



fair music

Intellectual Property and Fairness in the Music Business – International Experts struggle for exemplary Balance of Interests

Beijing (Peking), 11 October 2007 – For the first time, an attempt is being made in the field of culture to achieve a balance of interests between the right to intellectual property and the right to participate in world culture. The “2nd World Forum on Music” of the International Music Council (IMC) in Beijing this Friday brings together representatives from the WIPO (World Intellectual Property Organization), royalty collecting societies and artists, the International Musicians’ Union, the Electronic Frontier Foundation (EFF), one of the globally most prominent civil rights initiatives, as well as Creative Commons and the fair music initiative. The discussion-process on “Intellectual Property Rights” (IPRs) is anchored by the International Music Council (IMC), the top-level umbrella-organization of music-related NGOs associated with UNESCO. The debate seeks a balancing of interest within the framework the “Musical Rights” of the IMC. Moderator and chair of the IPR-Panel is Peter Rantasa, a member of the IMC’s board of directors and the initiator of fair music, the first global initiative for justice and fairness in the music business.

Rights for Everyone

Every person has the right to the protection of his/her intellectual property, which guarantees him/her recognition as the creator of a piece of work, including a fair percentage of the revenue generated by their creative works. In an age of digital cultural productions and marketing, there is often a collision between the protection of intellectual property on one hand and, on the other hand, the general right to partake of world culture. The current, internationally inconsistently regulated copyright is no longer adequate to the structural changes within the music business brought on by digitisation. It is also no longer able create an urgently needed balance of interests free of contradictions between the right to fair compensation for those who create music and the right of people to have access to world culture in all its diversity.

International Discourse

“Although, in recent years, attention for the necessity of intellectual property rights has grown enormously against the backdrop of globalisation and digitisation, until now no consensus has been found in the music sector,” Peter Rantasa, chairman of the panel discussion, director of mica and founder of the initiative fair music, states. Rantasa says, it is no coincidence that the topics of globalisation and digitisation appear simultaneously and he also gives the reasons for the current situation: “Rich countries, artists and industries logically defend their positions. Openness for a new and innovative approach which meets the requirements of a model orientated towards a balance of interests is to be found among those who have been refused access to global markets.” For years there have been efforts at an international level to harmonise countries` legal regulations. This process, however, is accompanied by various interests from politics, the business world and society at large. The fundamental questions of cultural diversity, access to and participation in musical cultures, the gap between industrial and developing countries, or the imbalance in the distribution of profits do not receive proper attention in the public discussion.

A Fair World of Music

“New models such as `creative commons`, `global licensing` or `cultural flat rate` are already being broadly discussed and are being supported by national and international initiatives,” declared Rantasa ahead of the international conference in Beijing. At the same time, royalty collecting societies, which serve an important role for creators, got under extreme pressure. This mainly occurs in Europe, because of the existing regulations on competition. They need support especially in small countries. The fair music initiative launched by Rantasa is a current example of designating innovative business models, which make the contours of a fair and future world of music visible even today.

fair music stands up the establishment of fair rules and regulations in the music business: besides the important balance of interests in the field of intellectual property, fair music strives for the protection of artistic freedom, well-balanced contracts for musicians, fair remuneration for composers and musicians, as well as a fair distribution of opportunities for smaller producers worldwide, and especially for musicians of the Global South. fair music adopts the idea and empirical knowledge of the Fair Trade Organisations and takes it to the world of cultural goods and services. It is committed to the development of standards of fairness for the music industry. Together with the International Music Council (IMC) and music and cultural NGOs, fair music is developing standards music products and distribution channels must meet in order to receive a fair music seal of approval. Consumers are supported by this quality certification, which makes transparent where music was produced

and marketed under fair conditions within the given legal frameworks. At the 2007 Ars Electronica Festival, the fair music award given for the first time ever to companies and initiatives like Tonga.Online and Freibank Music Publishing for their achievements for fairness in the music business. The online platform www.fairmusic.net offers both the latest information and an opportunity to join the initiative.

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