

Glossary Copyright / authors’ rights and SUISA

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Term	Definition
© Copyright notice	The © copyright notice indicates the holder of the rights in the relevant copy of the work. In Switzerland, it is recommended - but not legally required - to place the copyright notice sign on a sound recording or a sheet-music edition. Copyright also refers to the Anglo-American concept of copyright law, as opposed to the continental European “droit d’auteur” (authors' rights).
℗ notice	The symbol ℗ stands for "phono-recorded" and identifies the record producer that made a sound recording (example: ℗ by Sample Label). In the case of a sound recording, the note is placed on the carrier itself, or on the inlay or cover.
A&R manager	A&R manager (A&R = Artist & Repertoire) is a function in a record company. A&R managers are responsible for finding new artists and fostering their development.
Administration agreement	An administration agreement is a contract between two music publishers. The agreement regulates organisational tasks (e.g. works registrations, settlement statements). In practice, the administrator is a service provider who carries out the relevant tasks for the contractual partner in exchange for a commission.
Administrative costs	Administrative costs are the expenses incurred by collective management organisations in the administration of rights. Administrative costs are often expressed as a percentage of revenues.
Agency without authority	In absence of a membership relationship or a mandate, a collective rights management organisation without authorisation must manage the rights in accordance with Article 419 et seq. of the Swiss Code of Obligations.
Aggregator	An aggregator is a digital distributor who intermediates music between rightsholders (artists, record producers) and music services such as streaming and download platforms (e.g. Spotify, Apple Music). Aggregators ensure that music is available on those platforms and settles the remuneration with the rightsholders. Swiss aggregators include iGroove and iMusician, for example.
AirPlay	In the music industry, the term refers to the playing of a music recording on the radio or of a music video on television.
Archive copies	The Copyright Act provides that one copy of a work may be made in order to ensure its preservation.
Arrangement	An arrangement is an intellectual creation with individual character that is based upon a existing work (protected or in the public domain), whereby the individual character of the latter remains identifiable. An arrangement is a new work (see derivative works) which shows both the individual features of the original work and new individual elements. Arrangements include, for example, translations, musical settings, lyrics, and
Arranger	The arranger is the natural person who creates a protected musical work using an existing work so that the individual character of the latter work remains identifiable.
Artificial intelligence (AI)	Artificial intelligence (AI) is a field of computer science concerned with the automation of human behaviour and machine learning. The basic idea of AI is that human thinking can be formalised and that humans can build a machine capable of displaying intelligent behaviour. Article 2 of the Council of Europe Framework Convention on AI contains the following definition: ... “artificial intelligence system” means a machine-based system that, for explicit or implicit objectives, infers, from the input it receives, how to generate outputs such as predictions, content, recommendations or decisions that may influence physical or virtual environments. Different artificial intelligence systems vary in their levels of autonomy and adaptiveness after deployment."
Artist agreement	An artist agreement is a contract for the production of sound recordings concluded between a phonogram producer and an artist. The artist is contracted on an exclusive basis, meaning that during the term of the agreement they may not record for any other company. Under an artist agreement, the phonogram producer bears the costs of the entire production (studio, promotion, marketing, distribution, and possibly manufacture of sound carriers). By way of remuneration, the artist is entitled to a percentage of the total proceeds from the sale and distribution of the recording.

Term	Definition
Assignment	An assignment is the transfer of a claim from the assigning creditor (assignor) to a receiving creditor (assignee) who becomes the new creditor (see Article 164(1) CO). In the context of SUISA’s activities, assignments are used to offset advances paid by a publisher to an author. When authors are granted an advance by their publisher, they assign their claims to future settlements from SUISA to the publisher until further notice. Once the advance is fully repaid, the author revokes the assignment after which SUISA pays the author's settlements to the author directly.
At-source participation	“At-source participation” is a provision in publishing agreements and, specifically in sub-publishing agreements. The clause provides that publishing-related costs may only be deducted once, at source. Without this provision, publishing-related costs might be deducted several times in a chain of rights. This would reduce the author’s remuneration and prevent the original publisher from receiving a fair share of the sub-publisher’s
Author	The author is the natural person who creates a work. In music, the term applies to composers, lyricists and
Authors’ moral rights	Moral rights are rights which authors are entitled to in respect of their creations by virtue of their personality (e.g. the right of attribution). They aim to protect the reputation and standing of rightsholders and provide them with a means of opposing the distortion of their works.
Back catalogue	The term “back catalogue” refers to the repertoire of a record producer or publisher which is no longer current but remains in the catalogue and continues to be exploited.
Beat	A beat is the rhythmic foundation of a song; it consists at the least of various drum and percussion elements. Beats to create new works can also be obtained online from specialised platforms. The user must acquire a licence to use the beat. The new creations can be registered by filing a works registration. The registration must always indicate if a beat has been used. Depending on the terms of the licence agreement, the beatmaker may also be entitled to a share of the proceeds from the work.
Beatmaker	A beatmaker is the composer of a beat.
Berne Convention (revised)	The (revised) Berne Convention for the Protection of Literary and Artistic Works is an international treaty adopted in Bern in 1886 and revised several times since (hence the "revised" Berne Convention). Among other things, the Convention provides that works originating in one of the Contracting States must be given the same protection in each of the other Contracting States as the latter grants to the works of its own nationals (principle of "national treatment").
BIEM	BIEM (Bureau International of Societies Managing the Rights of Recording and Mechanical Reproduction) is the international umbrella organisation representing 59 mechanical rights societies worldwide and their interests in the field of recording and reproduction rights.
Black Box	The term "Black Box” is sometimes used to describe income of collective management organisations that does not stem from their management activities (non-operating income, such as income from securities and interest), as well as remuneration that cannot be assigned to any entitled party (e.g. owing to a missing payment address) and therefore cannot be distributed. SUISA uses non-operating income to cover administrative costs. Remuneration that cannot be assigned to an entitled party is set aside for five years while efforts are made to locate the rightsholders. If the amounts cannot be distributed within five years, they are allocated to the reduction of operating costs and to supplementary
Blank media remuneration (or levy)	Because private copying cannot and should not be controlled, authors are compensated for the private use of their works by a levy on the purchase of blank media passed on to the consumer by the manufacturer or importer of the carrier.
Booking agent	A booking agent is akin to an artist's employment intermediary. The booking agent’s main activity is arranging concert engagements. Their work is regulated by the Federal Act of 6 October 1989 on Placement Agencies and Staffing Leasing Services (status on 1 January 2024).
Broadcasting right	Broadcasting rights refer to the right to broadcast works and performances via radio, television and similar media – either wirelessly (terrestrially or via satellite) or via cable. The result is the broadcasting of works. In Switzerland, authors' broadcasting rights are generally managed by a collective rights management organisation.

