



IP and Growth Review Call for Evidence – ISPA Response

ISPA

The Internet Services Providers' Association (ISPA) UK is the trade association for companies involved in the provision of Internet Services in the UK. ISPA was founded in 1995, and seeks to actively represent and promote the interests of businesses involved in all aspects of the UK Internet industry.

ISPA's membership includes small, medium and large Internet Service Providers (ISPs), access providers, content providers, web design and hosting companies and a variety of other organisations. ISPA currently has over 210 members, representing more than 98% of the UK Internet access market by volume. ISPA was a founding member of EuroISPA, the European Internet Service Providers' Association based in Brussels, which is the largest umbrella organisation of ISPs globally.

Introduction

ISPA welcomes the opportunity to respond to this review. Intellectual property is a cornerstone of a thriving economy, both digital and non-digital. However, we are encouraged by the Review's focus on potential barriers to growth and innovation caused by the framework. As acknowledged in the review's introduction, this is the latest in a long line of reviews into intellectual property, following on from the Digital Britain Report and the Copyright Strategy in October 2009. There has also been a great deal of work undertaken by other organisations, such as SABIP and WIPO, so we hope to see something different and tangible come from this review.

We are aware that the review is seeking evidence to help inform judgment on the framework and recommendations. As a trade association representing a variety of different companies who offer Internet services, from Internet access to content and hosting, we have tried to provide examples where possible. Commercial sensitivities and ongoing negotiations have however limited what we have been able to include.

Rather than addressing the individual questions directly, ISPA has chosen to structure its response thematically, taking into account the questions the review poses. Our response relates to copyright and is primarily focused on members' experience with music rights holders to license services, but also includes detail on other creative industry sectors where stated.

In our submission ISPA will show that there are problems with the existing legal framework and the way it is enforced, as well as problems with the practices and attitudes of different rights holders.

Barriers to innovation and growth

- It is extraordinarily complex and costly to provide an online music offering;
- The framework has allowed rights holders to develop unhelpful practices and behaviours that make offering content impractical;
- There is a reluctance to launch fully licensed services to offer users what they are demanding;

- Failure from certain rights holders to seriously engage with new digital revenue streams.

Possible solutions

- Explore the possibility of a mandatory music registration, repository and licensing platform that serves and connects independent artists, labels, collecting societies and online music distributors, with a range of innovative licensing possibilities (direct and collective);
- Recommend that existing laws be used to enforce copyright online rather than looking to create new or strengthening new ones and politicising a market issue;
- If anti-piracy measures are placed on online intermediaries they must be proportionate, follow a beneficiary pays principle and be balanced by reform to the licensing framework;
- Minimum standards for collecting societies should be established to ensure transparency;
- Where possible, simplify and improve awareness of the copyright system.

Problems with the current copyright framework

When negotiating rights clearance and securing licensing needed to offer consumers content services is a challenge for service providers. In addition, often complex contractual obligations are wrapped around intellectual property rights. As the Copyright Strategy notes, these complexities result from the law itself and from rights holders' business practices. This is further hampered by difficulties and the significant costs associated with:

Lack of fully licensed services

The reluctance of rights controllers to fully licence digital service providers, and to license innovatively, to meet customer demand is preventing growth and innovation in the digital age. This is particularly the case in the context of music licensing. There are excellent examples of fully licensed digital music services that are meeting consumer demand – such as We7 and Spotify, although these are currently loss-making businesses¹ - and we are keen to see more develop to satisfy this growing market for quality online content which, according to research, 85% of young people want to see.²

To secure a fully licensed service, negotiations with multiple rights holders may be expensive, drawn out and the outcome unassured and may contain arbitrary anti-piracy or user behaviour measures as part of the deal. Furthermore, complex contractual obligations in the reproduction, performance and making available of both musical works and sound recordings, means that there is no guarantee of securing a fully licensed service. So considerable are these costs and so demanding on internal resources, that most online service providers, even the bigger players, cannot justify them. They do not fit with a profit-making digital business model.

