

**Copyswede  
Distribution 2012**



# Contents

<b>Copyswede’s Task</b>	<b>3</b>
<b>Distribution of Revenue for Retransmission of TV and Radio via Cable TV Networks</b>	<b>4</b>
Distribution among Film Producers, Broadcasting Companies and Authors/Performers	5
Distribution of Cable TV Revenue Per Channel	7
Distribution among Authors and Performers	8
Individual Distribution	9
<b>Distribution of Private Copying Levy</b>	<b>11</b>
What is the Private Copying Levy?	11
The Basis for Distribution of the Private Copying Levy	11
Distribution Agreements established in 2012 concerning Private Copying Levy collected in 2011	12
Distribution of Private Copying Levy Per Product in 2011	12
Individual Distribution of Private Copying Levy, Year of Transmission 2010	14
<b>Distribution of Other Revenue</b>	<b>16</b>
<b>Organisation</b>	<b>17</b>
<b>Copyswede’s Member Organisations</b>	<b>18</b>
Further Information	18

## COPYSWEDE’S MEMBER ORGANISATIONS

Association of Swedish Craftsmen and Designers | Association of Swedish Illustrators | Association of Swedish Professional Photographers | Nordic Copyright Bureau | SAMI – Swedish Artists and Musicians’ Interest Organisation | Swedish Association of Educational Writers | Swedish Federation of Professional Musicians | Swedish Musicians’ Union | STIM – Swedish Performing Rights Society | Writers Guild of Sweden | Swedish Union for Theatre, Artists and Media | Swedish Union of Journalists | Swedish Writers’ Union | Visual Arts Copyright Society in Sweden

# Copyswede's Task

Copyswede provides access to culture via various media by licensing TV and radio for cable TV, on-demand services, DVD and CD publishing, etc. Via Copyswede, operators wishing to retransmit TV and radio can obtain the necessary permits from the holders of the rights to the content of the channels and the programmes.

## Copyright and Collective Management of Rights

Copyright is an individual right that is protected through the Constitution. In principle, this means, for example, that an author, editor or composer who has created a literary or artistic work, or an actor, artist or musician who has performed a work, must give their permission before what they have created can be used by others. A corresponding right exists for those who have produced a film or phonogram; hence programme producers must also give their permission. Broadcasting companies' signal rights are also protected.

Agreements on the use of works and performances consisting of a number of rights, including TV programmes and films, often require the cooperation of various categories of right holders. Copyswede is owned by 14 cultural organisations that have tasked Copyswede with coordinating negotiations and establishing agreements within certain areas of copyright.

Through partnership agreements with broadcasting companies and organisations representing film and phonogram producers, Copyswede is also authorised to represent rights accruing to these groups and thereby offer comprehensive licences for retransmission in various media. Copyswede also administers the statutory Swedish levy system for private copying.

## Distribution of Revenue

Copyswede distributes the collected revenue to the right holders. The principle for distribution is that all revenue that is collected must, after the deduction of Copyswede's administrative costs, be distributed to the right holders. Decisions concerning the way in which revenue is to be distributed between the groups of right holders are taken by the member organisations and the producer organisations and TV companies involved in the licensing.

In the first stage of distribution, revenue is apportioned in accordance with agreements between Copyswede and our collaborative partners UBOS, FRF and IFPI.

Next, remuneration is distributed to individual broadcasting companies and to film and phonogram producers in accordance with the rules of distribution established by UBOS, FRF and IFPI.

Payments to authors and performers

are made on the basis of distribution principles subject to annual approval by all Copyswede's 14 member organisations. The payments are made either via the member organisations or by Copyswede directly.

Right holders outside Sweden also receive payments based on reciprocal agreements. The payments are made via Copyswede's sister organisations abroad or in some cases directly to the authors and performers concerned.

## COPYSWEDE'S COLLABORATIVE PARTNERS

**UBOS**, Union of Broadcasting Organisations in Sweden, coordinates Nordic public service TV companies and many corresponding broadcasting companies from other countries and language areas.

**IFPI**, International Federation of the Phonographic Industry, Swedish Group, represents phonogram producers.

**FRF**, Swedish Film Producers' Association, represents film and TV producers in various fields. Through its collaboration with Agicoa and Eurocopya, FRF also represents international film and TV producers.



Photo: Corbis / Johnér



Photo: Corbis / Johnér

# Distribution of Revenue for Retransmission of TV and Radio via Cable TV Networks

When a TV channel is retransmitted via a cable TV network, the right holders are entitled to remuneration for the use from those retransmitting the channel. Copyswede licenses a large number of Swedish and foreign TV and radio channels and collects revenue from the cable TV operators for these retransmissions.