Term	Definition
Buy-out	The term “buy-out” refers to the situation in which an entitled person (e.g. an author) grants all the rights to which they are entitled for a specific use to another person against remuneration. In the rights administration agreement, members transfer their rights to SUISA, comprehensively as a rule, and a buy-out is no longer possible. In exceptional cases, however, and subject to certain conditions, SUISA offers members the possibility of opting out of SUISA management and exploiting the rights themselves. This applies, for example, to phonogram productions or to the publication of works on the author’s own website, provided that only works of the author concerned are involved. Other opting-outs exist in the field of film music and for composers of
Cable retransmission	Retransmission by cable of a work broadcast by a broadcaster other than the original broadcasting company.
Categories of works	Copyright protects works in the fields of literature and art. Article 2(2) of the Swiss Copyright Act contains a list of categories of protectable works. These include literary works, musical works, works of fine art (painting, sculpture, graphic art), architecture, applied art, photographs, films and choreographic works.
CISAC	CISAC (Confédération Internationale des Sociétés d’Auteurs et Compositeurs) is the international umbrella organisation representing about 230 copyright societies from various repertoires (music, literature, film, etc.). At the political level, CISAC defends the rights of authors and composers. It also promotes technical cooperation among collective management organisations, in the fields of documentation and distribution, for example.
Claim	A claim is a notice of entitlement. Rightsholders can file claims with a collective management organisation to notify the latter of their entitlement in a work that is being used or in its recording. A claim is an administrative notice serving to ensure that income from licence fees, performances, streams or broadcasts is allocated to the
Co-authorship	Where two or more persons contribute as authors to the creation of a work, they qualify as co-authors. Co-authorship presupposes an artistic collaboration based on a common concept.
Co-composer	Where two or more persons contribute as composers to the creation of a work, they qualify as co-composers.
Collection	A collection is a compilation of works or contributions. Provided the selection was man-made and has individual character (e.g. a collection of poems, a cookbook or a compilation), collections are protected as works in their own right under Article 4 of the Copyright Act.
Collective management organisation	Collective management organisations are entities that administer the rights of use of authors, performers and other rightsholders in their works and performances. Legally, these are private institutions performing a task in the public interest; in many countries they enjoy a statutory monopoly. As a rule, countries have one collective management organisation per genre of works. The five Swiss collective rights management organisations are SUISA, ProLitteris, Suissimage, SSA and SWISSPERFORM.
Collective management	In collective rights management, conversely to individual rights management, certain rights are managed centrally by a collective rights management organisation for a large number of rightsholders. These organisations are self-help entities which expolit their members’ rights on a pooled basis.
Collective Management Act	The Collective Management Act (VGG) is the copyright act of the Principality of Liechtenstein (Act on the administration of copyright and related rights by collecting societies). Since Liechtenstein is a member of the European Economic Area (EEA), the VVG also implements EU directives.
Co-lyricist	Where two or more persons contribute to the creation of lyrics, they qualify as co-lyricists.
Combination of works	A combination of works is where an existing work is combined with another work to form a unit. A combination of works may, for example, consist in the arrangement of a composition or the musical underscoring of an existing film by a composer (synchronisation).
Commissioned work	A commissioned work is a work created by an author at the request of a customer against payment (e.g. a composition commission). The rights of use are regulated in the agreement between the commissioning party and the author, subject to the rights transferred to SUISA.
Common tariff (CT)	Where several collective rights management organisations are active in the same field of use, they are legally required to establish a common tariff for the same use of works or performances and to designate a joint collecting office. This obligation applies only in the area of mandatory collective management.
Compilation	Compilations are sound carriers containing recordings by various artists.
Composer	A composer is a natural person who creates their own music.
Configuration	“Configuration” refers to the technical format or physical/digital form in which sound or audiovisual content is released or stored (e.g. single, album, CD, etc.).

Term	Definition
Consumers	Consumers are defined as natural persons who acquire goods or services for purposes that are not connected with their commercial or professional activity. Because of their information deficit vis-à-vis commercial providers, consumers require special protection. The average consumer is expected to be reasonably informed, observant, and circumspect. The use of works by consumers in their private sphere is permitted by law. Often, the remuneration for a use is passed on to consumers via the price charged by the "user".
Content provider	Content providers are companies offering content (text, images, music, films, games) through digital media.
Contractual penalty	A contractual penalty is an amount which one party to an agreement undertakes to pay to the other party in the event of a breach of contract. Contractual penalties are common in concert agreements.
(Contractual) Territory	The territory, or contractual territory, means the geographical area where the contractual rights and obligations apply. In agreements granting copyright usage rights, it is often possible to limit the contractual territory, i.e. to allocate rights to different partners for different territories.
Cooperative	A cooperative is a membership-based legal entity with an open-ended number of members. Its main purpose is to promote or safeguard certain economic interests of its members through mutual self-help.
Coordination Committee	The Coordination Committee is a body of the five Swiss collective rights management organisations responsible for coordinating their business policy, in particular in the area of common tariffs. It is based on a cooperation agreement dated 28 June 1993.
Co-publishing agreement	A co-publishing agreement regulates the collaboration between two music publishers who jointly exploit one or more works from their catalogue.
Copy of a work	A copy of a work is an individual marketable copy of a protected work, e.g. a CD.
Copyright	The term copyright originates in Anglo-American law. In German-speaking countries, the term commonly used translates as "authors' rights" (Urheberrecht).
Copyright / authors' rights	Copyright comprises a bundle of individual rights. These can broadly be divided into economic rights (exploitation rights), which are akin to property rights, and moral rights, which are akin to personality rights.
Copyright Act (CopA)	The Federal Act on Copyright and Related Rights (CopA) regulates the protection of authors of literary and artistic works, of performers, producers of phonograms and audiovisual carriers, and of broadcasting organisations. It also regulates federal supervision of collective management organisations.
Copyright collecting	A collective (rights) management organisation that asserts copyrights.
Copyright Ordinance	Ordinance of 26 April 1993 on Copyright and Related Rights (Copyright Ordinance).
Copyright remuneration	Remuneration for the use of copyright. Also known as royalties.
Corporate/company expenses	Corporate or company expenses -- defined as administrative expenses minus income from services for third parties and interest income -- are distinct from operating expenses which do not take interest income into
Counterfeit	The term refers to identical counterfeits, i.e. pirated copies of sound carriers in which the original sound recording is imitated with all of its features (e.g. booklet).
Cover version	A cover version is an interpretation of an original work, i.e. the performance of a song by someone other than the musician who first performed it. The result is not a new work, but a performance of the work.
Creator	In the copyright context, the term “creator” is used as a synonym for author; it refers to the author of an intellectual creation with individual character.
Cue sheet	A cue sheet is a list of the musical works contained in an audiovisual production (e.g. a film). It serves to enable collective management organisations to distribute the royalties to the proper rightsholders.
Customer	In the context of the Swiss collective rights management organisation SUISA, the term “customer” refers to a person or organisation that uses protected music in public and acquires a licence from SUISA for that purpose. Customers include concert organisers, radio stations, streaming services, and other enterprises and associations that play music in public or disseminate it. In exchange for the licence fee, SUISA grants them the right to use protected works lawfully within the agreed scope.
Cycle	In music, a “cycle” is the generic term used to describe multi-part compositions. A cycle is generally characterised by a connection between the individual parts of the composition.
Derivative work	Derivative works are intellectual creations with individual character that are based upon existing works, whereby the individual character of the latter remains identifiable. (see arrangements)
Digital distribution	see “Aggregator”

Term	Definition
Digital Service Provider (DSP)	A Digital Service Provider is a business that provides digital services via the internet or other digital networks. These include offerings such as cloud computing, online software (SaaS), platform as a service (PaaS), and other web-based services. Streaming platforms such as Spotify or Apple Music are also DSPs.
Direct licensing	A rightsholder who excludes certain rights from their rights administration agreement with a collective rights management organisation and manages them personally or through a publisher or an agency is practising what is referred to as direct licensing. Direct licensing relates mainly to concerts.
Discography	The term designates a list of all the sound recordings made by an artist over their career.
Discography registration	Like authors who, as SUISA members, are required to file a works registration with SUISA before a new work is published, performers are required to file a discography form to inform SWISSPERFORM of the recordings of musical works in which they participate. This process is known as a discography registration.
Distortion of a work	By virtue of their moral rights, an author is entitled to object to substantial changes being made to their work where such changes have negative effects, for example if they adversely affect the author's reputation. An author has this right even if permission to arrange the work has been granted.
Distribution key	A distribution key defines the shares of the individual entitled parties in the settlements distributed by the collective management organisation. SUISA's Distribution Rules distinguish between contractual keys and regulatory keys. A contractual key applies, for example, when the entitled parties agree how to divide settlements in the works registration. Otherwise, the regulatory keys in the Distribution Rules are applicable. These keys allocate certain shares to certain roles (e.g. "composer", "publisher") and, in the case of roles involving more than one participant, provide for an equal apportionment between them.
Distribution right	Copyright law grants the author the right "to offer, transfer or otherwise distribute copies of the work". Authors may therefore put copies of their works into circulation, i.e. sell or give them away, or have a third party (e.g. a publisher) exercise this right.
Distribution rules or regulations	The distribution rules (or distribution regulations) of a collective management organisation set out the provisions governing the distribution of revenues to entitled parties. Under the Copyright Act, collective management organisations are required to draw up distribution rules and submit them to the supervisory authority for approval. The CopA further provides that, wherever possible, distribution must be made on an individual works-related basis (distribution with programme information). However, where this involves unreasonable expense, revenues may be estimated based on other factors (distribution without programme information).
Distribution with programme information	Programme-based distribution is implemented where a collective management organisation has information about the works used and can therefore distribute remuneration to the relevant rightsholders. Programme-based distribution is used, for example, in the case of concert remuneration. Article 49 of the Copyright Act basically requires distribution to be proportionate to the revenue from the individual works. At the same time, however, it provides that where such distribution entails unreasonable expense, collective management organisations may distribute the remuneration "without programme information".
Distribution without programme information	If a collective management organisation has no information about the works used, it may distribute remuneration "without programme information" in accordance with Article 49(2) of the Copyright Act. This applies in the case of the blank media levy, for example. In distributions without programme information, SUISA allocates the revenues to other distribution categories consisting mainly of the same kind of music or of the most similar music. Members who receive settlements from those categories will thus receive a supplemental amount from the distribution without programme information.
DJ	DJ stands for disc jockey, i.e. the person who plays sound recordings in clubs and sometimes also creates sound recordings. DJs can become members of SUISA provided they are composers, lyricists or arrangers of a musical work. DJs who record music are performers and can join SWISSPERFORM. DJs can also be sound recording producers and can become members of SWISSPERFORM in that capacity.
Double creation	Double creation is when two authors independently create two identical or very similar works.

