



Challenges and Opportunities in the Digital Environment

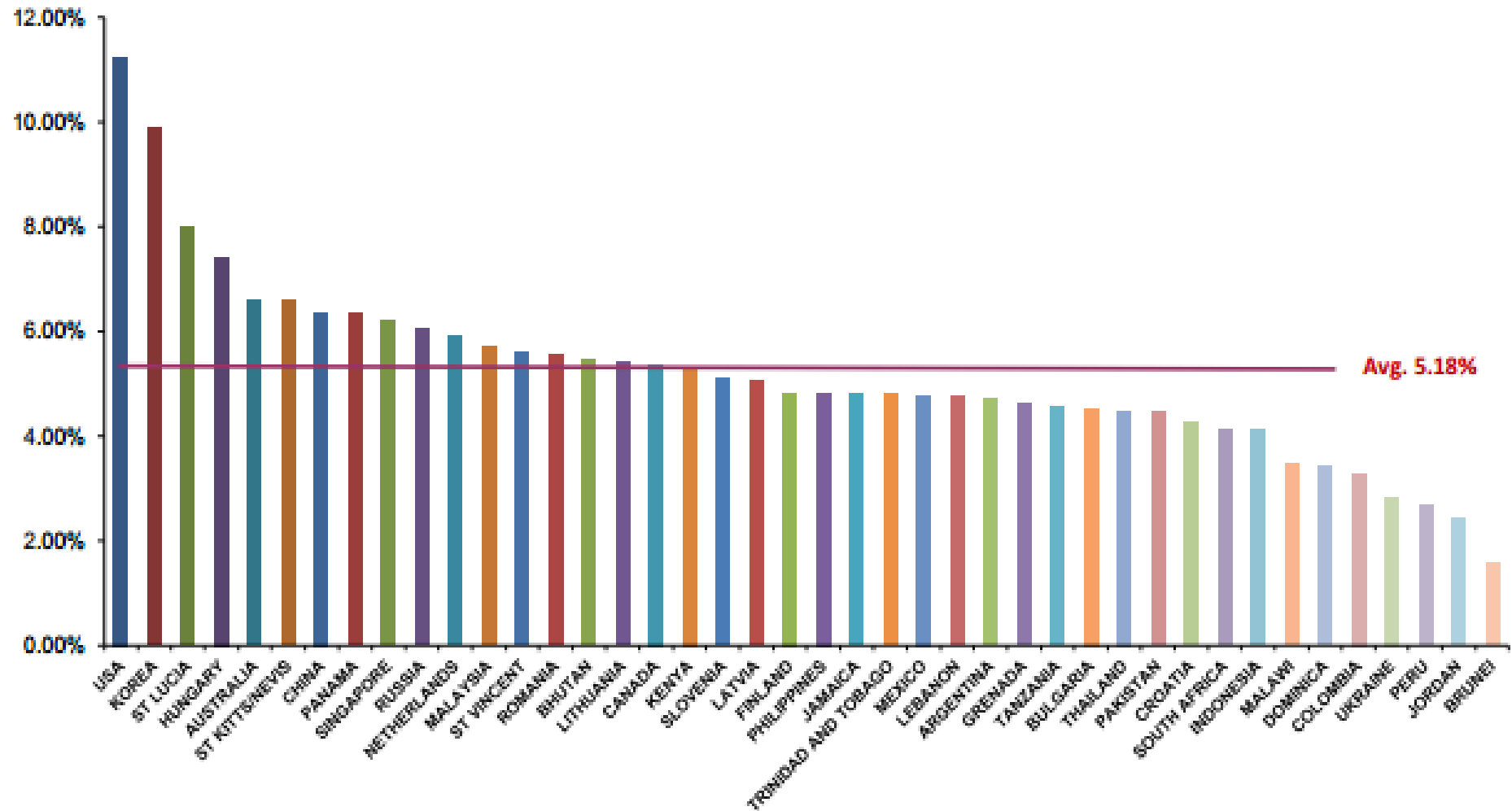
Sydney
December 11, 2017

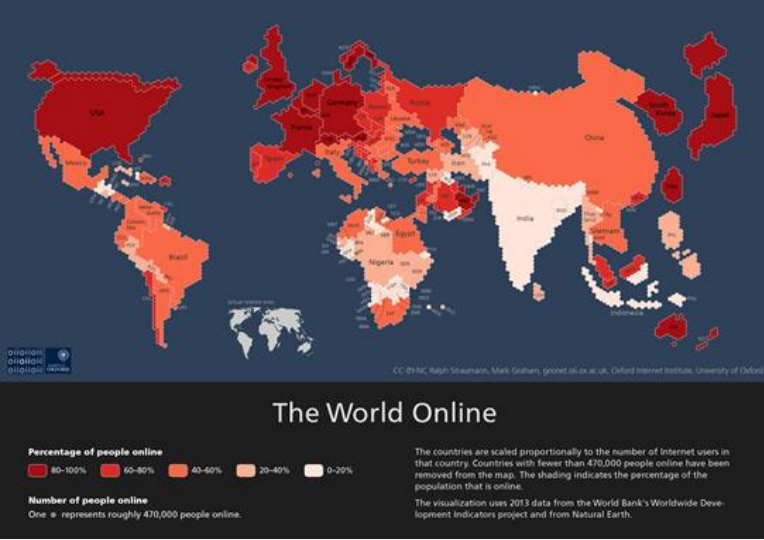
Paolo Lanteri
Copyright and Creative Industries Sector

- Why is copyright so important for the creative economy and cultural diversity?
- How does it operate in the creative economy?
- How does it operate on the Internet?