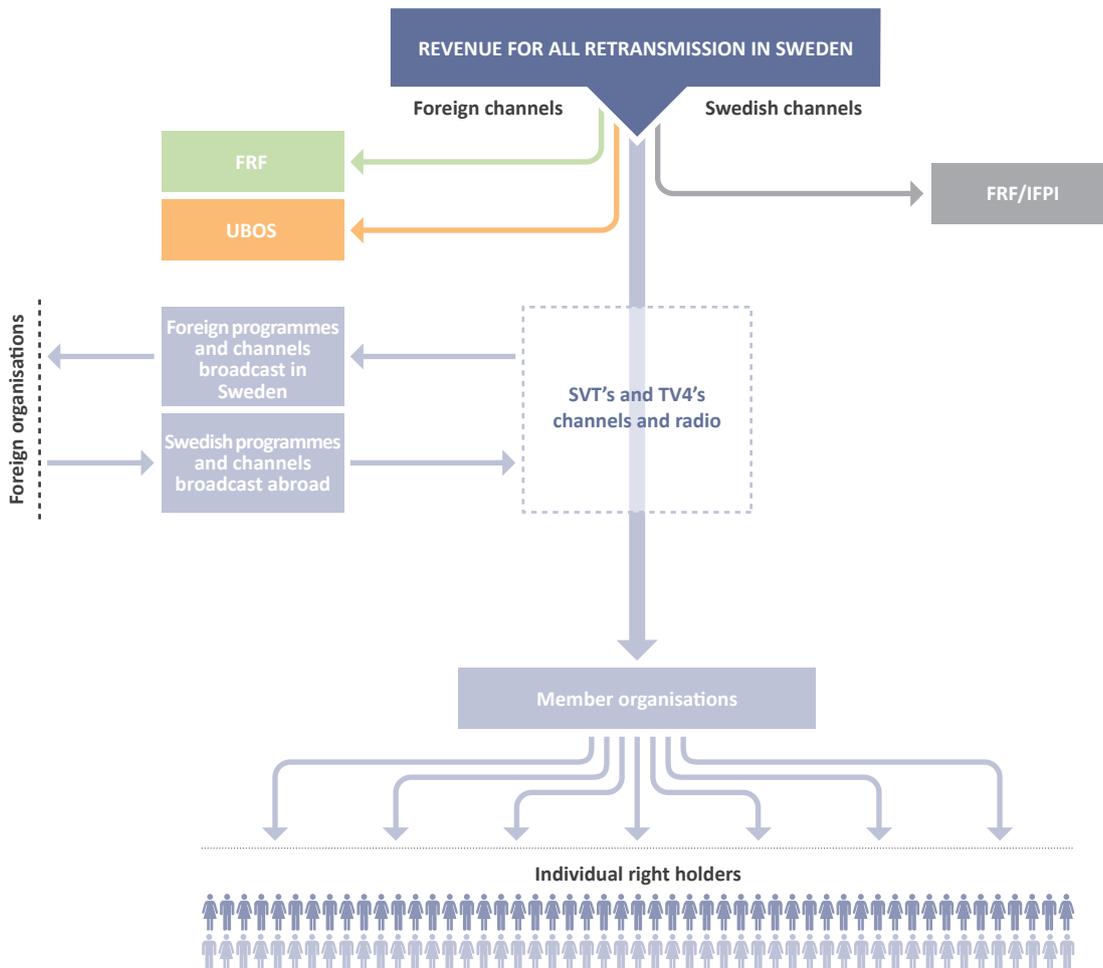
Copyswede’s licence covers all rights in the channels accruing to authors, performers, producers and broadcasting companies.

As regards the collected cable TV revenue, the shares accruing to the broadcasting companies and film producers are separated out and distributed to representative organisations in accordance with existing distribution agreements. The organisations FRF and IFPI distribute and pay remuneration to producers and UBOS does the same for the broadcasting companies.

Copyswede distributes the remaining share of the revenue to the authors and performers that have contributed to the

licensed channels. The remuneration accruing to the foreign channels is transferred to representative organisations in the country of origin of the respective TV channel for onward distribution. The distribution and payment of the remuneration accruing to the Swedish channels are handled either by Copyswede directly or via the authors’ and performers’ member organisations. At present, around 100 channels, primarily Swedish and foreign public service channels that are broadcast in Sweden, are licensed. The remuneration due is distributed annually to the respective channels.

## RETRANSMISSION REVENUE – FROM COLLECTION TO COPYRIGHT HOLDERS



## Distribution among Film Producers, Broadcasting Companies and Authors/Performers

### Remuneration for Retransmission of Foreign Channels

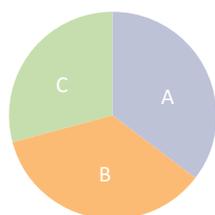
Remuneration is collected for all right holders and the retransmission revenue, as regards cable TV revenue concerning foreign channels, is split three ways between authors/performers (Copyswede), broadcasting companies (UBOS) and film producers (FRF). The agreement stipulates that Copyswede receives 35.5 per cent, the broadcasting companies 35.5 per cent and the film producers 29 per cent of the remuneration for the foreign channels. The share accruing to the film producers also includes rights which fall to IFPI for music videos, while IFPI's share for phonograms is included in Copyswede's share. After deducting the shares of the revenue collected due to the broadcasting companies and the film producers, the share accruing to Copyswede is shared among the channels that entered into the licensing agreement.

Amounts (SEK thousand) distributed during 2012 to FRF and UBOS, foreign channels\*

Organisation	SEK thousand
FRF	4,325
UBOS	15,717

\* The amount paid is subject to an ongoing dispute with Com Hem.

### DISTRIBUTION OF REVENUE FOR FOREIGN CHANNELS



- A Copyswede 35.5%
- B UBOS 35.5%
- C FRF 29%

### Remuneration for Retransmission of Swedish Channels

Cable TV revenue for Swedish channels concerns both retransmission in Sweden and retransmission abroad. In the case of the SVT channels, the revenue comes from the operators in Sweden, who have covered remuneration to Copyswede for the SVT channels since February 2009, as well as from our Nordic sister organisations for retransmitting the SVT channels in the Nordic countries.

In the case of TV4, the revenue from retransmission of the Swedish operators originates both from TV4, who have agreed to cover remuneration for the operators' use, and from our Nordic sister organisations, transferring revenue to Copyswede for the retransmission of TV4's channels in our Nordic neighbouring countries. As regards the retransmission of SVT channels in Sweden, Copyswede's licence covers the rights for all right holder groups. However, SVT has elected not to charge for their rights. Revenue is consequently collected and distributed for just two of the aforementioned groups, i.e. authors/performers (Copyswede) and producers (FRF/IFPI). According to a distribution agreement established between Copyswede, FRF and IFPI, Copyswede is allocated 59.5 percent of the revenue and

### DISTRIBUTION OF REVENUE FOR SWEDISH CHANNELS



- A Copyswede 59.5%
- B FRF/IFPI 40.5%

FRF/IFPI 40.5 percent. A corresponding distribution agreement applies to the revenue that is collected for the retransmission of TV4 channels in Sweden.