Short term deals

Short term deals with no obligation to renew are problematic as a one year term will in most cases be considerably shorter than the planning processes for a large operator, making it impossible to predict the terms on which a service will be operating as it is rolled out across a

¹ <http://www.mediaweek.co.uk/News/MostRead/1053472/online-music-services-money/>

² http://www.ukmusic.org/assets/media/uk_music_uni_of_herts_09.pdf

customer base. Short term deals mean that new music services run the risk of losing the permission to continue to offer key catalogues and therefore disappointing customers. It also allows the rights holder to impose new and onerous obligations on the service provider at short notice, which creates uncertainty in the development of the service.

Direct licensing

Another issue is that the largest music rights holders often choose to license directly. Problems with direct licensing are that costs are multiplied and each licensor is able to set terms and rates that critically damage the viability of a service. ISPs would prefer to access music rights through an aggregation platform. Ensuring that licensors negotiate through a collective or wholesale clearing house would assist licensees, simplify transaction costs and would not only contain a registry of potential rights holders but also indicate prices different sellers might ask for the licence on their work.

Complex rights management and reporting requirements

Apart from the complexity in obtaining the correct suite of licences from multiple players for music and music video, there is no standard format for identifying audio and audio-visual digital assets. Many music rights controllers currently use a range of formats to identify their music assets which requires labour intensive manual management and/or costly customised technology from those seeking to distribute music online. The collecting societies require reporting in an entirely different format. This leaves digital service providers footing the costs for the time and effort needed to process the information coming in from one source and to provide reporting in an entirely different format to another source, requiring investment in significant technological infrastructure beyond media players in order to provide the service. Examples of the current reporting information involved in online music licensing for digital content providers is attached at **Exhibit A (A.1, A.2 & A.3)**. There is increasing uptake of the DDEX metadata standard and it would be helpful if this could be explored across the European Union.

Single Online Platform for rights registration and direct and collective licensing

An alternative, workable framework is needed to deal with the online distribution of music, particularly as this may soon be the only form of music distribution. An independent platform could help revolutionise music licensing by:

- a. allowing music/music video owners to register music directly, identify assets using a standardised method (eg DDEX), deposit their asset for distribution and to opt-in to collective licensing bodies (PRS & PPL) or stand-alone, direct licensing; and
- b. allowing online distribution services to license songs via the Platform on the terms nominated by the owner, whether by direct licence or within a single or repertoire offering brokered by eg the PRS, all using the singular registration number for reporting.

Such an independent platform would provide the intermediary support needed to deal with the severe fragmentation that has arisen due to the multitude of players in the music industry and the failure of these players to keep apace with the digital environment. An *example* of a single platform model is attached at **Exhibit B**.

To further address some of these concerns we call on the Review to recommend that Government make the European single digital market a priority. A report by the European Policy Centre in April 2010 found that a digital single market would result in a 4% increase in gross domestic product in Europe over ten years, equivalent to €500 billion, and the lack of a Digital Single Market has constrained growth of European companies, especially in the Internet content field.³

Behaviour of certain rights holders around the framework

It is important to recognise that the creative industries themselves are a diverse field and different sectors have different attitudes and approaches to licensing content. Therefore, the experience of ISPA members in licensing content very much depends on the type of content that is being licensed. Some content sectors, such as publishing, are more willing to license content, adapt to technological developments and take risks than others, for example music. Other positive examples include sports rights licensing and video on-demand, so there are instances of innovation through licensing to meet demand. This shows that the framework is allowing certain players to obstruct innovation and growth rather than encouraging the Internet to be exploited for the benefits it brings.

Competition

A problem that some of our members face, in particular access providers, is that parts of the content industry are very concentrated. In the area of music licensing, this can lead to issues around market power and catalogues being held by a few rights holders.

When trying to negotiate deals, members also often face anti-piracy measures being inserted to deals as a condition of licensing content. For example, when trying to seek deals for content, to stand any chance of success, anti-piracy measures have been demanded which has made the licensing of content unfair, difficult and ultimately not financially viable. Our members will often be held to ransom by the larger rights holders who control all the big artists and rely on the fact that without their rights a viable music service could not be offered.