Term	Definition
Double taxation	Double taxation is when a person’s income is taxed twice, e.g. in two different jurisdictions. This may be the case, for example, when all an author's income is taxable in Switzerland while withholding tax is levied by a foreign state on income earned in that country (e.g. remuneration from concerts). To prevent or mitigate such situations, Switzerland has concluded double taxation agreements with more than 100 countries. Double taxation matters are very complex, so you should contact a tax consultant or the tax authority for guidance in individual cases.
Download	Download refers to the process by which a user obtains data from a network operator. Downloaded data is usually stored permanently on the user’s device. From a copyright perspective, a download constitutes a
Dramatico-musical works	Also known as "theatrical musical works". See “grand rights”
DRM	Digital Rights Management means the management of rights by technical means (copy protection, payment systems). (See also DRM system.)
DRM system	Digital Rights Management systems are technical processes intended to prevent the unwanted dissemination of digital data (e.g. audio files). DRM systems can ensure that a file cannot be copied, for example by the use of digital watermarks.
DUN	DUN is the umbrella association of Swiss users of copyright and related rights. It brings together private and public user organisations and institutions from all over Switzerland and the Principality of Liechtenstein. DUN defends the interests of users of copyrights and related rights. It proactively addresses key public policy, legal, economic and ethical issues relating to the use of copyright and related rights. DUN represents the common interests of users vis-à-vis the federal authorities, collective rights management organisations, other market participants and the public.
EAN	EAN is short for “European Article Number”. It is a barcode placed on products (e.g. sound recordings) and used, for example, for scanning at the checkout desk. The term is still used even though EAN was renamed GTIN (Global Trade Item Number) in 2009.
EDK	The abbreviations EDK stands for the Swiss Conference of Cantonal Ministers of Education. Schools frequently use copyright-protected works. Such use is permitted as part of classroom teaching. However, schools must also pay copyright remuneration. EDK represents the interests of the cantons and negotiates copyright tariffs with the relevant partners (ProLitteris and SUISSIMAGE). EDK centralises payment of the remuneration for all public schools in Switzerland and subsequently invoices the individual cantonal education departments.
Embed	To embed means to insert, implant or enclose an object, such as a text, image or audio file, inside another object; the process is related to hyperlinking. For example, a Spotify player or that of another provider can be embedded in an online post: the content is loaded directly between the user and the provider (e.g. Spotify). As a result, there is no copyright-relevant use for which the embedder is responsible.
EP	The abbreviation EP stands for Extended Play and designates sound recordings in the form of a mini album; EPs contain more tracks than a single, but fewer than an album.
Equal treatment to nationals (principle)	The member states of the Revised Berne Convention undertake to grant foreign nationals the same copyright protection as they grant to their own nationals. Restrictions based on reciprocity are unlawful, meaning that protection cannot depend on reciprocal treatment.
Equitable share	The Copyright Act provides that, as part of mandatory collective management, authors and performers are entitled to an equitable share of the remuneration, regardless of the contract concluded with the publisher or producer. Remuneration should be fair and correspond to the value and extent of the use.
ESchK	ESchK is the German abbreviation for the Federal Arbitration Commission for the Exploitation of Copyrights and Related Rights. It is the authority re-spons-ible for ap-prov-ing the tar-iffs of the Swiss col-lect-ive rights man-age-ment organisations.
Exceptions to copyright	The rights of authors, performers and producers of phonograms are subject to exceptions under copyright law. Articles 19 et seq. of the Copyright Act set forth the "Exceptions to Copyright”. Such exceptions allow private use of works in schools and in businesses and organisations for internal purposes. In certain cases, works may be used without the rightsholder’s permission and without remuneration. In other cases, rightsholders are legally entitled to remuneration and their claims are managed by the relevant collective rights management

Term	Definition
Exclusive author agreement	An exclusive author agreement is a publishing agreement between an author and a (music) publisher. Unlike a conventional music publishing agreement, it does not relate to one or more specific works by the author, but to all the works created by the author during the term of the agreement. The author is “exclusively” tied to the publisher for that period of time.
Exclusive right	Copyright is an exclusive right: authors have the right to decide whether, when and how their work is used. Authors may authorise or prohibit the use of their work by any third party.
Exclusivity	Exclusivity means that a right is granted on an exclusive basis; only the party who is granted exclusivity may exercise that right (a publishing agreement between an author and a publisher is exclusive, for example). Rights granted on a non-exclusive basis are granted to more than one party. (Example: SUISA grants various customers non-exclusive rights to its repertoire.)
Exploitation authorisation	Any person who exploits rights which are subject to federal supervision requires authorisation from the Swiss Federal Institute of Intellectual Property (cf. Article 40 CopA).
Exploitation monopoly	In general, authorisation is only granted to a single collective management organisation per category of work and to a single collective management organisation for related rights. SUISA is the organisation responsible for non-theatrical musical works.
Exploitation period	This term has the same meaning as “exploitation term”. It defines the duration of the transfer of rights, i.e. how long a recipient (e.g. a publisher) can exploit the rights granted to it by the contractual partner (e.g. the author).
Exploitation period	The exploitation period is the “duration of the transfer of rights,” i.e. the period during which the recipient of the rights (e.g. a publisher) can exploit the rights granted by the contractual partner (e.g. the author). The maximum exploitation period in publishing agreements depends on the term of copyright protection (under Article 29(2)(b) CopA, protection expires “70 years after the death of the author”). SUISA’s Distribution Rules provide that, to be taken into account, publishing agreements must have a duration of at least three years (see Article 1.1.3.4 para. 4).
Exploitation proceeds	The term refers to the income generated from the exploitation of rights. After deduction of administrative costs and contributions to the foundations, exploitation proceeds are entirely passed on to the entitled rightsholders of the works used.
Fantasia	A fantasia is a musical composition with a free form. It is sometimes described as an “improvisation fixed in notation”. Article 2.1.3.7 of SUISA’s Distribution Rules regulates how revenue from fantasias is allocated unless otherwise agreed by the rightsholders.
File sharing	File sharing refers to the sharing of files on the internet. The files are often music or films exchanged between users. File sharing has become less important with the rise of streaming services.
Film music	Music used for the soundtrack for a film. Film music may be made up of existing music, mood music, or it may be a specially commissioned composition.
Film production rights	This designates an author’s right to decide whether their work (musical work, screenplay, or novel) may be used for a film production and adapted for that purpose. As applied to music, these rights are also known as synchronisation rights (sync rights).
First fixation	The term refers to the first recording of an artistic performance on a sound or audiovisual medium. The notion of first fixation is essential because only the first fixation of a recording entitles the producer of the sound or audiovisual recording to statutory protection. This means, for example, that a producer of a compilation does not enjoy statutory protection as a phonogram producer in respect of that compilation.
Flat rate	This means that a product or service is available for a fixed price, regardless of the quantity purchased. Subscription fees for streaming services such as Spotify, Apple Music, or Netflix are all flat-rate fees.
FONDATION SUISA	FONDATION SUISA is SUISA’s cultural foundation, established in 1989. It is funded by a deduction of 2.5% on all performance and broadcasting right revenues and remuneration claims in Switzerland and Liechtenstein. FONDATION SUISA supports contemporary Swiss and Liechtenstein music creation of all genres.
Foundation	A foundation is a legal entity endowed with assets dedicated to a specific purpose. The foundation has an organisational structure (e.g. board of trustees, auditors) designed to achieve that purpose.
Free goods	In recording contracts, free goods designate the units supplied to retailers at no charge as a discount at the manufacturer’s option.