As regards the revenue from our Nordic sister organisations, the revenue only pertains to the Copyswede-affiliated groups; hence no amount is set aside for the producer group. The producers receive payment for retransmission in other Nordic countries directly from their sister organisations.

### Distribution of Revenue for Retransmission of TV Finland and SVT World

The Finnish channel TV Finland, distributed in Mälardalen, central Sweden, hardly shows any films. As a result, the film producers do not receive any revenue from this particular channel. The revenue collected for TV Finland is distributed so that 38 per cent goes to the Finnish TV companies and 62 per cent to authors/performers. Similarly, the composite Swedish channel SVT World shows no films. SVT World is primarily broadcast elsewhere in the world. Copyswede's Finnish sister organisation Kopioisto collects the revenue for the retransmission in Finland. The revenue is transferred to Copyswede for distribution and payment to the authors and performers that have contributed to the broadcast channel. The revenue for the retransmission of SVT World outside the Nordic countries is regulated in an agreement between Copyswede and SVT.

### Reciprocal Agreements

To ensure that right holders receive payment when the programmes to which they have contributed are transmitted abroad, Copyswede has entered into several reciprocal agreements with foreign organisations which represent authors and performers in other countries. Among other things, the agreements regulate the representation of rights and the way in which collected revenue accruing to authors and performers

for retransmission in the various countries is to be exchanged. The reciprocal agreements serve to ensure the efficient transfer of revenue for the retransmission of foreign channels and programmes.

The agreements regulate two different situations: the retransmission of entire channels in another country and the broadcasting of individual foreign programmes in national channels. An example of the first situation is when an entire SVT channel is retransmitted in Norway. An example of the second situation is when a Swedish feature film is broadcast by NRK (Norway's equivalent to SVT) and thereby retransmitted via the Norwegian cable network. Swedish channels are only retransmitted in the Nordic countries. In other countries, individual Swedish productions are transmitted via the countries' domestic channels.

#### Nordic Reciprocal Agreements

The all-pervading principle in the Nordic reciprocal agreements is for the revenue for an entire channel to be forwarded to the organisation in the country of origin of the channel. The recipient organisation is then responsible for distributing the revenue to both domestic and foreign authors and performers.

The revenue received for Nordic programmes transmitted in one of the SVT channels, for example, is transferred to the country in which the programme was produced for onward distribution. Similarly, the revenue for all Swedish programmes transmitted on Nordic channels is transferred to Sweden for onward distribution.

The amounts for the Swedish channels are collected by Copyswede and then distributed to the authors and performers who contributed to the programmes.

#### Reciprocal Agreements outside the Nordic Countries

Copyswede has also established reciprocal agreements with organisations outside the Nordic countries, including German, French, English and Austrian organisations. The revenue from these countries only concerns Swedish programmes that are broadcast in the countries' domestic channels, as no Swedish channels are retransmitted in their entirety outside the Nordic countries. However, the revenue that Copyswede sends to these organisations concerns both individual foreign programmes in Swedish channels and entire channels from these countries.

#### Amounts (SEK thousand) distributed in 2012 to foreign organisations

Organisation	Foreign channels	Foreign programmes
ALCS (UK)	–	1,506
Bild-Kunst (Germany)	–	33
Copydan (Denmark)	1,480	1,625
Directors UK (UK)	–	–
Kopiosto (Finland)	2,404	352
Norwaco (Norway)	300	1,053
SACD/SCAM (France)	–	215
VDFS (Austria)	–	2
VG Wort (Germany)	–	39

#### Amounts (SEK thousand) distributed in 2012 to Copyswede by foreign organisations

Organisation	Swedish channels	Swedish programmes
Copydan* (Denmark)	20,480	1,119
Kopiosto (Finland)	4,909	–
Norwaco (Norway)	6,853	144
ALCS (UK)	–	239
BECS (UK)	–	124
Bild-Kunst (Germany)	–	2,236
SACD (France)	–	495
VG Wort (Germany)	–	155

\* Concerns 2010 and on-account for 2011.

#### Music in Foreign Channels

In 2012, the following amounts were distributed to IFPI, SAMI and STIM for music used by Nordic (excluding Swedish), German, Spanish and Italian channels, retransmitted on Swedish cable TV networks in 2011.

IFPI, SAMI and STIM receive payment for foreign channels after signing reciprocal agreements with their counterparts abroad.

#### Amounts (SEK thousand) distributed during 2012 to STIM, SAMI and IFPI concerning foreign channels\*

Organisation	SEK thousand
IFPI	185
SAMI	29
STIM	2,672

\* The total is subject to an ongoing dispute with Com Hem concerning the tariff for the foreign channels.

## Distribution of Cable TV Revenue Per Channel

### Cable TV revenue for SVT1 and 2, SVTB, SVT World, SR, TV4 and TV4's niche channels

In order to distribute the Swedish cable TV revenue for a specific year of transmission to the individuals who have contributed to the programmes on the respective channels, the shares accruing to TV companies and film producers are first distributed in the manner described previously. The revenue per channel is then distributed based on the number of subscribers to each channel.

For the year of transmission 2010, revenue for the retransmission of TV4's niche channels, TV4+, TV4 Film, TV4 Komedi and TV4 Guld, was distributed for the first time.

