

Commission recommendation of 18 May 2005 on collective cross-border management of copyright and related rights for legitimate online music services (recom. 2005/737/EC)

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[ACT : Commission Recommendation 2005/737/EC on collective cross-border management of copyright and related rights for legitimate online music services.](#)

CONTENT : 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. The provision of legitimate online music services requires management of a series of copyright 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 include :

- § the right of communication to the public of musical works;
- § the right to equitable remuneration for the communication to the public of other subject matter;
- § the exclusive right of making available a musical work or other subject matter.

This Recommendation invites the Member States to take the steps necessary to facilitate the growth of legitimate online services in the Community by promoting a regulatory environment which is best suited to the management, at Community level, of copyright and related rights for the provision of legitimate online music services. It is addressed to the Member States and to all economic operators which are involved in the management of copyright and related rights within the Community.

It also covers :

- § the relationship between right-holders, collective rights managers and commercial users;
- § equitable distribution and deductions;
- § non-discrimination and representation;
- § accountability;
- § dispute settlement.

Lastly, Member States and collective rights managers are invited to report, on a yearly basis, to the Commission on the 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.