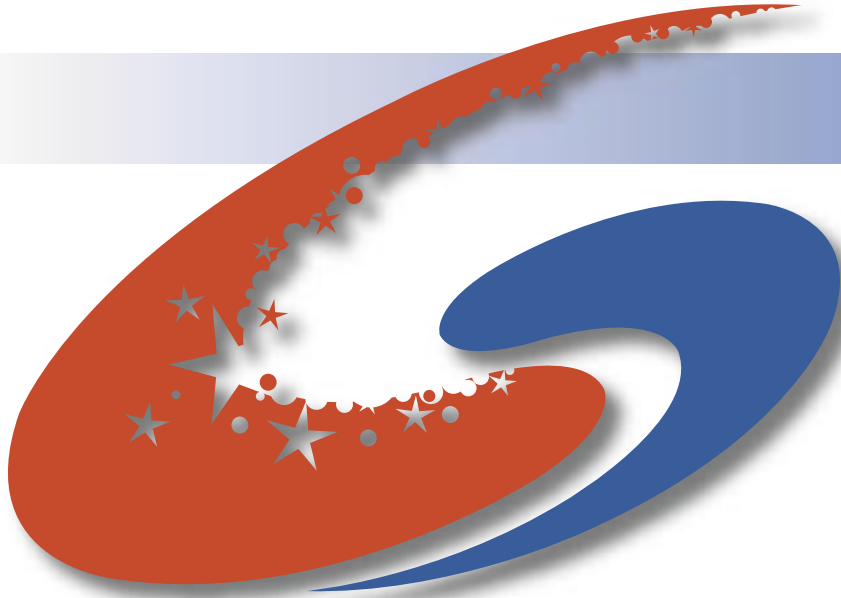


Tuesday 19th October 2004



# CISAC 2004

## WORLD CONGRESS

### S E O U L

# CULTURE DEPENDS ON CREATORS' RIGHTS



KOMCA President You Young Gun

The CISAC World Congress kicked off Monday morning with speakers concentrating on the rising importance of digital rights, globalisation and diversity in the Internet age.

Eduardo Bautista, CISAC Executive Bureau President, emphasised the essential and rising links between tolerance, cultural diversity and authors' rights. "Cultural diversity is one of the main processes for constructing a world of tolerance," he said. "It is only possible if you respect authors' rights."

"Colleagues, we need to stand up in this conference and say to the politicians, 'You cannot achieve cultural diversity if

you do not respect authors' rights."

CISAC President Christian Bruhn echoed this point. "I hope that by having this World Congress we can make it clear to everyone what a central role creative people play in the cultural life of humanity. In return for making this contribution to the cultural life of humanity, creators are entitled to receive an appropriate payment. This is especially important now, at the beginning of a new millennium."

Given Korea's incredibly fast and deep explosion in the digital world (Korea has the deepest broadband penetration rate in the world), it was not surprising that Bae Jhong Shin, Vice-Minister of the Korean Ministry of Culture and Tourism,

emphasised the challenges and opportunities facing creators from new media. "The Internet age is a constant threat to authors' rights," Bae said. "For this reason, the time has come to set up an adequate international system to protect authors' rights."

You Young Gun, President of KOMCA and a composer in his own right, mentioned Korea's proud artistic history, and said that he hoped that creators' rights would be protected so as to preserve this tradition.

Dr. Kamil Idris, Director General of WIPO, also spoke via video, affirming the ties between WIPO and CISAC in the international protection of authors' rights. Following the opening, members and participants commented on the keynote over coffee.

"The opening address comments regarding cultural diversity were particularly interesting because it resonated with small countries, like New Zealand or the Caribbean," said New Zealander Arthur Baysting, of Australasian society APRA.

All of the above comments were reinforced in the afternoon keynote given by Suh Byung-Moon, Second CEO of KOCCA, who urged the need for cooperation between the public and private sector, as well as support from the international societies.