Cable TV revenue (SEK thousand) for distribution to authors/performers per channel, year of transmission 2010

Channel	SEK thousand
SVT1 and 2	27,318
TV4	10,658
TV4 niche*	1,172
SVTB	4,614
SVT World	1,826
SR (radio)	1,406

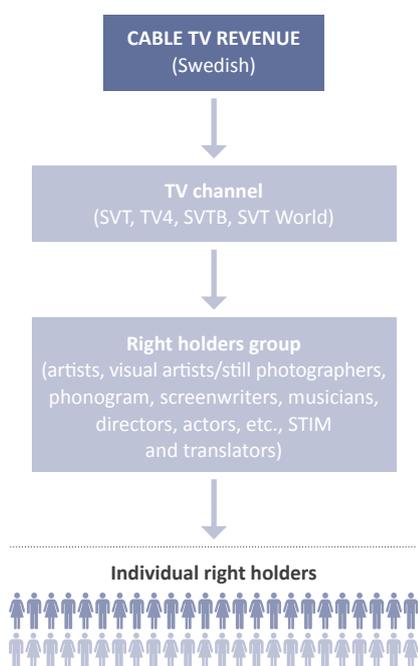
\* The revenue does not concern STIM, SAMI and IFPI's rights.



Photo: Dick Clewstam/Johnér

## Distribution among Authors and Performers

### CABLE DISTRIBUTION – SUMMARY



After the revenue has been divided between the channels, the revenue for the Swedish channels is split among the various groups of authors and performers who contributed to the channels. Subdivision into different right holders groups is carried out following an annual decision by Copyswede's member organisations. The nine general right holder groups for this year's distribution are: artists, visual artists/still photographers, phonogram, screenwriters, musicians, directors, actors, etc. (choreographers, set designers and dancers), STIM and translators.

When distributing the revenue to each group of right holders, the programme content of the individual channels and transmission time are taken into consideration. The total programme content is divided into eight categories: documentary, drama, music, entertainment, children/youth, news, sport and miscellaneous. The transmission time for the various programme categories is weighted to reflect the volume of copyrighted material used. Based on the contributions in each category, the respective groups of right holders are then allocated shares

in the programme categories. Following distribution of the revenue to the respective groups, it is divided among the individual right holders within the group.

In conjunction with this, the foreign programmes on the Swedish channels are also identified and the foreign share of the revenue is separated for payment to the foreign organisations concerned, for onward distribution to their right holders.

On the basis of the above principles, annual distribution agreements between all of Copyswede's member organisations are negotiated for the channels SVT1 and SVT2, SVT World, SVTB and the TV4 channels.

The outcome of the distribution agreements gives an amount for each group of right holders. The group's revenue is then split among those within the group who have contributed. The revenues that were distributed individually during 2012 concern contributions to programmes transmitted in 2010.

The distribution agreements between the groups of right holders for 2010 are as follows:

### DISTRIBUTION, YEAR OF TRANSMISSION 2010 BETWEEN THE COPYRIGHT HOLDER GROUPS CONCERNED

SVT1 & 2	Share %	SVT World	Share %	SVTB	Share %	TV4	Share %	TV4 niche chls*	Share %
Artists	7.05	Artists	7.34	Artists	1.81	Artists	3,45	Artists	0.46
Visual artists/ still photographers	4.06	Visual artists/ still photographers	4.91	Visual artists/ still photographers	8.70	Visual artists/ still photographers	1,53	Visual artists/ still photographers	0.87
Phonogram	2.72	Phonogram	2.77	Phonogram	2.25	Phonogram	1,90	Screenwriters	39.02
Screenwriters	19.03	Screenwriters	21.42	Screenwriters	24.23	Screenwriters	18,95	Musicians	1.29
Musicians	10.97	Musicians	12.48	Musicians	2.91	Musicians	7,17	Directors	36.28
Directors	8.08	Directors	5.76	Directors	4.10	Directors	10,0	Actors, etc.	22.07
Actors, etc.	13.07	Actors, etc.	15.05	Actors, etc.	37.24	Actors, etc.	12,46		
STIM	34.05	STIM	29.92	STIM	18.76	STIM	44,53		
Translators	0.99	Translators	0.36	Translators	0.40				

\* TV4+, TV4 Film, TV4 Komedi and TV4 Guld.

## Individual Distribution

### Individual Distribution within each Group of Right Holders, 2010

Distribution agreements between the member organisations entail that all groups of right holders receive a percentage of the revenue for each Swedish channel. These shares are to be distributed individually within each group of right holders. As STIM, SAMI and IFPI all had their own distribution systems when Copyswede was established, these organisations receive their payments as a lump sum to be distributed and paid out individually. For lyricists and composers, this is handled by STIM, for musicians on phonogram (recorded music) by SAMI and for phonogram producers by IFPI.

Payments for retransmission paid during 2012 to organisations with their own individual system of distribution

Organisation	SEK thousand
IFPI for phonograms in Swedish channels	251
SAMI for phonograms in Swedish channels	749
STIM in Swedish channels	6,875

After IFPI, SAMI and STIM receive their shares of revenue for the Swedish channels, an amount remains for distribution among the other groups of authors and performers. This amount is augmented by the revenue received from the other Nordic countries for the retransmission of Swedish channels in those countries.

Amounts for distribution (excl. IFPI, SAMI and STIM) for Swedish channels, 2010

Channel	SEK thousand
SVT1, 2 and 24	23,264
SVT World	1,760
SVTB	3,725
TV4	8,436
TV4 niche*	1,172
SR (radio)	1,406

\* The revenue does not concern STIM, SAMI and IFPI's rights.

Revenue for foreign programmes on the Swedish channels is set aside for each country. In 2012, SEK 7,969,000 was set aside for the year of transmission 2010 for foreign programmes and right holders. Prior to payment, certain reserves are made to cover payment claims from right holders who, for some reason, had not been included in the distribution records. In 2012, SEK 11,368,000 was set aside for future payment or to cover unforeseen claims.

