

Screenrights is a non-profit company which administers copyright licences in Australia and New Zealand and collects similar royalties from Europe and North America for its 2,200 members from 51 countries.

June 2006

Feature: ISAN Australasia now launched

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Screenrights' response to proposed copyright changes

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This is an online newsletter. You can subscribe by emailing ota@screenrights.org

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ISAN International Agency
Chief Executive Patrick Attallah



ISAN Project Manager Mike Lynch



ISAN Australasia Launch in Sydney



Screenrights CEO Simon Lake with
Chief Executive Dinosaurlive Jill Bryant
at ISAN Australasia launch

Feature: ISAN Australasia now launched

Australian filmmakers can now take advantage of a new internationally recognised identification system for audio-visual works, with the launch of a local registration agency for ISAN (International Standard Audiovisual Number) in June.

Geneva-based ISAN International Agency Chief Executive, Patrick Attallah spoke to over 200 key players in the film and audiovisual industries during a week-long Australian visit to launch ISAN Australasia, the region's registration agency for ISAN established by Screenrights and APRA/AMCOS.

And, according to Screenrights Chief Executive Simon Lake, the visit was a success, with major stakeholders in the industry recognising the benefits of ISAN.

"Already the Film Finance Corporation, which has invested \$2.1 billion in 920 projects, has recognised the importance of ISAN, and requires all production funding agreements from this time onwards to carry this unique number," Lake said.

Other key industry organisations, such as the AFC and State film agencies have also indicated their desire to adopt the system. It is a trend reflected in other territories, with major studios and the Motion Picture Distributors Association also expressing a willingness to come on board.

"Widespread adoption of the ISAN identifier will strengthen the position of the Australian film industry with respect to commerce and compliance in the future," Lake said.

But what is ISAN and how does it work for filmmakers, writers, composers, advertisers, multimedia specialists and everyone else working in the audiovisual world?

Put simply, it is a unique, internationally recognised and permanent reference number for each work and its derivatives – such as a new episode of a television series, a film undergoing a language translation, a different version of an advertisement, or a computer game designed for different gaming platforms. In fact, an ISAN identifies works throughout their entire life and is independent of any physical form in which the work exists or is distributed.

The ISAN standard was approved and published in November 2002. The ISAN International Agency that administers the system is established in Geneva, Switzerland, with ISAN Australasia established by Screenrights and APRA/AMCOS to administer the system in the region.

Patrick Attallah said that prior to ISAN it was difficult for producers to manage rights and distribution of their work because separate identification standards exist in different countries and across a range of platforms.

"ISAN now enables filmmakers to spend less time trawling through multiple and complicated identification systems and get on with making films and realising the new business opportunities the digital world provides them. They can be comforted by the fact that their work will have a unique number which enables them, authorities, artists and other parties to identify their work quickly and easily," he said.

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In meeting with industry representatives, Attallah discussed potential applications for the system including:

- basic archive identification
- royalty management
- television program guide linking
- tracking the use of audiovisual works
- anti-piracy purposes such as verifying title registrations
- rights management
- audience measurement

With ISAN Australasia now up and running, obtaining an ISAN for your work is simple. The first step is to visit www.australasia-isan.org and apply for an account as an ISAN registrant, and wait for approval. This can be done by going to the "Create Account" section and downloading an application form. Once your account has been approved, you can then apply to have an ISAN assigned for your AV works. The procedures are explained in the ISAN Users Guide, in the "Downloads" section on the ISAN website.

International update: USA retransmission royalties

Screenrights International will be filing claims for calendar year 2005 USA retransmission royalties from 1 July 2006.

If your programs were broadcast in the United States during 2005 and you would like information about the claims process, you can email Maha Ismail: maha@screenrights.org

Screenrights International collects royalties for private copying and retransmission in the United States, Europe and Canada. Registration forms for the service can be obtained from our website: www.screenrights.org or by emailing maha@screenrights.org

Retransmission update

Screenrights and the pay television operators will go before the Copyright Tribunal in August to determine certain outstanding issues following the Tribunal's determination of a retransmission royalty rate in May.

Both parties will appear before the Tribunal on August 21 and 22. The issues to be determined include the question of retrospective payments for retransmissions of free to air broadcasts since March 2001.

On 3 May 2006, the Tribunal set the rate to be paid by pay television operators at 22.5 cents per subscriber, per month, for all five free to air channels.

Amendments to the Copyright Act made it legal for pay television operators to retransmit free to air broadcasts as part of their service since March 2001. Screenrights is the copyright collecting society appointed by the Government to administer these provisions in the Act.

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New resource centre for EnhanceTV

Educational institutions will soon be able to take advantage of a new resource centre supplying copied broadcast material through EnhanceTV.

The resource centre, which will commence operations in Term 3, will copy 30 hours of educational programming a week, to be made available to teachers at licensed educational institutions.

"This means teachers who miss out on copying a program under their Screenrights licence can visit EnhanceTV, and order a copy online," EnhanceTV Project Manager Jamie LeHuray said. "Like other services offered by EnhanceTV, it value adds to the Screenrights television copying licence helping teachers make the most of television in the classroom with educational royalties flowing to Screenrights members."

If you would like more information about the service, you can email Jamie@enhancetv.com.au or visit the site: www.enhancetv.com.au

Tracking down the architects

With less than 2% of 2000 Australian educational royalties left to distribute, Screenrights Member Services officers are working overtime to make the last payments before the deadline expires. And for Member Services officer Janet Gillies, this has involved identifying and locating a number of architects whose works were featured in a copied program on architecture.

"They were all delighted when we contacted them," Gillies said. "Most were unaware that they are owed money, and are very pleased that the use of their work in educational institutions has been recognised in this way."

Under the Copyright Act, Screenrights not only pays rightsholders in the copied film, it also distributes royalties to the copyright owners in the underlying works used in these programs and these can include artistic works featured in certain titles. The definition of artistic works includes a building or a model of a building. It also includes sculptures, and for Stephen Trethewey, an Australian sculptor whose work was included in a copied program, the payment was welcome.

"To have someone track you down with this news is wonderful," he said.

Under its Articles of Association, Screenrights has six years to distribute educational royalties, with the deadline for distributing 2000 royalties expiring on 30 June 2006.

"Our aim is to get as much of this remaining money out the door by this date," Gillies said. "In these last few cases this can involve some detective work, and we are always delighted when we find the rightsholders for their payment."

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Screenrights' response to proposed copyright changes

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On 14 May 2006, the Federal Government announced significant changes to the Australian Copyright Act. An exposure draft Bill is to be released shortly with the opportunity for comment and consultation with interested parties prior to the introduction of the Bill, which is expected in the Spring sittings of Parliament.

The reforms are based on the outcome of a number of reviews of the Copyright Act including the recent fair use review and the review of the Digital Agenda Act. Screenrights will make more detailed comments on the exposure draft Bill.

The Australian Copyright Council has published a detailed information sheet about the proposed changes. This is available from its website at http://www.copyright.org.au/pdf/acc/infosheets_pdf/g095.htm