

CCSMP30

Develop your awareness of copyright and how copyright can be used to generate income in a music business environment



Overview

This unit is an introduction to the law of copyright. Copyright is a property right that is intangible but it enables a copyright owner to control the uses of a copyright work.

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Performance criteria

- You must be able to:*
- P1 identify why lawmakers and governments have made rules to protect creativity and innovation
 - P2 identify the difference between owning a physical product and owning the copyright in that product
 - P3 identify what 'protected by copyright' means and the acts a copyright owner controls
 - P4 find out whether a work is still protected by copyright or if it is in the public domain and is, therefore, no longer protected
 - P5 identify potential strands of exploitation within the bundle of rights that make up a work
 - P6 explain the different ways in which these strands might be licensed separately to others in exchange for value
 - P7 recognise wording in an agreement that transfers part or all of a copyright in a protected work
 - P8 identify the kind of restrictions a copyright owner might place on a licensee when describing the exploitation they are allowing a licensee to carry out
 - P9 carry out simple royalty calculations and demonstrate an understanding of percentages
 - P10 identify situations where an infringement might have taken place and explain the kind of penalties that might be considered by the courts
 - P11 identify which copyright works are administered by collecting societies
 - P12 explain the difference between a performer and an author from a copyright law point of view
 - P13 explain how copyright fits into the area of the organisation in which you are working

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Knowledge and understanding

You need to know and understand:

- K1 copyright law as it applies to all the works that are protected
- K2 the history of protection of original creation and by statute
- K3 the works that attract copyright and what each category of work includes
- K4 the importance of knowing the identity of the author and/or the producer
- K5 “restricted acts” which cause a copyright to be protected.
- K6 how long copyright lasts for musical works, literary works, artistic works, dramatic works, films, broadcasts, cable programmes, sound recordings, published editions
- K7 how being the author is different from being the owner
- K8 what rights an author has including moral rights
- K9 the concept of copyright as property
- K10 how copyright is a bundle of rights, the strands of which can be licensed in exchange for money
 - K10.1 number of different ways
- K11 the importance of thinking about (a) territory, (b) period of time, (c) media and (d) the way a copyright is being used when planning to license a copyright work (or parts of it)
- K12 the difference between an exclusive and a non-exclusive licence
- K13 why it is important to document dealings in copyright and track the chain of ownership
- K14 the important things that should be included in a licence The importance of being able to check on income created in contracts that deal in copyrights
- K15 the rights and income that are administered by collecting societies and why these rights are not licensed individually
- K16 how the licence fees these collecting societies charge to users are set
- K17 what “infringing copyright” means, the difference between primary and secondary infringement, and the penalties for infringement of copyright
- K18 your organisation's policies for dealing with infringement of their catalogue
- K19 why designs, trademarks and patents are different from copyright
- K20 how confidential information and personal data are protected by law
- K21 the international nature of copyright, its economic value and how international bodies develop copyright policy around the world.
- K22 which works protected by copyright are important to the organisation
- K23 whether these rights are created internally and licensed to others or acquired, or both.
- K24 whether the licensing of rights is central to the organisation's commercial activity or whether it forms a part of another activity
- K25 know whether there are accepted rates or fees for copyright licensing in your organisation and/or whether there are external bodies that set fees

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- in your organisation's market sector
- K26 the key terms relating to copyright in the contracts that your organisation uses

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