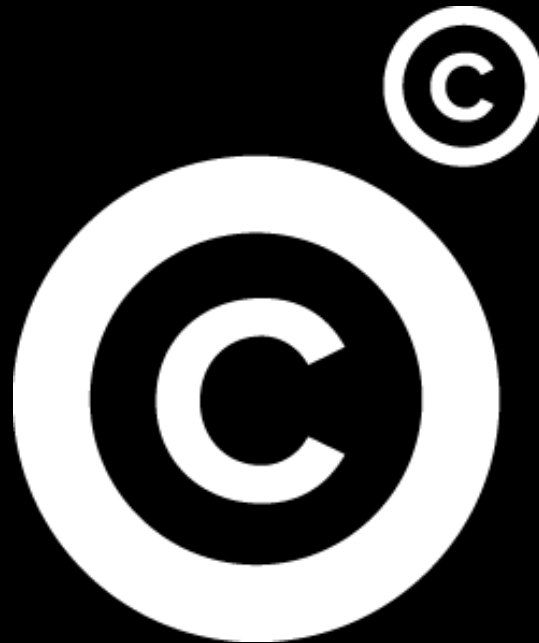


**COPYRIGHTAGENCY** | *viscopy*



Topic 17: Limitations & Exceptions: A Global  
Debate

Caroline Morgan

Chair, IFRRO Asia Pacific Committee

# Topics

- What is IFRRO?
- Creative industries support cultural diversity and economic growth
- The copyright system
- Importance of the secondary market and collective licensing

IFRRO

# The global network

143 members in 79 countries

## International Federation of Reproduction Rights Organisations

88 RROs

55 Creator & Publisher  
bodies

### IFRRO Key Activities

- Communications / Information
- Business Approaches
- Regional Development

### Cooperates with

- WIPO
- UNESCO
- EU
- OAPI, ARIPO, LAS APEC, CERALC
- CISAC, SAA, etc.
- IFLA, EBLIDA

# IFRRO mission statement

- **Increase lawful use of copyright works**
  - Promote international legal framework
  - Fight piracy and unauthorised use
- **Promote & Develop CMOs**
  - Facilitate co-operation with and between
    - Copyright Management Organisations
    - Authors, creators and publishers
- **Stimulate creativity and cultural diversity**
- **Support local publishing in each country**

# Asian Region

## Awareness Raising

- Malaysia
- Thailand
- Brunei

## Commenced Operation

- China
- Philippines
- Vietnam
- India
- Indonesia

## Established

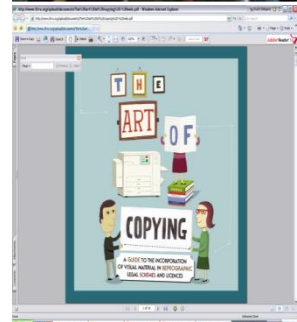
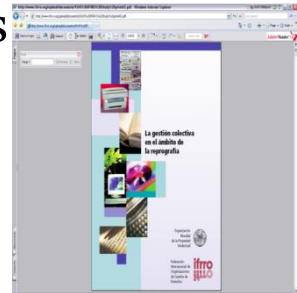
- Australia
- Singapore
- Korea
- New Zealand
- Japan
- Hong Kong



