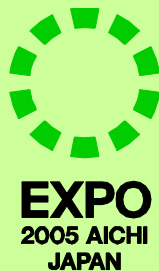


GL11-1

Guidelines for Performance of
Copyrighted Musical Works/Screening

(February 2005)



Japan Association for the 2005 World Exposition

The Japan Association for the 2005 World Exposition will issue guidelines for use by official participants for all aspects of the exposition, from preparation of module-based buildings to the operation of pavilions.

Guidelines will be numbered sequentially as follows: GL1-1, GL1-2, GL1-3...followed by GL2-1, GL2-2, GL2-3, etc, where each serial number is based on and derived from one of the Special Regulations of Expo 2005 Aichi, Japan, e.g., all guidelines headed with GL1 are based on Special Regulation No.1, those headed with GL2 on Special Regulation No.2, and so on.

Guidelines will be issued as needed rather than in numerical order. For example, **GL4-1, Design Guidelines on Modular Buildings for Official Participants**, will be issued as a first priority as it contains information required at an early stage for official participants to plan their respective exhibition projects. Official participants are requested to follow these guidelines in their preparations, and are invited to contact the following location for any inquiries or clarifications of the guidelines.

Japan Association for the 2005 World Exposition

Address : Iino Building 7F

2-1-1 Uchisaiwaicho, Chiyoda-ku

Tokyo 100-0011 Japan

E-mail : ofipat@expo2005.or.jp

Tel : +81-3-5521-1612

Fax : +81-3-5521-1613

Contents

Introduction	1
1. Japanese Society of Rights of Authors and Composers (JASRAC)	2
2. Royalty Fees for Copyrighted Musical Pieces	2
Reference Materials (Example calculations of music copyright royalty)	4
Forms for Music Performance Application	8

Introduction

Regarding the use of any copyrighted musical piece by an official participant in the 2005 World Exposition, Aichi, Japan (hereinafter the “Exhibition”) within the Exhibition Site, the provisions in Article 9 of the “Special Regulations No. 11 regarding Industrial Property Rights and Copyrights” (established by the Japan Association for the 2005 World Exposition) stipulate that any user of a copyrighted musical piece under the administration of the Japanese Society for Rights of Authors, Composers and Publishers (JASRAC) shall obtain approval and pay a royalty fee for such use, in accordance with the applicable copyright laws of Japan.

Specifically, such royalty fee shall be paid to JASRAC so long as the musical piece is administered by JASRAC and used within Japan, regardless of whether the user is a Japanese or overseas entity or whether the music piece originates from Japan or overseas. Accordingly, the user of a copyrighted musical piece as specified above shall not be released from obligation to pay a royalty fee to JASRAC, even if such musical piece originates from the user’s country, or the user has negotiated directly with the owner of copyright for such musical piece.

This guideline outlines the procedures to be followed for use reporting and royalty fee payment by each official participant who performs or screens a musical piece within the Exhibition Site.

Regarding whether a musical piece is subject to the administration of JASRAC, and methods of calculating royalties for cases not described in “Examples of Calculation of Music Copyright Royalty” attached to the end of this guideline, such as use of musical pieces on or via the internet or their use in other special forms, please contact JASRAC directly to obtain detailed information.

1. Japanese Society of Rights of Authors and Composers (JASRAC)

The Japanese Society of Rights of Authors and Composers (JASRAC) administers copyrights in Japan on behalf of songwriters, composers and other owners of copyrights, and concludes contracts with copyright organizations around the world for mutual administration of copyright to musical pieces.

Copyrights of most of musical pieces distributed in Japan are entrusted to JASRAC. Currently, contracts for mutual protection of copyrights are concluded with 105 copyright organizations in 76 countries and 3 regions (as of December 25, 2003), under which musical copyrights are administered and protected through distribution of royalty fees to respective copyright owners.

2. Royalty Fees for Copyrighted Musical Pieces

The Japan Association for the 2005 World Exposition (hereinafter the “Organizer”) will conclude a blanket license agreement with JASRAC for the Exhibition, under which agreement the Organizer will pay royalty fees to JASRAC on behalf of applicable official participants.

