Why is copyright so important for the creative economy and cultural diversity?

How does it operate in the creative economy?

How does it operate on the Internet?

(Creative economy is a broader concept than copyright-based industries)
Impact on GDP of Copyright-Based Industries

![Bar chart showing the impact on GDP of copyright-based industries for various countries, with the average impact at 5.18%.]
Online music service
2011: 28 countries
2012: 58 countries
2013: 100+ countries
2015: 150+ countries
Copyright and Related Rights Multilateral Treaties

- Berne Convention (1886-1971)
- Rome Convention (1961)
- Phonograms Convention (1971)
- Satellites Convention (1974)
- TRIPS Agreement (1994)
- WIPO Copyright Treaty (1996)
- WIPO Performances and Phonogram Treaty (1996)
- Beijing Treaty on Audiovisual Performances (2012)
- The Marrakesh Treaty to facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or otherwise Print Disabled (2013)
What can be protected?

Open list:

• literary works such as novels, poems, plays, reference works, newspaper articles;
• computer programs, databases;
• films, musical compositions, and choreography;
• artistic works such as paintings, drawings, photographs, and sculpture;
• architecture; and
• advertisements, maps, and technical drawings.
• …

(+ Related Rights)
Creative DNAs
Economic rights = Rules of the game

• Independent from each other

• Transferrable, through assignment or licensing – Ownership/exercise (original author, employer, “work made for hire”, licensee, collective management..)

• Adaptable/Flexible: exclusive rights, mere remuneration/compensation.

• ≠ industries ≠ business models ≠ markets
Few real life examples
What can I do with my PPT?
Employment relation?

e.g. WIPO Contract

(3) Status, rights and obligations:

(d) “Any Copyright, including reproduction and publication rights and all other rights of whatever kind, arising in relation to any work produced under the term of this agreement, shall remain the exclusive property of WIPO”
The Web as Platform, User controls his own data

- BitTorrent: Radical Decentralization
- Google AdSense: customer self-service enabling the long tail
- Wikipedia: Radical Trust
- Gmail, Google Maps and Ajax: Rich User experiences
- Flickr, del.icio.us: Tagging, not taxonomy

A "meme map" of Web 2.0 that was developed at a brainstorming session during FOO Camp, a conference at O'Reilly Media.
"He Ikai Teu Luva" - K'nova
Julia Zahra - Just an illusion (Reggae Remix 2016)
6,481,270 vistas
Consumption of Music Videos On YouTube and Vevo Is Accelerating At Pace

Days To Reach 1 Billion YouTube Streams

<table>
<thead>
<tr>
<th>Days To Reach 2 Billion Views</th>
<th>Fastest to Reach 2 Billion Streams</th>
<th>Fastest Spanish Language to 1 Billion</th>
<th>First Music Video to Reach 1 Billion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hello (October 2015)</td>
<td>87</td>
<td>137</td>
<td>158</td>
</tr>
<tr>
<td>Despacito (January 2017)</td>
<td>97</td>
<td>394</td>
<td>684</td>
</tr>
<tr>
<td>Shape Of You (January 2017)</td>
<td>97</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sorry (October 2015)</td>
<td></td>
<td>150</td>
<td></td>
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<tr>
<td>Chantaje (October 2016)</td>
<td></td>
<td></td>
<td>158</td>
</tr>
<tr>
<td>Gangnam Style (July 2012)</td>
<td></td>
<td></td>
<td>684</td>
</tr>
<tr>
<td>See You Again (March 2015)</td>
<td>184</td>
<td></td>
<td>515</td>
</tr>
</tbody>
</table>

Source: MIDiA Research / YouTube
Can I “legally” download a video from YouTube?
5.B (...) You shall not download any Content unless you see a “download” or similar link displayed by YouTube on the Service for that Content. You shall not copy, reproduce, distribute, transmit, broadcast, display, sell, license, or otherwise exploit any Content for any other purposes without the prior written consent of YouTube or the respective licensors of the Content. YouTube and its licensors reserve all rights not expressly granted in and to the Service and the Content. (...)
What does it happen to your copyright when you upload a video on YouTube?
6.C. For clarity, you retain all of your ownership rights in your Content. However, by submitting Content to YouTube, you hereby grant YouTube a worldwide, non-exclusive, royalty-free, sublicenseable and transferable license to use, reproduce, distribute, prepare derivative works of, display, and perform the Content in connection with the Service and YouTube's (and its successors' and affiliates') business, including without limitation for promoting and redistributing part or all of the Service (and derivative works thereof) in any media formats and through any media channels. (…)

http://www.youtube.com/static?hl=en&template=terms
Content ID

YouTube Audio ID & YouTube Video ID

Block, Monetize, or Track Viewing Metrics — It’s Automated, and It’s Free

Overview
YouTube has created an advanced set of copyright policies and content management tools to give rights holders control of their content. YouTube provides content management solutions for rights holders of all sizes across the world, and provides tools to cater to the specific needs of various rights owners.

