Information society: copyright and related rights

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COMMISSION RECOMMENDATION on collective cross-border management of copyright and related rights for legitimate online music services.

New technologies have led to the emergence of a new generation of commercial users that make use of musical works and other subject matter online. Those providing online music services are entitled to copyright provisions and related rights. One category of those rights is the exclusive right of reproduction, which covers all reproductions made in the process of online distribution of a musical work. Other categories of rights are the right of communication to the public of musical works and the exclusive right of making a musical work or other subject matter available. The ubiquitous nature of online services makes it necessary to seek solutions to the management of rights at a Community, rather than, national level.

The Commission Recommendation, therefore, invites the Member States to foster a regulatory climate, in support of the management of *cross-border* rights. This Recommendation is addressed to the Member States and to all economic operators involved in the management of copyright and related rights within the Community. The Recommendation has been organised along the following lines:

- Establishing various definitions for terms pertinent to the scope of the Recommendation (such as management of copyright and musical works etc.)

- The relationship between right-holders, collective rights managers and commercial users.

- Equitable distribution and deductions.

- Non-discrimination and representation

- Accountability and dispute settlements.

Member States and collective rights managers are invited to report, on a yearly basis, on measures they have taken in relation to this Recommendation and on the management, at Community level, of copyright and related rights for the provision of legitimate online music services.