

NOTIFICATION OF AUDIOVISUAL PRODUCTIONS (AV PRODUCTIONS)

NOTES FOR COMPLETING THE FORM

The form "Notification of Audiovisual Productions (AV Productions)" must be used to notify all types of film and television productions (such as feature films, image films, television films or television series).

When notifying your works of music for a **television production**, you must state on the form whether it is a TV own or commissioned production of a public television station or private broadcasting company for its own or broadcasting purposes and rebroadcasts or another kind of television production (e.g. a co-production).

Cf. GEMA Deed of Assignment, §1 i) (2):

In the case of television productions, GEMA shall license the synchronization rights to television stations and their own advertising companies where their own or commissioned productions for their own broadcasting purposes and rebroadcasts are concerned. The right owner's approval shall be required, however, if third parties are involved in the production or if the television productions are to be used by third parties. This shall apply in particular to co-productions. Under the conditions referred to above, GEMA will license the synchronization rights for TV productions with the purpose of a programme announcement (trailer). This only applies if musical works (with or without lyrics) are used which have been specially created for the in-house or commissioned production announced by said trailer.

In the case of **company and image films**, the full postal address of the producer and/or commissioning company must be given, so that a performance contract can be concluded through the competent office. This also applies for internet usage, please also note the URL-address and time period of usage.

Notes for members

In addition to notifying musical works in AV productions on the form "Notification of Audiovisual Productions (AV Productions)", it is also essential to notify the work in question on the GEMA Declaration Form for Original Works. However, the requirement to notify the work separately is waived, if the submitted form "Notification of Audiovisual Productions (AV Productions)" already contains full details of the works used and the various rights owners can be clearly assigned to the individual works. Under § 49 par. 1 Distribution Plan, the parties notified as owners of rights in a particular work receive confirmation that the work has been registered.

The contact persons in this case are the member of the staff of Department Product Management.

Head of Department: Jens Kindermann
E-Mail produkte@gema.de

Notes for publishers

Where so-called foreign works are used in an AV production, which are represented by a GEMA publisher under a general agreement, the requirement to notify the works on the Subpublisher's Notification Card (SAK Card) is also waived, provided that the submitted form "Notification of Audiovisual Productions (AV Productions)" already contains full details of the works used and the various right owners can be clearly assigned to the individual works.

If, on the other hand, the AV production contains foreign works of music, which are represented by you under an individual subpublishing agreement, we generally require the separate additional notification of this music content on the Subpublisher's Notification Card (SAK Card).

The contact persons in this case are the members of staff in the Department Musical Works.

Head of Department: Thomas Wimmer
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Notes for AV-producers/licensees

In addition to the notification of audiovisual productions at GEMA and the licensing of mechanical rights, performance rights and online rights, synchronization rights have to be cleared with the rights owners. Please contact the rights owners involved in the musical work before using it in the AV production. Usually these are the publishers who represent the authors. Research concerning the right owners can be done at <https://online.gema.de/werke/>. Please note that an unauthorized usage of copyrighted musical works represents a breach of copyright.

The musical works may not be arranged or altered. Rights to arrange and shorten works must be separately obtained by the right owner.

The permission to use original records (master rights) must also be obtained from the record label.

Explanation of certain terms

Synchronization right

The synchronization right includes the right to combine musical works with works from a different genre, such as the genre "film".

Alternative title

e.g. foreign-language title or video title.

Type of AV production

- **Usage of TV production as a series**
TV productions which are related in their subject but differ greatly from one another.
- **Company/industrial film**
Image or education film for companies
- **Presentation on the Internet**
Public access to company films on the Internet

Characteristics (Type of use of music)

- **Opening theme**
Introductory music at the beginning of an AV production, during which the names of the people involved in the AV production are listed.
- **Title song/Main title**
The signature tune of an AV production.
- **Background music**
The background music of an AV production.
- **Closing theme**
The closing music at the end of an AV production, during which the names of the people involved in the AV production are listed.
- **Visual music**
Visualized or depicted music, i.e. the depiction of a music performance in the AV production.

The notification „Notification of Audiovisual Productions (AV Productions)" as well as other information concerning the notification can be found online at <https://www.gema.de/musikurheber/repertoire/anmeldung/>

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