(Creative economy is a broader concept than copyright-based industries)

Impact on GDP of Copyright-Based Industries

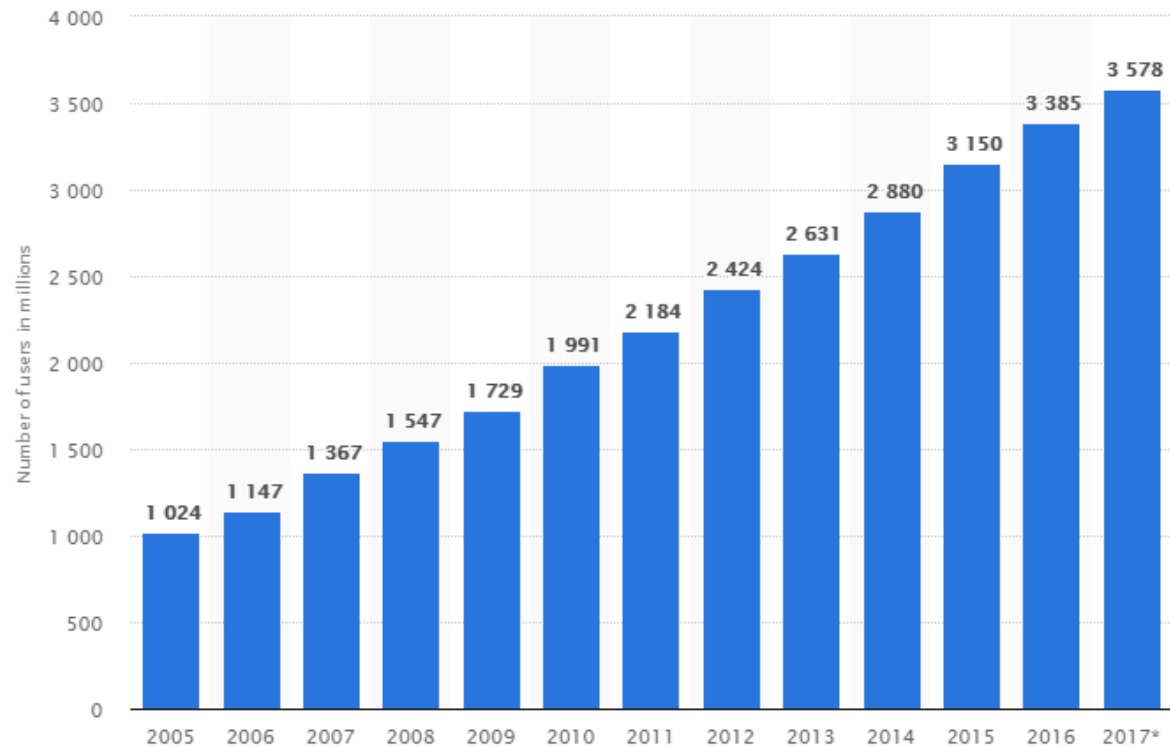




Online music service

- 2011: 28 countries
- 2012: 58 countries
- 2013: 100+ countries
- 2015: 150+ countries

Number of internet users worldwide from 2005 to 2017



Copyright and Related Rights Multilateral Treaties

- Berne Convention (1886-1971)
- Rome Convention (1961)
- Phonograms Convention (1971)
- Satellites Convention (1974)
- TRIPS Agreement (1994)
- WIPO Copyright Treaty (1996)
- WIPO Performances and Phonogram Treaty (1996)
- Beijing Treaty on Audiovisual Performances (2012)
- The Marrakesh Treaty to facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or otherwise Print Disabled (2013)