The period of statutory limitation in respect of future claims for cable TV revenue under the Copyright Act is three years – whereas in practice a period of five years after the year of transmission applies. The reserves and payments for which the correct recipient could not be found are then returned to the individual distribution. In 2012, SEK 4,438,000 of these allocations was transferred.

In accordance with a decision by the member organisations concerned, five per cent of the revenue is set aside for a number of right holder groups. This is to cover the work of the organisations, including ongoing negotiations to protect and strengthen the position of the authors/performers within each sector in respect of copyright issues.

Amounts allocated to the organisations for 2010

Organisation	SEK thousand
SDF	532
SFF	59
TF	999
BUS	108

Total amount available for SVT, SVT World, SVTB and TV4 for individual distribution via Copyswede for each group of right holders, year of transmission 2010

Right holders group	SEK thousand
Literary and dramatic works	13,423
Visual artists/still photographers	2,586
Directors	6,306
Actors, etc.	16,142
Performers in the music sector	4,940

### FACTORS INFLUENCING THE INDIVIDUAL CABLE TV REVENUE

- The individual partnership contract stating whether the right holder still holds his/her cable TV rights.
- In what capacity and to what extent the right holder has contributed.
- The channel on which the programme is transmitted.
- The number of times the programme is transmitted.

### Payment of Revenue

In June 2012, Copyswede paid out revenue to the right holders who had contributed to programmes transmitted in 2010. The main payment is made once a year, 18 months after the end of the year of transmission. During that time, distribution formulae, contributor information and statistics are processed.

In the case of authors and performers within The Swedish Union for Theatre, Artists and Media, payment is distributed via Tromb, the Union's own rights company.

### Revenue for Retransmission of Radio

10 per cent of the cable TV revenue to be distributed to authors and performers is allocated to retransmission of radio (SR). The revenue for retransmission of radio channels is paid to the member organisations concerned, who are in turn responsible for onward distribution of revenue to those who have contributed, either individually or through grants.

Retransmission revenue paid for Swedish radio channels in 2012. The payments relate to retransmission in 2010.

Organisation	SEK thousand
SAMI	442
SDF	189
SFF	274
SMF/Symf	246
TF	254



Photo: Yuri Arcurs/Johner

# Distribution of Private Copying Levy

## What is the Private Copying Levy?

The aim of the private copying levy (PCL) is to compensate authors, performers and other right holders when music, film and TV are lawfully copied for private use. The private copying levy scheme was incorporated into the Copyright Act in 1999 and was amended in 2005 through an EU Directive. Under EU legislation, private copying is only permitted if the right holder is given such compensation.

The private copying levy is collected in accordance with the Copyright Act for products

that are used for private copying. By law, the revenue is paid by importers and manufacturers of products that are used for private copying. Retailers can establish an agreement with Copyswede and thereby take over this responsibility from importers or manufacturers. The revenue levels are set out in the law, but electronics companies that are liable to pay the levy are entitled to negotiate reductions on the basis of certain grounds set out in law, e.g. the fact that a product is also used for purposes other than private copying.

During 2011, private copying levy was paid for the following products:

- Recordable DVDs
- Recordable CDs
- Recordable cassettes, mini-disc and CD-R audio
- Recordable videotapes
- MP3 players
- Media players with built-in storage capacity
- USB memory sticks
- External hard drives.

## The Basis for Distribution of the Private Copying Levy

Private copying levy revenue should, insofar as is possible, be distributed to the right holders on the basis of the copying that actually takes place. Annual copying surveys are therefore conducted by the market research company TNS SIFO. The surveys show what has been copied using different products and to what extent and from which source the copying was carried out. The survey forms the basis for distribution of the revenue.

Those eligible for compensation are authors, performers and film and phonogram producers, who for copyright purposes reside in the EU and the EEA, as well as right holders outside the EU and the EEA area, provided that the other country has implemented a similar levy system.

Distribution of the private copying levy is governed by a number of distribution agreements. In accordance with an agreement between all right holder groups, through their organisation UBOS, broadcasting companies receive a standard share of 5.33 per cent of the total amount collected, after the deduction of collection costs. In 2008, an agreement

with US right holders was signed, allocating 20 per cent of the total share of the private copying levy collected relating to video copy-

ing, net of the share accruing to UBOS. The revenue is distributed annually to FRF, for onward distribution to the US right holders.



Photo: Joachim Wendler/Shutterstock Images

## Distribution Agreements signed in 2012 concerning Private Copying Levy collected in 2011

The private copying levy collected for 2011 amounted to SEK 79,138,000. After the deduction of costs, SEK 72,868,000 remained for distribution. UBOS received SEK 3,888,000, while SEK 10,065,000 was allocated to US right holders. The remaining amounts to be distributed among the various product groups are as follows:

Private Copying Levy collected by product for 2011	
Product	SEK thousand
CD-R/RW	5,570
DVD-R/RW	16,895
External hard drives	1,999
Audio cassettes, etc.	435
USB memory sticks	1,283
Videotapes	422
MP3 players	5,920
Media players with built-in storage capacity	26,396

### COPYING IN 2011 IN BRIEF

- Most copying took place on the channels SVT1, SVT2, TV3, TV4 and Kanal 5.
- The most frequently copied programme categories were TV series, feature films and entertainment programmes.
- Music accounts for approximately 95 per cent of all audio copying.

## Distribution of Private Copying Levy Per Product in 2011

The next step in the distribution process is to divide the revenue for each product between audio and video copying. For this purpose, Copyswede commissions the market research company TNS SIFO to carry out a number of copying surveys.