Term	Definition
GEMA	GEMA (Gesellschaft für musikalische Aufführungs- und mechanische Vervielfältigungsrechte) is the collective rights management organisation for musical copyrights in Germany and as such, SUISA's counterpart. GEMA manages the copyright exploitation rights of around 100,000 members.
General meeting	The general meeting, or general assembly, is the highest body of a cooperative society. It usually meets once a year. All members are invited and are entitled to vote.
General terms and conditions for rights administration	The contractual basis between SUISA and its members consists of two parts: a rights administration agreement (RAA) and the General Terms and Conditions for Rights Administration (GTC). The GTC are standard terms and conditions and apply to all members; SUISA may amend them unilaterally as required provided it notifies rightsholders of the changes. Rightsholders may then terminate the RAA or tacitly accept the amended GTC. Unlike the GTC, the RAA is a customised agreement which must be signed by the member.
GESAC	GESAC (Groupement Européen des Sociétés d’Auteurs et Compositeurs) represents European copyright societies in Brussels. It promotes the interests of creators vis-à-vis the EU and plays an advisory role in EU legislative processes in the field of copyright. SUISA is a member of GESAC.
GfK	GfK Switzerland AG is a market research institute that compiles the Swiss charts, among other things.
Grand rights	“Grand rights” concern theatrical musical works, i.e. all musical works performed in a scenic context, such as musicals, operas, operettas, or ballets. Scenic context means the staging of a musical work in a theatrical setting, for example, with a storyline portrayed by persons playing set roles, which rely on music to such an extent that they cannot generally be used without it. Grand rights are not administered collectively by SUISA, but by SSA (Société Suisse des Auteurs), the music publishers, or the authors themselves.
Graphic rights	The expression refers to the right to reproduce or present a work graphically (e.g. in books or digitally). In the music industry, graphic rights primarily refer to works presented in the visual form of sheet music.
GSA	GSA, the abbreviation for Germany, Switzerland, and Austria, is often used in contracts to designate the German-speaking contractual territory.
GTC - general terms and conditions	General terms and conditions are standard, pre-defined provisions that one party presents to the other when entering into a contract. They are used to streamline processes when one party needs to conclude agreements with a many partners. SUISA's “General Terms and Conditions for Rights Administration” for authors and publishers are such general terms and conditions. By contrast, the “Rights Administration Agreement” concluded with authors, publishers and other rightsholders are not.
GTIN	GTIN (“Global Trade Item Number”, previously “EAN” – European Article Number until 2009) is a 13-digit number placed beneath the barcode to identify a product, such as a sound carrier for example, and simplifies inventory management, distribution, and sales.
GVL	GVL (Gesellschaft zur Verwertung von Leistungsschutzrechten) is the collective management organisation for related rights in Germany and is the counterpart to SWISSPERFORM. GVL manages the rights of more than 180,000 members.
Hyperlink	A hyperlink is an electronic reference in a text serving as a cross-reference to another electronic document which opens automatically when you click the link. As a rule, setting a link is not a copyright-relevant act, since it is merely a reference to a location where the content is already available.
IFPI Switzerland	Swiss group of the International Federation of Producers of Phonograms and Videograms. IFPI International was founded in 1933 to safeguard the rights and interests of producers and manufacturers of phonograms and, later, videograms. IFPI Switzerland represents the interests of producers of sound and audiovisual recordings in all matters relating to copyright, neighbouring rights, and combatting abuse, in particular phonogram piracy.
Improvisation	To improvise means to compose spontaneously. For example, a musical work created and performed or recorded at the same time. Improvisation can be based on a model or can be free.
Independent	“Independent” (short form “indies”) is a collective term for small or medium-sized phonogram producers or publishers that exploit rights independently of the major companies.
Individual management	Rights under individual management are exploited by rightsholders themselves and not, as in collective management, by a collective management organisation.

Term	Definition
Inquiry List	An Inquiry List is a list of incompletely documented works. Such lists are created when, despite intensive research, SUISA is unable to identify rightsholders and therefore cannot distribute the remuneration. Provisional works are then created. Works that are not fully documented and have generated at least CHF 50 in remuneration within the last five years are included in the SUISA Inquiry List. Members can view the list under “My Account” and retroactively register any of their works on the list. There is also the “Inquiry List Films”, which lists all audiovisual productions with a missing cue sheet (list of the musical works contained in a production) in the last five
Insolvency clause	In a recording or publishing agreement, an insolvency clause provides that, in the event of the insolvency of the phonogram producer or publisher, the rights revert to the performer or the author. SUISA’s specimen publishing agreement contains such a provision.
Intellectual property	A person’s intellectual creation is recognised as an intangible achievement and is protected in a manner comparable to property rights in tangible objects. Creations in the fields of literature and the arts are protected by copyright. The rights belong exclusively to the creator or rightsholder and can be commercially exploited. Intellectual property also includes patents, designs, and protected trademarks.
Intellectual property law	This term refers to rights in intangible intellectual creations that have value and are legally protected. Intangible goods stand in contrast to tangible goods, like a motor car, for example. In addition to copyright, intellectual property law encompasses patent law, design law, trademark law, as well as the law governing distinctive signs and company names.
IPI	Swiss Federal Institute of Intellectual Property; the IPI is the supervisory authority over the Swiss collective rights management organisations.
IPI	IPI (Interested Parties Information) is a database operated by SUISA on behalf of CISAC containing information on rightsholders including, for example, which collective rights management organisation is responsible for which rights and territories.
ISAN	ISAN (International Standard Audiovisual Number) is an ISO-certified numbering system for identifying audio-visual works regardless of version and format. ISAN numbers can be requested from the ISAN registration agency in Switzerland. For works in analogue form, the ISAN should be securely affixed to the master and to all archived copies. For digital works, the ISAN can be integrated into the master copy and transferred to every copy. The ISAN can also be used for all kinds of documentation, advertising materials, or packaging of an
ISRC	International Standard Recording Code (ISO code for a sound recording of a work). The ISRC is intended to identify and monitor the use of, in particular, digitized music. The code indicates the rightsholder in the sound
ISWC	International Standard Work Code (ISO code for a musical work). The ISWC is intended to identify works, especially for collective rights management organisations. It is assigned by SUISA after the work has been registered and is visible in the work documentation (e.g. under “My Account”).
Label	Label is another term for a phonogram producer. Larger companies use different labels to distinguish repertoires of different musical genres. The term comes from the label on the centre of vinyl records.
Label code	The label code, or “LC”, contains information about the phonogram producer (the label) of the recording and confirms that broadcasters may use the recording. The LC is used for the settlement of related rights in Germany, but not in Switzerland. In Switzerland, the code is not required.
Label-affiliated publisher	A label-affiliated publisher (also called an affiliated publisher) is a music publisher that belongs to the company of a (major) phonogram producer.
Licence	A licence is a contractual permission granted by a rightsholder to the licensee to use a right (against payment).
Licence agreement	A licence agreement is a contractual arrangement under which the licensor grants the licensee the right to use intellectual property rights (e.g. copyrights) under specified terms and conditions. Ownership of the rights remains with the licensor; the licensee is only permitted to use them.
Licence analogy	Licence analogy is a method for calculating damages: damages are assessed approximately, at the licence fee rate the infringer would have had to pay had they used the work lawfully.
Limitation period	A limitation period refers to a specific time frame within which a claim or right must be asserted, failing which it becomes time-barred and is no longer enforceable.
Lyricist	A lyricist is the natural person who creates the lyrics of a musical work.
Majors	In the music industry, the “Majors” - the largest global phonogram producers - are currently Universal Music Group, Sony Music Entertainment and Warner Music Group.

