

DIAL C FOR COPYRIGHT DATA

“IMPROVED GOVERNANCE TO MEET THE MUSIC INDUSTRY’S DATA CHALLENGES”

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Hrvatsko predsjedanje
Croatian Presidency of the
Vijećem Europske unije
Council of the European Union

INTELLECTUAL PROPERTY FOR THE EUROPEAN UNION
IN A WORLD OF CHALLENGES

EXPERT CONFERENCE

20.02.2020

ZAGREB

PATRIK WIKSTROM ON COPYRIGHT

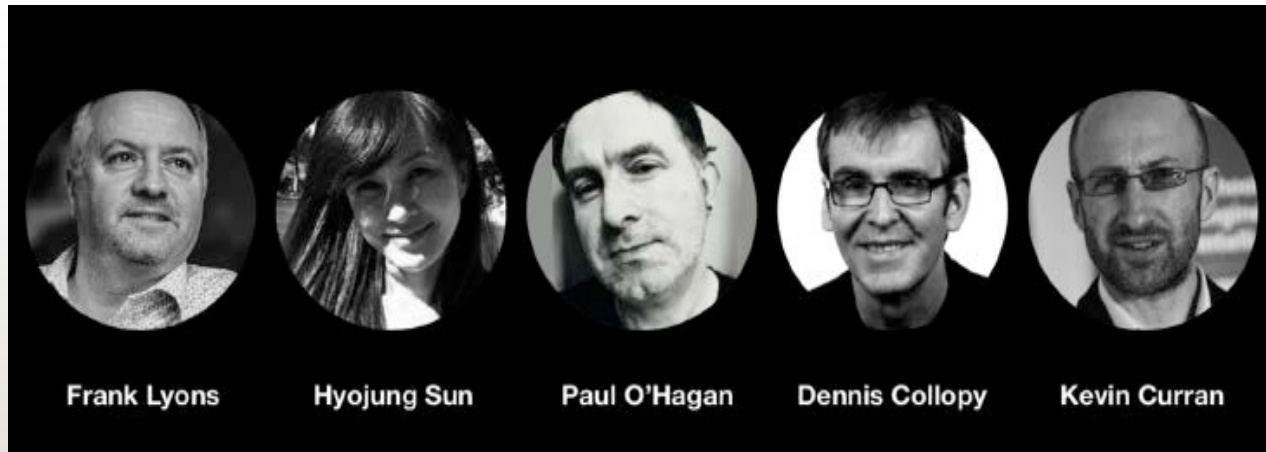
“The music industry is a copyright industry and this is evident in the way copyright law underpins the entire music industry from national and EU copyright statutes as well as various international treaties all of which underpin the international collection society structure, the agreements between creators and owners and the complex agreements between rights owners and users.”

MUSIC 2025 ORIGINS

- Music 2025 manifesto presented at Vienna Music Business Research Days October 2014 – a long term view of digital music eco-system
- PJ approached IPO in 2015 and this led to a roundtable workshop at IBM London April 2016. This concluded two main issues for a successful new music industry; **better data and new business models**
- February 2018 research commissioned by IPO awarded to Ulster University

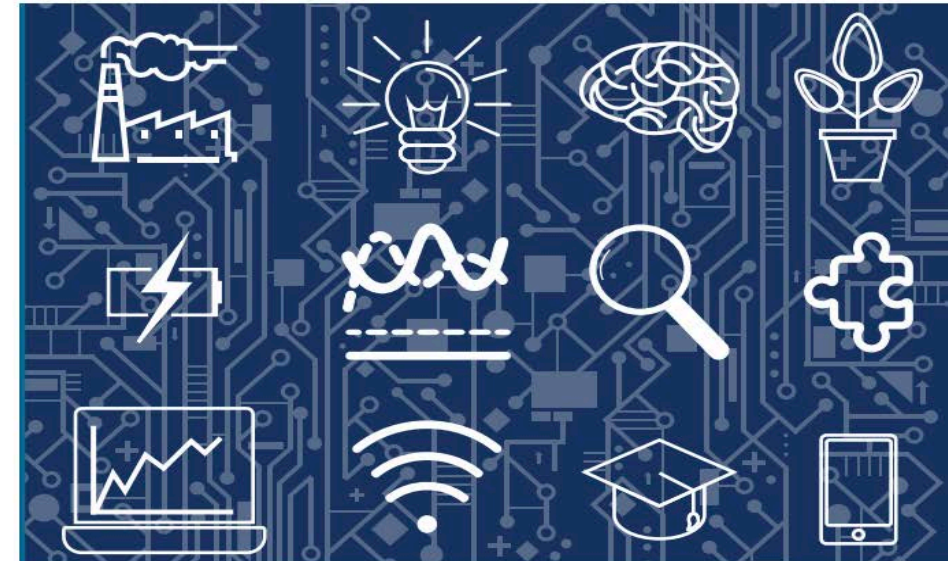


RESEARCH TEAM



Music 2025

The Music Data Dilemma: issues facing the music industry in improving data management