Commercial partnerships
Use of YouTube's copyright tools is free, and does not require any commercial partnership with YouTube. Content partners who would like to monetize their content can apply to join our YouTube Partner Program.

What is Content ID?
YouTube entities of all types have intellectual rights...
Do you know what happens (from a copyright perspective) when we post content on Facebook?
FB terms and conditions

Sharing Your Content and Information

You own all of the content and information you post on Facebook, and you can control how it is shared through your privacy and application settings. In addition:

For content that is covered by intellectual property rights, like photos and videos ("IP content"), you specifically give us the following permission, subject to your privacy and application settings: you grant us a non-exclusive, transferable, sublicensable, royalty-free, worldwide license to use any IP content that you post on or in connection with Facebook ("IP License").
Can you terminate this license?
FB terms and conditions

Sharing Your Content and Information

- This IP License ends when you delete your IP content or your account unless your content has been shared with others, and they have not deleted it.

- When you delete IP content, it is deleted in a manner similar to emptying the recycle bin on a computer. However, you understand that removed content may persist in backup copies for a reasonable period of time (but will not be available to others).
Facebook Is Preparing to Crack Down on Copyrighted Music in Videos

Anna Gaca // December 29, 2016
Audible Magic’s Content ID

The Leading Automated Content Recognition Solution

Content ID Software & Information Services for Networks, Cloud Platforms, Devices & Apps:
Rights Manager

Rights Manager is a set of admin and workflow tools that help you manage and protect your copyrighted content on Facebook at scale.
2017 GLOBAL GAMES MARKET
PER DEVICE & SEGMENT WITH YEAR-ON-YEAR GROWTH RATES

MOBILE
$46.1Bn
+19.3% YoY

TABLET GAMES
$10.8Bn
+11.4% YoY

(SMART)PHONE GAMES
$35.3Bn
+22.0% YoY

PC
$29.4Bn
-2.6% YoY

BROWSER PC GAMES
$4.5Bn
-9.3% YoY

BOXED/DOWNLOADED PC GAMES
$24.8Bn
-1.3% YoY

CONSOLE
$33.5Bn
+3.6% YoY

2017 TOTAL
$108.9Bn
+7.8% YoY

Source: ©Newzoo | Q2 2017 Update | Global Games Market Report
newzoo.com/globalgamesreport
2017 GLOBAL GAMES MARKET
PER REGION WITH YEAR-ON-YEAR GROWTH RATES

©2017 Newzoo

- **EUROPE, MIDDLE-EAST & AFRICA**
  - **$26.2Bn**
  - **+8.0% YoY**

- **LATE AMERICA**
  - **$4.4Bn**
  - **+13.9% YoY**

- **NORTH AMERICA**
  - **$27.0Bn**
  - **+4.0% YoY**

- **ASIA-PACIFIC**
  - **$51.2Bn**
  - **+9.2% YoY**

- **CHINA TOTAL**
  - **$27.5Bn**

- **US TOTAL**
  - **$25.1Bn**

2017 TOTAL

**$108.9Bn**
**+7.8% YoY**

In 2017, **47%** of all consumer spend on games will come from the APAC region.

Source: ©Newzoo | Q2 2017 Update | Global Games Market Report
newzoo.com/globalgamesreport
Can I freely use material found on the Internet?
It depends!

The default rule is “the content is copyrighted” so I should not re-use it without obtaining clearance.

But …
Adaptability / Flexibility

Licensing/”Private ordering” perspective

“Freedom of rights-holders in the exercise of the faculties granted by the laws”;

© All Rights Reserved

Some Rights Reserved
Digital is here to stay and grow

• Low cost distribution and almost zero cost reproduction

• Creation/production has been affected as well (Industry ≠ User Generated Content)

• New business models / monetization (focus on access)

• New players

• Challenges in enforcement
How do we achieve a well functioning system?

..it implies a **series of balances**: between availability, on the one hand, and control of the distribution of works as a means of extracting value, on the other hand; between consumers and producers; between the interests of society and those of the individual creator; and **between the short-term gratification of immediate consumption and the long-term process of providing economic incentives that reward creativity and foster a dynamic culture**.

Dr. Francis Gurry – Blue Sky Conference 2011
http://www.wipo.int/copyright

Paolo.Lanteri@wipo.int