Term	Definition
Making available	Article 10(2)(c) CopA grants authors the right to make available. According to this provision, an author has the right to make a work "available directly or through any kind of medium in such a way that persons may access it from a place and at a time individually chosen by them". In practice, a rightholder may make the work available online, on a streaming platform for example.
Making-available right	The author's right to make their work available is stipulated in Article 10(2)(c) CopA.
Management agreement	A management agreement governs the legal relationship between manager and artist. The manager undertakes to support the artist's career in various ways (advisory, supervisory, strategic). In return, the manager receives a share of the artist's specifically defined income.
(Music) Manager	Music managers are the persons responsible for an artist's organisational, business, and legal affairs. They are responsible for developing a strategy for the artist's career, representing the artist's business interests, providing advice and support, managing relations with industry representatives and, in some cases, also for concert bookings. Management of concert bookings is governed by the Employment Services and Hiring of Services Act of 6 October 1989 (status on 1 January 2024).
Mandatory collective management	Mandatory (or compulsory) collective management concerns uses for which it is in practice no longer possible, or it is legally prohibited, for right holders to exercise their rights individually. Collective rights management organisations pool these rights and manage them collectively. Article 60(2) of the Copyright Act provides that remuneration normally amounts to a maximum of ten per cent of the proceeds or costs incurred from the use of the copyright and a maximum of three per cent for related rights.
Mandatory collective management	Mandatory collective management applies to uses with regard to which it is practically impossible, or legally prohibited, for rightsholders to exercise their rights individually. Collective management organisations pool these rights and administer them collectively.
Manuscript work	A manuscript work is an unpublished work.
Master	A master is the sound recording of a finished music production fixed on a medium (storage device, CD, etc.); it is the source for reproductions of the recording.
Master delivery agreement	A master delivery agreement is an agreement on the production of sound recordings concluded between a phonogram producer and an artist. The artist is responsible for financing and producing the sound recording, while the phonogram producer assumes the further work and costs of production (promotion, marketing, distribution and, where applicable, the manufacture of sound carriers). The artist bears the business risk and receives, as remuneration, a percentage share in all income from the sale and distribution of the recording. This share is higher than under an artist agreement because the artist finances the production of the recording.
Mastering	Mastering is the technical post-production of a fully mixed sound recording and thus the final production step. Its purpose is to correct the sound to achieve the ideal playback on different systems (hifi, radio, etc.).
Medley	A medley is a musical piece combining parts of other compositions played seamlessly and smoothly one after the other. A medley is an arrangement of the works composing it. (Also see Potpourri)
Melody	A melody is a sequence of single notes forming a satisfying coherent whole created following certain musical and aesthetic principles. Melodies are protected by copyright if they qualify as an intellectual creation with individual character.
Member	As related to SUISA, "member" refers to a natural or legal person who has concluded a rights administration agreement with SUISA entrusting the latter with the management of their copyrights. By profession, members are generally composers, lyricists, or publishers. After signing the rights administration agreement, a rightsholder is initially a principal. To qualify as a member, a rightsholder must have been a principal for at least one year and have generated CHF 3,000 in copyright remuneration. Only members have full voting rights and eligibility at the general meeting.
Merchandising	The term "merchandising" refers to the marketing of ancillary products, notably fan merchandise of all kinds. Such merchandise can be in physical (e.g. T-shirts) or digital form (e.g. NFTs).
Minimum delivery obligation	The "minimum delivery obligation" is a provision found in agreements which bind the artist on an exclusive basis (artist agreement, exclusive author agreement). It specifies how many works or recordings the author or performer must deliver to the contractual partner over the contractual term.
Minimum originality	This expression refers to works that display only a modest degree of creativity but are nevertheless protected. (In German " <i>Kleine Münze</i> ")

Term	Definition
MINT	Mint Digital Services is a joint venture between SUISA and the US rights management organisation SESAC. The purpose of the partnership is to strengthen SUISA and its members' position on the online market and thereby safeguard their independence. Mint Digital Services is responsible for the accounting and administration of cross-border music licensing business with online platforms such as Spotify.
Mood Music	see “Production Music”
Moral rights	“Droit moral” is the French term used for the author’s moral rights. While these rights are central to copyright law in continental Europe, Anglo-American copyright law is more restrictive.
Motif	A motif is a short compositional sequence of notes: riffs or licks, which are short, repeated patterns or phrases with a high degree of recognisability, are motifs, for example.
Music producer	The music producer (also known as artistic producer) is the person who is musically responsible for the production of a sound recording. This responsibility covers the musical aspect as well as the organisation of the recording (e.g. budgetary compliance). Music producers are entitled to related rights as performers.
Neighbouring rights	Neighbouring rights (also called related rights) are the rights of performers, phonogram producers, producers of audiovisual works, and broadcasting organisations and are anchored in the Copyright Act. The term “neighbouring” reflects their close proximity to copyright.
New setting to music	A new setting to music is a variant of a setting to music. It means combining a new composition with the lyrics of an existing musical work. This is an arrangement and requires permission from the lyricist or the publisher.
New type of use	Refers to any type of use that is unknown at the signing of a contract and cannot therefore be transferred to the partner as part of that contract. Article 3.3 of SUISA's General Terms and Conditions for Rights Administration provides that the transferred rights also include any new usages and rights which may be created or developed as a result of technological progress or changes in legislation, and which are significantly equivalent to the rights transferred under the rights administration agreement.
Non-disclosure agreement (NDA)	An NDA is a confidentiality agreement which obligates the parties to keep certain contents of the agreement confidential and not to disclose them to any third parties.
Non-theatrical works	See “small rights”.
One-stop shop	A one-stop shop refers to a place — physical or digital — where individuals or businesses can access all the services or products they need for a particular purpose without having to go to multiple locations. In the case of musical copyrights, therefore, all necessary rights of use can be obtained from a single rightsholder.
Original publisher	The original publisher is the publishing house to which an author grants rights directly, worldwide or for a specific territory. The original publisher is not to be confused with a sub-publisher to whom the original publisher grants rights for a specific territory.
PA	PA is short for Public Address and refers to a sound reinforcement system used to amplify speech or music for an audience at concerts and other public gatherings.
Parody	A parody is a deliberately exaggerated imitation of the style of an existing work for comic or satirical effect. Legally, it is an adaptation of the existing work; however, unlike an arrangement, a parody does not require the rightsholder's permission.
Performance	The term “performance” refers to the artistic delivery of a performer (musician, actor) who performs a work. Artists' performances of a work or an expression of folklore, or their artistic participations in such performances are protected under the Copyright Act (Article 33(1) CopA).
Performance	The act of performing a work, executed by a performing artist.
Performance rights	Performance rights are exploitation rights granted by law to the author. Specifically, under Article 10(2)(c) CopA, the author has the right to “to recite, perform or present a work, or make it perceptible somewhere else or make it available directly or through any kind of medium ...”. Under section 3.2 of the General Terms and Conditions for Rights Administration, rightsholders transfer the performance rights to SUISA. However, the rights administration agreement allows rightsholders to exclude this right from management by SUISA.
Performer	Performers are natural persons who perform a work or participate artistically in the performance of a work (see also performing artist).
Performer	A performer or performing artist is someone who performs a work (theatre, music, film, etc.). Performers essentially have the same rights in their performances as authors have in their works.

Term	Definition
Personal exclusivity	The term refers to a person’s exclusive commitment to a contractual partner such as a publisher or a record producer. Personal exclusivity means that the author or performer is obligated to make all their works or recordings available to the contractual partner and that, for the duration of the contract, they may not grant rights in new works or recordings to any third party. Personal exclusivity occurs primarily in exclusive songwriter
Personality rights	The personality rights enshrined in the Civil Code protect individual dignity and fundamental rights against unlawful interference by third parties (e.g. bodily injury, harm to reputation, interference with privacy). Personality rights are distinct from an author’s moral rights which concern the relationship between an author
Phonogram / sound carrier	A phonogram (sound carrier) is an acoustic fixation of sounds (music, speech, noises) on a storage medium (e.g. record, CD). Copyright law uses the term in various contexts, including relating to the phonogram producer. In the digital age, the expression “sound carrier (producer)” is no longer up to date. The term “sound recording” would be more accurate. However, because every recording must be fixed on a carrier at least once, the expression “sound carrier” remains in use.
Phonogram producer	A phonogram producer is the first producer of a sound recording, in other words, the person or entity that bears the economic, organisational and technical responsibility for its production. Phonogram producers are usually production companies (labels). However, if responsibility for the production process lies with the performer, the performer may also be the producer. The rights of the phonogram producer are set forth in Article 36 CopA.
Place of jurisdiction	Contractual provisions on jurisdiction determine the place where the parties must bring an action in the event of a dispute. If the parties do not specify a place of jurisdiction in the contract, by law actions must be brought at the domicile (for natural persons) or registered office (for legal persons) of the defendant.
Plagiarism	Plagiarism is the theft of intellectual property, for example where a person falsely claims to be the composer or lyricist of someone else’s musical work. Plagiarism constitutes a copyright infringement.
Podcast	The term “podcast” refers to a media format that usually consists of audio (occasionally also video) files; podcasts are often episodic series that may be subscribed. If protected musical works are used within a podcast, that use must be licensed through SUISA.
Potpourri	A potpourri is a musical work combining several existing compositions while nevertheless forming a musical unity. Potpourri is a synonym for medley. Unless otherwise agreed by the rightsholders, the allocation of work proceeds from potpourris is regulated by Article 2.1.3.7 of SUISA’s Distribution Rules.
PPD	PPD stands for the Published Price for Dealers, i.e. the price at which retailers purchase sound carriers from manufacturers. PPD is the accounting basis for the sale of sound recordings.
Presumption of authorship	Under copyright law, unless proven otherwise, the author is the person whose name, pseudonym or distinctive sign appears on the copies or the publication of the work. If another person claims to be the author of the work, they bear the burden of proof.
Price Supervisor	The Price Supervisor is tasked with the official review of possible price abuses where prices in the relevant market are not the result of effective competition. This is the case when prices are set by undertakings with market power or a monopoly, or with fees and charges set by public authorities. When approving tariffs, the Federal Arbitration Commission must also consult the Price Supervisor.
Primary allocation	For all common tariffs, one collective management organisation acts as the joint collecting office, centralising collection for all participating organisations. The aggregate revenues are then allocated among the individual repertoires or organisations according to a primary allocation key which varies from one tariff to another. This process is called primary allocation.
Primary allocation key	For each common tariff, the participating collective management organisations agree on the percentage share of the income from that tariff that is attributable to each repertoire. This percentage allocation is called the primary allocation key.
Private copying remuneration // reprographic remuneration	Remuneration for the reproduction of protected works, within the meaning of Article 20(2) CopA. Under this provision, reproductions of works for private use including in the classroom or in businesses, public administrations, etc., and reproductions by third parties (e.g. copy shops) are subject to remuneration. In tariff terms, copying remuneration is implemented through CT 7 (uses in schools) and CT 8 (uses in organisations).
Private copying	In Switzerland, private copying of protected works is permitted by law. However, to compensate for the resulting loss, producers and importers of blank storage media must pay remuneration (blank media levy) to the

