

PROGRAMME

ESSENTIAL LEGAL FRAMEWORK

Digital Content Distribution:

Legal, Regulatory and Commercial Developments in New Media

13th to 17th September 2009 in San Sebastian /SpainSunday, 13th September 2009 _____ DAY OF ARRIVAL7:00 pm ___ **Welcome Reception and Dinner**Monday, 14th September 2009 _____ DAY 19:30 am ___ **Welcome and introduction of experts and participants****Prof. Klaus Keil**, Erich Pommer Institut9:45 am ___ **Course introduction**

A review of the aims and objectives of the course: to familiarize participants with the current legal and regulatory framework for audiovisual content distribution through online, mobile and other new media services and an opportunity to discuss the technological and commercial opportunities in the current European content marketplace.

Gordon Synn, Novastar Corporation10:00 am ___ **Introduction to new media: content/services/value chain - PART 1**

Overlook, as a backdrop, of some of the main new media online and mobile content recent video content launches and platform offerings across the US and Europe, focused on film/TV programs (rather than music, sports, or other genres). Producers/distributors can approach new media from two angles: (i) using existing programs (e.g. catalog), which are now being licensed across platforms, and/or to various new media platforms e.g. in VoD, mobile, etc); or (ii) producing original programming specifically for new media platforms (e.g. mobisodes, webisodes).

What is the value-chain? What are some of the related rights issues and hurdles, and pragmatic approaches, i.e. how have business and legal models evolved to address them. Illustrations based on different new media modes of exploitation including download to own (e.g. i-tunes), or VOD (whether to TV or PC), and whether on a free (ad-VoD), subscription (sVoD), transactional (ppv/tVoD) or other consumer business model.

Also we review the role of aggregators and other intermediaries, and sites that are run by producers/distributors themselves (vs. third parties to whom they license).

We look at the types of deal structures evolving and more prevalent in the European and American market: e.g. license fee based deals, revenue sharing, minimum guarantees and royalty –based distribution

Wendy Bernfeld, Rights Stuff BV11:00 am ___ **Coffee break****Contact:** Nadja Radojevic | Project Manager | Tel. +49 (0) 331.721 28 85 | radojevic@epi-medieninstitut.de +++ Programme subject to change +++

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11:30 pm __ Introduction to new media: content/services/value chain - PART 2

see above - PART 1

Wendy Bernfeld, Rights Stuff BV

12:30 pm __ Lunch break

2:00 pm __ The regulatory environment

In light of changes to the European regulatory environment we look at the provisions of the Audiovisual Media Services Directive and the extension of regulation into online, on-demand delivery of content. How will this impact new media across Europe?

We also consider how e-commerce regulation and the various defamation and privacy and consumer protection regimes across Europe impact new media services.

Els Hendrix, Hendrix Consulting (*formerly: ProSiebenSat.1 Media AG*)

3:30 pm __ Coffee break

4:00 pm __ Business Case 1: NOWTILUS

Nowtilus enables Video-on-Demand business. By establishing distribution platforms for Web, Consumer Electronics and Mobil applications Nowtilus supports its partners to offer a wide range of long-form content towards their audience. A library of high-quality content such as blockbuster movies, documentaries, TV-Shows and animation containing more than 3.000+ titles was built. Next to content acquisition and aggregation, technology development, platform operating and network distribution are the business fields of Nowtilus. We will present how a ad-financed business model together with Microsoft MSN was established. Besides will we give further insights how to combine transactional and advertised-funded distribution models and explain critical success factors for digital content distribution.

Patrick M. Knippel, NOWTILUS

Leander Carell, NOWTILUS

5:30 pm __ Panel

An interactive panel session on the themes of the day.

All experts

Chair: Gordon Synn, Novastar Corporation

6:00 pm __ End of Day 1

8:30 pm __ Dinner

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13th to 17th September 2009 in San Sebastian /SpainTuesday, 15th September 2009 _____ DAY 29:30 am ___ **Issues in digital copyright and related rights**

Participants will have an opportunity to consider the key principles of copyright and European authors' rights regimes as they apply to the digital world. We will also look at the application of moral rights, performer's rights and related rights to new media distribution.

Finally an overview of the international aspects of intellectual property and a brief discussion of how they apply in the inherently international and multi-jurisdictional environment of new media.

Dr. Frank Brauner, Brauner Rechtsanwälte

11:00 am ___ **Coffee break**11:30 am ___ **Licensing of digital content**

We take a closer look on how licensing of digital content is handled on a practical basis. Various types of licence models will be discussed together with the practical implications of the relevant legal framework.

Guidance will be given on how to structure a licence effectively to deal with content sales and advertising supported services and what the future drafting challenges for licences are.

Dorieke van Helden, De Koning Vergouwen Advocaten (*formerly: Fortissimo Films*)

1:00 pm ___ **Lunch break**2:30 pm ___ **Social media as distribution platform**

Mat Morrison, Porter Novelli

4:00 pm ___ **Coffee break**4:30 pm ___ **New ways to protect copyright in the digital era**

In an era of digital contents and distribution, accurate and relevant information is the key for best copyright protection. During the presentation we will explain how an online copyright registry like SafeCreative can help to identify and inform about contents in the Internet in such way it's valuable for authors, industries and end user by building a strong and lasting link between them. Standardization, interoperability and open and transparent practices will help develop new business models which take advantage of the digital possibilities

Mario Pena, SafeCreative

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5:30 pm ___ **Business Case 2: filmotech.com**

Rafael Sánchez, EGEDA/filmotech.com

6:00 pm ___ **Panel**

An interactive panel session on the themes of the day.

All experts

Chair: Gordon Synn, Novastar Corporation

6:30 pm ___ **End of day 2**

8:00 pm ___ **Dinner**

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13th to 17th September 2009 in San Sebastian /SpainWednesday, 16th September 2009 __ DAY 39:30 am __ **Business Case 3: Social Entrepreneurship - LoveReigns.com****Gordon Synn**, Novastar Corporation11:00 am __ **Coffee break**11:30 am __ **How brand-consumer co-creation is the future of business**

Co-Creation is part of a general participatory evolution that is changing the way we experience media, the way we work and the way we are governed. Now the same revolution is completely reshaping the way business is done in terms of market research, product innovation and brand planning. The lecture will look at what co-creation is, how does it work, what are the models available (crowd-sourcing vs co-creation), what are the deliverables and the advantages of this approach and what are the best practices in the field.

Francesco D'Orazio, Face Group13:00 pm __ **Lunch break**2:30 pm __ **Business Case 4: beActive**

Monetizing of new media content: from 10 cents SMS messages to multimillion dollar contract with Hollywood

Sofia's Diary was the first "new media" series to cross-over to Television. Created in 2003, the series is a success case of how a production company can monetize digital content. What started as a small blog and an SMS alert service, 5 years later became a cross-media experience, distributed all around the world and conquering more than 100 million viewers worldwide. Production company beActive created a new business model for digital content where mixing different distribution platforms and combining on and off-line medias the company can successful monetize her productions.

Nuno Bernado, beActive4:00 pm __ **Coffee break**4:30 pm __ **Simulation-Game****Chair: Gordon Synn**, Novastar Corporation5:30 pm __ **End of the training**8:00 pm __ **Farewell Dinner at TABAKALERA**Thursday, 17th September 2009 _____ DAY OF DEPARTURE

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