During 2012, the following agreements were reached between Copyswede, FRF and IFPI concerning the way in which revenue collected during 2011 is to be distributed:

### CD-R/RWs

An agreement covering recordable CD-R/RWs has been established, stipulating that 87 per cent of the revenue for CDs go to audio and 13 per cent to video.

The copying survey shows that of the part that relates to audio copying, music accounts for 98 per cent, audio books 1 per cent and radio programmes 1 per cent.

### DVD-R/RWs

The agreement for the revenue collected for recordable DVD-R/RWs stipulates that 70 per cent of the collected revenue goes to video, while the remaining 30 per cent goes to audio.

In the case of the division of the DVD revenue relating to audio, the survey showed

that music accounts for 90 per cent of all copied material, while audio books account for 7 per cent and radio programmes 3 per cent.

### Videotapes

Videotapes no longer represent a major source of revenue. On the other hand, the surveys indicate that the product is used still for copying. All revenue relating to videotapes is distributed to video.

### Audio cassettes, etc.

As with videotapes, use of these products is declining. All revenue has been allocated to audio. In accordance with a distribution agreement, just under 95 per cent of the revenue goes to CD-Rs, mini-discs and audio cassettes.

### MP3 players

MP3 players are almost exclusively used for audio copying. The revenue is divided so that 97 per cent goes to audio and 3 per cent to video. Copying surveys show that most of the audio copying on MP3 players relates to music, but audio books are also copied, leaving a very limited amount for radio programmes. 80 per cent of the revenue for audio copying is distributed to music, 14 per

cent to audio books and 6 per cent to radio programmes.

### Media players with built-in storage capacity

Media players with built-in storage capacity are almost exclusively used for video copying. This product group primarily comprises DVD players with built-in storage capacity and set-top boxes with built-in storage capacity. Based on the results of the surveys, distribution agreements have been established, stipulating that 99 per cent of the revenue be apportioned to video and 1 per cent to audio. The surveys conducted have not indicated what type of audio has

### FACTORS INFLUENCING THE INDIVIDUAL PRIVATE COPYING LEVY

- The type of programme to which the right holder contributes, e.g. feature films or children's programmes.
- The extent to which each programme category is copied.
- The channel on which the programme is transmitted.
- In what capacity and to what extent the right holder has contributed.

been copied on the media players with built-in storage capacity. Consequently, the same shares are applied on audio as on DVDs. Music is thus allocated 90 per cent of the revenue, audio books 7 per cent and radio programmes 3 per cent.

#### Distribution of Audio Shares

The revenue that is allocated for audio copying concerns music, audio books and radio programmes. A general agreement has been established between IFPI, SAMI and STIM for all products concerning the music copying

that takes place. The agreement means that the revenue is shared equally between IFPI, SAMI and STIM. The shares are then transferred to the organisations for onward distribution. According to an agreement between Copyswede's member organisations and the producers of audio books, the producers are allocated 33 per cent of the revenue for audio books, while the remaining 67 per cent is distributed to the authors, voice-over artists and translators who contributed to the audio book. The producers' share is transferred to the Swedish Publishers' Association (SvF) for onward distribution, while the remaining revenue is distributed by Copyswede among authors, translators and voice-over artists in accordance with the distribution principles adopted by Copyswede's member organisations.

#### Distribution of Video Shares

In the same way, there is a general agreement for the revenue that concerns the copying of video. According to this agreement, 33 per cent of the revenue falls to FRF for onward distribution to film producers, while 67 per cent accrues to Copyswede for onward distribution to authors and artists.

Payment of private copying levy to organisations with their own distribution system for onward distribution, 2012

Organisation	SEK thousand
FRF*	12,034
IFPI	5,418
SAMI	5,245
STIM	5,245
SvF	480

\* Excluding payments to US right holders.



Photo: Corbis/Johner

## Individual Distribution of Private Copying Levy, Year of Transmission 2010

The individual revenue for video distributed in 2012 relates to the 2010 year of transmission. Copyswede distributes the revenue individually to screenwriters, writers, translators, journalists, directors, set designers, choreographers, actors, dancers, musicians, artists, singers, cinematographers, visual artists and photographers for their performances in film and television. The payments are made through Copyswede or via the member organisations.

The same basis, using information on TV programmes and contributors, is used for the distribution system for both the private copying levy and the cable TV revenue. Both revenues are thus distributed at the same time. In this way, the individual distribution of private copying levy is handled at relatively low cost.

### Distribution of Private Copying Levy for Copying of TV Programmes on SVT1 and 2, TV4, TV3 and Kanal 5

In 2012, the private copying levy was distributed individually for contributions to

programmes copied when transmitted on SVT1, SVT 2 or TV4, as well as for certain programme categories on TV3 and Kanal 5. The results of the copying surveys determine which channels and programme categories are to receive a share of the levy. Certain programme categories are copied more frequently, which is also taken into consideration.

The programme categories most often copied have been allocated a larger portion of the revenue than those copied less. Each channel is today divided into 11 separate programme categories, such as feature films, entertainment, sport and children's programmes. Drama, feature films and entertainment are the programme categories currently most copied.