At the SACK art exhibition, award-winning photographer and Congress speaker Kim Young Soo (second left) by one of his works with (L-R) Jean-Marc Gutton (ADAGP), Joanna Cave (DACS), and Louis Hong (SACK)

## Collective Rights Management: The Answer is 'Yes'

"If authors' societies disappeared today, what would be lost?" asked moderator John LoFrumento (ASCAP) during "Collective Rights Management: now more than ever."

Clearly, much is at stake for both creators and users in the digital age. Doug Kaplan (RealNetworks) and Ty Roberts (Gracenote) praised legal download services and DRM technologies—they are easy to use, multi-format friendly and gaining in popularity. Complementing these thoughts, Ralph Peer (ICMP) stressed the importance of keeping pace with the changes in technology in order to best support rightsholders.

David Lester (MCPS-PRS) reminded delegates societies have faced these challenges before, and that better communication and a clear focus on creators was paramount to defending societies against users and anti-competition authorities. The need for such communication was equally stressed by Prof. Chungmin Lee (KOSA).

Meanwhile, André Beemsterboer (IFRRO, LIRA) and Prof. Reinhold Kreile (GEMA) argued that authors' societies were best placed to protect creators in a digital context, and that it was important to build on projects—such as "one-stop shops"—that societies have already initiated.



### Asia Moves Forward

Facilitated by Elton Yeung (CASH), speakers in "Strengthening Collective Rights Management in Asia" noted the great strides made in authors' rights since the 1984 Congress in Tokyo.

With over half of the world's population and extreme variations in economic and technological development, Asia presents special challenges and opportunities.

Although it has a population of 3.4 billion, only \$1.05 billion in revenues for creators' societies, leaving room for growth, noted Chan Miew Lan (MACP).

Turning to Korea, Prof. Park Young Gil (Korean Commercial Law Association) called for a "one country, one organisation" policy, stating that Korea is too small a market for competing parties. But Dr. Louis Hong (SACK) was more concerned with proactive education policies that promote understanding between authors and users.

### KOMCA and MIS@Asia

One of the biggest stories of the day was the landmark collaboration agreement announced by the MIS@Asia network and host society KOMCA. Under the deal, KOMCA will be able to access the musical information located in MIS@Asia and vice versa. MIS@Asia is a database of Asian musical works from the repertoires of MCT (Thailand), MACP (Malaysia), COMPASS (Singapore), KCI (Indonesia), FILSCAP (Philippines), and IPRS (India). This collaboration aims to eventually link KOMCA—the second largest Asian society—to the international repertoire, at which point the majority of Asian musical works will be connected to CISAC's CIS-Net.



## When the East Meets the West

Culture has a strong influence on everyday life in each society, as the participants in "East-West Creators Rendezvous" set out to prove.

Japanese author Kyoko Michishita spent 20 years translating Western literature, hoping to bring "fresh cultural air" to her country. She urged Eastern writers to translate and make their works available on the Internet, so as to spread their texts in the West.

Moderator Brett Cottle (APRA) next introduced Korea's Kim Young Soo, who described his photographs as "Korean spirit...constantly coinciding with Westernism". It was the government's responsibility, he said, to protect the rights of creators from misuse.

Composer and FILSCAP President Nonoy Tan agreed with this point stressing the need to protect music—a truly universal culture.

Concluding the session, all speakers stressed the need for a better understanding and respect for cultural differences.



Princess Chulabhorn Mahidol



Pan Yawol



Kim Ji Ha



Zao Wou-ki © Jean-Marie del Moral

## As Good as Gold

It's not everyday that one shares a room with a princess, one of the art world's most cherished painters, and a director who has brought international attention to his country's film industry. Add to that mix two avant-garde composers, a poet and human rights activist, and two prolific songwriters, and you have quite a star-studded event.

Delegates were dressed in their finest last night for the opening night banquet and Gold Medals ceremony, which honour extraordinary achievement in the arts. Starting off the event was Thai princess Dr. Professor HRH Chulabhorn Mahidol. The princess plays several traditional Asian instruments, and has performed throughout Asia as a means to encourage cooperation and understanding throughout the region.

Also no stranger to international performances is Japanese composer Isao Tomita, who has won fans around the world via a number-one Billboard album and several other international hits. His innovative approach to classical music includes multi-media techniques, synthesizers, and...puppets!

