



CIS17-1259R5

“The ‘Territory of Destination’ mechanical/performing right split repository indicates the splits the respective local societies apply in their local territory and is provided solely for information purposes. Further the mechanical / performing rights splits are not considered binding, the actual mechanical / performing rights splits applied by any licensor is a matter of bilateral agreement between each li

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This document (Prevailing Local Society Splits) sets out the splits between performing and mechanical rights as applied by the Local Societies in each of the relevant European territories for different types of on-line and mobile exploitations, including Permanent Downloads, On-Demand streaming (both free to the end user and via subscription), Webcasting, Ringtones, Cloud services, User Generated Content and Tethered Downloads. The document is a snap shot of the current information available to the TOWGE and is updated on an ongoing basis.

Please note that the proposed splits are the splits applied by the local societies and are not precedential nor can they bind other licensing entities. We understand that the Pan European licensing entities have to date typically applied the prevailing local society splits in Europe but they are not obliged to. The applicable split will always be the one set out in the respective license agreements and a split cannot by definition bind parties that are only licensing one type of right (for example mechanical rights only or performance rights only) and setting the value of that right independently of any other rights.

Towge best practices on splits update are:

- to communicate a split no later than 3 months before the starting period of the split in order to allow enough time for Towge to communicate a new “right split document” to both Licensors and Licensees, which will allow these to adapt their programs accordingly
- to not re-process invoices that have already been generated by Licensors and processed by Licensees

icensor and each DSP.”

