

Information for Exhibitors

GEMA – Playing/performing music protected by copyright

Anybody who makes music available to the general public in Germany is normally automatically a customer of GEMA. In the case of radio and television broadcasters, cinemas or companies who produce audiovisual media, the situation is easily understood and clear.

However, all organisers of music to be played/performed in public, and thus exhibitors who intend to play/perform music, or TV broadcasts and/or videos/DVDs at their stand, are also customers of GEMA.

In this context, German copyright law states:

“Playing/performing a work is an act which is public whenever it is intended for several persons, unless such a group of persons is specifically delimited and either its members have personal links with each other by way of personal links with the organiser, or they have personal links with each other as such.”

In simpler terms this means that virtually every situation in which one or more persons listen to music together is public. Thus a celebration at a stand also takes place “in public”.

For this reason, registration is required in order to play/perform music protected by copyright. GEMA is obliged to issue such a licence. That is to say that after an applicant has handed in his registration in the correct way, a licence will be issued automatically. The arrival

of a bill for fees to be paid is tantamount to approval. If you play/perform music without registering for a licence, then on behalf of GEMA we hereby expressly draw your attention to GEMA's right to lodge claims for damages.

If you wish to query the amounts charged by GEMA, as to whether they are fair and reasonable, then you may do so by having either a court or the arbitration tribunal of the German Patent Office review them. However, it should be noted that GEMA does take care to ensure that the fees charged to all concerned are fair and reasonable. On the one hand GEMA is subject to inspections by the state. On the other hand, for virtually every type of fee charged, an agreement exists between GEMA and such bodies who represent the interests of those who play/perform music.

GEMA registration

Please return the filled form to GEMA-Bezirksdirektion Berlin alternatively to your responsible regional head office or, to register without a form, list how music will be played/performed (how often, date, duration, whether music is to be played or performed). GEMA will send you the appropriate forms, and charge you a licence fee according to the details you have specified.

Fee category WR-VR-MES for works played from the GEMA repertoire, for entertainment purposes, not in the sense of organised events, at trade fairs and exhibitions

Each item subject to additional 7 % VAT (fees charged outside Germany are exempt)
Details valid for 2010

1. audio media	per Stand	EUR 18.12/day	monitors up to 100 m ²	EUR 14.60/day
2. radio broadcasts	per Stand	EUR 14.60/day	4. visual media	
3. television broadcasts			4.1 per monitor	EUR 31.37/day
3.1 per TV set		EUR 7.59/day	4.2 per large video screen or per wall equipped with video screen up to 100 m ²	EUR 62.75/day
3.2 per large video screen or per wall equipped with				

Please note:

According to § 15 and subsequent sections of German copyright law, dated 9. 9. 1965, GEMA approval is required to publicly play/perform music protected by copyright.

The fees which apply in order to be granted a licence to make use of copyright and performance protection rights are scaled according to how music is played/performed and, where applicable, the area of the exhibition stand.

The amounts quoted above include all extras charged by the GVL (Collecting Society for Neighbouring Rights) and the VG Wort collecting society.

GEMA is represented all over Germany. In case of queries please contact your regional head office. Our advisers will at your disposal.

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