

COPYRIGHT COLLECTING SOCIETY
CUSTODIANS OF AUTHORS AND PUBLISHERS

VG MUSIKEDITION ABOUT US



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VG Musikedition is a copyright collecting society in the legal form of an economic association. It assumes numerous copyright and remuneration claims on behalf of its members (publishers, composers, lyricists and editors), which for practical and legal reasons can only be assumed collectively in Germany, in other words by a copyright collecting society. This enables music users to exploit copyrighted works legally in an easy manner.

The members of VG Musikedition create intellectual property. Protecting their creativity and asserting the claim for adequate remuneration are some of VG Musikedition's most important tasks.

As a copyright collecting society, VG Musikedition is subject to among others the supervision and control of the German Patent and Trade Mark Office in Munich. The General Meeting of Members, the highest decision-making body, elects an Administrative Council as supervisory board und various experts onto specialist committees. To manage business matters, the Administrative Council appoints full-time management, which forms the Board in terms of the German Civil Code [BGB].

After deducting administrative costs (less than 10%), all VG Musikedition's income is passed on to the members, in other words to the copyright holders. As a non-profit organisation, VG Musikedition itself does not make any profit whatsoever.

WHICH RIGHTS DOES VG MUSIKEDITION EXERCISE?

Due to changes in the law, which are often reactions to the rapid expansion of the digital world, the volume of rights and remedies that are exercised by VG Musikedition constantly increases. The most important areas of activity are:

ARTICLE 46 COPYRIGHT ACT / ARTICLE 60B COPYRIGHT ACT [URHG]

VG Musikedition exercises the rights (statutory claims for remuneration) that are derived from Article 46 and Article 60b Copyright Act:

Article 46 Copyright Act makes it possible for users (e.g. publishers) to use protected works in the context of collections, which by their nature are designed for religious use, without the copyright holder's consent, but by paying remuneration.

And according to Article 60b Copyright Act, producers of media collections for teaching and education may reproduce, distribute and make available to the public song lyrics without special approval, however, also against paying a remuneration. Media collections for teaching and education in terms of Article 60b Copyright Act are collections that combine the works of a larger number of copyright holders and are intended exclusively to illustrate the lesson and training at educational institutions (e.g. schools, adult education centres or nursery schools). For acquisitions in terms of Article 60b Copyright Act, the remuneration can by law only be asserted by a collecting society. In order to allow the producers of media collections for teaching and training a uniform and streamlined licensing process of works of music – consisting of song lyrics and

sheet music – that is to be included in media collections for teaching and education, VG Musikedition was mandated to exercise the rights of use to graphic recordings of works of music (sheet music) provided use occurs in the context of Article 60b Copyright Act.

ARTICLE 53 (4) COPYRIGHT ACT (COPY LICENCES FOR CHURCHES, SCHOOLS, MUSIC SCHOOLS, ADULT EDUCATION CENTRES, NURSERY SCHOOLS AND SENIOR CITIZENS HOMES)

According to Article 53 (4) Copyright Act, the graphic reproduction of works of music, in other words copying sheet music and song lyrics, is prohibited without exception. The few exceptions hardly matter.

VG Musikedition in turn has been instructed by its members to licence exceptions for certain user groups. Thus there are contracts with denominational and non-denominational churches that generally allow photocopies (reproductions) to be made in a limited number for congregational singing during a service and other community events. In addition, music schools, adult education centres, nursery schools, senior citizens homes and other non-profit institutions of education and further education also have the possibility to acquire "copy licences".

With regard to copying in general schools, there is a lump-sum contract with the Standing Conference of the Ministers of Education and Cultural Affairs of the states. This agreement allows teaching staff to make copies of sheet music and lyrics (exclusively) for the use in lessons, without this requiring additional approval.

COOPERATIONS

ARTICLES 70/71 COPYRIGHT ACT (SCIENTIFIC EDITIONS AND FIRST EDITIONS)

The ancillary copyright according to Article 70 Copyright Act comprises the protection of scientific editions. This means: Editions of sheet music that are the result of scientific activity and differ substantially from previously known editions, enjoy 25 years of extensive copyright protection. The same applies to first editions (Article 71 Copyright Act). Anyone who has a previously unreleased work released legally for the first time has the exclusive right to exploit this work. The performance rights, special right or mechanical reproduction rights as well as the thus resulting remuneration claims derived from Articles 70/71 Copyright Act are to be acquired from VG Musikedition – not from GEMA.

COPYRIGHT MANAGEMENT

Beyond this, VG Musikedition can administer further rights for or assume additional collection mandates from its members. Thus it was commissioned by numerous publishers to exercise the performance rights to musical comedies, musicals etc. if it concerns scenic performances (grand right) in churches or schools. VG Musikedition also provides services in copyright management to its members, for example when managing and administering reproduction queries.

In many areas, VG Musikedition works closely with its sister companies at home and abroad. Thus there are reciprocal agreements with collecting societies in, among others, Austria, Switzerland, France, Belgium, Luxemburg, Spain, Denmark, Finland, Norway, Iceland, USA, Australia, New Zealand, South Korea and Hong Kong.

An intensive cooperation with GEMA exists in Germany. Together with VG Wort and VG Bild-Kunst, VG Musikedition forms the “Central Office for Photocopies for Schools” (ZFS), which has concluded a lump-sum contract with the Standing Conference of the Ministers of Education and Cultural Affairs of the states on producing photocopies at schools. Finally, VG Musikedition is a shareholder of the “Central Office of Public Lending Rights” (ZBT) which has concluded a blanket agreement with the federal government and the states on the lending process in public libraries.

MEMBERSHIP

The following can become members of VG Musikedition:

- Publishers/Publishing Houses
- Composers
- Lyricists
- Publishers of scientific editions and first editions

Membership of VG Musikedition is free of charge and there is also no acceptance fee which also makes membership attractive for those copyright holders who only occasionally create copyright protected works. Aside from the financial advantages, every member has the possibility to participate in the annual General Meeting of Members. And last but not least, the General Meeting of Members adopts the allocation plan for the distribution of income.

COMPANY INFORMATION

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