

PRESS RELEASE

SUISA Digital sues Twitter International for copyright infringement

Twitter International refuses to pay authors and publishers for music represented by the Liechtenstein music licensing organisation SUISA Digital and used in videos on its X platform. SUISA Digital, therefore, is filing a lawsuit against the company that operates X for copyright infringement. SUISA Digital Licensing is a subsidiary of Swiss collecting society SUISA.

Zurich/Munich, 6 December 2023 – SUISA Digital Licensing (SUISA Digital) has filed a copyright infringement lawsuit in the Munich I District Court against Twitter International. The lawsuit alleges that Twitter International used unlicensed music represented by SUISA Digital on the X platform. X is one of the most popular online platforms in the world, where users can publish short text messages (“tweets”). Those tweets can also contain videos, including videos with music, which can be accessed by Internet users worldwide. This lawsuit follows SUISA Digital’s repeated attempts to license X for more than half a year. Twitter International Unlimited Company, the owner of X, was a subsidiary of Twitter, Inc., which was acquired by American entrepreneur Elon Musk in 2022 and after merging with X Holdings in 2023 is now a part of X Corp.

SUISA Digital is a subsidiary of SUISA, the collective management society that represents authors and publishers of music in Switzerland and Liechtenstein. It represents the online music rights of SUISA and 14 other societies and several international music publishers worldwide. Its repertoire includes over 80,000 songwriters, composers, publishers and approximately 10 million works. SUISA Digital has concluded licence agreements for worldwide uses with more than 80 digital music providers. These are administered by Mint Digital Services (Mint), a joint venture between SUISA and its partner SESAC, a US music rights organisation.

Twitter International refuses to pay songwriters, composers and publishers

Twitter International does not pay for the music it uses on X. SUISA Digital’s attempts to enter into negotiations with Twitter International have been unsuccessful. Twitter did not react to several emails, with the exception one automated reply, a standard text which simply pointed to a contact form for rightsholders to notify copyright infringements. After SUISA Digital notified Twitter International of a number of musical works in videos on X, Twitter International neither sent a reply nor acted to remove the videos.

A considerable number of works in SUISA Digital’s repertoire is available on the X platform and is used by users without Twitter International having acquired a licence from SUISA Digital.

The Lawsuit commenced in the Munich District Court

As a result of Twitter International’s failure to react and its continued infringing conduct, SUISA Digital has filed a lawsuit against Twitter International with the Munich I District Court. Through its lawsuit, SUISA Digital seeks to ensure the authors and publishers it represents are adequately compensated for the ongoing, illegal use of their creative work. That is why, among other things, SUISA Digital demands that Twitter International fully disclose its figures relating to its uses and to the turnover realized with its music offers on the platform X. SUISA Digital is represented by the law firm Lausen Rechtsanwälte.

“SUISA Digital is using all of the resources at its disposal to defend the interests of authors and publishers it represents and is taking resolute action against the illegal use of music,” says Fabian Niggemeier, CEO of SUISA

Digital. “This is the only way we can effectively represent the interests of authors and publishers and ensure that they are compensated fairly by Twitter International.”

“SESAC has been working closely with SUISA for years as part of our joint venture Mint. As a result, SUISA Digital has our full backing in its lawsuit against Twitter International. Twitter International has benefited from the creative work of authors and publishers for years. We expect Twitter International to recognise the value of the work” says Alexander Wolf, President of SESAC International.

Contracts with multiple music streaming services

Like radio and TV stations, online services require a licence if they offer music or other copyrighted content on their platforms. These licences, managed by copyright societies around the world, mean that music authors and publishers are paid when their content is used. SUISA Digital has contracts with over 80 online platforms.

For more information about the main issues, please refer to the attached FAQ, which can also be found on the [SUISA website](#).

Further information:

Fabian Niggemeier

CEO of SUISA Digital

Tel. +42 37802708

E-mail: fniggemeier@mintservices.com

About SUISA Digital Licensing

The music licensing organisation SUISA Digital Licensing (SUISA Digital for short) is a subsidiary of SUISA, the cooperative society for authors and publishers of music in Switzerland and Liechtenstein. SUISA Digital, having its registered office in Vaduz, Liechtenstein, represents the online rights to musical works by composers, lyricists and publishers from 18 copyright societies and several publishers worldwide. SUISA Digital licenses internet platforms worldwide and has contracts with over 80 online service providers, amongst others Youtube, Spotify, Apple Music, or Meta (formerly Facebook). www.suisa.ch

About SUISA

SUISA is the cooperative society for composers, lyricists and music publishers in Switzerland and Liechtenstein. Its 40,000 members include music professionals from all disciplines. In Switzerland and Liechtenstein, SUISA represents the musical repertoire of two million authors worldwide. It grants licences to use this repertoire to more than 120,000 customers. In 2017, SUISA and US performance rights organisation SESAC founded the joint venture Mint Digital Services. The company manages invoicing and administration for the transnational music licensing businesses of SESAC, its subsidiary the Harry Fox Agency and SUISA with online providers, and also offers its services to publishers.

With approximately 230 employees in Zurich, Lausanne and Lugano, SUISA generates a turnover of more than CHF 190 million. As a non-profit organisation, it distributes the proceeds from licences to music authors and publishers after deducting the administrative costs. www.suisa.ch