Term	Definition
Private use	Published works may be used for private use. Private use means: - any personal use of a work or use within a circle of persons closely connected to each another; - any use of a work by a teacher and their class for educational purposes; - the copying of a of work in enterprises, public administrations, institutions, commissions and similar bodies for internal information or documentation.
Private use	Every person has the right to use published works within their private sphere, namely within a circle of persons closely connected to each other, such as relatives or friends. The private use of works is free, i.e. it is permitted without consent and is not subject to payment of remuneration.
Producer	In the music business, a distinction is made between the “economic producer” (i.e. the record or phonogram producer) and the “music producer”.
Production music (= mood music, archive music, library music)	Production music is music composed and recorded specifically for use in audiovisual productions (films, commercials). Because all rights in production music are held by a single company, the licence to use this type of music can be obtained through a one-stop shop. The advantage of production music is that if the provider has a contract with SUISA, film producers can obtain all the necessary rights of use directly from SUISA.
Programme list	For a collective rights management organisation such as SUISA to distribute royalties to the entitled parties, it needs information about the works used. Many tariffs require event organisers to submit programme lists to SUISA containing the titles of the works used and other particulars (see Article 31 of Common Tariff K for
ProLitteris	ProLitteris is the collective rights management organisation for literature, visual arts and photography in Switzerland and the Principality of Liechtenstein.
Proof of authorship	Copyright is not a registered right that has to be recorded to be effective. A copyright in a work exists irrespective of its recording (e.g. a work registration filed with SUISA) or of any physical fixation on a medium (e.g. on a sound carrier). This makes it more difficult to prove authorship. To obtain proof, an author has the following options: file a works registration with SUISA / upload a sound file / send themselves a copy of the work (sheet music, sound recording) by registered mail and safeguard the envelope without opening it / deposit a copy of the work with a lawyer or notary / make a digital backup or a backup in the cloud.
Pseudonym	A pseudonym is an “alias”, or a fictitious name. Authors use pseudonyms to publish works under a name other than their real name. In order for SUISA to pay remuneration to the correct person, authors must inform SUISA of any pseudonyms they use.
Public domain (PD)	Upon expiry of the term of copyright protection (in Europe, 70 years after the author's death), a work falls into the public domain and may be used without remuneration being due.
Public domain works	Public domain works are creations which are not subject to copyright (e.g. statutory texts) or are no longer subject to copyright because the term of protection has expired (70 years after the author's death). The use of such works is free, meaning that no remuneration is due.
Public lending fee	A public lending fee is the remuneration paid by libraries for the free lending of protected copies of works (e.g. books). The Swiss Copyright Act does not (yet) recognize this right.
Public lending right (PLR)	The public lending right refers to the remuneration due for the (free-of-charge) lending of copies of works. Conversely to the rental right, the public lending right is not (yet) recognised in Swiss law.
Public reception of broadcasts	This means the transmission and reception of television broadcasts on screens in public spaces such as restaurants, department stores, etc.
Publisher/Publishing house	A publisher or publishing house is an undertaking which acquires copyrights in (musical) works from authors and is responsible for ensuring that those works are commercially exploited or, in other words, used. SUISA's Distribution Rules define the term as follows: the publisher is the natural or legal person who: - relying on contractual agreements concluded with authors, has acquired publishing rights in a work or an entire catalogue of works managed by SUISA, and - acting alone or jointly with the authors, brings rights to SUISA for management, and - performs publishing activities in fulfilment of their contractual duties.
Quantity scale	A quantity scale is a contractual clause found in recording agreements inter alia. It provides for remuneration to increase in stages in accordance with set quantity intervals of sound recording sales.

Term	Definition
Quotation	The Copyright Act provides that published works may be quoted if the quotation serves as an explanation, a reference or an illustration, and the extent of the quotation is justified for such purpose. The quotation must be designated as such and the source given. Where the source indicates the name of the author, the name must also be cited.
Rebate in kind	In recording agreements, this term refers to the manufacturer’s option to grant retailers discounts in the form of free units supplied at no charge. The term therefore has the same meaning as free goods.
Reciprocal representation agreements	Where possible, collective management organisations conclude reciprocal representation agreements with their foreign sister societies to ensure mutual representation of their rightsholders in their respective countries.
Recognition of authorship	The Copyright Act provides that the author has the right to recognition of authorship. This means that the entitled person may decide under what designation the work is to be published; publication may take place under the author's real name (patronym), a pseudonym, or without any name at all. The right to recognition of authorship also enables authors to defend themselves against plagiarism.
Refund agreement	A refund is a repayment or reimbursement. Among other things, a refund arrangement enables income under a publishing agreement to be allocated other than as provided under the distribution rules of the collective rights management organisation. For example, a refund agreement may provide that in addition to the author's share, the author is entitled to a certain percentage of the publisher’s share, to refunded by the publisher. Such refund arrangements are rare for SUISA members because SUISA's distribution rules already allow publishers to reduce their share in favour of the authors.
Regulatory allocation keys	Regulatory allocation keys define how remuneration is allocated between the entitled parties under the Distribution Rules. Article 2.1.2 of SUISA’s Distribution Rules sets out different keys depending on the configuration of the work or entitled parties involved (e.g. music with or without lyrics). SUISA members are free to decide their shares in the proceeds from a work and register the work accordingly. In so doing, they must observe the minimum and maximum limits set out in Article 2.1.1 of the Distribution Rules. The regulatory allocation keys only apply if the entitled parties have not agreed another key.
Related rights	Related rights (also called neighbouring rights) are the rights of performers, phonogram producers, producers of audiovisual works, and broadcasting organisations and are anchored in the Copyright Act. The term “related” reflects their close proximity to copyright.
Related rights	Related rights, also called neighbouring rights, are the rights of performers, phonogram producers, producers of audiovisual works, and broadcasting organisations and are anchored in the Copyright Act. The term “related” is intended to express their close proximity to copyright.
Re-lyricizing	In re-lyricizing, the musical part of an existing work is combined with new lyrics. Re-lyricizing is an arrangement requiring permission from the composer or the publisher.
Remix	A remix is a new mix of a sound recording in which the original recording is broken down and enhanced with new elements. As a rule, a remix interferes with the rights in the original work and original recording. The remixer must therefore obtain permission from the rightsholders in the work and the recording to produce and release the remix.
Remuneration	Remuneration refers to the consideration payable for the use of rights. In the case of mandatory collective management, remuneration is generally capped at 10% of the proceeds or costs of use for copyright and 3% for related rights.
Remuneration claim	Remuneration claim means the contractual or statutory entitlement of the rightsholder to remuneration for a specific use of the work. Remuneration claims are often asserted through collective management
Rental remuneration	Anyone who rents out copies of literary and artistic works or otherwise makes them available for consideration owes remuneration to the author; such remuneration can only be claimed by a collective management organisation. Unlike rental rights, Swiss law does not recognise public lending rights.
Rental right	Swiss law permits the rental of copies of works (books, film DVDs, music CDs, etc.) but the authors are entitled to remuneration for this use (see CT 5).
Reproduction rights	Reproduction rights refer to the right to fix copies of a work on a permanent medium, whether as printed matter, as a sound recording (record, tape), or as an audiovisual recording (video, film). These rights are also known as “mechanical rights”. Reproductions also cover the storage of works in digital format on computers, copies made on data carriers or printouts, and digital uploading and downloading on the internet.