Collecting societies

Collecting societies play an important role in the IP framework and the growth of digital models. They are central to the use, performance and retailing of copyrighted works in the digital market. Based on our members' experience, we would encourage them to take a more commercially minded approach to licensing to improve growth and innovation in digital services. They should be required to maximise royalties for their artists and be subject to minimum standards. ISPA recommends that the review look at exploring minimum standards for collecting societies including in areas such as transparency, tariff publication, costs and accounts.

³ <http://www.epc.eu/dsm/>

Innovation

There is a considerable amount of research that suggests that revenue from online content would grow if new, innovative services were launched.⁴ After initial high levels of growth, revenue from digital music is increasing at a smaller pace and this is a clear indication of the need for more innovative services and licensing to meet consumer demand.⁵ Recognising that physical products are never sold with advertising is the first step to understanding the different proposition the Internet offers for IP exploitation. Huge audiences, consumers and fans can be accessed on the Internet without the costs of physical production, physical distribution to physical stores. Just as distribution and format is different online, different ways of monetising this online audience must be opened and explored. Recognising that physical products are never sold with advertising is the first step to understanding the different proposition the Internet offers for IP exploitation. Huge audiences, consumers and fans can be accessed on the Internet without the costs of physical production, physical distribution to physical stores. Just as distribution and format is different online, different ways of monetising this online audience must be opened and explored.

One way of innovating would be through advertisement-funded models, which is how content on the Internet is largely funded. Traditionally, music, unlike other rights holders, has not had to rely on advertising as a principle form of revenue. This presents itself as a challenge for music rights holders and we have not seen a willingness to adequately engage in models that are largely ad-funded to the extent we would like. Until there are serious efforts to engage with the Internet industry on the creation of various free-to-use, ad-funded models, there will be a continued lack of innovation and thus growth.

Returning to the example of music, there has been a tendency to license based on a per stream or per download basis which has thus far proved unsustainable for digital service providers (eg Spotify). Licence fees can be based on other indicators. Ad-funded models as mentioned above, where for example the licence fee is based on a fixed percentage of advertising revenue (regardless of the size of advertising revenue or number of downloads), means guaranteed income for all parties. Licence fees in this context grow commensurate with the advertising revenue earned based on the popularity of the site/music.

In addition, some of the rights holders can often show an unwillingness to move away from their traditional licensing models to more innovative customer-led models which effectively blocks the launch of new and innovative services. For example Music Labels have been reluctant to offer subscription music bundles despite the proven demand for bundled services by customers in other areas. As a result the growth of innovative online music services over the last few years has been limited.

Complexity of the Law and Modernity

Copyright laws can be complex and confuse users. As noted by the Copyright Strategy: the rules seem to create “a *perception of an unreasonable, unfair, constraining framework that*

⁴ <http://www.bpi.co.uk/press-area/news-amp3b-press-release/article/digital-music-services-could-earn-uk-jps-c2a3100m-by-2013.aspx>,

⁵ <http://www.ifpi.org/content/library/DMR2010.pdf>

*circumscribes what the user does and wants to do in their daily life*⁶. The legal framework must change to ensure public legitimacy of copyright or we run the danger that the system is antagonising customers which may be exacerbating the problem of unlawful file-sharing.

There needs to be clearer rules on what happens to content and licensing when it goes from non-commercial to commercial, something which frequently happens online in social media and user generated content. Technology means the capability to create, use and distribute copyright works is now in the hands of the individual rather than rights holders. As the Director General of WIPO recently said, *“we need to accept the inevitability of technological change and to seek an intelligent engagement with it”*⁷. There needs to be a better system to manage the process so that innovation is not stifled whilst still protecting IP.

Small and medium ISPs

ISPA welcomes the Coalition Government’s recognition of the importance of SMEs to economic recovery and growth. ISPA’s membership includes a number of small and medium sized ISPs. The experience from our SME members has indicated that dealing with rights holders and the licensing system to offer content has been frustrating as rights holders tend not to engage with smaller players. Added to this, some rights holders demand advance payments and deal and delivery fees, which can be prohibitive to small and new companies launching a service.