Accordingly, each official participant need not conclude a license agreement individually with JASRAC for the use of copyrighted musical pieces. However, each official participant must report to the Organizer musical pieces it uses in its operation within the Exhibition Site, and must reimburse to the Organizer royalty fees for the use of said copyrighted musical pieces, in accordance with an agreement to be concluded with the Organizer.

Although some musical pieces are not subject to royalty fee payment due to lapse of copyright or for other reasons, or are not under the administration of JASRAC, each applicable official participant shall submit a report that includes all musical pieces scheduled to be played or performed. JASRAC will examine the report and determine whether royalty fee pertains for each musical piece reported.

The report of musical piece use shall be submitted to the organization designated below; the flow of royalty fee payment for official participants is shown in the diagram below.

(Submit report to:)

General Affairs Group, the Japan Association for the 2005 World Exposition

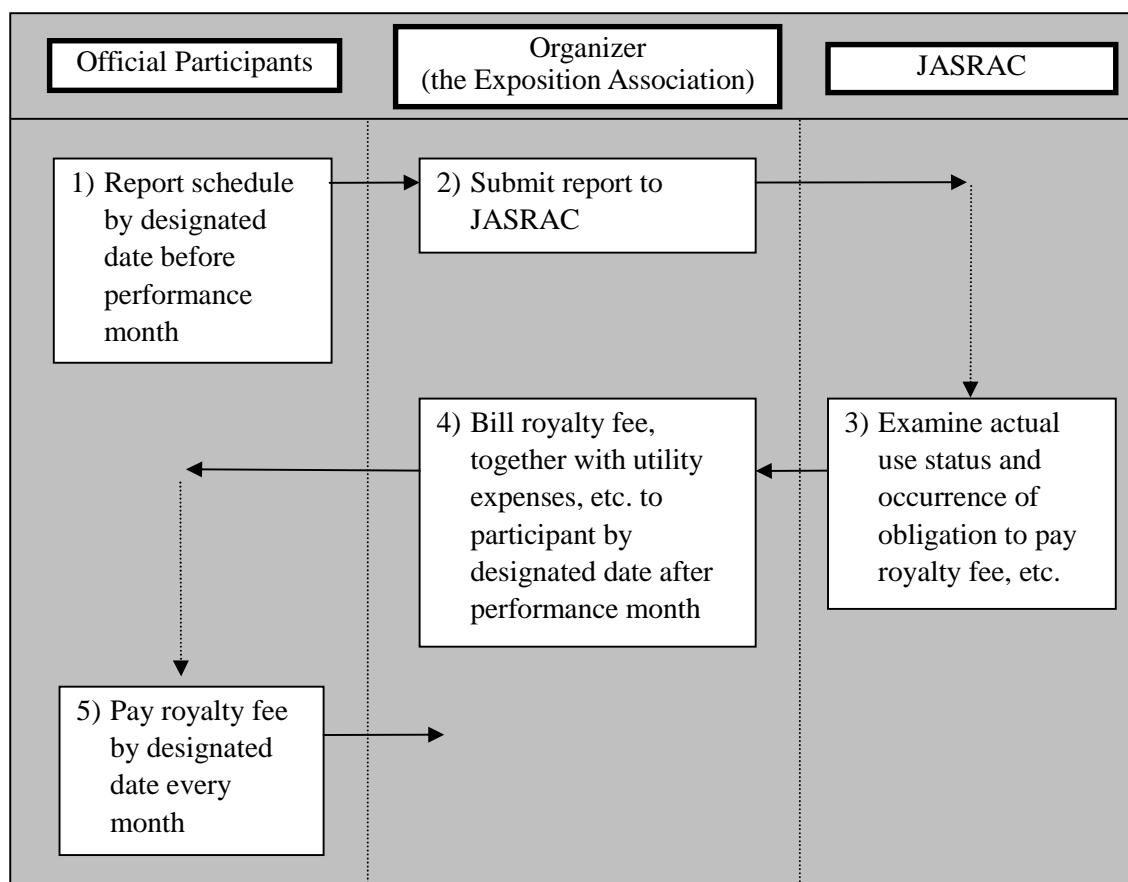
Address : 1533-1, Ibaragasama, Nagakute-cho, Aichi 480-1101 Japan

e-mail : soumu@expo2005.or.jp

Phone : 0561-61-7343

Facsimile: 0561-61-7604

Processes Relating to Use of Musical Pieces



<Contact>

For more detailed information regarding this Guideline, please contact the General Affairs Group, the Japan Association for the 2005 World Exposition.