# RROs -Reproduction Rights Organisations

Set up/Governed jointly by Authors and Publishers

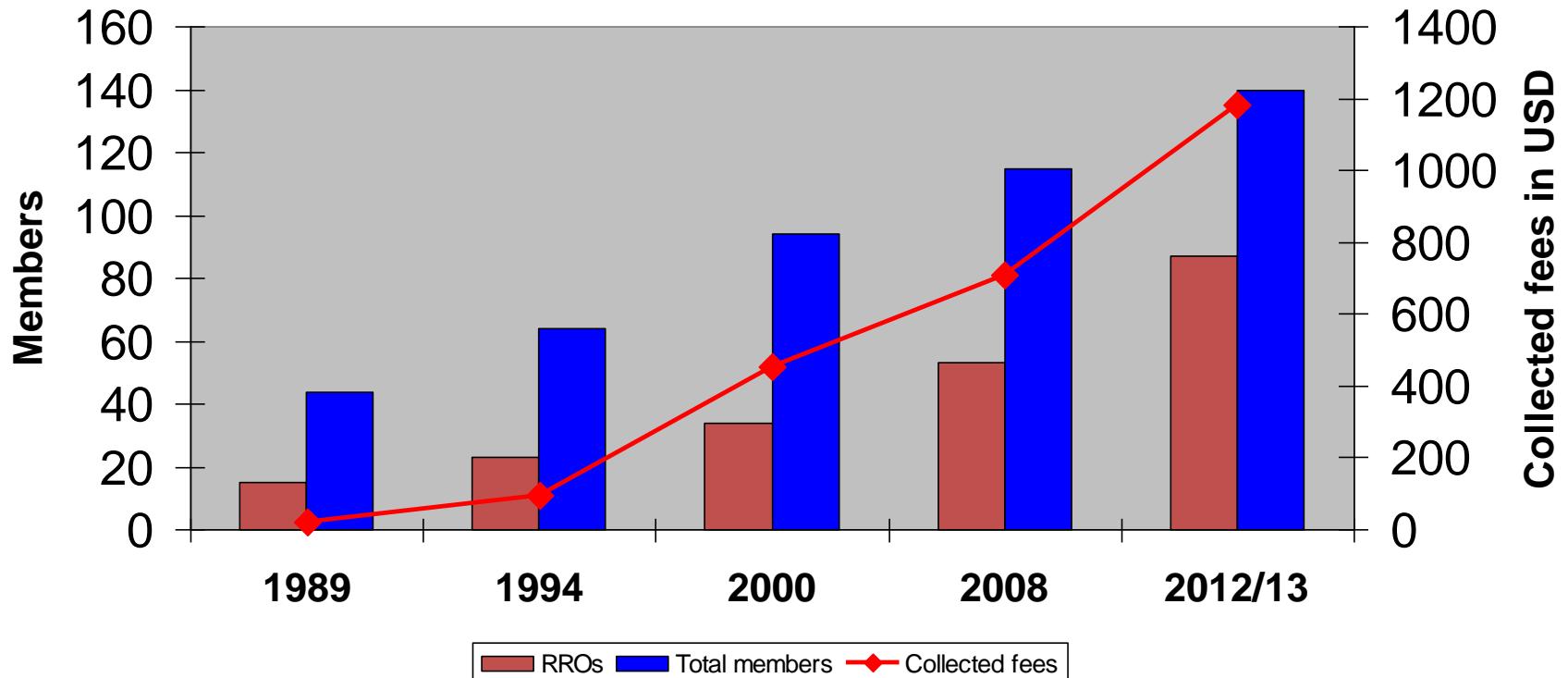
- **Key facets of RRO activities**
  - Awareness raising
  - Copyright enforcement
  - Licence, collect and distribute revenues;
  
- **Operate on the basis of**
  - Mandates from Authors or Publishers
  - Legislation





# IFRRO RRO-members, Total Members and Collected Fees

**RROs and total members 22.8.2013;  
Collected fees 1989-2012**



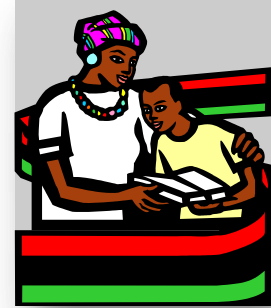
# Copyright is fundamental to Cultural Diversity and Economic Growth

Creative Industries fuel the Digital Economy

# Valuing copyright allows investment in creativity, knowledge and culture

- Cultural value

- National identity
- Fiction, non fiction (science, technology, education), poetry, drawings, photographs... And more!