Term	Definition
Resale right	The resale right entitles authors of works of fine art and photography to compensation when their works are resold. It applies to resales in the art trade, such as auctions, fairs, galleries, and similar contexts, but not to resales by private individuals. Swiss copyright law does not (yet) recognise the resale right.
Reservation of rights	A reservation of rights is a notice added to works protected by copyright. It indicates that the copyright holder reserves for their own use all the rights provided by copyright law, and that no rights in the work are granted to the purchaser even if the purchaser acquires a copy of the work (e.g. a book or sound recording). The notice may read “All rights reserved” or “Copyright and neighbouring rights reserved, in particular for public performance, broadcasting and copying” for example. The term “reservation of rights” is also used in contracts to designate rights that cannot be granted by one party to the contractual partner because the former does not hold them. For example, a publishing agreement may contain a reservation of rights in respect of rights that the author has already transferred to a collective rights management organisation.
Retransmission	Retransmission means the transmission of a television or radio broadcast via cable, relay transmitter or other technical means by an undertaking other than the original broadcasting organisation.
Retransmission right	The retransmission right is the right to authorise or prohibit the retransmission of a broadcast work by an undertaking other than the original broadcasting organisation. In Switzerland, in the case of simultaneous and unaltered retransmission, this right may only be exercised through an authorised collective management organisation (mandatory collective management).
Rider	A rider is an addendum to a contract, for example to a concert agreement. It regulates particulars such as concert equipment specifications or food and accommodation arrangements for the artist.
Right	A right is a claim under the legal order to do or to prohibit something.
Right of attribution	Copyright law grants the author the right to be identified as the author or originator of their work. This means that their name or chosen author's designation must be indicated on each copy of the work and at every performance, screening, or broadcast. In practice, this right is often limited: radio broadcasts often name the performers, for example, but not the authors of a musical title.
Right of first publication	An author has the right of first publication of their work and is free to decide whether and when to publish their work. Publication means making the work available to a large number of persons who are not closely interconnected.
Right of prohibition	A rightsholder is entitled to authorise or prohibit a use. In the case of rights subject to mandatory collective management, such as the retransmission right, individual rightsholders can no longer exercise these rights personally: whether granting permission to use or prohibiting use, they must go through collective management organisations. By law, to enable collective management organisations to enforce tariff conditions against users, only such organisations are entitled to exercise the right of prohibition.
Rights - absolute, relative	Relative rights are only effective between specific parties. Such rights generally arise from a contractual relationship, such as a purchase agreement, and are effective between the buyer and the seller. By contrast, absolute rights can be asserted against every person. Copyrights are typical absolute rights; for example, an author’s exploitation rights (e.g. reproduction rights, performance rights) qualify as absolute rights offering comprehensive protection and can be enforced against anyone.
Rights Administration Agreement	The Rights Administration Agreement (RAA) is a contract between a rightsholder (e.g. author, publisher) and a collective rights management organisation (e.g. SUISA). Under this agreement, the rightsholder entrusts the collective management organisation with the management of the rights in their works, and the collective management organisation undertakes to account and collect the royalties for the uses of the works and distribute them to the entitled parties. The RAA consists of two parts: the Rights Administration Agreement per se and the General Terms and Conditions for Rights Administration (GTC). The GTC contain standard contractual clauses which apply to all members, while the RAA is a customised agreement which must be signed by the member.
Rights of use	A term closely related to the concept of “exploitation rights” which describes the rights vested in the author. Accordingly, “rights of use” refers to the rights the author grants to a third party for the use of the work.

Term	Definition
Rightholder	A rightholder is any person or entity who holds the rights in a specific work, generally or for a specific language version, territory and time frame. The "original" rightholder is the person in whom the copyright or related right is initially vested (e.g. the author), whereas a person to whom rights have been transferred (e.g. a publisher or heir) is a “derivative” rightholder.
Rolling advance	A rolling advance is a recurring advance payment that may be included in a publishing agreement, for example. Once the advance is fully offset, the publisher pays a further offsettable advance of an equal amount.
Rome Convention	The Rome Convention is an international treaty signed in 1961; it secures the protection in performances for performers, in phonograms for producers of phonograms and in broadcasts for broadcasting organisations. The purpose of the Rome Convention is to achieve international harmonisation of related rights.
Royalties	Royalties means all remuneration received by an entitled party from the exploitation of their work or of a recording of their work. Royalties is synonymous with (copyright) remuneration.
RSP	RSP stands for retail selling price -- i.e. the price at which a sound recording is sold to end consumers. RSP is an alternative accounting basis for sales of sound recordings, for example where a sound recording is sold directly by the artist.
SACEM	SACEM (Société des Auteurs, Compositeurs et Éditeurs de Musique) is the French collective rights management organisation for authors, composers and publishers of music.
Sample clearance	Sample clearance is the contractual permission required to use protected samples of a work in a new work or sound recording.
Sampling	Sampling means taking parts of a work or a sound recording by means of a sampler or sampling software, and reusing them to make a new sound recording. Using a sample often infringes the rights in the original work or sound recording. The basic rule is that if a reused sequence is recognisable, a licence must be obtained to use the rights in the work or sound recording.
Score music	Score music (also commissioned music) is music composed and recorded especially for a specific film. As related to classical music, a musical score is written music that shows all instrumental parts (e.g. violin, cello, piano) on one page. In gaming, you have a “game score”, and in film a “film score”.
Secondary uses / secondary rights	This term designates rights relating to uses (e.g. retransmission) that are linked to a primary use (e.g. broadcasting) and are generally subject to mandatory collective management (retransmission, reception of broadcasts, rental, remuneration for private use).
Setting to music	Setting to music means combining a literary work (e.g. a poem) with music. A setting to music is an arrangement requiring permission from the publisher or the author of the literary work.
Set-top box	A set-top box is an electronic device that can be connected to a TV set for additional options. Set-top boxes have an internal memory and allow the user to record works-related television broadcasts (cf. CT 12 / Replay
Severability clause	A severability clause regulates what happens if any part of a contract is found to be invalid or unenforceable, or if there are omissions. The main purpose of a severability clause is to maintain the contract in full force and effect despite such defects. The severability clause provides that omissions or invalid provisions shall be replaced by provisions which come as close as possible to achieving the original objective and intent of the
Sheet music business	The term refers to the conventional music publishing activities: production, sale and rental of sheet music, scores, etc.
SIG	SIG is the Swiss cooperative society for performers. As opposed to SWISSPERFORM, SIG manages the related rights of performers vis-à-vis users in areas that are not subject to federal supervision. SIG also carries out various tasks on behalf of SWISSPERFORM, including distribution relating to sound recordings which are not commercially available (e.g. radio broadcasts of plays, advertising music).
Simple partnership	A simple partnership is a partnership under Article 530 et seq. of the Swiss Code of Obligations. It is a contractual relationship in which two or more persons agree to combine their efforts or resources in order to achieve a common goal. The statutory rules on simple partnerships apply to any music group not organised as a company with limited liability or as a joint-stock company.
Simulcasting	Simulcasting is the simultaneous transmission of a broadcast via several channels, e.g. via antenna, satellite, and streaming.
SIS	SIS is the Swiss foundation for performing artists. The foundation is funded by SWISSPERFORM's tariff revenues. SIS provides grants and contributions to performers' cultural and social projects in music and film.

