

## **Standing Committee on Copyright and Related Rights**

**Thirty-Seventh Session**  
**Geneva, November 26 to 30, 2018**

**MODALITIES OF A STUDY ON DIGITAL MUSIC SERVICES**

*adopted by the Committee*

## ANALYSIS OF COPYRIGHT RELATED TO THE DIGITAL ENVIRONMENT

In the Chair's Summary of the 36<sup>th</sup> session of the SCCR of May 2018, regarding the Analysis of Copyright Related to the Digital Environment, the Committee welcomed the proposal of the Delegation of Brazil that a further study be undertaken, focused on digital music services in the initial stages, which could be followed later by complementary studies on audiovisual and literary works. The Committee requested the Secretariat to present the modalities of the study at the 37<sup>th</sup> session of the SCCR.

It is proposed that the study be undertaken according to the following methodology and scope:

### **Methodology**

The modalities of the scoping study will include the following steps:

- Initial fact finding/collection of relevant data, including through gathering publicly available information on a voluntary basis from all stakeholders involved in the music sector. (Any contribution should be sent to the Secretariat (to: [copyright.mail@wipo.int](mailto:copyright.mail@wipo.int)) by March 31, 2019)<sup>1</sup>;
- Organization of meetings, including face-to-face, of interested parties to discuss with a thematic approach the preliminary results of the fact finding exercise;
- Preparation of a preliminary scoping study of the main areas, as described below, by a pool of experts, reflecting geographical balance; and
- Organization of an international conference to present the scoping study to the broader WIPO constituency (subject to further consideration).

The Secretariat will report back on the status of the preparation of the scoping study at each session of the SCCR preceding an international conference.

### **Scope**

The scoping study will undertake an initial exploration of a range of topics including the following:

- Overall description of the online music market and main business models
- Chain of rights / Licensing practices / Collective management

*Contracts and licenses supporting digital services through which each stakeholder (e.g. authors, publishers, performers, producers, platforms) transfer/exercise/monetize their own rights.*

- Value chain / Distribution of royalties

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<sup>1</sup> This deadline is proposed to provide information to launch the study. Additional information will be welcome at any point during the study process.

*Gain a deeper understanding of the revenues generated by music digital services, with respect to all participants in the music creative sector (e.g. authors, publishers, performers, producers, platforms).*

- Mechanisms for gathering data on the usage of music and for reporting distribution of royalties

*Current practices and technologies deployed to guarantee efficiency and reliability in running the business, monitoring uses, and distributing royalties.*

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