Research commissioned by the Intellectual Property Office and carried out by Ulster University: Professor Frank Lyons, Dr Hyojung Sun, Dennis Collopy, Paul O'Hagan and Professor Kevin Curran.
Findings and opinions are those of the researchers, not necessarily the views of the IPO or the Government.

RESEARCH STRUCTURE

- **Archaeology** – Literature Review
- **Architecture** – Literature Review
- **Research Findings** – 50 semi-structured interviews with various industry execs including music publishers (large and small) , record labels (large and small) , UK trade bodies (Ivors Academy , MPA, AIM, BPI, MMF, FAC, UK Music, MPG) UK CMO's (PPL, PRS, MCPS) , CISAC, IFPI, WIN, YouTube, Apple, The Orchard, BBC, British Library, JAAK, 7 Digital

ARCHAEOLOGY OF COPYRIGHT

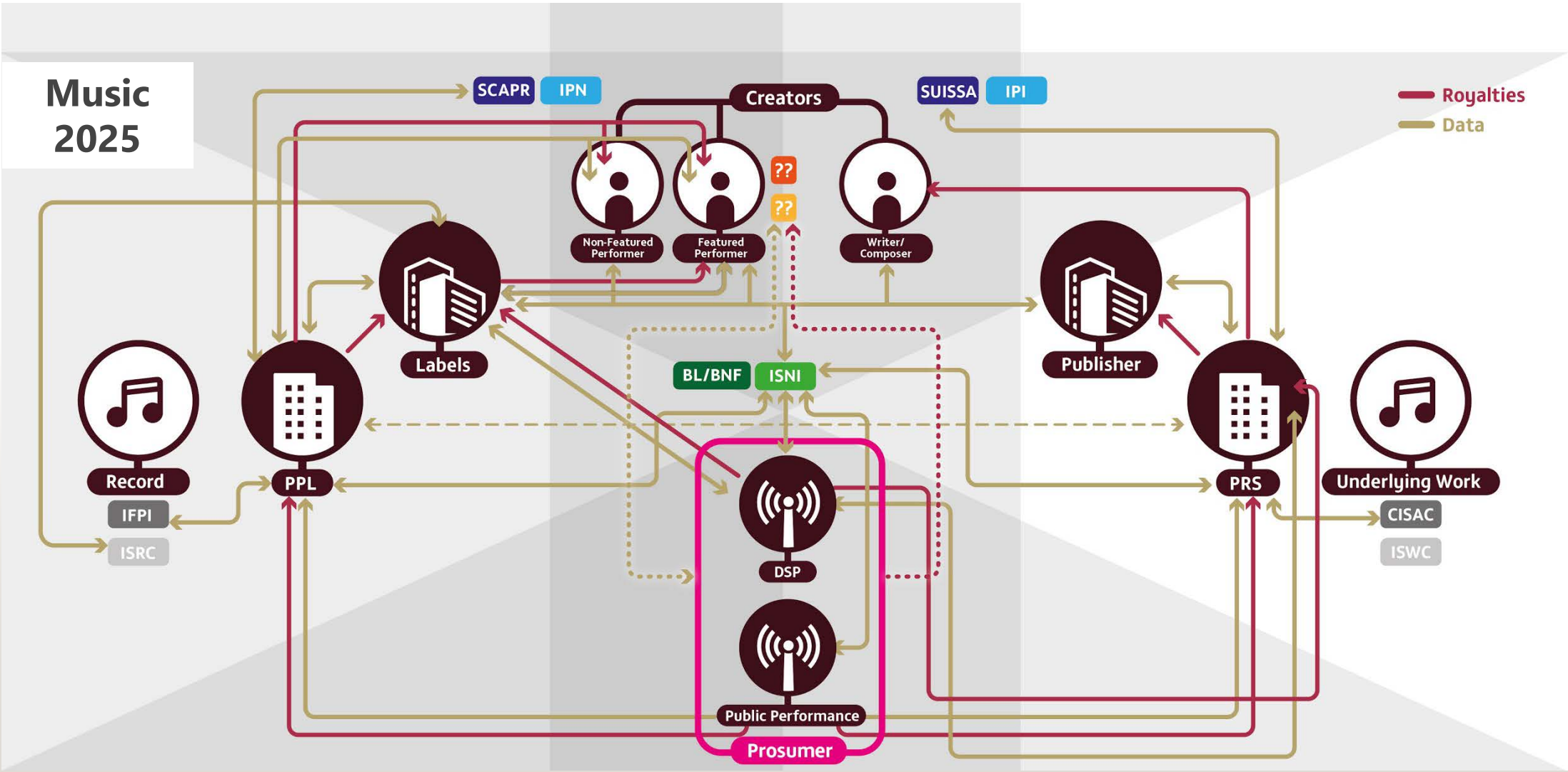
- TWO DIVERGENT APPROACHES TO COPYRIGHT LAW
- TWO RELATED BUT INDEPENDENT SECTORS IN RECORDED MUSIC
- 20TH CENTURY LAWS AND LICENSING NORMS
- DOING THE SPLITS BETWEEN PERFORMANCE AND REPRODUCTION RIGHTS
- EU AND US DIGITAL LICENSING MARKETS GOING IN OPPOSITE DIRECTIONS - ONE BECOMING MORE FRAGMENTED AS THE OTHER BECOMES MORE CENTRALISED