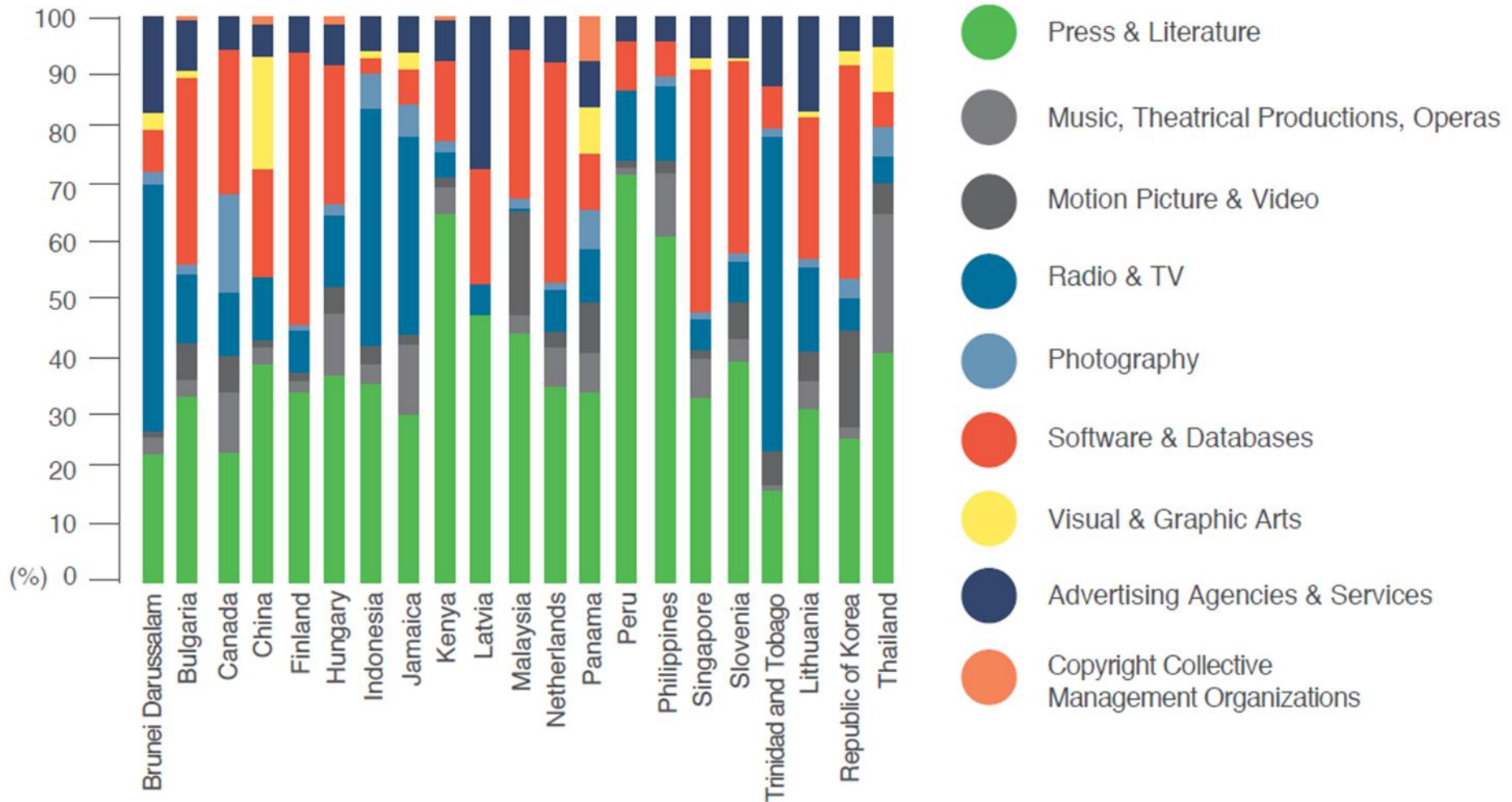
What can be protected?

Open list:

- literary works such as novels, poems, plays, reference works, newspaper articles;
- computer programs, databases;
- films, musical compositions, and choreography;
- artistic works such as paintings, drawings, photographs, and sculpture;
- architecture; and
- advertisements, maps, and technical drawings.
- ...

(+ Related Rights)

Creative DNAs



Economic rights = Rules of the game

- Independent from each other
- Transferrable, through assignment or licensing – Ownership/exercise (original author, employer, “work made for hire”, licensee, collective management..)
- Adaptable/Flexible: exclusive rights, mere remuneration/compensation.
- ≠ industries ≠ business models ≠ markets

Few real life examples

What can I do with my PPT?

Employment relation?

e.g. WIPO Contract

(3) Status, rights and obligations:

(d) “Any Copyright, including reproduction and publication rights and all other rights of whatever kind, arising in relation to any work produced under the term of this agreement, shall remain the exclusive property of WIPO ”