Whilst smaller ISPs do not necessarily see the offering of content as their core business and may not be in a current position to want offer content to their customers, for the market to really innovate we would like to see the framework and attitude of rights holders made more inclusive for SMEs and start-ups to at least have the possibility of offering content.

Enforcement of copyright

To boost innovation and growth, the review should focus more on reforming the licensing framework to make more content available, rather than looking to strengthen an already exhaustive enforcement regime which can impact on Internet companies’ ability to innovate.

The Internet has made it counter-productive to try and enforce copyright law against all those who, for example, upload a video which may sample copyrighted material. Added to this, users may be confused as to what is or is not copyright infringement.⁸ So when seeking to enforce copyright, practicalities need to be considered; it is disproportionate to put large resources into attempting to find all those who break copyright law for personal, non-commercial reasons. It may be proportionate for the *hosting* service to take down potentially infringing material upon notice, until the rights holder settles the matter using the existing framework.

A common argument voiced by rights holders is that new powers are needed to enforce copyright on the Internet because it is too impractical and expensive to undertake legal cases. ISPA feels that before any new legislation is brought in, existing powers to enforce copyright online should be fully explored. We are in a position where some rights holders are not fully committed to

⁶ Copyright Strategy, <http://www.ipo.gov.uk/c-strategy-digitalage.pdf>, at para.65

⁷ http://www.wipo.int/about-wipo/en/dgo/speeches/dg_blueskyconf_11.html

⁸ <http://www.consumerfocus.org.uk/news/more-must-be-done-to-make-consumers-aware-of-legal-options-to-buy-music-online-before-an-enforcement-approach-is-taken>

licensing content for digital models but want protection from government to protect their inflexibility. If court system does not provide an effective and economically viable route to protect rights holders from online copyright infringement, then there is scope for reform in the courts system and procedures. Moreover, even if the costs of litigation to rights holders are high, this has to be balanced against users' rights and the rights of intermediaries secured by the existing court avenues.

The cost of enforcing rights should be borne by the beneficiaries and not intermediaries, such as ISPs. If one party wants to protect its rights then it should be their obligation to pay for it, be accountable if mistakes are made and face the associated negative publicity. Furthermore, recent cases involving law firms who target individuals with 'speculative invoicing' have shown the difficulty and problems involved with rights holders failing to use the legal framework properly and effectively.⁹ This has resulted in our members absorbing costs not associated with their core business and impacting on resources for innovation and growth.

⁹ <http://www.bailii.org/ew/cases/EWPC/2011/6.html>

The following exhibits have been provided by one of our content provider members and shows the level of reporting involved in online music licensing.