ARCHITECTURE OF MUSIC COPYRIGHT

ISWC AND ISRC

These were designed in late 1980's and early 1990's -
were they ever designed for use in the digital era?

UK SIMPLIFIED DATA AND ROYALTIES MAP



IDEAL DATA World

Automated

Easier

Cheaper

Faster

AUTOMATION





Current state of
metadata

Misalignment Of standards



LACK OF UNDERSTANDING

“No one knows who was the drummer on Delilah by Tom Jones. There are huge problems with data and I'm quite sure those problems continue to this day because we're dealing with a load of crazed drug and drunken musicians running around doing things. so they don't fill up forms. stuff doesn't happen.” (Peter Jenner)

POLITICS

The failure of Global Repertoire Database (GRD)

“I think it’s fixable. But...there’s too many vested interests. I don’t think it’s just data...Certainly, exchange data is done very clunky old fashioned...(but) technology is not the problem, people are.” (World Independent Network, WIN)

FRAGMENTATION

Multi-layered fragmentation in all sectors of the music industry from music making, publishing, recording, licensing, and monetisation

“The fragmentation of this industry is its own worst enemy. That’s what’s killing this industry or stopping it from thriving in the way it should be thriving.” (7 Digital)

INSUFFICIENT GOVERNANCE

- Market-led approach has created hierarchy and friction
- Lack of collaboration rights exacerbates fragmentation of rights
- Standardisation alone is not enough
- Legal-intervention insufficient to tackle the anomalies

“We need an industry protocol that is beyond metadata to be able to work out how we behave with each other... It’s not just the metadata issues themselves. This cannot simply be seen as a technical problem.”

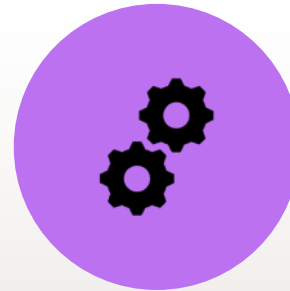
(PRS for music)



MUSIC DATA ECOSYSTEM



Data Ecosystems are a new environment composed of complex networks of organisations and individuals that exchange and use data as main resource



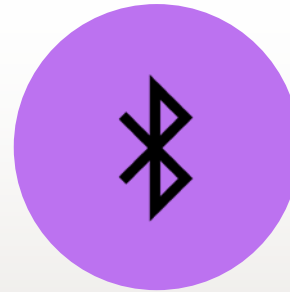
The existing complex data management landscape depends on an interoperable and interconnected framework to function across the whole ecosystem

PARADIGM SHIFT!

ECONOMIC IMPERATIVES



Data is increasingly becoming an important source to understand consumers and their patterns of consumption.



