

Collective Management of Copyright and Related Rights

EDITED BY PROF. J.B. DANIEL GUYOTAS

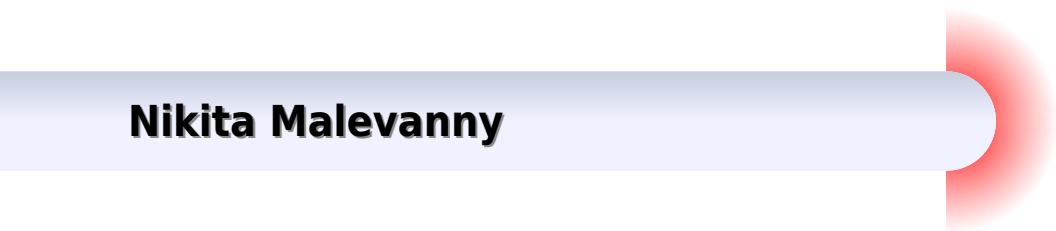
Second Edition

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Collective Management Of Copyright And Related Rights

2nd Edition

Nikita Malevanny



Collective Management Of Copyright And Related Rights 2nd Edition:

Collective Management of Copyright and Related Rights World Intellectual Property Organization, 2022-12-22 This third edition of *Collective Management of Copyright and Related Rights* presents an in depth revision with invaluable updates on the different systems legislative options and best practices of CMOs worldwide As with previous editions the book is written to reach a wide audience with a special focus on questions that might emerge for governments as they prepare adopt and apply collective management norms and regulations The edition also sheds light on new copyright and related rights developments including digital technological and business trends from all over the world Additionally there is detailed discussion on topics such as aspects of competition national treatment and different models of collective management

The Oxford Handbook of Mobile Music Studies, Volume 1 Sumanth Gopinath, Jason Stanyek, 2014-03-21 The two volumes of *The Oxford Handbook of Mobile Music Studies* consolidate an area of scholarly inquiry that addresses how mechanical electrical and digital technologies and their corresponding economies of scale have rendered music and sound increasingly mobile portable fungible and ubiquitous At once a marketing term a common mode of everyday life performance and an instigator of experimental aesthetics mobile music opens up a space for studying the momentous transformations in the production distribution consumption and experience of music and sound that took place between the late nineteenth and the early twenty first centuries Taken together the two volumes cover a large swath of the world the US the UK Japan Brazil Germany Turkey Mexico France China Jamaica Iraq the Philippines India Sweden and a similarly broad array of the musical and nonmusical sounds suffusing the soundscapes of mobility Volume 1 provides an introduction to the study of mobile music through the examination of its devices markets and theories Conceptualizing a long history of mobile music extending from the late nineteenth century to the present the volume focuses on the conjunction of human mobility and forms of sound production and reproduction The volume s chapters investigate the MP3 copyright law and digital downloading music and cloud computing the iPod the transistor radio the automated call center sound and text messaging the mobile phone the militarization of iPod usage the cochlear implant the portable sound recorder listening practices of schoolchildren and teenagers the ringtone mobile music in the urban soundscape the boombox mobile music marketing in Mexico and Brazil music piracy in India and online radio in Japan and the US

Collective Management of Copyright and Related Rights Daniel Gervais, 2015-11-19 In the course of the last two decades collective management organizations CMOs have become the nerve centres of copyright licensing in virtually every country Their expertise and knowledge of copyright law and management have proven essential to make copyright work in the digital age However they have also been at the centre of debates about their efficiency their transparency and their governance This book an extensively revised and updated edition of the major work on the legal status of CMOs offers an in depth analysis of the various operating CMO models their rights and obligations vis vis both users and members acquisition of legal authority to license and most important the rights to

license digital uses of protected material and build or improve current information systems to deal with ever more complex rights management and licensing tasks All the chapters have been updated since the 2010 edition New chapters on Africa China Central Europe and New Zealand together with Australia which is no longer discussed in the separate chapter on Canada have been added Factors considered include the following role of families such as the International Confederation of Societies of Authors and Composers CISAC and the International Federation of Reproduction Rights Organizations IFRRO cases where the unavailability of adequating options makes authorized use difficult or impossible taking transaction costs into account growing importance of extended repertoire systems also known as extended collective licensing relationship among collective management rights to remuneration and the ways in which CMOs acquire authority to license transnational licensing and the possible role of multi territorial licensing and threat of monopolies or regional oligopolies for the management of online music rights Legal underpinnings covered in the course of the analysis include the 1996 WIPO Copyright Treaties the US Digital Millennium Copyright Act the Napster case the Santiago Agreement relevant EU Papers and the 2014 Copyright Directive and work done by the UN Committee on Economic Social and Cultural Rights Part I presents a number of horizontal issues that affect collective management in almost every country Part II is divided on a geographical basis focusing on systems representative of the principal models applied in various countries and regions Each country specific or region specific chapter provides a historical overview and a presentation of existing CMOs and their activities gives financial information where available describes how CMOs are supervised or controlled by legislation and offers thoughts about the challenges facing CMOs in the country or region concerned Many of these national and regional commentaries are the only such information sources available in English Whatever the future of copyright holds it is clear that users will continue to want access and the ability to reuse material lawfully and authors and other rights holders will want to ensure that they can put some reasonable limits on those uses including an ability to monetize commercially relevant uses CMOs are sure to be critical intermediaries in this process The second edition of this important resource with its key insights into the changing nature of collective management will be of immeasurable value to all concerned with shaping policy towards collective management or working with the ever more complex legal issues arising in digital age copyright matters