Exhibit A.1

Example Metadata Provided by Example Record Label

- * Highlighted fields being the information online distributors require to run their service .
- * The metadata is often updated and any updates need to be captured in the online distributors system. We have examples of updates occurring 20+ times for one song.
- * Additional notes in red.

```
<?xml version="1.0" encoding="utf-8" standalone="yes" ?>
- <product upc="006025177766**">
  <type>new</type>
  <territory>GB</territory>
  <prd_title>SongName</prd_title>
  <prd_version_title>Closed Captioned</prd_version_title>
  <prd_label_name>XYZ Labels</prd_label_name>
  <set_count>1</set_count>
  <track_count>1</track_count>
  <complete_product>Y</complete_product>
  <prd_length>0:03:36</prd_length> [Nb requiring translation into online distributor's media player format]
  <release_date>28-Jul-2008</release_date>
  <genre>Pop</genre>
  <series_name />
  <prd_explicit_lyrics>N</prd_explicit_lyrics>
  <prd_e_marketing_tag />
  <local_product_number />
  <p_line>(P) 2008 ABC12 Records</p_line>
  <c_line>(C) 2008 ABC12 Records</c_line>
- <prd_pricing>
  <current_price_code>Unpriced</current_price_code>
  <current_price_effective_date>25-Jul-2008</current_price_effective_date>
  <new_price_code />
  <new_price_effective_date />
  </prd_pricing>
- <prd_contributors>
  <artist_name>ARTIST X</artist_name>
  </prd_contributors>
- <terms>
  <note />
  </terms>
  <prd_associated_products />
- <tracks>
- <track isrc="USUV70801248">
  <type>new</type>
  <volume>1</volume>
  <track_number>1</track_number>
  <track_title>SongName</track_title>
  <track_version_title>Closed Captioned</track_version_title>
  <track_hierarchy_title />
  <asset_type>VIDEO</asset_type>
  <track_length>0:03:33</track_length>
  <track_label>ABC12 Records</track_label>
  <track_explicit_lyrics />
  <track_genre>Pop</track_genre>
  <track_e_marketing_tag />
  <track_owning_label />
```



```

<p_line />
<c_line>(C) 2008 ABC12 Records</c_line>
- <track_pricing>
  <current_price_code>Unpriced</current_price_code>
  <current_price_effective_date>25-Jul-2008</current_price_effective_date>
  <new_price_code />
  <new_price_effective_date />
  </track_pricing>
- <track_contributors>
  <artist_name>Artist X</artist_name>
  <performer>Director Y [Video Director]</performer>
  <performer>Director ZX [Video Director]</performer>
  <performer>Director W [Video Producer]</performer>
  <composer>Composer 1</composer>
  <composer>Composer 2</composer>
  <composer>Composer 3</composer>
  </track_contributors>
- <work_level>
  <work_id />
  <work_title />
  <parent_work_id />
  <parent_work_title />
  </work_level>
- <terms>
  <singles_restriction>N</singles_restriction>
- <master_use>
  <mu_permanent>N</mu_permanent>
  <mu_streaming>N</mu_streaming>
  <mu_burns>N</mu_burns>
  <mu_transfers>N</mu_transfers>
  <mu_limited>N</mu_limited>
  </master_use>
- <distribution_use>
  <channel name="Video Streaming">Y</channel>
  <channel name="Other Video">Y</channel>
  </distribution_use>
  <note />
  </terms>
  <associated_products />
- <associated_tracks>
  <associated_track_id>USUM70813***</associated_track_id>
  </associated_tracks>
  </track>
</tracks>
</product>

```

Exhibit A.2

Example Streaming Server Report

* Generated by AOL from serving logs

"Start Date", "End Date", "Clip Name", "Clip Title", "Referrer Domain", "Country", "Plays", "Offset Plays", "Other Renders", "Streams", "Known Visitors", "Time (HH:MM:SS)", "MB Xfd", "Complex", "Format", "Franchise", "Ref ID", "BC ID"

03/01/10,03/01/10,/aol/brightcove/aolmaster/1612833736/1612833736_69138261001_tt5-022810-undercover-700-h264.flv,"Dave Rife Undercover Boss White Castle 2/28/10 - TV's Top 5",unknown,US,300984,0,0,301717,190825,0:00:00,1492857.97,akamai_esw3c,flash,"Television: TOP 5",unknown,69131890001

03/01/10,03/01/10,/aol/brightcove/aolmaster/1612833736/1612833736_69129149001_tt5-022810-race-700-h264.flv,"Carol & Brandy on The Amazing Race 2/28/10 - TV's Top 5",unknown,US,231808,0,0,232076,158163,0:00:00,1007038.26,akamai_esw3c,flash,"Television: TOP 5",unknown,69111052001

03/01/10,03/01/10,/aol/brightcove/aolmaster/1612833736/1612833736_69186668001_mrush-030110-clip2-700-h264.flv,"Detective Work - Today",unknown,US,77025,0,0,77311,43473,0:00:00,366111.39,akamai_esw3c,flash,"Living: The Morning Rush",unknown,69189861001

03/01/10,03/01/10,/aol/brightcove/us/moviefone/clips/2010/lastsongthe_037683/lastsongthe_clipbts_01_460_h264.flv,"The Last Song - BTS Clip No. 1",unknown,US,49640,0,0,49666,35465,0:00:00,265641.04,akamai_esw3c,flash,"Movies: Trailers and Clips",unknown,68467867001

03/01/10,03/01/10,/aol/brightcove/aolmaster/1612833736/1612833736_69122553001_tt5-022810-SNL-700-h264.flv,"SNL Digital Short Flags of the World 2/27/10 - TV's Top 5",unknown,US,47296,0,0,47345,34391,0:00:00,222693.13,akamai_esw3c,flash,"Television: TOP 5",unknown,69126730001

