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ASSOCIATION**
COLLECTIVE MANAGEMENT ORGANIZATION

Transfer of Rights and Remuneration Schemes

May 29, 2015 Tbilisi, Georgia





International Legislation

Berne Convention for the Protection of Literary and Artistic Works 1886

Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)
1994

WIPO Copyright Treaty (WCT) 1996

WIPO Performances and Phonograms Treaty 1996

Rome Convention for the Protection of Performers, Producers of Phonograms
and Broadcasting Organizations 1961





საქართველოს
საანგარიშო უფლებამოსი
ანგარიშის
პოლიტიკური მართვის ორგანიზაცია

National Legislation

Main

Law of Georgia on Copyright and Related Rights – 1999

Sanctions

Georgian Code of Administrative Offences – 1984

Criminal Code of Georgia – 1999

Specific

Law of Georgia on Architectural Activity – 1998





საქართველოს
საანგარიშო უფლებათა
ანგარიშსწორების
პოლიტიკური მართვის ორგანიზაცია

Individual Management of Rights

Big number of right holders and users

Hard to reach all rights holders and users

Time resource

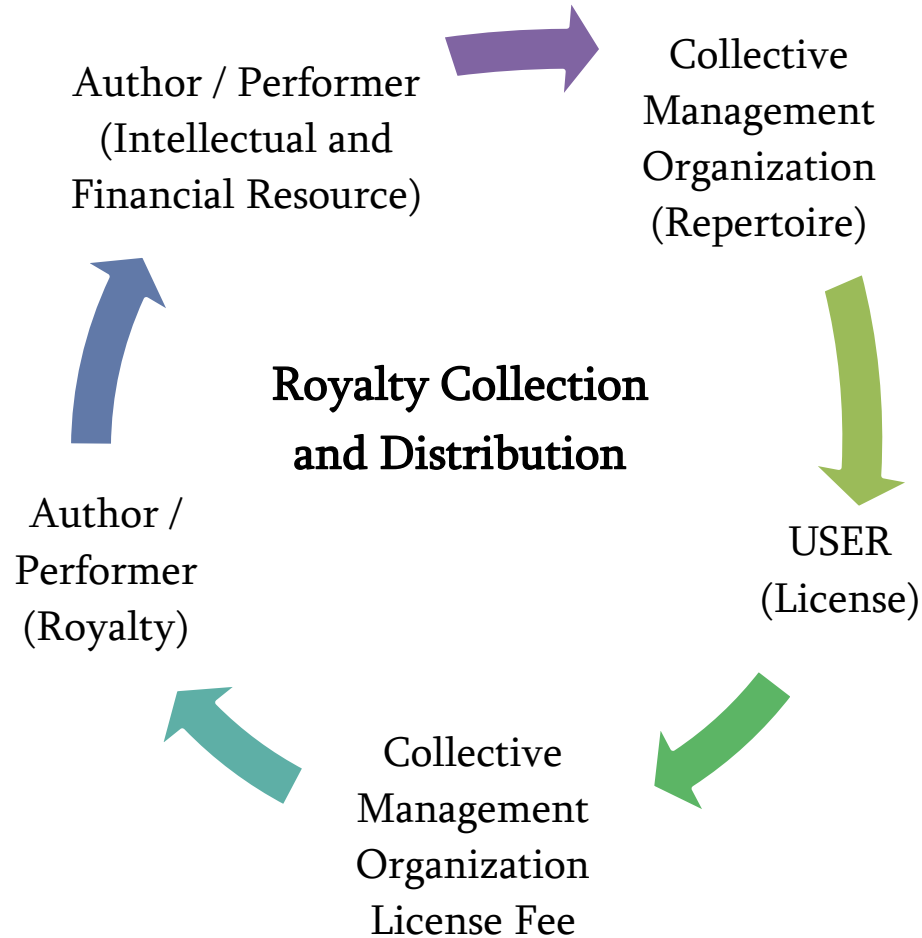
Financial Resource

However, individually deciding on amount of payment





Collective Management of Rights





საქართველოს
საავტორო უფლებათა
სამსახური
კოლექტიური მართვის ორგანიზაცია

Activities

Management of Exploitation Rights

Reciprocal Agreements with the sister societies

Setting the Tariffs

Licensing the Users

Royalty Collection

Royalty Distribution





საქართველოს
საავტორო უფლებათა
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Neighbouring Rights

