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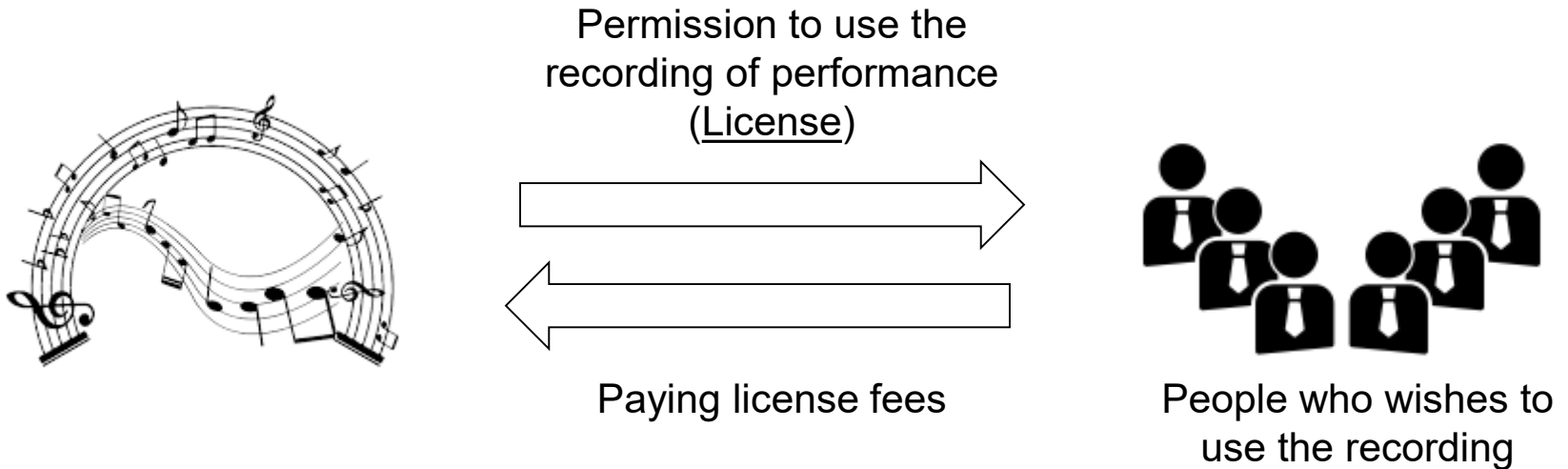
How to manage your copyright and related rights and obtain remunerations from your rights?

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How can you obtain remunerations from your copyright and related rights?

- By providing a license to users and receiving license fees from them.



What are the types of licensing available?

- Voluntary licensing: Rights holders license their rights according to their voluntary will.
 - Based on their exclusive right.

- Non-voluntary licensing: Rights holders have to license their rights, and cannot refuse to do so.
 - Based on their equitable remuneration right.

E.g. Article 15 of WPPT “Right to Remuneration for Broadcasting and Communication to the Public”

(1) Performers and producers of phonograms shall enjoy the right to a single equitable remuneration for the direct or indirect use of phonograms published for commercial purposes for broadcasting or for any communication to the public.

What is the difference between a licensing and a transferring of rights?

- A license: grant of permission to exercise your rights.
- A transfer: conveyance of your rights. You give up all claim to the rights you convey.
- “Buyouts” issue: Large users (e.g. broadcasters, AV producers, digital platforms) make creators completely sign off their rights, in exchange of a one-off fee.

What are the options to manage your copyright and related rights?

- Individual management
- Collective management

What is the collective management of copyright and related rights?

- When it is impracticable or impossible for rights holders to manage their rights individually, collective management is a feasible solution.

- CMO (Collective Management Organization) :
 - Negotiate license fees and conditions of use with users;
 - License and monitor use; and
 - Collect license fees and distribute remuneration to right holders.

What are the benefits of collective management?

- Individual management sometimes impracticable or impossible
 - For a right holder - License to mass users
 - For a user - Get authorizations from mass right holders

- Economics of scale - A CMO may simplify rights management.

Which are the typical areas of collective management?

- Music and sound recordings
- Print and publishing
- Visual arts and photography
- Film and audiovisual
- Dramatic works and theatres

Examples of CMOs with a focus on indigenous people's copyright and related rights (1)

- Copyright Agency (Australia): A CMO in the field of print and publishing as well as visual arts, whose members include many indigenous rights holders.

<https://www.copyright.com.au/about-copyright/indigenous-copyright/>

- APRA AMCOS (Australia and New Zealand): A CMO in the music field, whose members include many indigenous rights holders. Its “National Aboriginal and Torres Strait Islander Music Office (NATSIMO)” is an indigenous-led initiative, whose mission is to support the growth and development of songwriters and composers of indigenous community as well as indigenous music industry.

<https://www.apraamcos.com.au/music-creators/member-resources/national-aboriginal-torres-strait-islander-music-office>

Examples of CMOs with a focus on indigenous people's copyright and related rights (2)

■ Sámikopiiija (Norway): A CMO in the field of print and publishing, which represents Saami rights holders in Norway, Sweden, Finland and Russia. The members are composed of:

- The Saami Artists Association
- The Saami Writers Association
- The Saami Book and Newspaper Association
- The Association for Saami Theatre
- The Saami Non-fiction Writers and Translators Association
- The Association of Saami Composers
- The Saami Journalists Association

<http://www.samikopiiija.org/web/?giella1=eng>

<https://www.ifrro.org/members/s%C3%A1mikopiiija>

Collective Management: WIPO Tools and Assistance

- WIPO non-normative tools and Member States-driven assistance:
 - Technical assistance, including legislative advice
 - WIPO Good Practice Toolkit for CMOs
 - WIPO Academy and capacity-building activities
 - WIPO Connect
 - WIPO Arbitration and Mediation Center
 - Building respect for IP initiatives

WIPO Academy DL Courses

- The WIPO Academy offers several (online) [distance learning courses](#) in the area of collective management.
- Courses exist in several UN languages and are tailored to:
 - Legal practitioners (DL 501)
 - Right holders (DL 502)
 - CMOs (DL 503), and
 - Policy makers (DL 506)



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WIPO Copyright Infrastructure Webinars / WIPO for Creators

- **WIPO for Creators:** a public-private partnership, which aims at raising awareness about intellectual property rights: <https://www.wipo.int/wipoforcreators/en/index.html>
- **WIPO Copyright Infrastructure Webinars:** featuring a number of speakers from the public and private sector on a range of topics relevant to copyright infrastructure, such as metadata, identifiers, technology solutions and WIPO services; series is open to the general public, on a bi-weekly basis, one-hour lunch events, presentation, followed by a Q&A session



Thank you!

<https://www.wipo.int/copyright/en/management/>

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