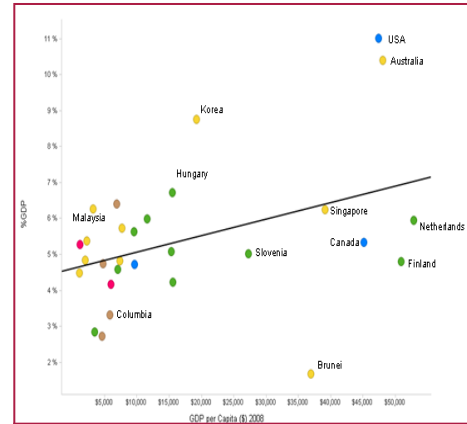
- Economic value

- Incentive to create and publish
- Textbooks often engine of national publishing industry

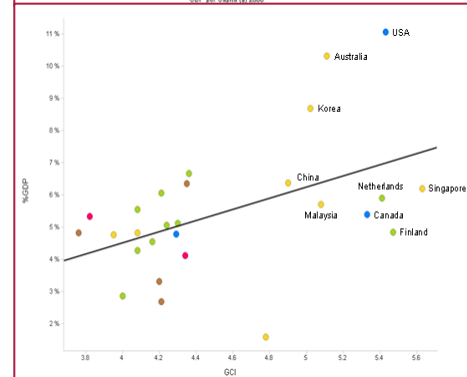


# Creative sectors fundamental to Wealth, Knowledge & Digital Society

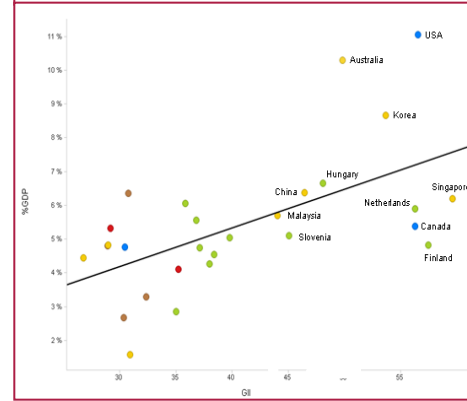
Positive relation between investment in  
Creative industries and GDP per capita