Performer (Singer, Musician, Actor)

Phonogram Producer

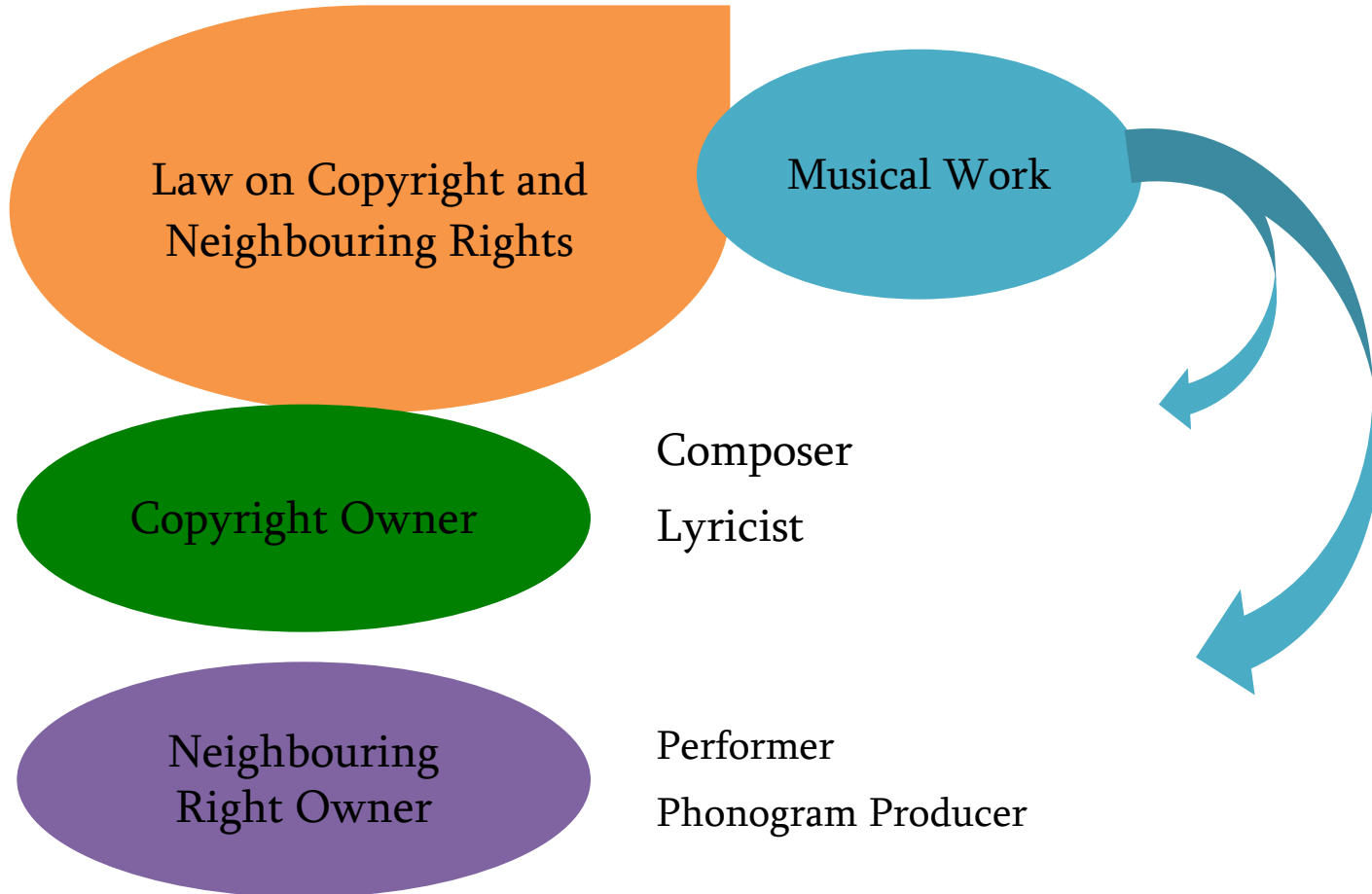
