

# MILESTONE 6

## WORKING GROUP MEETING 1

*PROJECT NO. 101053802 — LSE II*



# DISCLAIMER

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# WORKING GROUP CMO'S

On Tuesday 19<sup>th</sup> of December 2023, Live DMA organised the first session of a working group about the relations between CMO's (collective rights management organisations) and live music associations (online).

Following informal Live DMA members' exchanges that led to a letter addressed to GESAC in order to express challenges on fees negotiations and transparency with CMO's, Live DMA started a resource sheets on tariffs and testimonies (interviews) on that topic (available on Live DMA website: <https://www.live-dma.eu/author-rights-societies-in-europe/>). During the Members Day, on May 2023, Live DMA members were asked to propose topics regarding the next working groups to implement and the relations with CMO's were chosen. This working group aims at answering the priority of Levelling-up the conditions for live music and fairness in the live music sector by providing support to national members in their negotiations with authors' rights societies, and inform or alert, if necessary, to the European Commission on abusive positions or actions in this field.

**Working Group (WG) – Relations between CMO’s (collective rights management organisations) and live music associations**

Online

Live DMA members often share concerns about their relationship with CMO’s and testify about misunderstandings between them, unbalanced negotiations and even abuse of position. This WG offers an online space for peers to peers’ exchange. Based on the resource collected and problems already identified during previous meetings (see below), Live DMA members can share problems encountered at national level, and get support and expertise from members in other countries. The objective is to reinforce the positions of Live DMA at national level and increase their capacity to negotiate fair deals with the CMO’s. It might also lead to collective actions to the European level, through a joint letter to the European Commission for instance?

**RESOURCE**

**TARIFF RATES :** <https://www.live-dma.eu/author-rights-societies-in-europe/>

Identified problems by Live DMA members	Live DMA members recommendations
TRANSPARENCY	
Difficult access to revenues figures of the CMO’s	These numbers are available (as CMO are public/publically funded) but it is hard and laborious to find the info >> have a research on this / spend time on each CMO website?
Lack of understanding of copyright law from the live music sector (venues & representative association)	Better access to info sessions
No access to redistribution details to the artists	Connect with artists and managers to join strengths. <a href="#">Blockchain technology</a> as a solution?
What cooperation between the different CMO’s when booking artists from abroad?	Access agreements
FEES	
Big difference between venues and festivals	
Calculation of rates unfair: counts the bar and not only the visitors (ticketing)	Calculate the fees only based on ticketing incomes
Difficult rate for free events	
Sometimes, CMO do not have a clear understanding of the live music sector. Ex in Estonia: CMO does not define what is a club. They still use the word discotheque	Talk with CMO representatives to explain how venues/clubs work and agree on national definitions. But it's hard to find a single interlocutor.
CMO tariff to be paid on top of artist fee, it is not reduced from it	Ensure a fair redistribution of the fees to the artists who actually performed in the venues
Unbalance consultation/participation/consideration of live representatives in the negotiations	
Live music organisers sometimes pay a fee when booking artists although they are not part of the CMO’s catalogue	<a href="#">Blockchain technology</a> as a solution?