

**Additional information to the 2025
correspondence regarding the copyright
term extension (annual supplementary
remuneration)**

Copyright term extension (annual supplementary remuneration) | January 2025

Background details

In 2013, the EU Directive 2011/77/EU was implemented into the German Copyright Act. The protection of sound recordings was consequently extended from 50 to 70 years by inserting a new Section 79a UrhG. The accompanying provisions oblige producers of sound recordings to pay additional money for the contributing musicians to GVL in certain circumstances. The remuneration right is essential for performing artists and was assigned to GVL and its sister organisations for administration purposes. In addition, the new regulations provide performers with the statutory right to request producers of sound recordings to make available certain information on how the performer participation is calculated. There are corresponding provisions in all other EU-countries based on the directive.

The Act applies to sound recordings which term of protection for the performing artist and the producer of the sound recording had not yet expired on 1 November 2013 or which accrued after said date, in other words, on repertoire from 1963 onwards.

Affected recordings

Recordings are affected in the following cases: The recording involved one or more studio musicians or other musicians (including featured performers or orchestra musicians) who were remunerated by means of a one-off payment; the recordings generated income from the commercial exploitation such as sales/distribution, reproduction and making available in Germany (e.g. revenue from the sale of physical sound recordings, digital downloads, exploitation on streaming platforms or synch rights (advertising) - but not GVL remuneration).

Registration and payment obligations

If you are a producer of sound recordings and hold the producer rights to such a recording between 1963-1973 or on the basis of an exclusive exploitation right (by way of a license of a master tape agreement) in Germany, you are obliged to pay an annual 20% of the relevant gross income to GVL. We therefore ask you to provide us with information on the recordings of the years 1963 to 1973 in which, to your knowledge, performers with buy-out contracts may have participated. The statutory obligation extends to national and international repertoire, which is exploited in Germany.

Use of the template for the annual artist participation report

For the requested submission of information/data, GVL provides you with a template for the year 2023. You need to state details on the recording (such as work title, main artist and ISRC) as well as any contributors and the total gross revenue for each individual /recording, which had been first released/published between 1963 and 1973. Revenue in this sense is income generated by the producer prior to the deduction of any expenses. A breakdown by individual revenue sources is not required. The 20% to be paid will be calculated based on the reported income.

Please enter

- the recordings with first publication between 1963 to 1973 into the 2024 table

with the relevant remuneration. In case you only joined GVL after 2024 or are receiving this request for the first time for other reasons, we also require the information on revenues between 2014 and 2023. In this case, please contact us to provide you with the respective tables.

We also ask you to submit a list of recordings to GVL which fall within the extension term but are not considered relevant for distribution purposes due to the lack of contributing buy-out performers. GVL will check the corresponding details and compare to own data and additional information.

Guideline for table cells

The guideline included in the template (separate tab) gives detailed explanations on each table cell for the income statement of each year. This will help to check the accuracy of the data sent to (or, if applicable, provided by) GVL.

Further information

The statutory obligation extends to national as well as to international repertoire, which is commercially exploited in Germany.

As these regulations apply across Europe, you must ensure the transfer of the information on the royalty obligation to exploiters in the respective countries. This allows that sales abroad can also be settled vis-à-vis GVL's international sister societies.