



## GLOSSARY

### **SOUND RECORDING:**

A sound recording is the fixation of a sound sequence (performance of a work, sound effects, narration, sounds of nature, etc.) published on a physical or virtual "sound carrier" (Vinyl, CD, track for download, etc.).

The sound recording is distinguished by:

- its title
- its version
- its length
- its performers
- its date of fixation

When a sound recording is associated with images (video tracks), it is not a "sound recording": You must not declare it in the SCPP's "sound recording database".

### **LENGTH OF A SOUND RECORDING:**

The length of the sound recording is declared to within +/- 5 seconds. Two sound recordings with the same title, performed by the same artists, and whose lengths are different by only 5 seconds shall be considered to be one and the same sound recording. If you have two separate sound recordings to declare (a live recording and a studio recording) of approximately the same length (to within +/- 5 seconds), you will have to fill in the "Version" (live or studio) in order to distinguish between them.

If none of the "versions" meet your needs, you will have to add the information in the title. For example: title BRITISH SEA POWER REMIX.

### **SOUND CARRIER:**

The Law of July 3, 1985 uses the term "sound recording" exclusively to designate the performance of a work or more precisely "a sound sequence" and for indicating the "sound carrier". In order to avoid confusion, the term "sound carrier" or "sound recording carrier" will be used to refer to compact discs (CD), K7, vinyl, downloadable files, etc.

### **COUNTRY OF FIXATION:**

Country of 1st Fixation (fixation = recording of the sound recording). The country of FIXATION for a sound recording is the place where the majority of fixation costs (production - recording) for the sound recording (more than 50%) were paid.

NOTE: Fixation cost = The costs for recording the sound recording until the master tape is completed: Studio rental, equipment rental, musicians' salaries, mixing, etc. The costs for

promoting and pressing the various sound carriers sold are not included in the fixation (recording) costs.

#### **DATE OF FIXATION:**

The date of fixation is the date on which the sound recording was recorded and encoded on the master.

#### **NATIONALITY OF THE FIRST PRODUCER:**

The first producer of a sound recording (1st owner of the audio master) is the natural or legal person who has the initiative and responsibility for the first fixation of a sound sequence. If the sound recording has been transferred or sold, the nationality of the original producer should be used, not the nationality of the current owner.

#### **COUNTRY OF PUBLICATION:**

The country of first publication of a sound recording is the country where the sound recording was published and made available to the public for the first time.

#### **DATE OF 1ST PUBLICATION:**

The date of first publication is the date on which the sound recording was lawfully published or made available to the public for the first time.

The sound recording is protected for a period of 50 years from its first communication to the public. Beyond that period, the sound recording no longer entitles remuneration.

For sound recordings that have been fixed, lawfully published, or communicated to the public from January 1, 1963 on, the rights protection period is extended (70 years).

Re-mastering a sound recording (tape cleaning or equalization using recent technological processes) does not qualify it as a new sound recording.

Consequently, the years of fixation and 1st publication of this sound recording should be used.

#### **MANAGEMENT START DATE:**

The management start date for the sound recording corresponds to the date the sound recording (title) was brought into the declarant's assets:

a) You are the Producer of the sound recording (the first owner of the audio master) By convention, the management start date for the sound recording (title) will correspond to the 1st of January of the year the sound recording was recorded.

b) You are authorized to manage the related rights of the sound recordings you are going to declare (within the scope of a license agreement or a mandate to manage related rights).

- If the sound recording (title) was recorded and published before your contract (or management mandate) signature date: the management start date for the sound recording (title) must correspond to the commencement date of the contract (or management mandate)
- If the sound recording (title) is recorded and published for the first time during the contract period: the management start date for the sound recording (title) must

correspond by convention to the first of January of the year during which the sound recording is published.

