

## collecting\_society - Konzept #877

### reassign individual rights

04/04/2019 03:38 PM - Meik Michalke

<b>Status:</b>	Erledigt	<b>Start date:</b>	
<b>Priority:</b>	Normal	<b>Due date:</b>	
<b>Assignee:</b>	Thomas Mielke	<b>% Done:</b>	100%
<b>Category:</b>		<b>Estimated time:</b>	0.00 hour
<b>Target version:</b>	Prototype 1.1) API Specification	<b>Spent time:</b>	0.00 hour
<b>Description</b>			
<p>once a member assigned rights to us, there are four dimensions relevant for an optional reassignment that we should implement for both, the most flexible tools of administration for members and most compatibility with international counterparts:</p> <p>reassignment with regards to</p> <ol style="list-style-type: none"><li>1. individual works</li><li>2. individual rights (e.g., live performance vs. radio ariplay)</li><li>3. territory (e.g., europe vs. asia or germany vs. UK)</li><li>4. a period of time (e.g., withdraw assignment for two months)</li></ol> <p>we do already cover 1. and 2., but not yet 3. and 4.; from very early on, members have asked for possibilities to organize their own concerts without the need to involve their collecting society if they only play their own material. this can also be extended to pressing your own CDs or similar DIY-activities.</p> <h3>my proposals</h3> <p>no. 3. is a no-brainer and should be implemented on a nation state level.</p> <p>as for 4., this must be carefully designed so it doesn't backfire on members. however, i'd assume that members are capable of discriminating between their own will and something forced on them by promoters or companies. therefore i'd propose</p> <ul style="list-style-type: none"><li>• to link this to the arbitration board so that members can file complaints against entities who want them to waive their rights without their full consent.</li><li>• to evaluate the use of that reassignment option on a regular basis and keep the possibility to globally revoke the option temporarily if we come to the conclusion that it is being misused rather than used to the benefit of our members.</li><li>• it should be limited to DIY use or charity (members would need to declare this), i.e., not to the benefit of third parties beyond this.</li><li>• the use would still need to be registered, but at no cost.</li></ul>			
<b>Related issues:</b>			
Related to collecting_society - Webfrontend #715: Creation: change tariff cat...			<b>Erledigt</b>

### History

#### #1 - 05/16/2019 04:30 PM - Thomas Mielke

- Related to Webfrontend #715: Creation: change tariff category gui added

#### #2 - 05/16/2019 04:31 PM - Thomas Mielke

- Tracker changed from Unterstützung to Konzept

- Assignee deleted (Thomas Mielke)

- Priority changed from Normal to Niedrig

- Target version set to 6) Post Production

I'm quite critical giving event organizers such leverage. We should first do a survey on what features are actually important to our members before making things too complicated: For the moment it is possible to define the managing collecting society for a certain area of exploitation (aka tariff category) for distinct works. When it comes to also include regions and vacancy periods for inidual creations, this quickly goes beyond what is managable by a web user interface. I'd say: regions on a continent scale still would be possible but providing 120 nationalities to choose from for each creation times tariff category isn't feasible. If regional and temporal exclusion should really be an issue, we should implement this at a global level, meaning for all registered creations.

We'll keep this in the back of our heads...

**#3 - 06/04/2019 06:06 PM - Meik Michalke**

- Assignee set to *Thomas Mielke*
- Priority changed from *Niedrig* to *Normal*
- Target version changed from *6) Post Production* to *3) Testing phase III*

IIUC § 12 (1) VGG makes reassignments for territory mandatory: [https://www.gesetze-im-internet.de/vgg/\\_\\_\\_12.html](https://www.gesetze-im-internet.de/vgg/___12.html)

however, we don't have to support this on a work-by-work scale. we can limit the granularity regarding both individual rights (2.) and territory (3.) on a per-user level. i.e., both decisions would globally affect all registered works we represent.

this does not solve or even relate to 4. (period of time).

**#4 - 10/08/2019 03:39 PM - Alexander Blum**

- Target version changed from *3) Testing phase III* to *Repertoire 3) Testing phase III*

**#5 - 10/08/2019 03:54 PM - Alexander Blum**

- Project changed from *repertoire* to *collecting\_society*

**#6 - 12/01/2019 07:25 PM - Alexander Blum**

- Target version changed from *Repertoire 3) Testing phase III* to *Prototype 1.1) API Specification*

**#7 - 12/01/2019 07:31 PM - Thomas Mielke**

- Status changed from *Neu* to *Erledigt*

We will implement a time/territory-aware structure for the representation by a certain collecting societies (along with similar structures for copyright and neighboring rights management).

**#8 - 12/01/2019 07:31 PM - Thomas Mielke**

- % Done changed from *0* to *100*