

# Licensing terms and conditions

## Online (Advertising) Campaigns



Online (advertising) campaigns shall be defined as the placement of audiovisual productions, mainly on third-party websites and/or social media platforms, and with an online media budget of more than CHF 1,000.

### **Reproduction rights**

(Setting of music to audiovisual productions)

- The rights for the reproduction of music in audiovisual productions need to be acquired up front and separately pursuant to tariff VN. More information on this is available on our website:

<https://www.suisa.ch/en/Kunden/Musik-in-Videos/Musik-in-Videos-mit-Werbecharakter/Online-Werbekampagnen.html>

- In cases where you use music in another form than in audiovisual productions (such as music for download etc.) please provide us with the details on the nature of the music use by e-mailing us at:

[customerservices@suisa.ch](mailto:customerservices@suisa.ch).

### **Making available rights**

(Dissemination of audiovisual productions on the internet in the course of a(n) (advertising) campaign)

The remuneration shall be 2.15% of the online media budget. It comprises all expenses borne by the advertising principal to disseminate the campaign on the internet: Costs for placing the spot on various websites and internet services of third parties as well as the cash value for bartering. Production costs of the spot shall not count as a part of the online media budget.

The calculation of the remuneration shall be made independently of the music duration. If, apart from the advertising principal's jingle, the campaign does not include any other music, the remuneration shall be a blanket fee of CHF 200.

A minimum licence fee of CHF 200 per campaign shall be payable in any case.

The remuneration shall generally only cover campaigns with spots that have been produced in Switzerland or Liechtenstein ("produced" in this sense shall mean that the country of manufacture respectively the country of commissioning was Switzerland/Liechtenstein). It is the responsibility of the advertising principal to acquire the making available rights. In the case of campaigns with spots that have been produced abroad and campaigns with post-produced spots (i.e. Swiss versions of spots produced abroad), SUISA will assume that Switzerland has been included by the advertising principal when settling such rights abroad. Except otherwise notified by the advertising principal or the rightsholders, SUISA shall therefore not act in such cases.

### **Notification and accounting**

SUISA must be notified of the campaign 10 days after its start at the latest, quoting the amount of the online media budget. SUISA shall have the right to request supporting documents. In addition, advertising principals shall provide the SUISA number of the used spot in their notification.

Advertising principals who carry out extensive online (advertising) campaigns on a regular basis, have the option to submit an annual overall declaration of all campaigns and to settle the remuneration in the form of instalment payments on account throughout the year. Please get in touch with us at [advertising@suisa.ch](mailto:advertising@suisa.ch), if you wish to choose this option.

### **Discount**

Advertising principals who are members of the Schweizer Werbe-Auftraggeberverband [Swiss Advertising Principals' Association] and respect these licensing terms and conditions shall receive a discount of 10%.

### **Value-added tax**

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All prices shall be exclusive of VAT.

#### **Other rights**

These licensing terms and conditions shall exclusively refer to the making available of copyright protected works in audiovisual productions on the internet.

The rights for the reproduction of the used music need to be acquired up front and separately pursuant to tariff VN so that an authorisation for the making available can be granted. SUISA does not manage the rights of other authors than those of the music, neither does it manage the neighbouring rights of artists, producers of sound recordings and broadcasters.

#### **Entry into force**

These licensing terms and conditions shall apply for all online (advertising) campaigns which are executed from 01 May 2017 onwards.