03/01/10,03/01/10,/aol/brightcove/us/tv/interviews/2010/abc_bachelorthe_jakepavelka_460_h264.flv,"Jake Pavelka - The Bachelor - Interview",unknown,US,39852,0,0,40090,32857,0:00:00,385359.48,akamai_esw3c,flash,"Television: Interviews",unknown,68967264001

03/01/10,03/01/10,/aol/brightcove/aolmaster/1612833736/1612833736_69215906001_tt5-030110-today-pattinson-700-h264.flv,"Robert Pattinson on the price of fame 03/01/10 - TV's Top 5",unknown,US,35455,0,0,35580,25082,0:00:00,152532.95,akamai_esw3c,flash,"Television: TOP 5",unknown,69211096001

03/01/10,03/01/10,/aol/brightcove/aolmaster/1612833736/1612833736_69190475001_mrush-030110-clip3-700-h264.flv,"Kelly 2.0 - Regis & Kelly",unknown,US,34232,0,0,34320,22464,0:00:00,116850.66,akamai_esw3c,flash,"Living: The Morning Rush",unknown,69178020001

03/01/10,03/01/10,/aol/brightcove/aolmaster/1612833736/1612833736_69128897001_tt5-022810-Olympics-700-h264.flv,"Catherine O'Hara on 2010 Olympics 2/28/10 - TV's Top 5",unknown,US,32633,0,0,32659,21791,0:00:00,86717.35,akamai_esw3c,flash,"Television: TOP 5",unknown,69125145001

03/01/10,03/01/10,/aol/brightcove/aolmaster/1612833736/1612833736_69120313001_tt5-022810-48HOURMYSTERY-700-h264.flv,"Johnnt Depp on 48 Hour Mystery 2/27/10 - TV's Top 5",unknown,US,30596,0,0,30626,22654,0:00:00,122552.61,akamai_esw3c,flash,"Television: TOP 5",unknown,69125109001

03/01/10,03/01/10,/aol/brightcove/aolmaster/1612833736/1612833736_69120207001_tt5-022810-tildeath-700-h264.flv,"Doug almost nude on 'Til Death 2/28/10 - TV's Top 5",unknown,US,21547,0,0,21578,16072,0:00:00,56887.21,akamai_esw3c,flash,"Television: TOP 5",unknown,69111030001

03/01/10,03/01/10,/aol/brightcove/aolmaster/1612833736/1612833736_68337894001_mrush-022410-clip3-700-h264.flv,"Inked Up - Regis & Kelly",unknown,US,20134,0,0,20152,10626,0:00:00,101641.70,akamai_esw3c,flash,"Living: The Morning Rush",unknown,68342510001

03/01/10,03/01/10,/aol/brightcove/aolmaster/1612833736/1612833736_68946367001_tt5-022610-oprah-fallon-700-h264.flv,"Oprah gets Fallon's take on NBC shake-up 02/26/10 - TV's Top 5",unknown,US,19039,0,0,19064,14232,0:00:00,77071.20,akamai_esw3c,flash,"Television: TOP 5",unknown,68934712001

03/01/10,03/01/10,/aol/brightcove/aolmaster/1612833736/1612833736_68907803001_tt5-022610-view-thief-700-h264.flv,"Sherri admits to stealing a dress on 'The View' 02/26/10 - TV's Top 5",unknown,US,18619,0,0,18677,13715,0:00:00,92639.61,akamai_esw3c,flash,"Television: TOP 5",unknown,68907875001

03/01/10,03/01/10,/aol/brightcove/aolmaster/1612833736/1612833736_68914574001_tt5-022610-gma-gabbymom-700-h264.flv,"Gabourey Sidibe's mom talks about her vocation 02/26/10 - TV's Top 5",unknown,US,17394,0,0,17417,12870,0:00:00,81334.07,akamai_esw3c,flash,"Television: TOP 5",unknown,68909343001

