



SO CAN

music. people. connected.

A AGEF

July 25, 2012



Before SOCAN

- Sciences Po 1982
- ENA 1986
- Conseil d'Etat
- Directeur General (deputy CEO) Radio France Internationale (RFI)
- CEO 95.2 FM in Paris
- CEO ("DG") of CISAC,
 - world federation of copyright societies
 - 232 members in 121 countries
 - HQ in Paris. Offices in Budapest, Johannesburg, Santiago and Singapore
- CEO of SOCAN since 2010



A few words about copyright

- **Legal term describing rights given to authors over the use of their literary, dramatic, musical and artistic works**
- **Basic right, providing legal protection to the owner of the rights**
 - To receive credit as the author
 - To authorize or forbid the use of his/her works
 - To receive remuneration for the use of his/her works
- **Authors' rights/copyright are a branch of the Law of «Intellectual Property »**
- **Some other areas of IP law are:**
 - Patents
 - Trade Marks
 - Industrial Designs



A few words about copyright (2)

- We represent Authors and music publishers, **not** performers or Record companies
- Copyright vs. Authors' rights
- Moral rights
- Economic rights (reproduction, broadcast, communication to the public, adaptation etc...)
- Governed by international treaties (scope, exceptions, duration...)
- In music, mostly managed collectively (by not profit orgs controlled by rights holders):
 - France: SACEM
 - UK: PRS
 - US: ASCAP, BMI, SESAC, HFA
 - Canada : SOCAN, CMRRA, SODRAC



A few words about copyright (3)

- **Management of authors' rights by authors' societies created by the authors (creators) and acting in the interest of and on the behalf of rights holders**
 - Creators hold the exclusive right to authorise or prohibit others to use their work (reproduction, public performance...)
 - Creators entrust their rights to collective management organisations (authors' societies)
 - Authors' societies negotiate on behalf of creators with users and licence their repertoires
 - Through authors' societies, creators obtain fair economic rewards for the use of their creative works in the most efficient way
- **Agreements with each other**
 - SOCAN has 110,000 direct members but represents more than 3 million from 100 countries
 - SOCAN members represented in France by SACEM, Australia by APRA|AMCOS etc...
 - Complex system of standards and international databases to support this (ISWC, ISAN, IPI, DDEX, CIS-net)



So far, a healthy global economic sector

- Latest global figures (2010): 7.5 B Euros/ 9.5 B CAD
- What about the music crisis?
 - Main impact on record companies:
 - Societies “collections” have doubled over same period:
 - Less dependent on sales of records
 - Huge growth of media sector
 - Emerging countries
 - But this remains fragile



- Use of music in Canada by businesses is licensed through 3 main channels:
 - Authors’ and publishers rights in respect of Performance (Radio, TV, Cable, Live shows, streaming...) → SOCAN
 - Authors’ and publishers rights in respect of Reproduction (CDs, Downloads...) → CMRRA and SODRAC
 - Performers and Record companies rights in respect of Performance: → Re:Sound
- Complex
 - Hard to avoid since copyright is “a bundle of rights”...
 - But SOCAN working with CMRRA and SODRAC to unify “authors’ rights” part



SOCAN is Canada's oldest and largest Copyright Collective

Merger of CAPAC and PROCAN (1990)

Membership organization governed by member-elected board of directors

Collects Licensing fees based on tariffs set by the Copyright Board of Canada

336 employees. Run as a "business" with the highest efficiency and corporate governance standards



