



EUROPEAN COMMISSION

Internal Market and Services DG

Knowledge-based Economy

Copyright

PUBLIC HEARING ON

THE GOVERNANCE OF COLLECTIVE RIGHTS MANAGEMENT IN THE EU

Friday, April 23, 2010

Room CCAB-0D and CCAB-0B, Albert Borschette Conference Centre, Brussels

Effective relationships between the owners of copyright, the collective managers of copyright and the commercial users of copyright-protected products and services are crucial for the development of artistic creativity. The aim of the hearing is to explore how these relationships have developed over time and what efforts might be needed to further develop the benefits of the collective management of copyright and neighbouring rights.

With this overall goal in mind, the hearing will take a look at the standards of governance and transparency underpinning the relationships (a) between collective rights managers and their members (b) of collective rights managers among themselves and (c) between collective rights managers and those parties that license copyright or related rights.

9.00 REGISTRATION

9.30 – 9.40 OPENING OF THE HEARING BY MR MICHEL BARNIER, COMMISSIONER FOR THE INTERNAL MARKET AND SERVICES

9.40 – 10.40 PANEL 1 – RELATIONSHIP BETWEEN COLLECTIVE RIGHTS MANAGERS AND THEIR MEMBERS

This panel will examine: (1) the types of mandates that right-holders may grant to collective rights managers; (2) the substantive scope of such mandates; and (3) their territorial reach. The panel will also assess conditions according to which mandates are renewed, revoked or altered in scope, and the service levels members can expect from their collective rights managers in terms royalty payment terms, periodicity of

payments, administrative and other charges deducted, and membership benefits. The panel will also touch upon member representation in decision-making bodies, and dispute settlement mechanisms available to members.

Panellists:

- SACEM – Thierry Desurmont *confirmed*
- ADAMI- Isabelle Feldman *confirmed*
- MPAA – Ted Shapiro *confirmed*
- ICMP – Alessandra Silvestro *confirmed*
- AISGE – José Maria Montes *confirmed*
- EWC – Myriam Diocaretz *confirmed*
- DACS – Gilane Tawadros *confirmed*
- EFJ - Pamela Morinière *confirmed*
- CIAM - Bendik Hofseth *confirmed*
- ECSA - Patrick Rackow *confirmed*

10.40-11.10 Q&A

11.10 – 11.30 COFFEE BREAK

11.30 – 12.30 PANEL 2 – RELATIONSHIP AMONG COLLECTIVE RIGHTS MANAGERS

This panel should examine the mutual obligations between collective rights managers regarding the remittance of royalties to rights holders in other Member States, and transparency of terms and conditions, including applicable deductions and commissions.

Panellists:

- PRS – Frances Lowe *confirmed*
- AEPO-ARTIS – Xavier Blanc *confirmed*
- SABAM – Christophe Depreter *confirmed*
- CISAC – David Uwemedimo *confirmed*
- BildKunst – Gerhard Pfennig *confirmed*
- STIM – Helena Woodcock *confirmed*
- Eurocopya– Idzard Van der Puyl *confirmed*
- GVL - Tilo Gerlach *confirmed*

12.30-13.00 Q&A

13.00-14.30 LUNCH BREAK

14.30 – 16.00 PANEL 3 – RELATIONSHIP BETWEEN COLLECTIVE RIGHTS MANAGERS AND COMMERCIAL USERS

This panel will look at issues such as public information on the breadth of the repertoire represented by a collective rights manager; and the territorial scope of available licenses. The panel should also examine issues involving prior information on applicable rates and tariffs, and information regarding applicable deductions, including cultural funding, cross-border commission and cross-border taxes. The panel will also address issues around non-discriminatory licensing to all potential users that find themselves in a comparable situation, licensing to individual users, and the availability of independent dispute settlement in the event that agreement cannot be reached between parties.

Panellists:

- GEMA – Urban Pappi *confirmed*
- IFRRO – Olav Stokkmo *confirmed*
- NOKIA – Petri Kuoppamäki *confirmed*
- APPLE – Elena Segal *confirmed*
- Google (Youtube) – Antoine Aubert *confirmed*
- ACT – Christian Hauptmann *confirmed*
- Beuc - Kostas Rossoglou *confirmed*
- GESAC – Veronique Desbrosses *confirmed*
- FEP – Anne Bergman *confirmed*
- ENPA - Margaret Boribon *confirmed*
- EBU – Peter Weber *confirmed*

16.00-16.30 Q&A

16.30 – 17.00 CONCLUDING REMARKS

End 17.00