General Affairs Group, the Japan Association for the 2005 World Exposition

Address : 1533-1, Ibaragasama, Nagakute-cho, Aichi 480-1101 Japan

e-mail : soumu@expo2005.or.jp

Phone : 0561-61-7343

Facsimile : 0561-61-7604C

For more information on musical copyright, please contact the International Division of JASRAC (Japanese Society of Rights of Authors and Composers) at the following e-mail address:

e-mail : intl@pop02.jasrac.or.jp

Example calculations of music copyright royalty

Examples of royalty fee calculation for copyrighted musical pieces played or performed within pavilions, event spaces or other facilities within the Exposition Site are shown below.

Please note that these are but a few examples of calculation, and that other calculation methods may apply in some cases, such as use of musical pieces in different forms. In certain cases, a method of imposing a royalty fee for each session of playing or performing a musical piece may be applied. Please contact JASRAC for more details.

Consumption taxes are not included in calculating the royalty fee. The amounts charged by the Association to each official participant relating to royalty fees are augmented by an amount equal to consumption tax charges (5%). Official participants may receive a refund of such consumption taxes by following necessary formalities. Please refer to GL 12-3 regarding details of consumption tax refund formalities.

<Notes>

♪ Basis for Royalty Calculation

Royalty fees are calculated on the basis of “TARIFFS FOR USE OF MUSICAL WORKS” filed by JASRAC with the Director-General of the Agency for Cultural Affairs.

♪ Admission fees

If a copyrighted musical piece is performed or played in a specific facility within the Exposition Site, and if such facility collects no separate admission fee or collects a separate admission fee not exceeding 761 yen, 761 yen shall be deemed the admission fee for the purpose of calculating the royalty fee. (If a separate admission fee higher than 761 yen is collected, such actual separate admission fee shall be deemed the admission fee for the purpose of calculating the royalty fee.)

With respect to musical performance in “3 (Parade, etc.),” 2,539 yen is deemed the admission fee.

Admission fees used for the purpose of royalty calculation are determined on the basis of the face value of the admission tickets to the Exposition, the “TARIFFS FOR USE OF MUSICAL WORKS” and other factors.

♪ Capacity

“Capacity” means the total number of seats provided at each facility or venue.

In the case of bench-type seats (intended for seating two or more persons), the capacity for each seat shall be calculated by dividing the front width (in meters) of such seat by 0.5 m.

In the case of an audience area not provided with seats, the capacity for such facility shall be calculated by dividing the size of the audience area by 1.5 sq. meters.

Calculation Examples

1. Performance

(1) Concert

Performance in concerts, music presentations or other shows intended mainly to provide music

Method of calculating royalty fee per session

761 yen × capacity × 50% × 2%, or 2,500 yen, whichever is higher

* Calculation examples

Capacity	300	500	1,000	2,000	3,000
Royalty fee	¥2,500	¥3,805	¥7,610	¥15,220	¥22,830

Separate royalty fees shall apply when a performance recorded in a movie film is played.

(2) Dance performance

Performance or playing of musical pieces in shows, circus shows, dance shows or other entertainments where costumes, acting or dancing constitute the major element of the event

Examples of royalty fee per session (for a 2-hour performance)

Capacity	Audience not exceeding 500	Not exceeding 1,000	Not exceeding 1,500	Not exceeding 2,000	Not exceeding 2,500	Not exceeding 3,000
Royalty fee	¥16,000	¥20,000	¥24,000	¥28,000	¥32,000	¥36,000

- * For performance not exceeding one hour 50% of royalty fee listed above
- * For performance exceeding 2 hours 25% of fee listed above is added for every 30 minutes exceeding 2 hours

(3) Parade, etc.