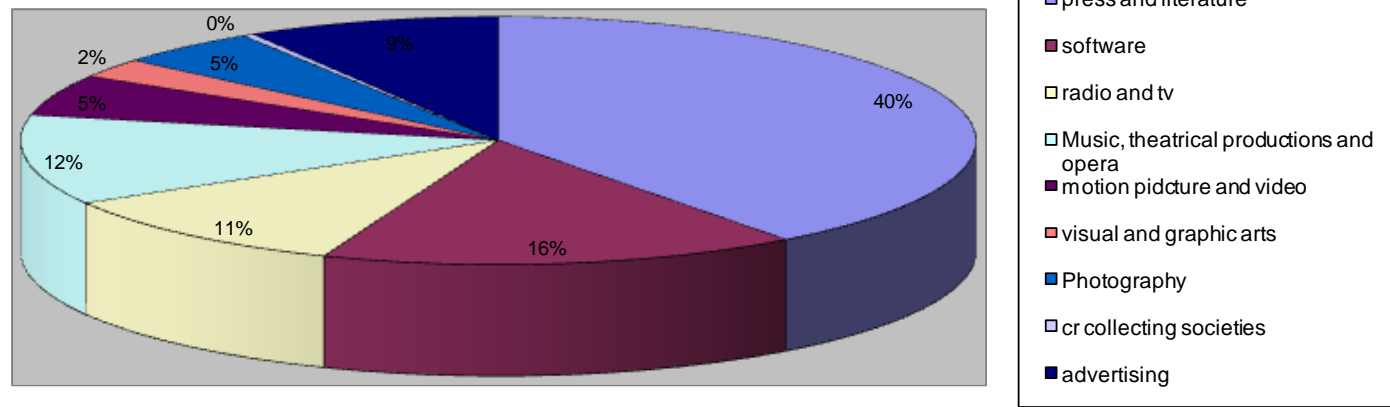
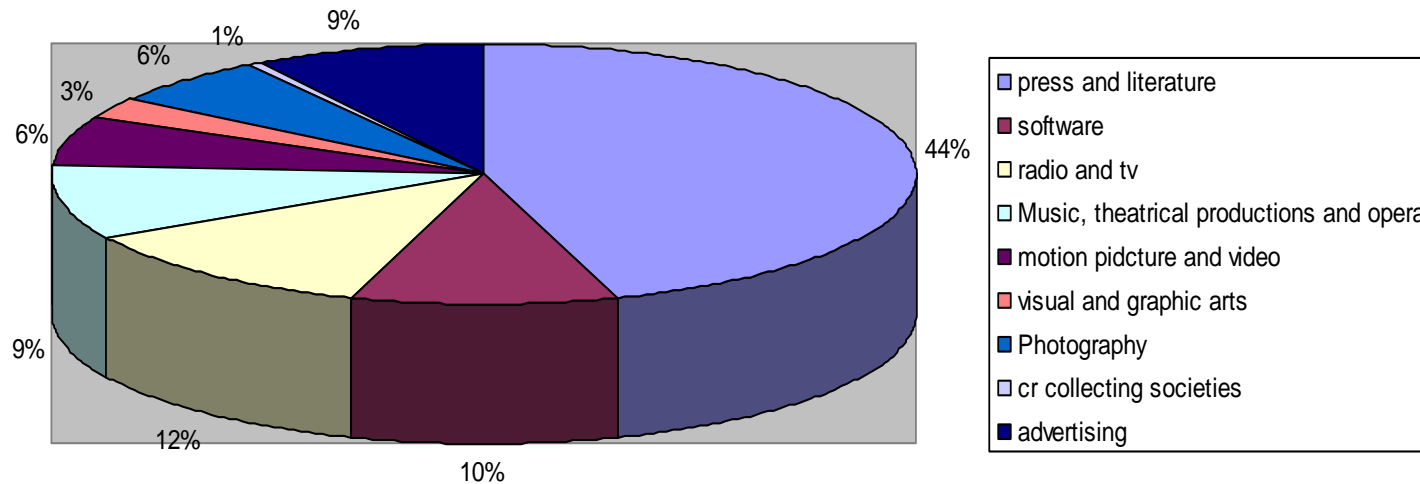
Positive relation between investment in  
Creative industries and Competitiveness



Positive relation between investment in  
Creative industries and Innovation



# Main contributor to GDP and employment: Of the Core © industries: press & literature



# Importance of Press and Literature

- contributes to economic development
- protects national cultural expression
- assists in education and skills development
- encourages creativity and cultural development

# THE COPYRIGHT SYSTEM

# Three fundamentals of an effective copyright system

- Legislation
- Enforcement
- Management





# Copyright: The Basics

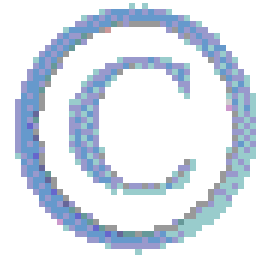
## Exclusive Rights - their Limitations

### Exclusive Rights

Reproduction

Making available/communication to the public

Distribution



### Exceptions/limitations to exclusive rights

Certain special cases;

Not conflict with normal exploitation of the work

Not unreasonably prejudice legitimate interest of RH

Creates appropriate balance between right of rightholders and user needs

# Valuing copyright allows investment in creativity, knowledge and culture



Primary market

Secondary  
market

Exceptions

exceptions are important; unremunerated exceptions should be limited to instances where primary and secondary markets cannot fulfil a market need efficiently