As regards TV3 and Kanal 5, only contributors to programmes in the categories drama, feature films and entertainment are currently entitled to a share of the private copying levy, as the copying of other programme types is very limited on these channels. In the case of SVT and TV4,

the categories 'nature programmes' and 'documentaries' are less frequently copied. Copying behaviour, and the remuneration allocated to those contributing, varies from one year to the next, partly depending on the amount collected and the range of programmes on offer. The share of the video revenue collected in 2010 and accruing to Copyswede-affiliated groups is shared among the various right holders, such as actors and writers, based on how the groups have contributed to each programme category. In each programme category, the extent to which the right holders contribute varies, which is reflected in the distribution. The agreed result for the groups of right holders for 2010 is shown in the table below:

Distribution, year of transmission 2010	
Right holders group	Share %
Dancers	0.47
Screenwriters	17.70
Cinematographers	2.33
Phonograms (IFPI/SAMI)	3.03
Authors	2.94
Journalists	1.60
Choreographers	0.69
Musicians/Conductors	8.65
Editing/Cutting/Lighting	0.28
Directors	14.85
Set designers	1.62
Actors	25.34
Still photographers	1.67
Singers/artists	3.86
Music authors (STIM)	14.52
Translators	0.51

### Distribution of Private Copying Levy

IFPI, SAMI and STIM already had their own distribution systems at the time Copyswede was established, and thus receive their payments as a lump sum. IFPI distributes the private copying levy to producers, SAMI to musicians on phonograms (recorded music) and STIM to lyricists and composers.



Photo: Dan Lepp/Johnér

**LEVY VARIES FROM YEAR TO YEAR**

The same contribution to a programme, e.g. if you are a screenwriter for a feature film transmitted on SVT, can entitle you to a certain levy one year, and a very different one the next. This is partly dependent on the total amount collected and the types of programme copied in that particular year.

**Private Copying Levy for onward distribution to IFPI, SAMI and STIM**

Organisation	SEK thousand
IFPI	473
SAMI	429
STIM	4,126

The amounts below refer to payments for the limited copying from channels other than SVT1 and 2, TV4, TV3 and Kanal 5. Copying surveys show that there is very little copying from other channels at present. This is analysed and followed up annually through copying surveys. It has not been possible to distribute these amounts individually at a reasonable cost and they have thus been set aside to be used for collective purposes, grants or similar, as determined by the organisations concerned.

**During 2012, the following amounts were distributed**

Organisation	SEK thousand
BUS	39
SAMI	80
SDF	396
SJF	27
SMF	33
TF	1,086

**Amount for payment before allocation to foreign programmes and reserves to cover future payment claims, for the year of transmission 2010**

Right holders group	SEK thousand
Literary and dramatic works	4,984
Visual artists/still photographers	408
Directors	3,602
Actors	8,355
Performers in the music sector	2,357

Some of the amounts refer to copying of foreign programmes transmitted on the Swedish TV channels. The revenue for foreign programmes is set aside in accordance with the distribution formulae. In 2012, SEK 4,202,000 was set aside for the year of transmission 2010 for foreign programmes and right holders. Prior to payment, certain reserves are made to cover payment claims from right holders who, for some reason, had not been included in the distribution records.

In 2012, SEK 6,393,000 of the Swedish revenue was set aside to cover unforeseen claims.

5 per cent of the revenue is set aside annually for, among other things, ongoing negotiations to protect and strengthen the position of the authors/performers within each sector in respect of copyright issues.

**Negotiations, etc. for 2010**

Organisation	SEK thousand
BUS	20
SDF	220
SFF	30
TF	598

**Amount for direct payment after allocation to foreign programmes and provisions to cover future payment claims, for the year of transmission 2010**

Right holders group	SEK thousand
Literary and dramatic works	1,897
Visual artists/still photographers	196
Directors	1,354
Actors	3,218
Performers in the music sector	1,392

In 2012, Copyswede's Board of Directors decided that the undistributed amounts in respect of video copying on CD-R/RWs for 2010, covered by commitments, were to be distributed to the organisations for collective purposes, grants, etc. The revenue was paid to the organisations during 2012.

**The following amounts were paid to the organisations**

Organisation	SEK thousand
STIM	77
SAMI	41
IFPI	9
SDF	94
TF	259
SMF	15
BUS	3
SJF	9
FST	3
SFFot	3
KIF	1

### Payment to and from Foreign Organisations for Onward Distribution in each Country

Payment of the levy to organisations abroad with regards to right holders in the FRF, IFPI, SAMI and STIM sectors is made via these organisations. In 2012, Copyswede paid private copying levy to organisations abroad for onward distribution to authors and performers. Similarly, private copying levy was also paid to Copyswede for onward distribution to Swedish authors and performers.

In 2012, Copyswede transferred the following amounts for onward distribution for the copying of foreign programmes

Organisation	SEK thousand
ALCS (UK)	775
BECS (UK)	549
Bild-Kunst (Germany)	54
Norwaco (Norway)	271
SACD/SCAM (France)	151
VDFS (Austria)	5
VG Wort (Germany)	56

In 2012, the following amounts were paid to Copyswede for onward distribution for copying of Swedish programmes abroad

Organisation	SEK thousand
Bild-Kunst (Germany)	246
Norwaco (Norway)	515
Vevam (Netherlands)	1

## Distribution of Other Revenue

### Revenue for the use of TV programmes by the merchant navy

The collection of revenue for the distribution of SVT and UR's programmes to merchant navy seamen must take place during the year

after use. This is governed by an agreement with the Swedish Maritime Administration. For the 2011 year of use, the revenue was SEK 129,000. In accordance with a decision by the member organisations, the revenue

was used to finance the copyright partnership with KLYS (Swedish Joint Committee for Artistic and Literary Professionals).



Photo: Corbis/Johner

# Organisation

## The staff

### CEO & Secretariat

Mattias Åkerlind, *CEO*  
Neda Marklund, *Secretary to the CEO*

### Legal Affairs

Lars Grönquist, *Senior Legal Officer*  
Andreas Modig, *Senior Negotiator*  
Peter Carls, *Legal Affairs*

### TV and Private Copying Levy

Tanja Jalamo, *Legal Affairs*  
Angela Håkanson, *Financial Assistant*  
Jessica Nyström, *temporary Financial Assistant*  
Egil Ekbohm, *Market Surveillance*

### Distributions

Karolina von Essen, *Legal Affairs*  
Katarina Björkstедt, *Legal Affairs*  
Jennie Runnedahl, *temporary Legal Affairs*  
Maria Carlsson, *Administrator*  
Stephanie Björklund, *temporary Administrator*  
Annelie Nordgren, *Administrator*  
Ingalena Bruhn, *Financial Controller*

### Communications

Helene Stjernlöf, *Head of Communications*  
Liselott Silwer, *Web Editor/Communications Officer*

### Reception

Lena Rosén, *Receptionist*

## Board of Directors

Kent Mulin, *Chairman*. CEO of STIM. Chairman of the Board of Directors since 2005, on the board since 2003. Also on the board of CISAC, NCB and SFU.