Copyrighted Material



A Handbook on the WTO TRIPS Agreement

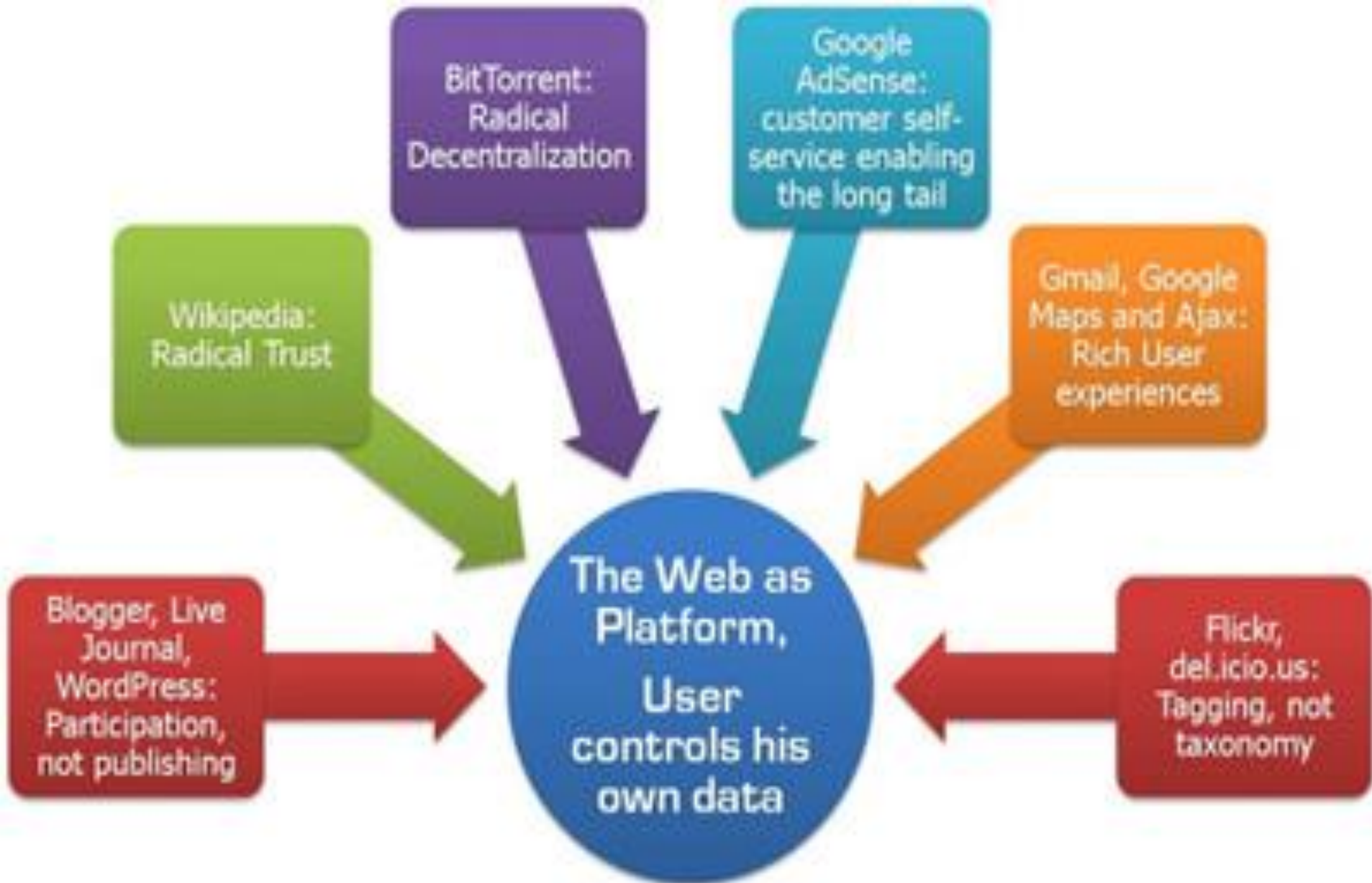
Edited by Antony Taubman, Hannu Wager
and Jayashree Watal



CAMBRIDGE

Copyrighted Material

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION



A "meme map" of Web 2.0 that was developed at a brainstorming session during FOO Camp, a conference at O'Reilly Media





"He Ikai Teu Luva" - K'nova

Tongan Songs 2016

Downton - 1 / 36



"He Ikai Teu Luva" - K'Nova

HawaiiEntGroup



Ya Boy Mo - Talavou Finau

TUFFRASSA



Spawnbreezie-Fangai Lili

Spawn Breezie



Kiwini Vaitai - Lupeolo

horsed274



Sione Liti - Pehe 'Angela

TUFFRASSA



KO KO E PE - MOLO TRY

(Video) 2012

Molo try Kaufusi



Julia Zahra - Just an illusion (Reggae Remix 2016)