Videogram Producer

Broadcasting Organization





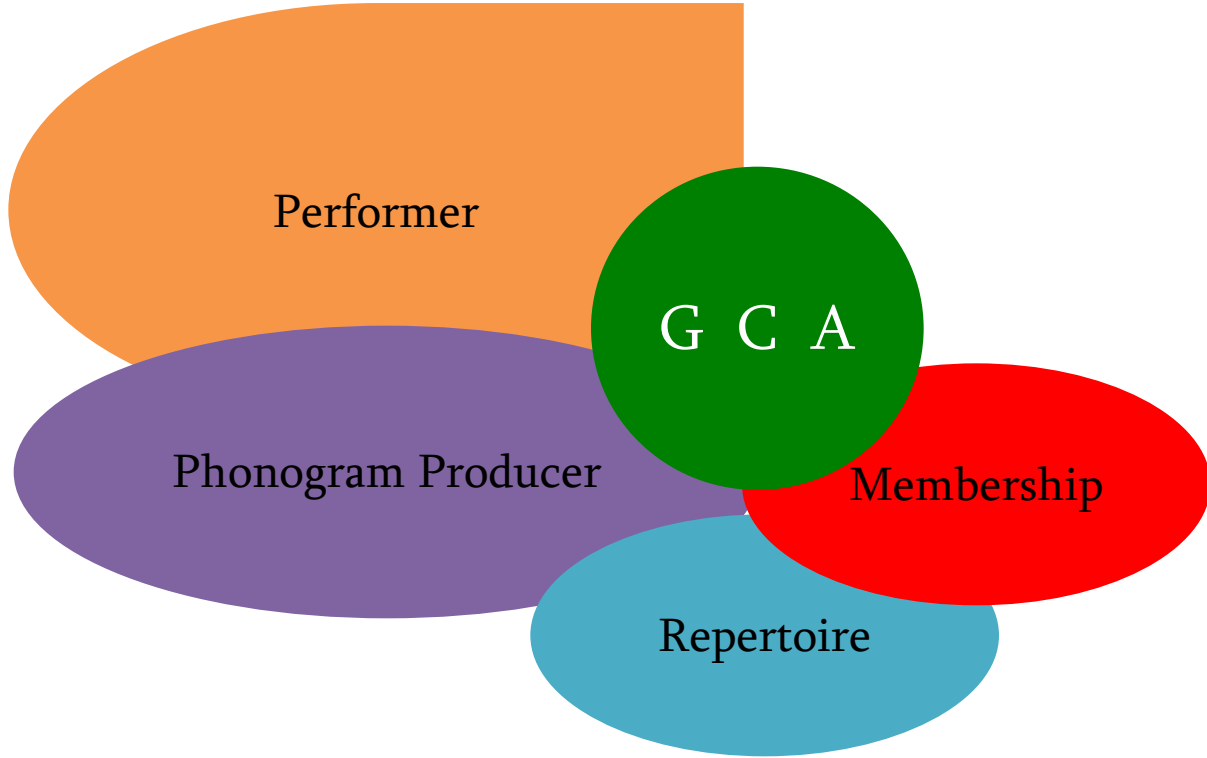
Music