Term	Definition
Sister society	This term refers to a collective rights management organisation for another repertoire, or in another country, and, if in another country, with which SUIA has a contractual relationship.
Small rights	Small rights concern works of non-theatrical music, notably: - musical works without a scenic context (e.g. music broadcast on the radio) - excerpts from works with a scenic context (such as musicals, operas, operettas or ballets) SUIA only manages small rights.
SSA	SSA is the Swiss collective rights management organisation for authors in the audio-visual and dramatic works, and multi-media sectors (screenwriters, directors, stage writers, composers, choreographers).
Statutory licence	Certain uses of a work are permitted by law and do not require a contractual licence. Such statutory licences are sometimes linked to remuneration obligations that provide for flat-rate payments (such as blank media levies or rental remuneration).
Streaming	“Streaming” refers to content – music or film – delivered to computers and mobile devices via the internet and simultaneously played back. Examples of streaming uses are music streaming (e.g. via Spotify or Apple Music) or web radio. Unlike downloading, streaming does not create a permanent copy on the user’s device. Content transmitted in real time is referred to as “live streaming”.
Sub-license	A standard provision in licence agreements provides that the licensee may grant a third party a sub-license, authorising that party to use the rights to a specified extent. For example, the original publisher is generally entitled to grant the rights transferred to it by the author to a sub-publisher for a specific territory.
Sub-lyricist	A sub-lyricist creates new lyrics for a musical work on behalf of a sub-publisher. Under the Distribution Rules, sub-lyricists are entitled to a share of the usage proceeds regardless whether their sub-lyrics rely on the existing lyrics.
Sub-publisher	The sub-publisher manages the original publisher's rights in a specific territory, on the latter's behalf. SUIA's Distribution Rules define a sub-publisher as: the natural or legal person who, relying on a contract with a foreign publisher, has acquired copyrights managed by SUIA in a work or an entire catalogue of works, brings rights to SUIA for management, and exploits such rights in Switzerland and Liechtenstein in the performance of their contractual duties.
SUDL	SUDL stands for “SUIA Digital Licensing AG”. To secure access to the European Economic Area (EEA), SUDL is based in Liechtenstein. It manages the online rights of SUIA members and of numerous sister societies and publishers, and licenses those rights to streaming and downloading platforms.
SUIA stamp	The SUIA stamp (“S U I S A ®”) indicates that a sound carrier has been licensed by SUIA. The producer must affix the stamp on the sound recording, inlay, or cover, along with the notice “authors’ and producers’ rights reserved, especially for public performance, broadcasting, and copying”, and the titles of all the protected musical works in the recording and the names of the respective composers, lyricists, and arrangers.
SUIA-free music	A musical work is “SUIA-free” if its author is neither a member of SUIA nor of a foreign society managing musical rights. The author must also be the sole author of the work. If a co-author belonging to a collecting rights management organisation holds rights in the work, the work is not SUIA-free. No remuneration is payable to any collective rights management organisation for the use of SUIA-free music.
Suisseculture	Suisseculture is the umbrella organisation for professional cultural creators in Switzerland. Its members are Swiss professional associations from numerous fields (literature, journalism, media, music, dance, acting, visual arts, photography, film, etc.) as well as their Swiss collective rights management organisations. The association was founded in 1989, before the last full revision of the Copyright Act, under the name AGU (Working Group of Authors and Performers). In 1993 it adopted the name Suisseculture. Suisseculture works at political and legal level to achieve comprehensive protection and improved standing for artists.
SUISSIMAGE	SUISSIMAGE is the collective rights management organisation for audiovisual works (e.g. films) in Switzerland and the Principality of Liechtenstein. SUISSIMAGE manages the copyrights of film authors (e.g. screenwriters and directors) and the rights of film producers.
Supervisory authority	The Swiss Federal Institute of Intellectual Property (IPI) supervises the collective rights management organisations. The IPI monitors their management and ensures that they comply with their obligations. It reviews and approves their annual reports. In the Principality of Liechtenstein, the supervisory authority is the Office of Economic Affairs.

Term	Definition
SWISSPERFORM	SWISSPERFORM is the only collective management organisation for neighbouring rights (also called related rights) in Switzerland and Liechtenstein. It manages the rights of performers (musicians, singers, actors, dancers), sound and film producers, and broadcasting organisations (radio and television). SWISSPERFORM is an association under Swiss law.
Synchronisation	Synchronisation refers to the pairing of an existing work with a work of another genre. A typical example is the pairing of a film with music. Synchronisation is an arrangement of the works used and therefore requires a licence from the respective author or publisher.
Tariff	The term “tariff” comes from the Arabic word for “to inform” and originally referred to a table or a list of fees to be paid. In practice, a tariff lists the fees and rates payable for goods or a service. A tariff is a standardised contract, applicable to all customers. In the rights management context, tariffs define the terms and conditions for the use of protected works and performances. Rights management organisations establish common tariffs to enable users to obtain all relevant rights from a single source when the repertoires of several rights management organisations are involved. Tariffs are negotiated with user associations and approved by the Federal Arbitration Commission for the Exploitation of Copyrights and Related Rights (FAC).
Tariff approval	Tariffs relating to mandatory collective rights management are subject to approval by the Federal Arbitration Commission for the Exploitation of Copyrights and Related Rights, which grants such approval if it deems the tariff reasonable and appropriate.
Term of contract	Term of contract means the period of time during which the parties to an agreement must perform their obligations. In music industry contracts (publishing agreements, recording agreements), the term denotes the period during which an artist (author or performer) is bound exclusively to the partner (publisher or phonogram producer) and grants that partner sole exploitation rights in all creations and performances made during that time (new works and new recordings). The term of contract must be distinguished from the exploitation period (or “duration of transfer of rights”). The exploitation period means the period during which the artist’s partners (publisher or phonogram producer) are entitled to exploit the rights granted during the contractual term.
Term of copyright protection	Protection expires 70 years after the death of the author. Where there are several authors, the term of protection starts running from the death of the last surviving author.
Term of protection of related rights	As related to sound recordings, the term of protection expires 70 years after the performance of the work by the musician, or 70 years after publication of the sound or audiovisual carrier, or upon its production if no publication takes place.
Time limit	A defined period of time (e.g. “30 days”) after which a legal consequence occurs (e.g. termination). By contrast, the term “date” refers to the specific point in time (e.g. “last day of the month”) of an occurrence.
Title exclusivity	Title exclusivity is a standard clause in phonogram contracts. It provides that an artist may not re-record a contractual title for another phonogram producer for a certain period of time after expiry of the contract. This is designed to prevent an artist from re-recording their hits for a competitor after termination of the original contract thereby competing with the exploitation of the original recording.
Translator	A translator is the natural person who actually translates a text into another language.
Transparency report	Article 47 of the Liechtenstein Collective Management Organisations Act requires collective management organisations to prepare an annual transparency report. This requirement is designed to implement Directive 2014/26/EU of the European Parliament and of the Council of 26 February 2014 on collective management of copyright and related rights and multi-territorial licensing of rights in musical works for online use in the internal market. The annual transparency report must provide detailed information on the operations and finances of the collective management organisation. The relevant information is provided in SUISA’s annual report.
TRIPS	TRIPS is the acronym for the Agreement on Trade-Related Aspects of Intellectual Property Rights. This international agreement, signed by Switzerland among others, also regulates copyright matters and sets minimum standards to be observed by signatory states.
Unprotected works	Laws, ordinances, other official enactments, means of payment, decisions, and reports issued by authorities are not protected by copyright. Works and performances whose term of protection has expired are also no longer protected (public domain).
Upload	Upload means the transfer of data from a user's device to a network operator, to the internet, or to another device. From a copyright perspective, an upload is analogous to a reproduction.

Term	Definition
Use	Use is the generic term for any form of usage of a work (performance, broadcasting, retransmission, private use, rental, etc.).
User	As related to copyrights, user means a person who uses certain rights in a copyright-protected work and is required to acquire a licence for that purpose. Depending on the right concerned, the licence must be obtained individually from the rightsholder (e.g. screening rights for the projection of a film in a cinema) or from the relevant collective rights management organisation (e.g. performance rights for the concert use of musical works). The user pays a fee for the right to use the work as licensed.
UVF	UVF is the German abbreviation for SUISA’s Pension Fund for Authors and Publishers. The Pension Fund is a foundation and is financed by a deduction of 7.5% on all revenues from performance and broadcasting rights and statutory remuneration claims in Switzerland and Liechtenstein. The purpose of the foundation is to protect authors and publishers affiliated with SUISA as members or principals, as well as their survivors, against the economic consequences of retirement, death and disability.
VOD	VOD stands for Video on Demand. VOD is a media distribution system that allows users to access videos, television shows and films digitally on request from an online service (e.g. Netflix, Apple TV). Statutory remuneration claims for VOD are governed by Common Tariff 14 of the Swiss collective management organisations. VOD platforms also need a licence for on-demand streaming.
Voluntary collective management	Voluntary collective management is when a rightsholder chooses to have certain rights managed collectively (that is, through a rights management organisation) rather than individually.
Warranty	The term “warranty” denotes contractual liability for defective performance, similar to a guarantee clause. Warranty provisions are often part of contracts relating to musical services. For example, in a publishing agreement, the author warrants that they actually hold all the rights granted to the publisher and that they have not incorporated any parts of any third-party compositions in their work.
Webcasting	Webcasting is the uploading and transmission of content on the internet which, unlike simulcasting, takes place without a simultaneous linear broadcast.
Weighting factor	Depending on the distribution area, the remuneration allocated to an individual use is calculated applying various weighting factors such as duration, category of work, or extent of use.
WIPO	WIPO (World Intellectual Property Organisation) is the United Nations (UN) organisation responsible for intellectual property issues.
Work registration	Under section 6.2 of the General Terms and Conditions for Rights Administration, SUISA members are required to truthfully and accurately register all the published musical works authored or co-authored by them. Members can register their works online via the “My Account” portal. Based on the works registrations, a collective management organisation knows which members hold rights in which works and can distribute the royalty settlements to members for the uses of their works.
Works	Works are literary and artistic intellectual creations with individual character, irrespective of their value or purpose. Photographic, cinematographic and other visual or audio-visual works in particular also qualify as works.