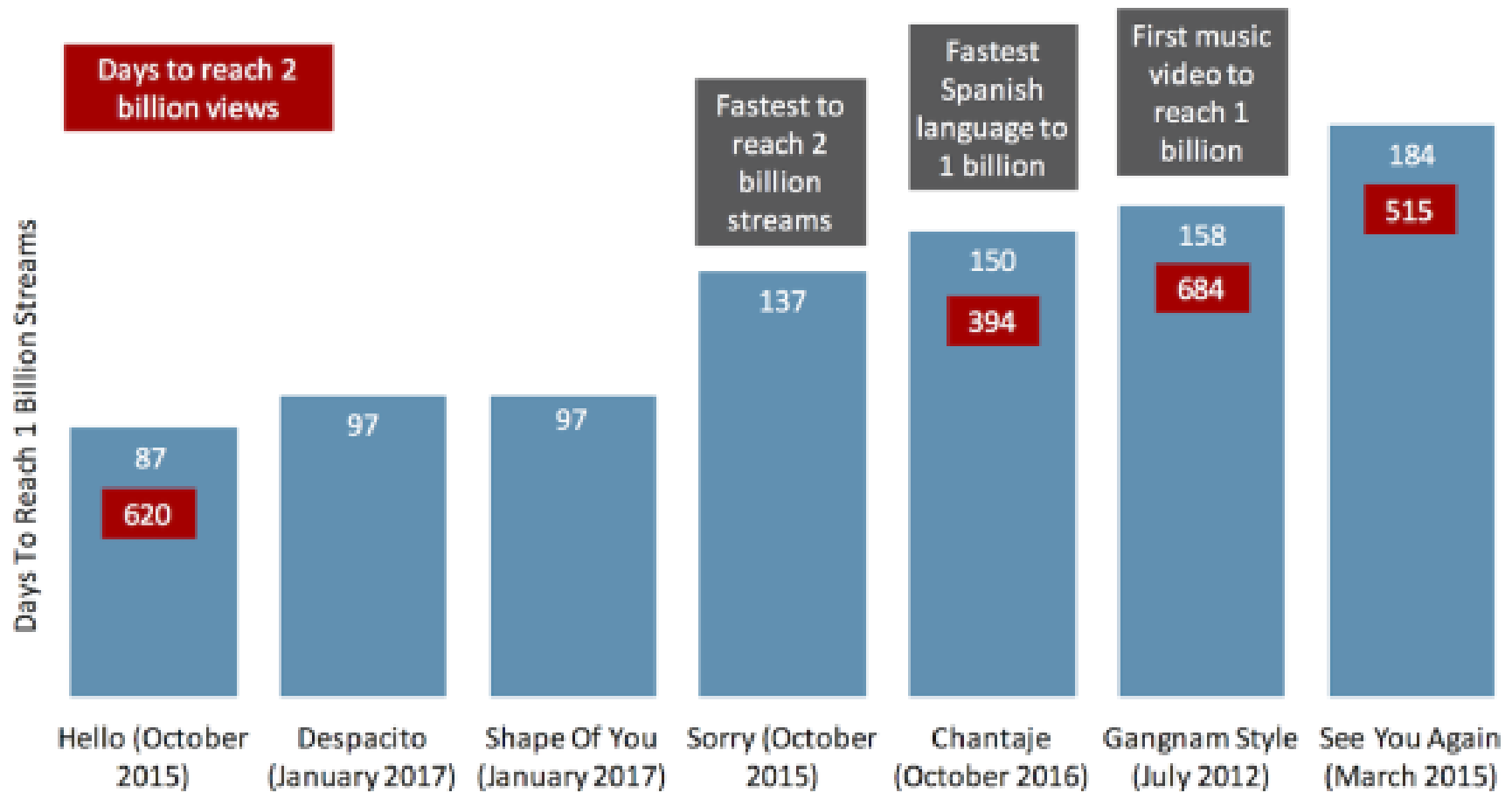
6,481,270 vistas

👍 25 K 🗨️ 1 K ➦ COMPARTIR ⌵ ⋮

ORGANIZATION

Consumption Of Music Videos On YouTube And Vevo Is Accelerating At Pace

Days To Reach 1 Billion YouTube Streams



Source: MIDiA Research / YouTube

MIDiA.

*Can I “legally” download a video from
YouTube?*

Terms of Service

<http://www.youtube.com/static?hl=en&template=terms>

5.B (...) *You shall not download any Content unless you see a “download” or similar link displayed by YouTube on the Service for that Content. You shall not copy, reproduce, distribute, transmit, broadcast, display, sell, license, or otherwise exploit any Content for any other purposes without the prior written consent of YouTube or the respective licensors of the Content. YouTube and its licensors reserve all rights not expressly granted in and to the Service and the Content. (...)*

*What does it happen to your copyright
when you upload a video on YouTube?*

Terms of Service

<http://www.youtube.com/static?hl=en&template=terms>

6.C. *For clarity, you retain all of your ownership rights in your Content. However, by submitting Content to YouTube, you hereby grant YouTube a worldwide, non-exclusive, royalty-free, sublicenseable and transferable license to use, reproduce, distribute, prepare derivative works of, display, and perform the Content in connection with the Service and YouTube's (and its successors' and affiliates') business, including without limitation for promoting and redistributing part or all of the Service (and derivative works thereof) in any media formats and through any media channels. (...)*

- Copyright Center
- Content Owners
- Copyright Infringement Notification
- Content Verification Program
- Retractions
- Content ID**

YouTube Users

- What happened to my video?
- Why do I have a strike on my account?
- Why was my account suspended?

Copyright Education

- What is copyright?
- Using copyrighted

Content ID

YouTube™ AudioID & YouTube™ VideoID

Block, Monetize, or Track Viewing Metrics — It's Automated, and It's Free

Overview

YouTube has created an advanced set of copyright policies and content management tools to give rights holders control of their content. YouTube provides content management solutions for rights holders of all sizes across the world, and provides tools to cater to the specific needs of various rights owners.

Commercial partnerships

Use of YouTube's copyright tools is free, and does not require any commercial partnership with YouTube. Content partners who would like to monetize their content can apply to join our [YouTube Partner Program](#).

What is Content ID?





Vanuatu Tourism
@vanuatuslands

- Home
- About
- Photos
- Events
- Discover Vanuatu
- Pinterest
- Videos
- YouTube
- Posts



Like
 Follow
 Recommend

Book Now

Contact Us

Status
 Photo/Video

Write something on this Page...

Tourist information centre
4.8 ★★★★★

Community See all

Invite your friends to like this Page

24,612 people like this

Photos

Do you know what happens (from a copyright perspective) when we post content on Facebook?