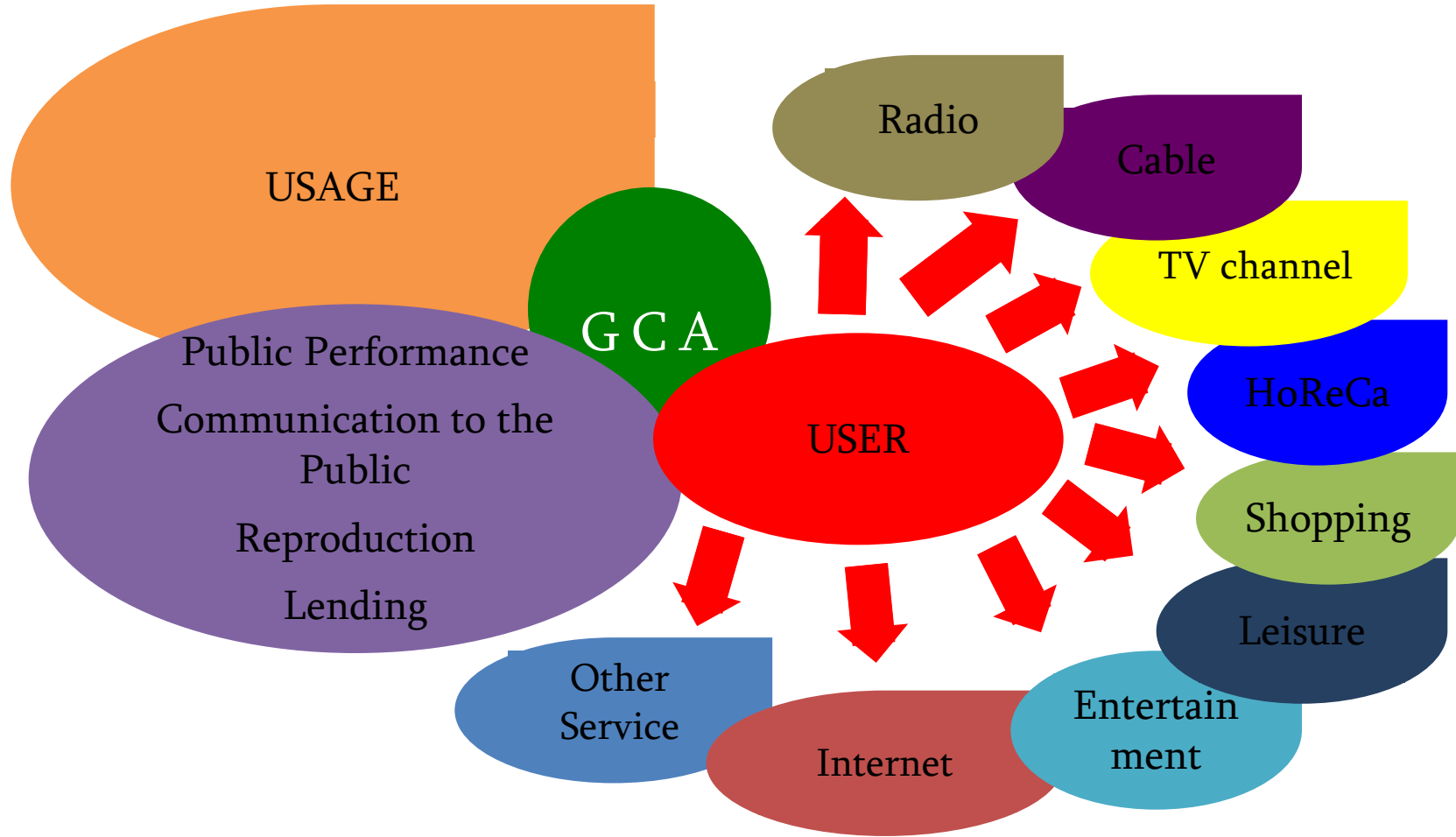
საქართველოს
საანტიკორუპციული
სამსახური
პროტექტივიზმი საქართველოს
ორგანიზაცია