#### **MANAGEMENT END DATE:**

The management end date of the sound recording corresponds to the date on which you no longer manage related rights:

a) You are the Producer of the sound recording (the first owner of the audio master)  
This management end date will never be indicated except in the following cases

- You assign/sell the master tape to a third party: You will then enter the management end date as the date of transfer minus 1 day.
- You entrust the management of related rights to a third party for a given period: You will enter the management end date as equal to the date the contract or mandate is signed minus 1 day

b) You are authorized to manage the related rights of the sound recordings you are going to declare (as part of a license agreement or a mandate to manage related rights).

The management end date will be filled in on the termination date of your contract or management mandate.

NOTE: Only provide this date in advance when your contract/mandate is actually about to expire (indeed, a contract can be extended, terminated early, etc.).

#### **COMPILATION:**

According to the SPPF's and SPPF's common definition, a compilation is a sound carrier (physical or digital) on which sound recordings belonging to different producers are published. Each producer manages their own sound recordings.

This sound carrier must be declared with the compilation code "C" so that the sales, as declared by the publisher, are taken into account for all producers involved.

You want to declare a "Best Of" album for an artist. You are the Producer (owner) of all the recordings and will therefore declare all of the titles: This is not a compilation.

You want to declare a "Multi-performer" album. You are the Producer of some titles and the licensee for others, but you are entitled to manage the related rights for all of the titles on the album: This is not a compilation.

#### **COLLECTIVE AGREEMENT:**

You are affected by the collective agreement if, as part of your recording, you hired musicians, backup singers, and artists through an employment contract under French law.

#### **BRAND/LABEL CODE:**

The Brand code corresponds by default to the name under which you created your organization (association name, company name, proper name, etc.). However, you can have several brands

when, for example, you have created divisions within your Label (jazz division, dance division, etc.).

### **BENEFICIARIES:**

In some cases, you share the remunerations generated by the sound recordings with a third party. This beneficiary (third party) can only be taken into account if it is registered with the SCPP as a:

- SCPP Member
- Beneficiary (when the sharing of remuneration must be done directly through the SCPP)

To request a "beneficiary account" be opened, you must send us the following (by mail or email):

- A copy of your contract in which it is explicitly stipulated that the payment of a portion of the remunerations must be directly made through the SCPP
- Your licensee's RIB (bank details)
- Depending on the legal status of your licensee:
  - or Company: a KBIS extract (company identification) that is less than 3 months old from your licensee
  - or Association: A copy of the association declaration statement and its bylaws
  - or Individual: A copy of their identification card (CNI or Passport)

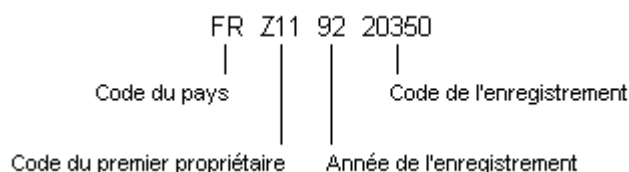
### **ISRC CODE:**

This code is designed to facilitate the management of related rights—and thus producers' rights—by collective management companies, allowing for the monitoring of the reproduction, broadcasting and public transmission of each track, ensuring that the user pays its price and distributing the remunerations collected for the rights owners.

The International Standard Recording Code is the means of internationally identifying sound and audiovisual recordings - sound recordings and music videos (clips).

Incorporated into the signal on digital sound carriers, the ISRC code registers each recording—sound recording or music video (clip)—but is not designed to identify the sound carrier (CD, DCC, Mini Disc).

The code structure is as follows:



The ISRC code also has a secondary purpose: it can be used by your digital distributors for the commercial referencing of your titles. The ISRC code will then also become a commercial reference. However, your digital distributors can also assign their own ISRC codes for commercial referencing.

### **UPC CODE – EAN CODE:**

A UPC code (Universal Product Code) consists of a 12-character sequence and is the most widely used identification code in the United States.

The EAN code (European Article Numbering) is made up of a series of 13 characters. This is the most widely-used codification in the world.