Representing the visual arts, the Chinese painter Zao Wou Ki is today recognised as one of contemporary art's finest painters, with his works admired worldwide for their skilled balance of nature and abstraction.

Looking to Korea, the director Im Kwon Taek accepted a medal in recognition of more than 40 years dedicated to the film industry. He was most recently named Best Film Director at the 55<sup>th</sup> Cannes Film Festival.

Meanwhile, his compatriot, the composer Kim Dong Jin, was honoured for a prolific production of operas and orchestral music that have introduced elements of Western music into traditional Korean compositions. Pan Ya Wol, another artist hailing from the musical world, accepted a medal for his well-recognised contribution to Korean music, including the creation of more than ten "national popular songs."

The final Korean medal winner, Kim Ji Ha, first came to the world's attention with the publication of numerous poems criticizing the government under military control. A symbol of the popular push for democracy, he is held in international esteem for both his poetry and activism.

And finally, hailing from the "far away" country of Germany, Christian Brühn was the sole Western creator to be honoured with a Gold Medal this year. Professor Brühn is not just the composer of 2,000 melodies and songs, but also the chairman of GEMA and president of CISAC.



Christian Bruhn



Kim Dongjin



Isao Tomita



Im Kwon-taek

## The Creator, The Public and Public Policy

Suzan Dormer, CEO DPRS



In many countries, organisations representing authors and rights holders have launched expensive advertising and public education programmes. But the government and consumers are generally unwilling to listen, and therefore there is little chance of a successful prosecution of those who produce and consume pirated product. Until a way is found of changing this public perception, organisations representing authors and rights holders face an uphill struggle to ensure that their members' rights are effectively protected. It would help if there were more effective governmental support but often it is an issue low on the political agenda.

Without immediate effective action, rights holders risk being overwhelmed as the means of dissemination proliferate and the scale of piracy and intellectual property theft increases.

Video piracy or the downloading of music from a website is often perceived as being a victimless crime. Otherwise law abiding people don't think twice about the consequences of their actions for creators and rights holders.

## Asia-Pacific Takes to the Stage!



Zarina

Korean jazz saxophonist Lee Jung Sik.

"Into the Woods" will be presented by Thai performers from the **Korphai and Luangpradithphairoh (Sorn Silpabanleng) Foundation**. This exploration of Thailand's imaginary forestry soundscape uses the *ranat ek* (wooden xylophone) and other traditional Thai instruments. Performing for delegates are Anant Narkkong, Asdavuth Sagarik, Chaibhuk Bhutrachinda, and Nirun Jam-aroon.

The internationally-acclaimed **Formosa Aboriginal Singing and Dance Troupe** has collected slowly disappearing traditional aboriginal songs and dances from its homeland of Taiwan (Chinese Taipei). Since its creation ten years ago, the troupe has performed internationally and has become one of the region's most popular performance groups.

The youngest star to take the stage will be Malaysian singing sensation **Zarina Zainoordin**, who will be joined by the **Yayasan Warisan Johor dancers**. Zarina participated in the wildly popular Akademi Fantasia TV program earlier this year, and hasn't stopped touring and pleasing the public since then.

The Congress open conference will close tonight with a star-studded celebration of Asia-Pacific entertainment. Gold Medal winner **Isao Tomita** joins with revered Japanese marionette maker **Hiroshi Hori**, in a dazzling synthesizer and multi-media performance entitled "The Tale of Genji." Isao Tomita has devoted many years to the creation of this symphony, which is based on a 1,000-year-old Japanese tale. Jazz pianist **Jeremy Monteiro**, has received critical acclaim around the world and released more than twenty albums. Known as the "King of Swing" in the Singaporean press, he will be performing tonight with

## Sound and Vision: the audio-visual forum



Arden R. Ryshpan  
Director Affairs Manager, DGC

The business and cultural environment in which audio-visual creators work is often dramatically different from the conditions in which other artists - musicians, painters, writers, etc - work.

