

Different models of operation

Raising awareness on importance of
reprographic reproduction rights
collective management

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Samantha Holman

Chair EDC and CEO ICLA



3 main models of RRO operation

1.Voluntary

2.Voluntary with legislative support

3.Legal licence



3 main models of RRO operation

Voluntary licence

USA, China, Kenya, South Africa

UK, Ireland (Education: Obligation to take up a licence)

Voluntary License with legislative support

Extended Collective Licence - Nordic countries, Malawi

France (**Compulsory collective management**)

Latvia, Zimbabwe (**Legal presumption**)

Legal licence

Australia, Singapore; Netherlands, Switzerland

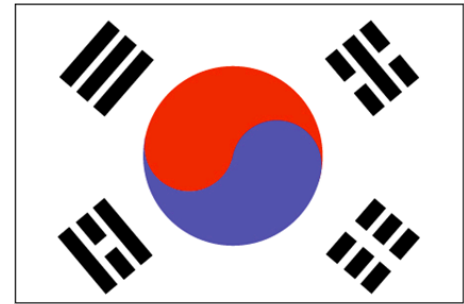
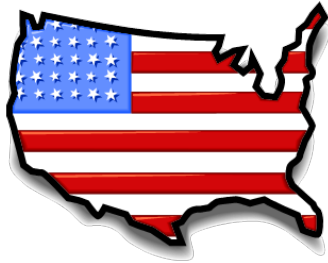
Levies

Austria, Belgium, Germany, Burkina Faso,
Cameroon, Mali

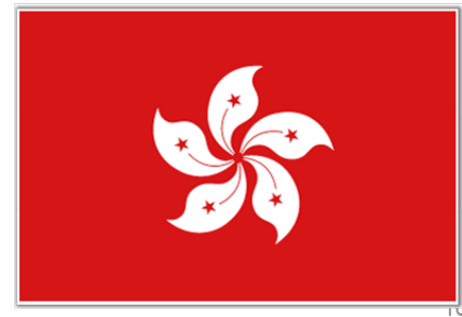


Different examples of Voluntary

Voluntary Collective Licence and Fair Use



Voluntary Collective Licence; Licence override



Voluntary Collective Licensing

Rightholder Choice

Individual Mandates

Non Exclusive

Opt-in/Opt-out



Voluntary Collective Licensing

User Obligation to take Licence

Grants authorisation for
copying extracts;

May be legal fall-back



Voluntary Collective Licensing

Distribution of Fees

Individual and title specific

Rightholder set splits





CLA (UK)

- Jointly owned by ALCS and PLS
- Legal recognition and © Tribunal
- All sectors, incl. educational institutions in the UK licenced
- Photocopy & digital licences; VLE & Distance Learning
- International Document Delivery licence
- Obligation to take up licence if available
 - CLA indemnity to licensees
- Revenue collection 2014: € 89 million



ICLA (Ireland)



Board of 8: 4 author representatives and 4 publisher representatives* about to change with implementation of CMO Directive into Irish law.

Registration on the Register of Collecting Bodies

Education Licence has legal support through licence override

Photocopy and digital blanket licences

ICLA indemnity to licensees

Individual distribution to authors and publishers

Foreign material through bilateral agreements





ICLA (Ireland)

Licence Terms

5% or 1 chapter or 1 article

Print or Scan for secure storage

Visual works incorporated in
published works

Accessible copies for reading
disabled

Book rental schemes



Why ICLA has a cow as its logo?



Irish Copyright Licensing Agency

Why ICLA has a cow as its logo?

In about the year 500AD, St Colmcille borrowed a book of the Gospels from St Finnian of *Maigh Bhile* and secretly copied it. On realising what had been done, Finnian demanded the return of the book and also the copy. Colmcille objected, saying that the copy was his. The matter was referred to Diarmaid mac Cearrbheoil, the high king. His judgement was *le gach bó a buinín agus le gach leabhar a chóip*, to every cow her calf and to every book its copy.



Voluntary Collective Licensing with legislative support

Extended Collective Licensing Agreement

Legal Presumption

Obligatory Collective Management



Extended Collective Licensing Agreement

- ❑ ECL A – administration of exclusive rights
- ❑ Good Representation is needed
 - ✓ Extend from representation of the many to include the few
- ❑ Extension of the agreement
 - ✓ Starting point: Voluntary collective licensing agreement
 - ✓ Inclusion of work of rightholders of same works category
 - ✓ Same licensing conditions as for mandating rightholders
- ❑ Obligation to treat non-members and members alike



Kopinor (Norway)



- 22 member associations, 5 publisher, 17 author
 - Council of Representatives; Board of Directors; Distribution Board
- Mandates – Non-Exclusive - via member bodies
- Extended Collective Licensing Agreement
 - Approved by Ministry
- Licences all sectors, including education
 - Blanket
 - Transactional
 - Content
- Revenue collection 2014: €32 million
 - Rightholder set split of revenue; distribution via r/h bodies



ECL Summary

- Rightholder choice
- National agreement
- Extends to international
- Equal treatment
- Opt out if wished and/or non exclusive mandates
- Comprehensive
- No legal risk
- Distribution directly to r/h; or via r/h bodies



Legal Licence

Legislation authorises reproduction with remuneration – either through levies or payments

Legal licence

Australia, Singapore; Netherlands, Switzerland

Levies

Austria, Belgium, Germany, Burkina Faso, Cameroon, Mali



Legal Licence (remuneration but not levy) ProLitteris



- Cooperative society: 8,000-plus creators, 600-plus publishers
- General Assembly
- Board of 12: 7 creators, 5 publishers
- Under the jurisdiction of the Federal Intellectual Property Office
- Remuneration mandate includes digital
- Mandate may include voluntary licensing
- Title-specific distribution to individuals
- Revenue collection 2013: € 14 million



Thank You

sam@icla.ie



Irish Copyright Licensing Agency