FB terms and conditions

Sharing Your Content and Information

You own all of the content and information you post on Facebook, and you can control how it is shared through your [privacy](#) and [application settings](#). In addition:

- For content that is covered by intellectual property rights, like photos and videos ("IP content"), you specifically give us the following permission, subject to your [privacy](#) and [application settings](#): **you grant us a non-exclusive, transferable, sub-licensable, royalty-free, worldwide license to use any IP content that you post** on or in connection with Facebook ("IP License").

Can you terminate this license?

FB terms and conditions


Sharing Your Content and Information


- (..) This IP License ends when you delete your IP content or your account unless your content has been shared with others, and they have not deleted it.
- When you delete IP content, it is deleted in a manner similar to emptying the recycle bin on a computer. However, you understand that removed content may persist in backup copies for a reasonable period of time (but will not be available to others).

NEWS \

Facebook Is Preparing to Crack Down on Copyrighted Music in Videos

Anna Gaca // December 29, 2016

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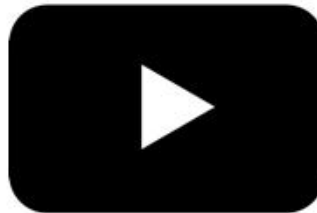




Audible Magic's Content ID

The Leading Automated Content Recognition Solution

Content ID Software & Information Services
for Networks, Cloud Platforms, Devices & Apps:





Rights Manager

Jump to

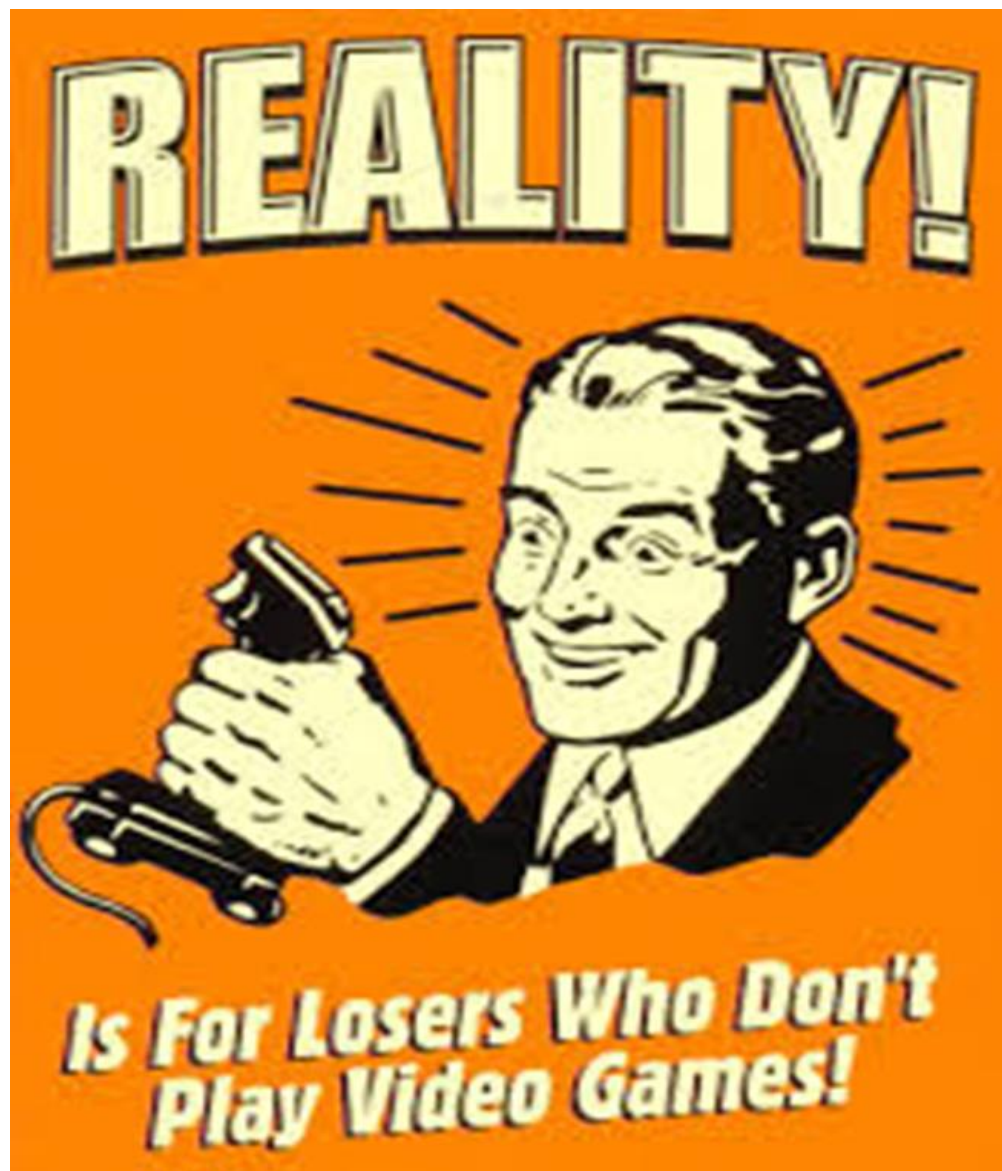
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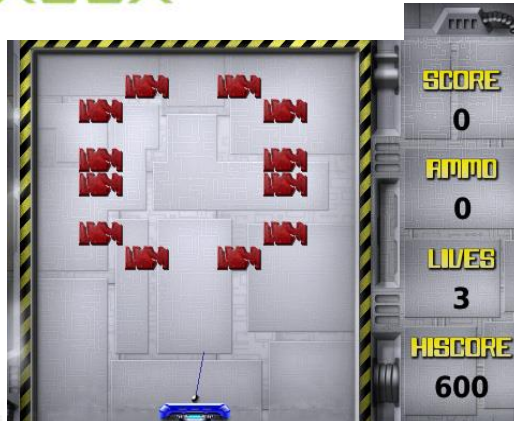