03/01/10,03/01/10,/aol/brightcove/aolmaster/1612833736/1612833736_69184286001_mrush-030110-clip1-700-h264.flv,"Selfless Act - 'Good Morning America'",unknown,US,15785,0,0,15877,8451,0:00:00,38827.25,akamai_esw3c,flash,"Living: The Morning Rush",unknown,69182419001

03/01/10,03/01/10,/aol/brightcove/aolmaster/1612833736/1612833736_69188088001_mrush-030110-clip4-700-h264.flv,"Bring Her Home - 'The Early Show'",unknown,US,15770,0,0,15838,8727,0:00:00,78241.83,akamai_esw3c,flash,"Living: The Morning Rush",unknown,69179911001

03/01/10,03/01/10,/aol/brightcove/aolmaster/1612833736/1612833736_68946856001_tt5-022610-oprah-weir-700-h264.flv,"Johnny Weir teaches Ali Wentworth to skate 02/26/10 - TV's Top 5",unknown,US,15169,0,0,15180,11393,0:00:00,69951.85,akamai_esw3c,flash,"Television: TOP 5",unknown,68933191001

03/01/10,03/01/10,/aol/brightcove/aolmaster/1612833736/1612833736_68914533001_tt5-022610-view-regis-700-h264.flv,"Joy Behar gets grilled about 'going gay' 02/26/10 - TV's Top 5",unknown,US,14810,0,0,14829,11154,0:00:00,60685.25,akamai_esw3c,flash,"Food: Top 5",unknown,68909319001

03/01/10,03/01/10,/aol/brightcove/us/living/pawnation/2010/pawnation_petonstreet_wardrobe_460_h264.flv,"Paw Nation - Pet on the Street - Dog Wardrobe",unknown,US,14346,0,0,14388,11076,0:00:00,98932.14,akamai_esw3c,flash,"Living: Dog On The Street",unknown,63309818001

03/01/10,03/01/10,/aol/brightcove/ap/5184737001/5184737001_69121966001_0228dvs-chile-quake-wrap-x030a.flv,"Looters Storm Stores in Chile Following Quake",unknown,US,14218,0,0,14234,9884,0:00:00,83632.42,akamai_esw3c,flash,"NEWS: AP",unknown,69110429001

Exhibit A.3

Example of report produced for collecting societies in their required format

- 17 unique fields and 3 record types required (full report not shown)

Record Type	Format	Version	Extract Date	Reporting Company Name	Trading Name	Supplier Number	Purchase Order	Reporting Period Start	Reporting
0	JOLS	2.1	20081028	AOL UK		P0110		20080701	

Record Type	Company ID	Multi-track	Customised Realise	Release Title	Release Artist	Catalog Number	Data of Release	Duration
10	1478741	S	N	editors, session, munich	Editors			000353

Record Type	Reporting ID	Track ID	Work ID	Recording ISRC	Title	Artist	Writer	Publisher	Dur
11	1478741	1478741			editors, session, munich	Editors			000353

Record Type	Reporting ID	Territory Code	USage Type	Release Price	Price Currency	Premium Upgrade	Number of Streams
20		GB	ST	00.00	GBP	N	37606

Field1	Field2	Field3	Field4	Feild5	Field6	Field7	Field8	Field9	Fie
Record Type	Company ID	Multi-track	Customised Realise	Release Title	Release Artist	Catalog Number	Data of Release	Duration	
10	1478741	S	N	editors, session, munich	Editors			000353	

Record Type	Reporting ID	Track ID	Work ID	Recording ISRC	Title	Artist	Writer	Publisher	Dur
11	1478741	1478741			editors, session, munich	Editors			000353

Record Type	Reporting ID	Territory Code	USage Type	Release Price	Price Currency	Premium Upgrade	Number of Streams
20		GB	ST	00.00	GBP	N	37606

Record Type	Format	Version	Extract Date	Reporting Company Name	Trading Name	Supllier Number	Purchase Order	Reporting Period Start	Reporting
0	JOLS	2.1	20081028	AOL UK		P0110		20080701	

Exhibit B: Music Registration, Repository & Licensing Model

Please note that this has been provided by a content provider

