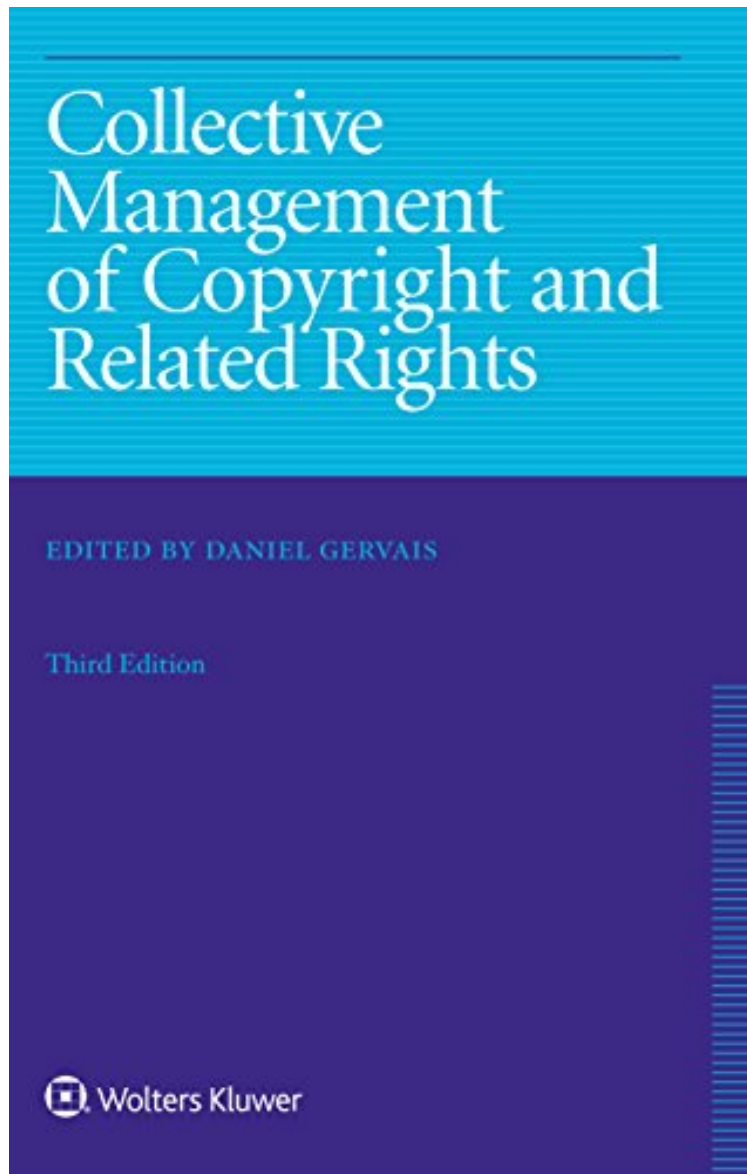


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# Collective Management of Copyright and Related Rights

*Daniel Gervais*

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**Daniel Gervais : Collective Management of Copyright and Related Rights** before purchasing it in order to gauge whether or not it would be worth my time, and all praised Collective Management of Copyright and Related Rights:

In the course of the last two decades, collective management organizations (CMOs) have become the nerve centres of

copyright licensing in virtually every country. Their expertise and knowledge of copyright law and management have proven essential to make copyright work in the digital age. However, they have also been at the centre of debates about their efficiency, their transparency and their governance. This book, an extensively revised and updated edition of the major work on the legal status of CMOs, offers an in-depth analysis of the various operating CMO models, their rights and obligations vis--vis both users and members, acquisition of legal authority to license, and (most important) the rights to license digital uses of protected material and build (or improve current) information systems to deal with ever more complex rights management and licensing tasks. All the chapters have been updated since the 2010 edition. New chapters on Africa, China, Central Europe and New Zealand (together with Australia, which is no longer discussed in the separate chapter on Canada) have been added. Factors considered include the following: role of 'families' such as the International Confederation of Societies of Authors and Composers (CISAC) and the International Federation of Reproduction Rights Organizations (IFRRO); cases where the unavailability of adequate options makes authorized use difficult or impossible taking transaction costs into account; growing importance of extended repertoire systems (also known as extended collective licensing); relationship among collective management, rights to remuneration, and the ways in which CMOs acquire authority to license; transnational licensing and the possible role of multi-territorial licensing; and threat of monopolies or regional oligopolies for the management of online music rights. Legal underpinnings covered in the course of the analysis include the 1996 WIPO Copyright Treaties, the US Digital Millennium Copyright Act, the Napster case, the Santiago Agreement, relevant EU Papers and the 2014 Copyright Directive, and work done by the UN Committee on Economic, Social and Cultural Rights. Part I presents a number of horizontal issues that affect collective management in almost every country. Part II is divided on a geographical basis, focusing on systems representative of the principal models applied in various countries and regions. Each country specific or region-specific chapter provides a historical overview and a presentation of existing CMOs and their activities, gives financial information where available, describes how CMOs are supervised or controlled by legislation, and offers thoughts about the challenges facing CMOs in the country or region concerned. Many of these national and regional commentaries are the only such information sources available in English. Whatever the future of copyright holds, it is clear that users will continue to want access and the ability to reuse material lawfully, and authors and other rights holders will want to ensure that they can put some reasonable limits on those uses, including an ability to monetize commercially relevant uses. CMOs are sure to be critical intermediaries in this process. The second edition of this important resource, with its key insights into the changing nature of collective management, will be of immeasurable value to all concerned with shaping policy towards collective management or working with the ever more complex legal issues arising in digital age copyright matters.