Bringing together film directors and representatives from audio-visual authors' societies, we hope to compare and contrast the commercial and cultural factors that impact the work of audio-visual creators in the East and the West. From the creative environment and working conditions of the audiovisual author in Asia, Europe and North America; to the role cultural identity plays in audiovisual creativity.

What are some of the major issues facing AV creators—and their societies—today? This Asian CISAC Congress allows us the chance to discuss conditions in both the East and the West, as well as target the importance of cultural identity in audiovisual creativity.

### Technical demonstrations

Room 208a

Demonstrations

CISNet & ISWCNet

FastTrack

DIVA (CASH)

Mediaguide (ASCAP)

A/V Works on the Web (SOCAN)

LatinNet

## Online distribution of content: achieving a licensed environment



Katri Sipilä

CEO TEOSTO

A licensed environment is not only a possibility for the entire value chain of creative businesses but also an opportunity to create new markets. The first link in this chain—

the authors who address wide or marginal audiences—want to reach their consumers as easily as possible. In order to serve the interests of right-holders, copyright organisations must be active in seeking and developing new licensing models.

Legal Internet and mobile content services are still taking their first steps. Collective management organisations must follow the developments in this field together with content providers, searching for quick solutions based on market changes. We must also network with equipment manufacturers and software companies.

Ring tones for mobile phones are a concrete example of a successful licensing model developed in co-operation with content providers and equipment

manufacturers. In addition to new entrepreneurship and new business to telephone operators and other service providers, this young field also provides a new source of income for authors and publishers.

New technologies also provide an opportunity to exploit various historical archives and to offer niche repertoires in the global market.

Both technical requirements and an availability of legal works influence consumers' possibilities and willingness to obtain experiences on the network by legal means. Korea—where three out of four households are connected to the network via broadband—is an excellent choice for this conference as a model for lightning-fast network connections.

## Copyright Update

Eduardo Bautista

CEO SGAE and Executive Bureau President

Brett Cottle

CEO APRA and Executive Bureau Vice-President

From Sweden to Singapore, Nigeria to Nepal CISAC's Copyright Map provides an overview of the state of copyright and authors' rights around the world. The map is based on the individual contributions of CISAC member societies.

All 2004 World Congress delegates have received a copy of this publication, and will today hear a presentation on the map, and the state of copyright around the world.

In addition to the Copyright Map, CISAC has also prepared three special publications targeting key issues in authors' rights.

**The Technology Report** – Want the word on wireless? Check out this report, which details the latest technological developments and their effect on authors' rights.

**The Regional Collection Report** – Just how well have authors' societies performed since the last CISAC Congress? This report provides an analysis of the various rises and falls in collections across the globe.

**Focus on Asia** – An extensive review undertaken by CISAC's Asia-Pacific Director, KT Ang, of the region's copyright situation. This report provides a look at each Asia-Pacific country, as well as the various activities carried out by CISAC in the region.



## The CISAC Global Information Network: progress through partnerships

Moderated by **Eduardo Bautista**  
CEO, SGAE



© Paco Manzano-SGAE

This Seoul Congress is the best opportunity to present authors and their societies with CISAC's greatest achievement during the past four years: CIS-Net.

It is the result of hard work from the Societies, which have answered the challenge presented by new technologies and market globalization.

It is a network created to protect authors and help cover their rights in the digital world. Through CIS-Net, authors' works are present on the network, and can be recognized and documented by all CISAC societies—which in turn helps protect authors' rights.

With these initial steps taken, CIS-Net will in the future serve as a platform for new initiatives for musical works and other CISAC repertoires.

As Antonio Machado wrote, "a path is made by walking." Let's continue on our path.

### Online demonstration of CIS-Net and ISWC-Net

CISAC goes live today to present two important technological initiatives fundamental to work identification, tracking, and remuneration for creators—CIS-Net and ISWC Net. On stage will be CISAC Executive Bureau President Eduardo Bautista, CISAC Secretary General Eric Baptiste, and CISAC Direction of Information Networks Sylvain Piat.