Good data is essential to unlock the potential of the digital music value



Without proper remuneration, creativity is at risk



Unattributed income creates lack of trust and engenders the digital music economy

A GOVERNANCE FRAMEWORK



Oversee the entire ecosystem



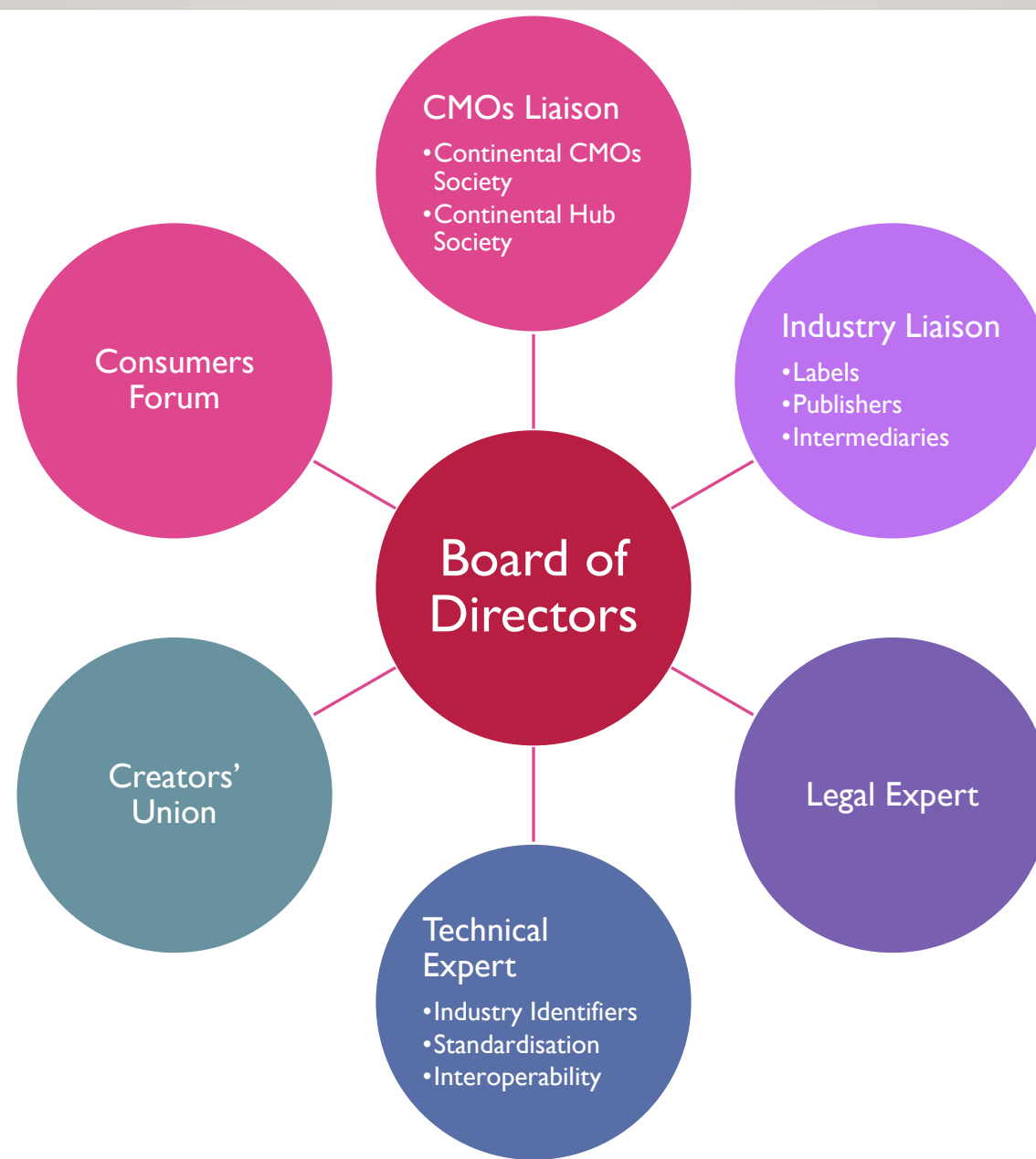
Promote harmonisation



Set the infrastructure standards



Facilitate collaboration amongst all parties in the value networks.



GOVERNANCE FRAMEWORK

CONCLUSION

- CALL TO ARMS
- CURRENT MUSIC METADATA STANDARDS MAY NOT BE FIT FOR PURPOSE
- FUNDAMENTAL CHANGE NOT POSSIBLE SO MUST RELY ON INTEROPERABILITY
- MUSIC DATA SHOULD BE NOT A SOURCE OF COMPETITIVE ADVANTAGE
- PUBLISHING AND RECORD SECTORS MUST WORK IN TANDEM NOT IN PARALLEL