Operations



Network Across North America



Roles Within the Canadian Music industry

**Improve
status of
members
at national
level**

**Long-time
supporter
of Canadian
content
regulations**

**Member of
Coalition
for Cultural
Diversity**



Notable writer members

Arcade Fire

Bryan Adams

Jann Arden

François Bourassa

Michael Bublé

Jane Bunnett

Robert Charlebois

Cœur de Pirate

Corneille

Deadmau5

Drake

Dragonette

Leonard Cohen

Lara Fabian

Feist

Jean-Pierre Ferland

Nelly Furtado

Carly Rae Jepsen

Hedley

Diana Krall

K'naan

Avril Lavigne

Jack Lenz

Gordon Lightfoot

Sarah McLachlan

Metric

Joni Mitchell

Stephan Moccio

Nickelback

Michel Pagliaro

Luc Plamondon

Johnny Reid

Simple Plan

Don Thompson

Gilles Vigneault

Roch Voisine

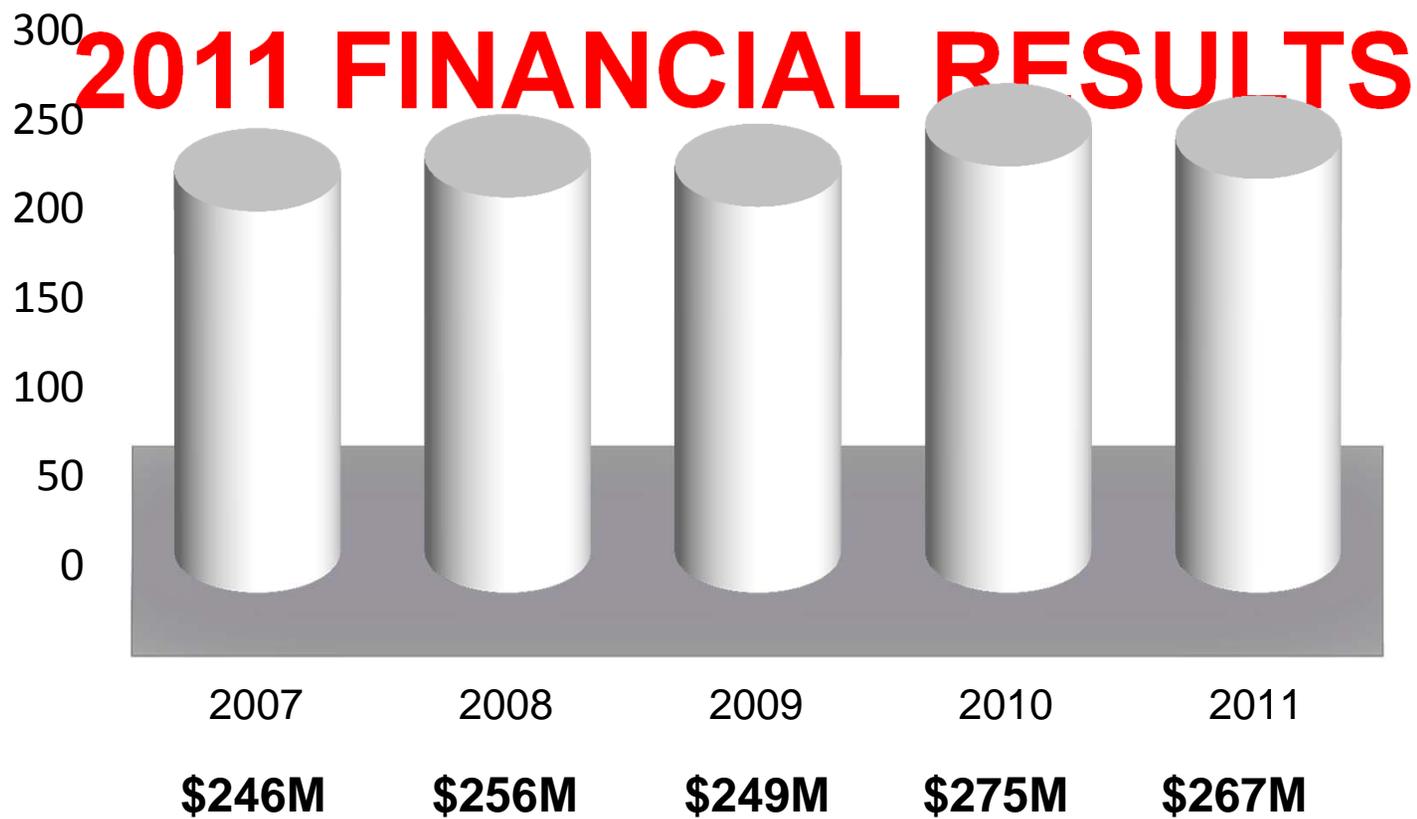


Membership overview



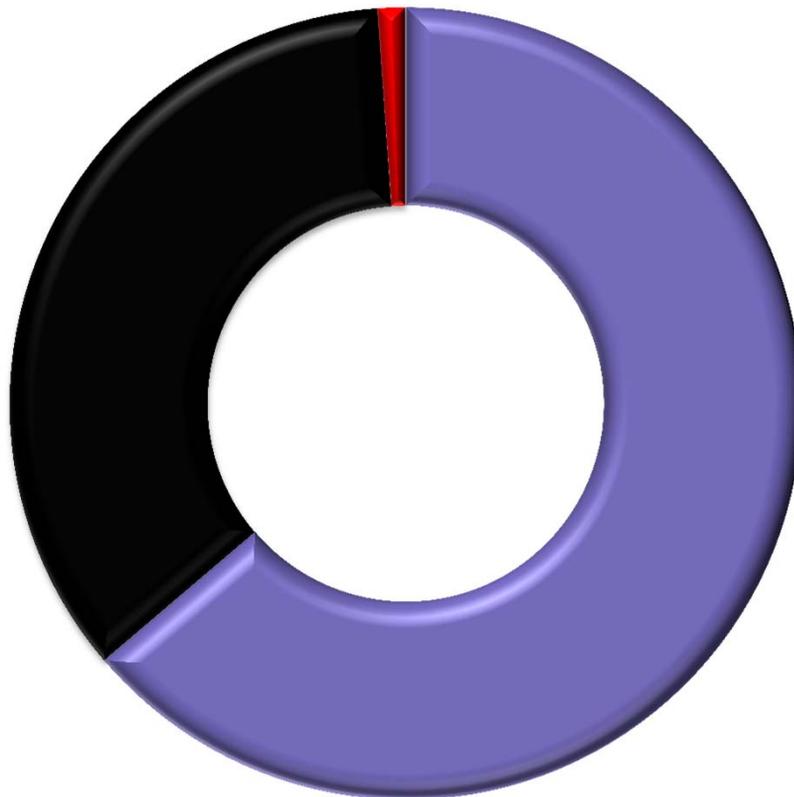


Revenue: 5-year trend





2011 Total revenues: \$276 million



Domestic Revenues

\$218M

Foreign Income

\$46M

Private Copy Revenues

\$3M



A bit more detail...

DOMESTIC REVENUES BY LICENSEE TYPE

MEDIA	Radio	\$59.9M
	Television – Cable	\$59.1M
	Television – Broadcast	\$44.3M
	Pay Audio	\$2.7M
	Hotels, Motel Services	\$0.2M
NEW MEDIA	Internet	\$7.1M
	Satellite Radio	\$9.9M
	Ringtones	\$0.9M
GENERAL LICENSING	General	\$17.5M
	Cinema	\$0.7M
CONCERTS	Concerts	\$16.1M

TOTAL DOMESTIC REVENUES : \$218.4M



Big Issues

- Copyright legislation: Bill C11
 - Status quo for SOCAN
 - Private copy
 - ‘User-Generated’ Content
 - Exceptions
- Supreme Court of Canada July 2012 decisions:
 - Out of step with rest of the world...
 - Except the US...
- Attitudes towards copyright



SOCAN

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Merci!
Questions?
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