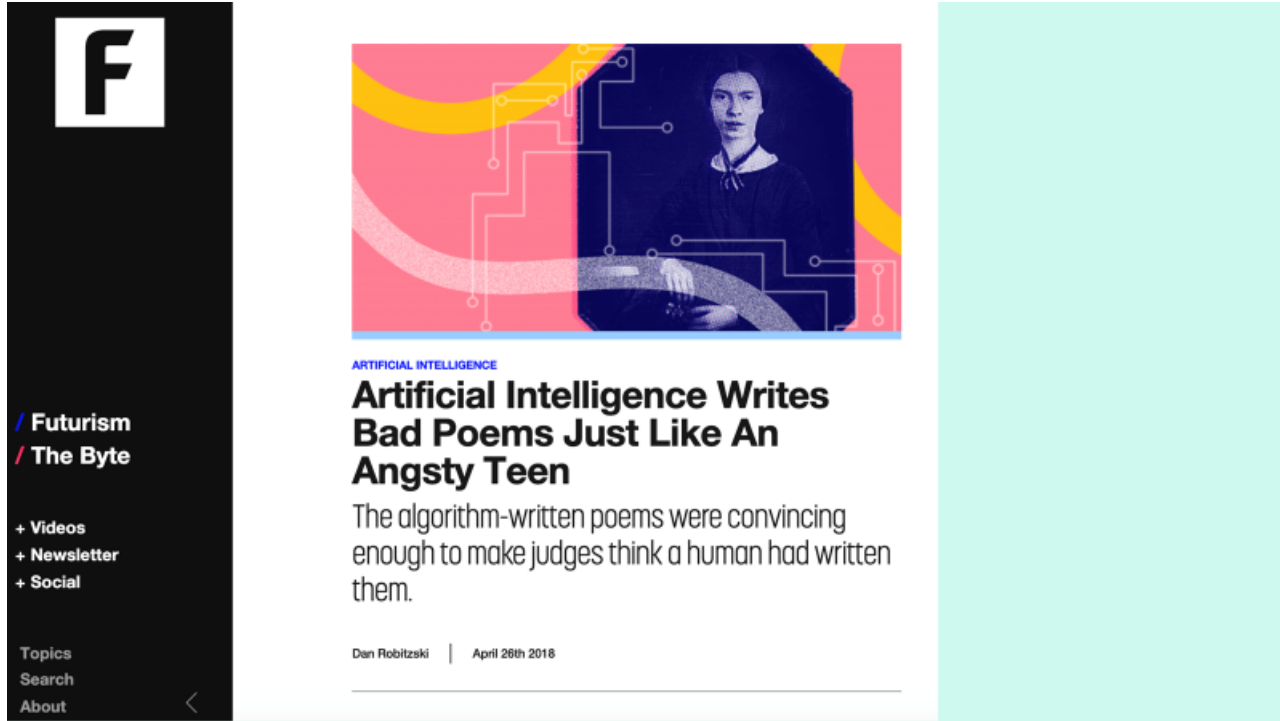


<https://uncrate.com/ai-generated-portrait-of-edmond-belamy/>



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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



DSM Directive

Article 3

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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