Ulf Mårtens, *1st Vice Chairman*. Chief Negotiator at the Swedish Union for Theatre, Artists and Media and CEO of Tromb. On the board since 1997.

Susin Lindblom, *2nd Vice Chairman*. Union Director of Writers Guild of Sweden. On the board since 1986. Also on the board of ALIS – Administration of Literary Rights in Sweden, Centre for Drama, KLYS – Swedish Joint Committee for Artistic and Literary Professionals, the Lars Molin Foundation and SFU.

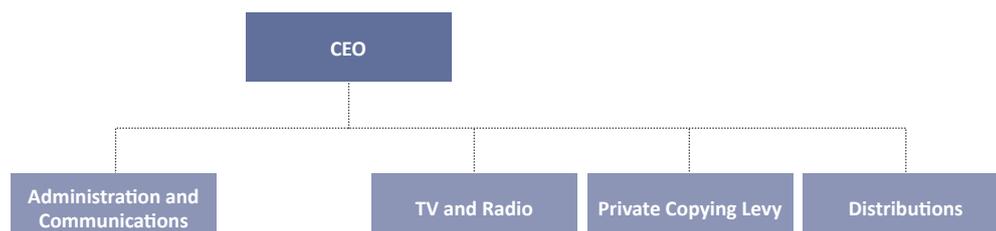
Ingvar Hällerstål. Head of Finance and Secretary at the Swedish Federation of Professional Musicians. On the board since 2008. Also on the board of Musikalliansen and Trygghetsrådet TRS.

Mats Lindberg. CEO of BUS – Visual Arts Copyright Society in Sweden. On the board since 1986. Also on the board of Bonus Presskopia and the International Federation of Reproduction Rights Organisations.

Anita Vahlberg. Senior Advisor at the Swedish Union of Journalists. On the board since 2005. Also on the board of Bonus Presskopia – the Swedish RRO, Pressinstitutet, the Journalist Fund for Further Training, KLYS – Swedish Joint Committee for Artistic and Literary Professionals and the Press's Cooperation Committee.

Helena Woodcock. Head of Legal Affairs at STIM. On the board since 2010.

## ORGANISATION CHART



# Copyswede's Member Organisations

Copyswede has fourteen member organisations representing Swedish authors and performers:

**Visual Arts Copyright Society in Sweden (BUS)**

[www.bus.se](http://www.bus.se)

**Association of Swedish Illustrators**

[www.svenskatecknare.se](http://www.svenskatecknare.se)

**Association of Swedish Craftsmen and Designers (KIF)**

[www.kif.se](http://www.kif.se)

**Nordic Copyright Bureau (NCB)**

[www.stim.se](http://www.stim.se)

**Swedish Artists and Musicians' Interest Organisation (SAMI)**

[www.sami.se](http://www.sami.se)

**Association of Swedish Professional Photographers (SFFot)**

[www.sfoto.se](http://www.sfoto.se)

**Swedish Union of Journalists**

[www.sjf.se](http://www.sjf.se)

**Swedish Musicians' Union**

[www.musikerforbundet.se](http://www.musikerforbundet.se)

**Swedish Performing Rights Society (STIM)**

[www.stim.se](http://www.stim.se)

**Writers Guild of Sweden**

[www.dramatiker.se](http://www.dramatiker.se)

**Swedish Writers' Union**

[www.forfattarforbundet.se](http://www.forfattarforbundet.se)

**Swedish Association of Educational Writers (SLFF)**

[www.slff.se](http://www.slff.se)

**Swedish Federation of Professional Musicians (Symf)**

[www.symf.se](http://www.symf.se)

**Swedish Union for Theatre, Artists and Media**

[www.teaterforbundet.se](http://www.teaterforbundet.se)

## Further Information

You will find more information, news and press material on Copyswede's operations on the Copyswede website [www.copyswede.se](http://www.copyswede.se). The website also offers fact sheets, forms and web-based tools for right holders or retransmission/levy payers.



### Annual Report

For further information, see Copyswede's Annual Report for 2012.

This report can also be downloaded at [www.copyswede.se](http://www.copyswede.se) or ordered from [copyswede@copyswede.se](mailto:copyswede@copyswede.se).



### Copyswede's Press Room at Mynewsdesk

Journalists can easily subscribe to press releases and other material via Copyswede's press room at



MyNewsdesk:  
[mynewsdesk.com/se/pressroom/copyswede](http://mynewsdesk.com/se/pressroom/copyswede)

### Copyswede via Social Media

Follow Copyswede on Facebook and



Twitter:  
[facebook.com/copyswede](http://facebook.com/copyswede)



[twitter.com/copyswede](http://twitter.com/copyswede)



**Copyswede** provides access to culture via various media by licensing TV and radio for cable TV, on-demand services, DVD and CD publishing, etc. Via Copyswede, operators wishing to retransmit TV and radio can obtain the necessary permits from the authors and performers – such as singers, musicians, composers, actors, writers, directors and photographers – participating in the productions. Copyswede also administers the Swedish levy system for private copying. Copyswede consists of fourteen organisations of cultural innovators.