

# Tariff for the exploitation of sound recordings as background music on websites

**Publication in the Federal Gazette of 02/04/2015**

Pursuant to section 13 of the German Copyright Administration Act, published in the German Federal Gazette dated 02/04/2015, GVL, Podbielskiallee 64, D-14195 Berlin, herewith publishes the following tariff for the exploitation of sound recordings as background music on websites:

## **A. Tariffs**

The following tariffs shall apply to the non-interactive, unaltered transmission of sound recordings - upon being accessed on internet websites - not intended for permanent storage, of up to 15 minutes total playtime by natural or legal persons.

### **1. Non-commercial exploitation**

For non-commercial exploitations by natural or legal persons, the licence fee for the usage as website background music and potential reproductions for this purpose shall be €37.40 per 120,000 access cases per year.

### **2. Commercial exploitation**

- a) For commercial exploitations by natural or legal persons, a company or a corporation with no more than 10 full-time permanent or free-lance staff and less than €500,000 annual gross turnover, the licence fee shall be €75.10 per 120,000 access cases per year.
- b) Instead of calculating the licence fee in accordance with item 2.a), an annual rate of 6.25% of the total annual turnover or any other pecuniary advantages the company realises by running the website shall be applicable, if this results in a higher amount.

## B. General Provisions

1. The tariffs mentioned above shall apply for offers intended for German users. There is an additional option to obtain a licence for multi-territory rights. In the event of obtaining a multi-territory licence, the local tariffs of the rights administration societies responsible in countries with whom GVL has entered into reciprocal agreements, shall apply for service requests from those countries. In the event of obtaining multi-territory rights, the licence fee shall be increased by a flat-rate fee of €250.00 for administrative purposes.
2. The operator of the website is obliged to observe GVL's "operating conditions background music on websites". Exploitation rights above and beyond those must be obtained directly from the rights holders.
3. The respective licence fee shall only cover those rights of performing artists and sound recording producers within GVL's administrative scope. The exploitation of sound recordings in commercials shall not be covered; the relevant licence must be obtained from the rights owners.
4. The licence fees shall be increased by the respective VAT rate in force. For members of a professional association of music users with whom GVL has entered into a general agreement, the licence fees for domestic exploitation shall be reduced by 20%.

Berlin, 26/03/2015

Gesellschaft zur Verwertung von Leistungsschutzrechten mbH (GVL)  
Podbielskiallee 64, 14195 Berlin

The Managing Directors  
Dr. Gerlach     Evers