Rights Manager

Rights Manager is a set of admin and workflow tools that help you manage and protect your copyrighted content on Facebook at scale.







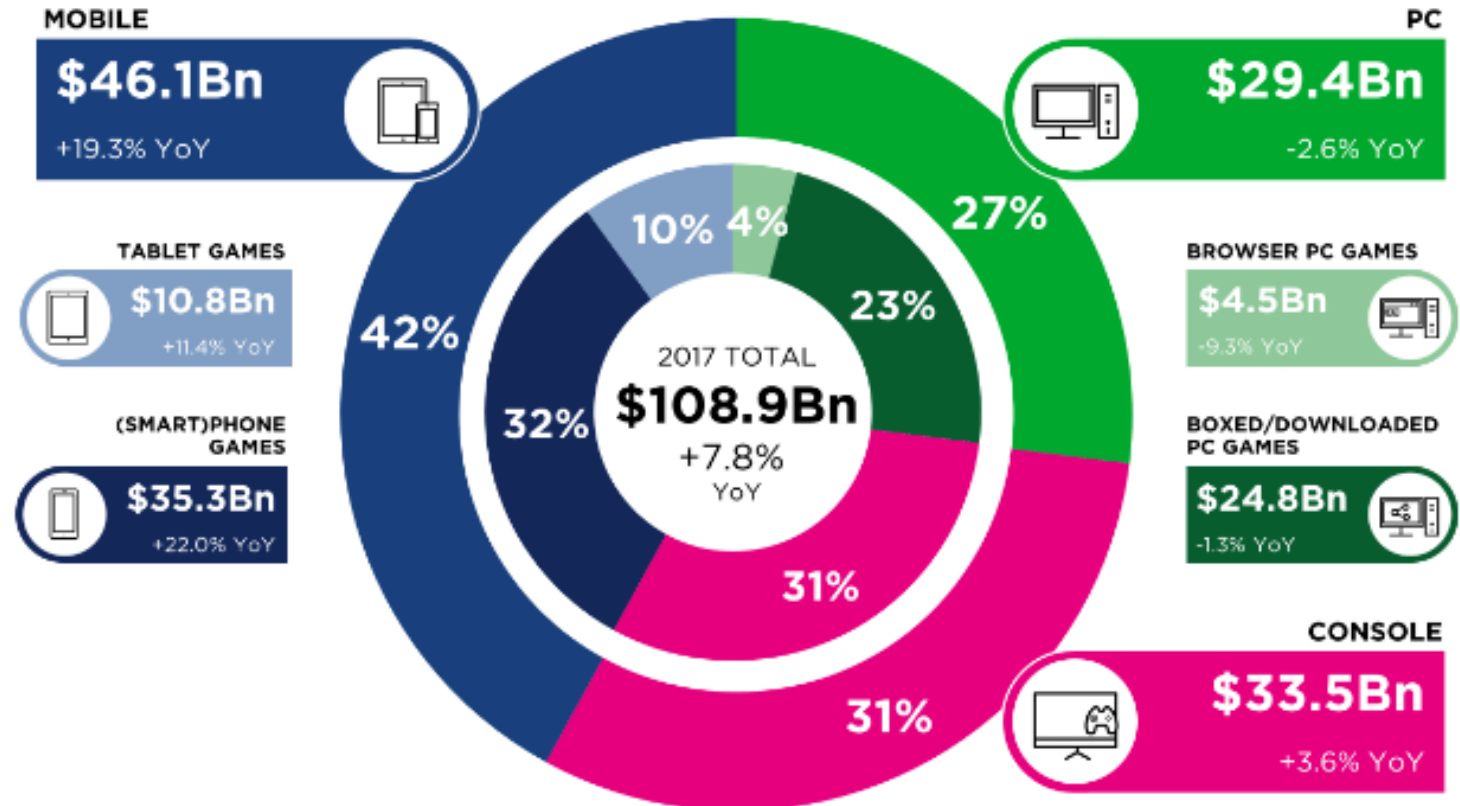


newzoo

2017 GLOBAL GAMES MARKET

PER DEVICE & SEGMENT WITH YEAR-ON-YEAR GROWTH RATES

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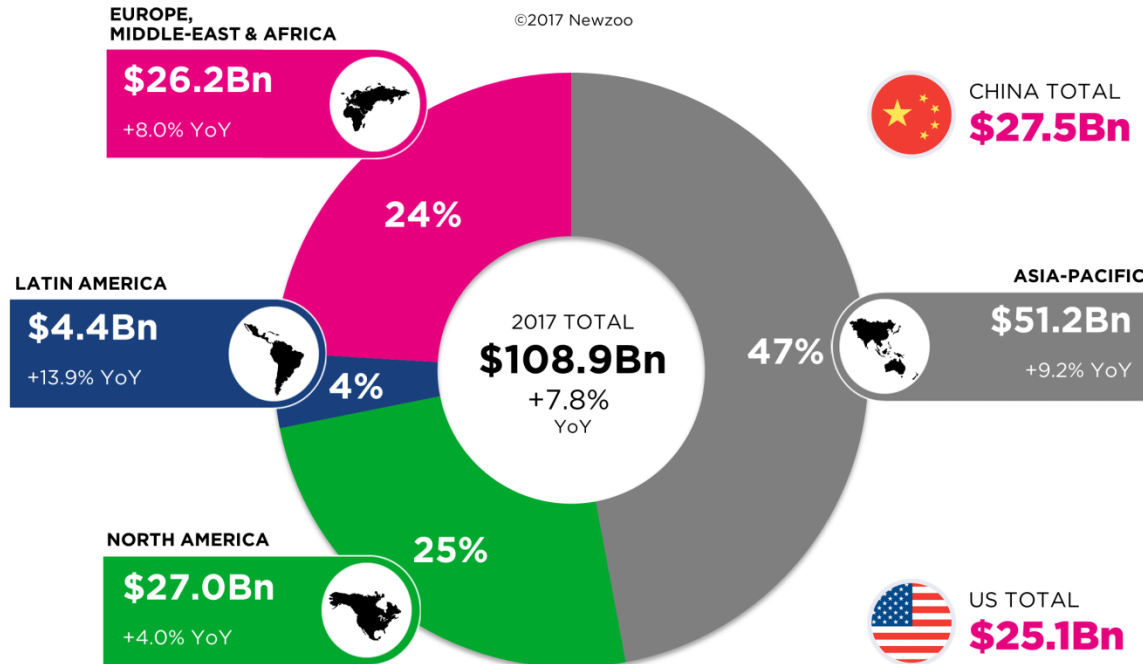
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2017 GLOBAL GAMES MARKET

PER REGION WITH YEAR-ON-YEAR GROWTH RATES



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newzoo.com/globalgamesreport

In 2017,
47%
 of all consumer spend
 on games will come
 from the APAC region

newzoo



App

BUSINESS INSIDER

100

Can I freely use material found on the Internet?

All

Images

Maps

Videos

News

More ▾

Search tools



It depends!

The default rule is “the content is copyrighted” so I should not re-use it without obtaining clearance.

But ...

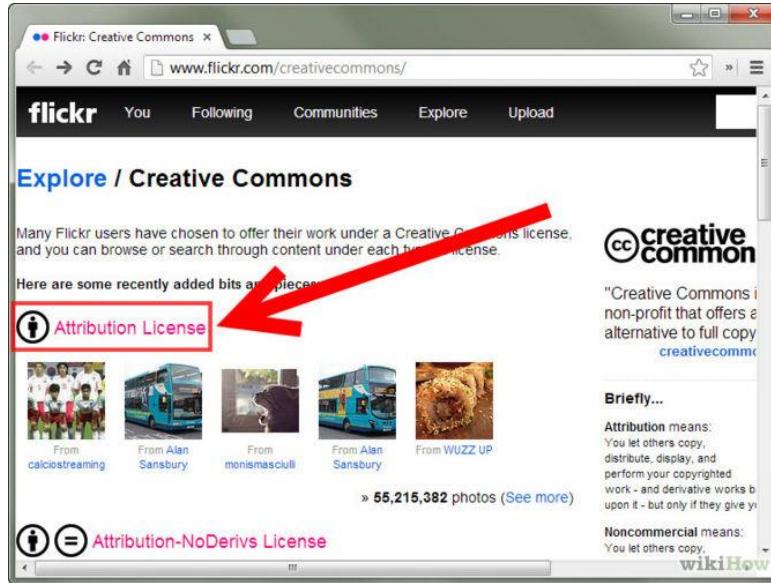
Adaptability / Flexibility

Licensing/"Private ordering" perspective

- "Freedom of rights-holders in the exercise of the faculties granted by the laws";







WIKIPEDIA
The Free Encyclopedia

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

Digital is here to stay and grow

- Low cost distribution and almost zero cost reproduction
- Creation/production has been affected as well (Industry \neq User Generated Content)
- New business models / monetization (focus on access)
- New players
- Challenges in enforcement

How do we achieve a well functioning system?

..it implies a series of balances: between availability, on the one hand, and control of the distribution of works as a means of extracting value, on the other hand; between consumers and producers; between the interests of society and those of the individual creator; and between the short-term gratification of immediate consumption and the long-term process of providing economic incentives that reward creativity and foster a dynamic culture..

Dr. Francis Gurry – Blue Sky Conference 2011



<http://www.wipo.int/copyright>

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