Using CIS-Net, authors' societies will be able to search musical information from around the world, as each authors' society makes its domestic repertoire documentation available to its sister societies via the CIS network. This network will lead to faster, accurate, and more efficient processing, which in turn will help authors' societies better protect their authors in the digital age.

The Congress marks the completion of the first major stage of the CIS-Net project, which involved the interconnection of all national and regional nodes. In the next phase, CISAC will be targeting the connection of its other repertoires.

In addition to the preview of CIS-Net, Congress delegates will also witness the official opening to the public of the network of the International Standard Musical Work Code (ISWC).

ISWC, the unique standard for the world-wide identification of musical works, allows for a quick and precise tracking of musical works. The ISWC International Agency, which is managed by the CISAC headquarters in Paris, provides its 32 authorized ISWC agencies with series of numbers that they allocate to musical works and then make available on the ISWC network. By using this number, a person can access key information concerning musical works, such as title, author, and composer.



Starting today, the public will be able to search information at [www.iswc.org](http://www.iswc.org) concerning various musical works contained in the ISWC network. This network consists of centralized and decentralized databases such as the WID, LatinNet, and the Fast-Track members, among others.

#### How does Lithuania do live music, or Spain do satellite?

One look at the CISAC Database of Societies' Distribution Methods can help you find out. Based on a series of structured questionnaires targeting CISAC's musical repertoire societies, the database allows member societies immediate, secure access to the distribution rules of other authors' societies in the live music, radio, television, cable and satellite, cinema, recorded music and private copying sectors.

The database, which was developed

by the CISAC Distribution Technical Committee (CT-R) in cooperation with the CISAC Secretariat, encourages the adoption of successful management methods within the CISAC community. In addition, it provides quick answers for societies looking to respond to their members' questions regarding the use of their works abroad.

If your society has not yet contributed to the database, or is looking for more information on the topic, visit the CISAC stand in Room 208A.

# SPREADING THE WORD

Innovation in times of change: SACEM and BMI use new technologies to raise public awareness about the importance of authors' rights and collective administration organizations.



How does French society SACEM hope to raise public awareness about piracy? By reaching the public where it spends much of its time—on the Internet! Earlier this year, SACEM joined with European creators, record companies, retailers, and authors' societies to found Pro-Music, a website that aims to discourage piracy by raising awareness about the creative process and legitimate online music services.

With a simple click on [www.pro-music.org](http://www.pro-music.org), Internet surfers can find a list of legal online services in both

Europe and the US, as well as learn about the various platforms being offered by individual sites. Pro-Music—which offers English, French, German, and Italian versions—provides all the latest in online music news, as well as interviews with artists and industry figure, and a guide to the music-making process. It also offers clear explanations to commonly-asked questions concerning piracy.

On a national level, SACEM's involvement in Pro-Music has manifested in Internet chats between Pro-Music visitors and figures such as the French Minister of Culture. Pro-Music France is also planning a school tour in cooperation with the Ministry of Education, which will result in special days decided to raising awareness among students and their parents. A thirty-second publicity spot is also in the works, and will be broadcast by all Pro-Music partners in order to heighten awareness as to the dangers of illegal downloading on the Internet.



While it is far from being a new medium, few authors' societies have fully exploited the possibilities of video in promoting the image of authors' rights and societies. Producing a video is costly, and other forms of communication have been deemed more practical and budget-friendly.

A few years ago, however, US society BMI set out to counter that opinion, establishing an internal video department and training personnel in the use of video equipment. The effort paid off, and today BMI is able to create special ads, in-house, designed for broadcast during big-name, US media events such as the Grammy's and the Country Music Awards. The ads are low-cost and relatively low-effort, and allow the society to reach a wide audience.

The society has used a similar technique to target legislators. For example, at the US Songwriters' Hall of Fame, songwriters individually thanked the US Congress for their work towards protecting copyright.

The rise of the Internet has also widened the opportunities for BMI's video team, which films interview pieces for the BMI website in order to provide more information about creators and the artistic process. The approach is popular, and today the video section of the website now gets more traffic than any other section on the website. ■

# Don't Miss... The Beauty of Korea

an exhibit of Korean artwork sponsored by SACK.