EU Copyright Law Irini Stamatoudi, Paul Torremans, 2021-03-26 This significantly revised and updated second edition addresses the rapid development of EU copyright law in relation to the advancement of new technologies the need for a borderless digital market and the considerable number of EU legal instruments enacted as a result Taking a comparative approach the Commentary provides comprehensive coverage and in depth commentary on each of the EU legal instruments and policies both from an EU and an international perspective Alongside full legislative analysis and article by article commentary the Commentary illustrates the underlying basic principles of free movement and non discrimination and provides insights into the influence of copyright on other areas of EU policy including telecoms and bilateral trade

agreements

Copyright in the Age of Online Access João Pedro Quintais, 2017-05-15 In addition to proving virtually impossible online enforcement of copyright may be undesirable because it risks encroaching upon fundamental rights and freedoms However the problem remains that creators are often not fairly remunerated for the online use of their works This book addresses the urgent need to study pragmatic legal solutions that enable Internet users to access works in the digital environment while assuring remuneration to rights holders and promoting the development of the information society This study examines legalisation schemes that favour remunerated access over exclusivity and enforcement for large scale online use by individuals It investigates whether and to what extent these schemes referred to as alternative compensation systems are admissible under EU copyright law and consistent with its objectives responding to such questions as the following in depth What existing copyright schemes provide an alternative to the exclusive right in copyright law What online rights apply to the activities of Internet users What types of models exist for the legalisation of online use of copyright works How can the public interest shape the scope of protection of copyright Can and should we legalise non commercial file sharing and online use in EU copyright law The book carefully examines these questions in light of EU primary law relevant directives with a focus on the InfoSoc Directive case law especially that of the CJEU and legal literature in the field of copyright The analysis culminates with a proposed blueprint for a compensated limitation for non commercial individual use that is consistent with EU copyright law As a thoroughly researched and balanced response to the urgent need to rethink EU copyright law in light of its lack of social acceptance and technological adequacy this book will be of inestimable value to lawyers policymakers and scholars in the field as well as to interest groups involved in discussions for reform and modernisation of EU digital copyright law

International Copyright Paul Goldstein, P. B. Hugenholtz, 2019 Written by two of the most esteemed experts of copyright law in the United States and Europe this volume surveys and analyzes the legal doctrines affecting copyright practice around the world in both transactional and litigation settings

Individualism and Collectiveness in Intellectual Property Law Jan Rosén, 2012 This title embraces fundamental eternal and yet very contemporary elements in IP law dealt with in all parts of the world

Online Music Distribution - How Much Exclusivity Is Needed? Nikita Malevanny, 2019-08-30 This book analyzes regulatory models established in the field of online music distribution and examines their consistency with the overarching objectives of copyright law In order to do so the book takes a deep dive into the provisions of international treaties EU Directives as well as the German and US copyright systems and case law It subsequently scrutinizes the identified regulatory models from the standpoint of the copyright s objectives with regard to incentives rewards a level playing field and dissemination Lastly it endorses the improved market based statutory license as a preferable instrument in the online music field The book is intended for all readers with an interest in music copyright law Part I will especially benefit copyright scholars and practitioners seeking in depth insights into the current legal situation regarding streaming and downloading In turn Part II will above all appeal to scholars interested in law and economics and in

the theoretical foundations of online music copyright Policy recommendations can be found in Part III Remuneration for the Use of Works Silke von Lewinski, 2016-12-19 Royalty payments are once again becoming a hot button issue for authors and artists as well as other holders of copyright or related rights because they fail to receive adequate compensation for the use of their work on the internet This volume from the 2015 ALAI Congress contributes to the international discussion of this issue by examining the causes of the problem and possible solutions including a set of business models to compensate for internet usage The volume contains mainly English as well as French and Spanish contributions **European Intermediary Liability in Copyright: A Tort-Based Analysis** Christina Angelopoulos, 2016-09-15 In step with its rapid progress to the centre of modern social political and economic life the internet has proven a convenient vehicle for the commission of unprecedented levels of copyright infringement Given the virtually insurmountable obstacles to successful pursuit of actual perpetrators it has become common for intermediaries providers of internet related infrastructure and services to face liability as accessories Despite advances in policy at the European level the law in this area remains far from consistently applicable This is the first book to locate and clarify the substantive rules of European intermediary accessory liability in copyright and to formulate harmonised European norms to govern this complicated topic With a detailed comparative analysis of relevant regimes in three major Member State jurisdictions England France and Germany the author elucidates the relationship between these rules and the demands of EU law on fundamental rights and the principles of European tort law She clearly presents the interrelations between such areas as the following accessory liability in tort joint tortfeasance European fault based liability fault causation defences negligence negligence balancing rights based or utility based Germany's disturbance liability Störerhaftung fair balance in human rights end users fundamental rights The European Commission's 2015 Communication on a Digital Single Market Strategy for Europe The E Commerce Directive and other relevant provisions Safe harbours mere conduit caching hosting Intermediary actions monitoring filtering blocking removal of infringing content and application of remedies damages and injunctions The strong points of each national system are highlighted as are the commonalities between them and the author uses these to build a proposed harmonised European framework for intermediary liability for copyright infringement She concludes with suggestions for the future possible integration of the proposed framework into EU law The issue of the liability of internet intermediaries for third party copyright infringement has entered into the political agenda across the globe giving rise to one of the most complex contentious and fascinating debates in modern copyright law This book offers an opportunity for a re conceptualisation and rationalisation of the applicable law in a way which additionally better accounts for the cross border nature of the internet It will be of inestimable value to many interested parties lawyers internet intermediaries NGOs policymakers universities libraries researchers lobbyists in matters regarding the information society

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auditorium the other twelve talk excitedly about their new jobs jonas feels left out and strange even

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