

LESI Webinar

COPYRIGHT AND CMO: A LOVE/HATE RELATIONSHIP

Thursday, 20 August 2020 9 p.m.

(Singapore Time)

1 p.m. GMT / 2 p.m. BST/WET / 9 a.m. EST

Organised by LESI Copyright Committee



Online Registration Link (Webinar via Zoom):

https://us02web.zoom.us/join/register/tZcudu2prjMiE9ceBNb_bglvvlo34Flq8FByB

For more information about this event, visit:

<http://www.lesi.org/events/upcoming-events/2020/08/20/default-calendar/lesi-copyright-licensing-committee-copyright-and-cmo-a-love-hate-relationship>

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COPYRIGHT AND CMO: A LOVE/HATE RELATIONSHIP

Collective Management Organisations (CMOs) are often considered necessary evils in monetising copyright. Nombreuse works and users make it inefficient for each to license or be licensed directly.

With a few exceptions, CMOs are monopolies in their countries for the rights they represent. Unlike other copyright holders e.g. publishers and film producers, management of copyright is the sole purpose of a CMO's existence. They have no other functions.

For these reasons, CMOs have come under increasing scrutiny. The imbalance of power innate in monopolies have resulted in regulators stepping in. For the copyright owners, these regulations should protect their interests by ensuring transparency and accountability. For the copyright users, the regulations should encourage competition to promote efficiency.

Where there are too many CMOs, inefficiency may result. Governments have also attempted to regulate these markets, albeit for different reasons. In 2014, European Union passed a directive on CMO and multi-territorial licensing. The same year, Indonesia introduced a new copyright law with provisions regulating CMOs. Thailand has been trying to do the same for a decade. The Singapore government has in June 2020 published a consultation paper on this subject. A law regulating CMOs is likely to be passed within the next two years.

In the age of Netflix and YouTube, materials uploaded at one end of the globe is accessed at another. This webinar attempts to explore a myriad of experiences. Hopefully, it will equip us with the know-how to handle different cultures and copyright ecosystems when penetrating new markets.

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SPEAKERS

Candra N. Darusman - Indonesia



Mr Candra Darusman is the Chairman of the Indonesian Musicians Union Federation (FESMI) as well as an independent creative consultant. FESMI was born through the International Federation of Musicians (FIM) and the Association of Singers, Songwriters and Musicians of the Republic of Indonesia (PAPPRI). This union aims to see that the rights of professional categories are recognised, protected and promoted.

He has previously held positions as a consultant to the World Intellectual Property Organisation (WIPO), a general manager of the Indonesian Collective Management Organisation (KCI) and as a director of the Indonesian Musicians Cooperative (KOSMINDO).

Rene Houareau - Germany



Mr Rene Houareau is the Managing Director of Legal & Political Affairs for Bundesverband Musikindustrie e.V. (BVMI). BVMI represents around 250 record carriers and music companies, representing more than 80% of the German music market. The association is devoted to the concerns of the music industry in German and wider European politics and serves the public as a central contact for the music industry. It is also a member of the International Federation of the Phonographic Industry (IFPI).

He has previously held positions as a Business & Legal Affairs Managers for Universal Music Group and has studied both in Germany and China.

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Orabund Panuspatthna - Thailand



Ms Orabund Panuspatthna is an Associate Professor of Law and Director of Legal Aid at Chulalongkorn University where she has been teaching Intellectual Property for more than 10 years. Chulalongkorn University is a comprehensive and research-intensive university. It is ranked the best university in Thailand by various surveys and rankings.

She is also a member of the copyright and trademark committee for the department of Intellectual Property, Ministry of Commerce.

Edmund Lam - Singapore



Dr Edmund Lam is the Chief Executive & Director of the Composers and Authors Society of Singapore Ltd (COMPASS). COMPASS is a non-profit public company which administers the public performance, broadcast, diffusion and reproduction rights in music and musical associated literary works on behalf of its members. It is the largest CMO in Singapore in terms of membership and royalty collections.

He was also the Regional Chairman of CISAC for the Asia-Pacific region from 1999 to 2010. CISAC is the International Confederation of Societies of Authors and Composers founded in 1926 with its HQ office in Paris, representing more than 200 member societies from 103 different countries.

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Eu-Yen Tay - Singapore



Eu-Yen is an independent legal academic and entrepreneur. She has 15 years of experience in nightlife and F&B. It started when she co-founded the iconic club, The Butter Factory. Under The Butter Factory Group and now, Coterie Concepts, Eu-Yen has set up and managed numerous F&B outlets and other related businesses including events and DJ management. She is a founding member of the Singapore Nightlife Business Association and sits on the Advisory Board of the Asia Law Network.

She is a former disputes lawyer and spent a year as an Assistant Professor of Law at Singapore Management University. More recently, she has published several papers on the intersection between law and enterprise, focusing on F&B. Eu-Yen has a Masters of Studies in Legal Research with Distinction from Oxford University and is called to both the bars of England and Singapore.

MODERATOR

George Hwang - Singapore



Mr George Hwang is the founder and director of George Hwang LLC, a boutique firm specialising in IP/IT and Media Law. He has more than 20 years of working experience. This includes being the General Manager of an international music publishing company in Hong Kong close to 50% of the market share in copyrighted works. His IP and Media law experience includes appearing in the Court of Appeal in Singapore and advising on industry agreements.

Besides being a Content Partner of Lexis Practical Guidance for IP/IT: M&A and Finance, he has been published in various international refereed journals. George is the Immediate Past President of LES (Singapore) and the current Vice-Chair of Copyright Committee, LESI. He has also been a member of the Law Society of Singapore's IP Committee for the last 8 years.

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