# Press and Literature

- rights can be managed individually – primary market/sales

OR

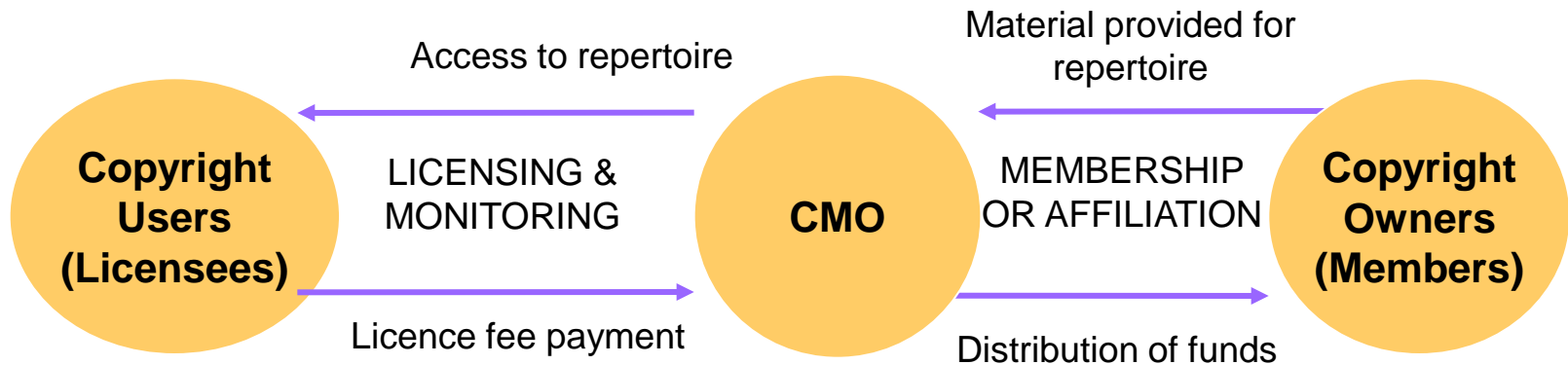
- rights can be managed collectively – secondary market/photocopies

**Secondary Market =  
Collective Management  
of Copyright**

Income from secondary uses is indispensable to creation and  
investment in new works

Supporting collective management is  
supporting economy, knowledge, culture

# Operations of a CMO



# RRO Collective Administration

Contributes to seamless access to © works

- Individual licensing when **one to one** or many
- Collective management when **many to many**; when
  - ✓ Author and / or Publisher wants it; or
  - ✓ Individual licensing is
    - Impossible Typically **Orphan works**
    - Impracticable Typically **Multiple copying**  
**Out-of commerce works**

RROs **Complements** individual administration

# Addressing Reproduction Rights

## Point of Departure

- Billions of copies made annually
- Most impossible to stop
- Some considered legitimate
  - Portions/small parts of works for
    - Internal use
    - Non commercial use
- Heaviest users: Education
- Dilemma: Ban or Licence?





# RROs - Reproduction Rights Organisations

## Collective Rights Managers in text & image sector

**Operate on the basis of mandates from; governed jointly by**

- Authors and Publishers
  - Writers including translators; Visual artists; Composers
  - Publishers (Book, journal, newspaper, magazine, music)
- Legislation

**Key facets of RRO activities**

- Awareness raising
- Copyright enforcement
- Licence, collect and distribute revenues

# RROs - Areas of Collective Administration

- **Education** at all levels
  - Schools; Universities; Further education; Distance Education
- **Trade and Industry**
- **Public Administration**
  - Government; Regional; Local
- **Public and Research libraries**
- **Cultural institutions**
- **Copy shops**
- **Press Cutting Agencies**

# Content of RRO Repertoire Licence

- Limited extracts
  - 5-15%; chapter; article
  - Personal and Internal use
- Permitted uses
  - Photocopying and scanning
  - Download, store, print, internal dissemination, external dissemination
- Authorised users
- Terms
- Fees
- Usage reporting requirements
- Compliance awareness



# Collective Management

Seamless access to copyright works

- Convenient
- Safe
- Fast
- Simple
- Cost effective
- Innovative

Questions?

