

## Questionnaire

Dear respondents, we would greatly appreciate it if you could fill this questionnaire. It is part of a study carried out under the auspices of the EU-IP Key programme and will help us to identify areas in which EU representatives, in their exchanges with Chinese authorities, should call for further improvements to the Chinese copyright system in the interest of European copyright industries. Please rest assured that your input will be processed in a manner that your organization cannot be identified from the study results.

It would be great if you return the filled questionnaire until 23 August 2021 at the latest to [ganeap@me.com](mailto:ganeap@me.com). If your replies to the open questions do not fit into the text boxes, please feel free to submit them in separate attachments.

### A. General

1. Please indicate your main area of business (e.g., film, music, publishing, software, educational content, event or performance organization):

2. In which manner is the content generated by your business predominantly exploited? (multiple indication allowed)

Reproduction/distribution (including rental) of physical copies

Making available/transmitting online

Broadcasting

Performance

Other (please specify)

3. Has your firm ever done business in China or is it planning to do so? Yes  No

If yes, in which manner? (e.g., wholly owned foreign enterprise, joint venture, licensing)

for how long?

If no, have you nevertheless encountered infringement of your content or other copyright issues in China? Yes  No

If yes, what kind of issues?

4. Have you ever registered your rights in China (*irrespective of whether you are engaged in China or not*)? Yes  No

If yes, has registration helped you to overcome proof of copyright ownership in a dispute?

Yes  No

If you have not registered, do you, in retrospective, think that registration would have been helpful? If yes, please do briefly explain:

*B. Licensing/contracting (to be answered by those who actually do, intend to do or have previously done business in China)*

1. What is/has been/will be your main form of copyright transactions in China? (*e.g., licensing, joint creation, commissioned creation*)

2. If feasible, please indicate the percentage your engagement in China contributed/contributes/is expected to contribute your total business revenue (average per year)

3. Do you generate/have you generated/do you intend to generate revenues from Chinese users through collective licensing? Yes  No

If yes,

through your/your local subsidiaries' membership in a Chinese collecting society? Yes  No

through reciprocal agreement between the Chinese collecting society and your domestic collecting society? Yes  No

Please indicate a rough percentage of your revenues from collective licensing (if feasible)

4. Have you encountered any pitfalls in contract negotiations with Chinese partners?

Yes  No

If yes, please specify:

5. Have you ever been involved in a contractual dispute with a Chinese party...

...outside China? Yes  No

If yes, please do briefly indicate the subject matter of the dispute (*e.g. breach of license, insufficient performance, copyright attribution in case of joint work, etc.*)?

...in China?

please specify subject matter of dispute, the competent court and outcome, if feasible:

Or provide us with the text of the decision, which would be of great help.

6. If you have been engaged in China for a longer period of time, have you noticed any improvements to or a deterioration of the environment for copyright transactions? Please do briefly explain and also indicate the time frame of your observations:

7. Have you experienced bureaucratic obstacles to your engagement in China (*e.g., difficulty to obtain administrative permission, compelled transfer of knowledge*)? Please specify:

C. *Enforcement (to be answered by all respondents, irrespective of whether they are engaged in China or not)*

1. Are you monitoring the infringement of your copyright worldwide and in China?

Yes  No

2. If yes, are you aware of any infringements of your copyright in China? Yes  No

3. If yes, how high would you assess the damage that infringement in China caused to your firm in worldwide comparison (percentage)?

what kind of infringement have you been exposed to? (*e.g., making available, real-time streaming, reproduction and/or distribution of physical copies*)

4. Have you ever proceeded against infringement in China...

...by filing suit in a civil court?

...in a local copyright administration

...by initiating criminal procedures?

Please describe the outcome:

Or provide us with the text of the decision, which would be of great help

5. If you have not proceeded against infringement, what have been the reasons? Please explain:

6.If you have been engaged in China for a longer period of time, have you noticed any improvements to or a deterioration of the copyright enforcement situation? Please describe and do also indicate the time frame of your observations:

A large, empty rectangular box with a thin black border, intended for the respondent to provide a detailed answer to the question regarding copyright enforcement in China. The box is currently blank.