

19TH ANNUAL US-EU COPYRIGHT SUMMIT

***Session I: Tuesday, November 9, 2021, 8:00 – 10:00 AM PT
11AM ET | 4PM GMT | 5PM CET***

The EU Copyright Directive as Implemented: A Primer for Producers and their Lawyers

Part I: The Directive

Moderator: Charlotte Lund Thomsen (Counsel, FIAPF – International Federation of Film Producers Associations -- and IVF – International Video Federation)

Panelists: Brigitte Lindner (Barrister & Member of the Bar of Berlin, Germany, Serle Court Chambers (UK))
Scott Martin (Deputy General Counsel, Paramount Pictures)
Prof. Dr. Mathias Schwarz (Partner, SKW Schwarz (Germany))

Part II: Responding to the Directive

Moderator: Prof. Dr. Jan Bernd Nordemann (Partner, Nordemann (Germany))

Panelists: Max Rumney (Deputy Chief Executive, PACT (UK))
Malene Ehlers (Consultant)
Eric Lauvaux (Partner, NOMOS (France), and IFTA Arbitrator)

The EU Digital Single Market Copyright Directive (DSMCD) is currently being transposed into law within the EU Member States. The Directive establishes new reporting obligations and requirements regarding authors/directors/performer's compensation; creates the risk of rights revocation if copyrighted works are unexploited; and seeks to expand online access to copyrighted works by creating new rules on use of protected works online and also a voluntary distribution mechanism.

Producers (and their lawyers) assembling a production or licensing distribution into the EU need to know how these provisions apply to future transactions between EU and non-EU parties; how they may affect pre-existing agreements (including collectively bargained labor agreements); what measures can be overridden by contract/a foreign choice of law; and which territories have deviated significantly in their implementation of the Directive.

Session 1, Part I will provide an overview of the most significant provisions of the Directive and will consider the mandatory overriding provisions, limitations on contractual freedom, and issues of conflicts of law. Part II will focus on the practical matters that must be taken into consideration in determining rights and obligations in production and distribution agreements.

MCLE Credit (CA) will be available for these sessions.