Procedures



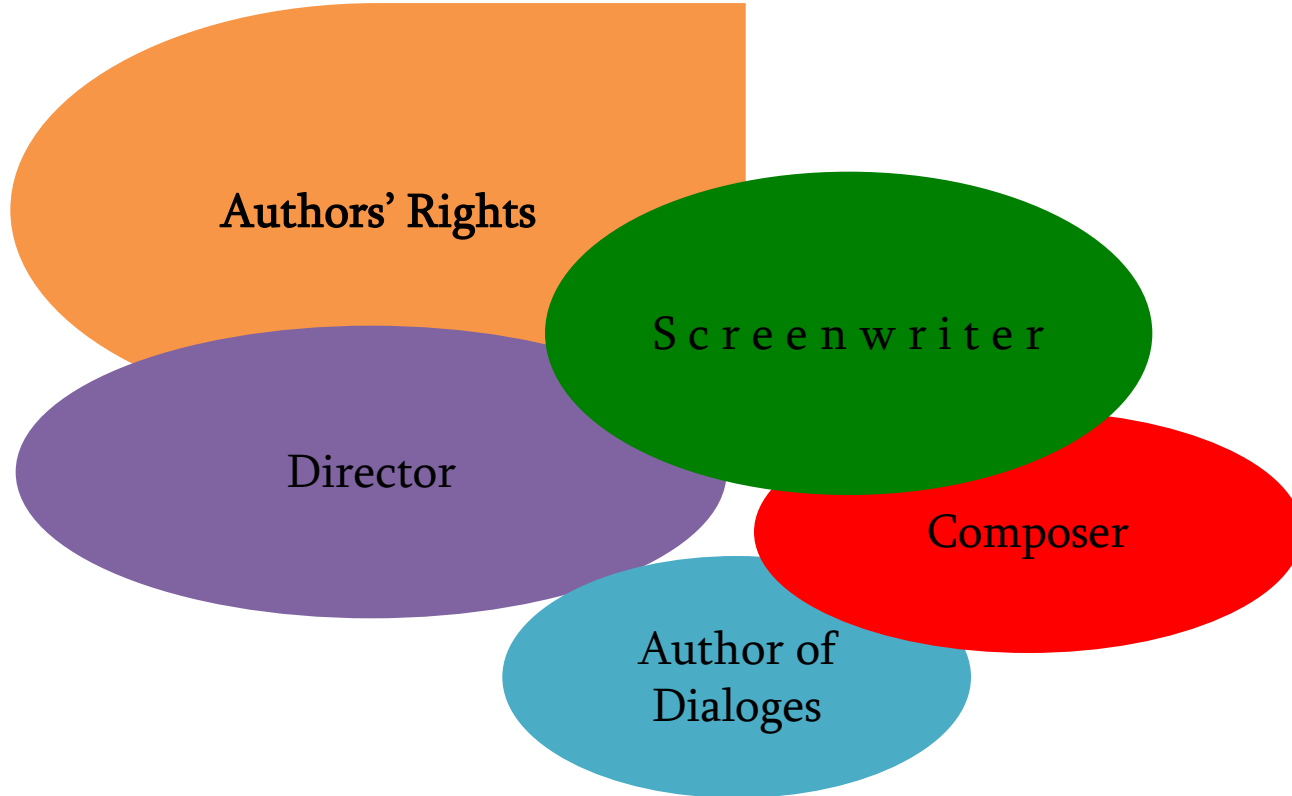


Compensation Schemes





Audiovisual Work





საქართველოს
საანimatorო უფლებათა
ასოციაცია
კოლექტიური მართვის ორგანიზაცია

Audiovisual Work

Producer (Production Studio) – Exclusive Right

Performers – Rights of Actors and Other Performers





Audiovisual Work in terms of Authors' Rights

Conclusion of an agreement for the creation of an audiovisual work shall invoke transfer of the exclusive right to use the work from the authors (co-authors) to the producer of the audiovisual work

The authors (co-authors) of the work shall retain the right to receive remuneration (royalty) from the user (a broadcasting organization, movie theater, etc.) for using the work in any form. Any other agreement between the audiovisual work producer and authors shall be null and void

The right shall be exercised only through a collective management organization





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საანტიკორუფციული
სამსახური
კომპიუტერიზირებული ორგანიზაცია

Positive aspects of the Beijing Treaty

Audiovisual performers will have equal protected rights as the performers of musical works have

There will be special regulations abolishing total waiver of right of compensation

Respective remuneration system will be established and enacted





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სსოციალური
პოლიტიკური მართვის ორგანიზაცია

Implementation of the Beijing Treaty

Need of special regulations and modification of national legislation

Need of special organization for administering those rights

Need of elaboration data base of performers and other necessary information





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Thank You!

