Council of the EU: Adoption of the Directive on Collective Management on Copyright and Multi-territorial Licensing of Online Music

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On 20 February 2014 the Council of the EU today adopted a directive on collective management of copyright and multi-territorial licensing of online music.

In accordance with the current system in the online music sector, online service providers who want to obtain licenses for cross border music services must be granted licenses from separate collective management organisations in each EU member state. This lack of a digital single market is problematic in that it prevents consumers from having “the widest possible access” to digital music repertoires.

In light of the development of the Digital Agenda for Europe, the Single Market Act recognises the need to evolve towards cross-border models for licensing in an Internet age. The new directive aims to coordinate national rules concerning access to the online music sector by enhancing the workings of collective management organisations and by increasing transparency. Also, the accumulation of online music licences will enable online service providers to acquire multi-territorial licenses from collective management organisations. This will lead to more choice and variety for consumers in music downloads as well as in their choice of ‘streamed’ music. It also encourages collective management organisations to provide individual licences for innovative online services. Developing cross-border solutions to access online music will also contribute to the fight against online infringements of copyright.

Union directives that protect copyright and related rights and give a high protection to rightsholders, provide a framework in which the exploitation of content protected by those rights can take place. The exploitation of that content such as music, books, films, and related services require the licensing of rights. In most cases, rights-holders must choose between the individual or collective management of their rights, unless member states provide otherwise in accordance with Union law. Management of copyright includes the granting of licenses to users, the auditing of licensees, the monitoring of the use of rights, the collection of revenues and their distribution. They facilitate remunerations to rightsholders for uses which they would not be in a position to control or enforce themselves. This includes licensing in cross-border markets which is becoming

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increasingly important.

The new provisions must be integrated into domestic law within 24 months after its entry into force.

Directive of the European Parliament and of the Council on collective management of copyright and related rights and multi-territorial licensing of rights in musical works for online use in the internal market

http://register.consilium.europa.eu/doc/srv?l=EN&t=PDF&gc=true&sc=false&f=PE%20115%202013%20INIT

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