Live performance in parades, exhibitions, parks or other open places not provided with audience seats, or street performance

Example of royalty calculation when no fee is charged for admission to performance venue

Royalty fee per day 6,000 yen
Royalty fee per month 80,000 yen

(4) Restaurant etc.

Live performance in restaurants and other eating-houses

If standard customer bill per head before tax does not exceed 2,000 yen:

Seating capacity	Not exceeding 100 seats	Not exceeding 200 seats	Not exceeding 300 seats	Not exceeding 400 seats	Not exceeding 500 seats
Royalty fee per month	¥65,000	¥98,000	¥130,000	¥162,000	¥195,000

(5) BGM

Playing of CDs, MDs or other audio records of copyrighted musical pieces as background music (BGM)

Area of performance venue	Royalty fee during Exhibition period
Not exceeding 500 sq. meters	¥6,000
Not exceeding 1,000 sq. meters	¥10,000
Not exceeding 3,000 sq. meters	¥20,000
Not exceeding 6,000 sq. meters	¥30,000
Not exceeding 9,000 sq. meters	¥40,000
Exceeding 9,000 sq. meters	¥50,000

2. Screening of motion pictures

Screening of videograms

Screening of videotapes or other visual media (other than cinema film) containing a sequence of copyrighted sounds and images

Royalty fee per screening per piece when cultural/educational movies are played with no admission fee to screening venue

Capacity	Audience less than 500	Audience less than 1,000	Audience less than 1,500	1,500 or more
Royalty fee	¥420	¥720	¥840	¥960

- * The table above shows royalty fees for screening of cultural/educational movies.
- * Royalty fees for screening dramatic movies (theatrical movies, movies for television, and opera, musical or ballet movies) are 10/3 of the royalty fees listed in the above table.
- * Royalty fees for screening news films are 1/3 of the royalty fees listed in the above table.

– Criteria of royalty fee abatement for screening of videograms (reference) –

(1) Abatement by capacity

If any of the conditions in Items 1) to 4) below pertain to the capacity of the screening venue, the royalty fee per screening per videogram unit shall be abated to an amount determined by multiplying the royalty fee for an audience of less than 500 by the factor indicated in the applicable line below.

- 1) Abating factor for screening venue with audience capacity of less than 100: 100/500 (0.2)
- 2) Abating factor for screening venue with audience capacity exceeding 100 and less than 200: 200/500 (0.4)
- 3) Abating factor for screening venue with audience capacity exceeding 200 and less than 300: 300/500 (0.6)
- 4) Abating factor for screening venue with audience capacity exceeding 300 and less than 400: 400/500 (0.8)

For a screening venue not provided with audience seats (or without designated capacity), capacity shall be determined by dividing the venue area by 1.5 sq. meters.

(2) Abatement by frequency of screening

If the frequency of screening during the Exhibition period exceeds 10 screenings but is less than 100 screenings, the royalty fee shall be abated by 10/100.

If the frequency of screening during the Exhibition period exceeds 100 screenings, the royalty fee shall be abated by 20/100 for screenings after the 100th.

(3) Special handling for multiple receivers in the same location

If multiple receivers (such as multi-screens) are located on the same wall and the same videogram is played on all screens, they shall be deemed one unit regardless of the number of individual receivers.

Music Performance Application (General Performance)

Date of Application : Year 200__M__D__

To: JAPANESE SOCIETY FOR RIGHTS OF AUTHORS, COMPOSERS AND PUBLISHERS

Venue		Capacity	_____ seats including standing space for _____ persons
Name of Applicant	(Signature _____)	TEL	()
Name of Company/Society which the above applicant belongs to			

Month/Date	Name of Performance	Type of Use	Duration for One Performance	Number of Times Performed
/ to /			__h__min	__Times/Day Total__Times
/ to /			__h__min	__Times/Day Total__Times
/ to /			__h__min	__Times/Day Total__Times
/ to /			__h__min	__Times/Day Total__Times
/ to /			__h__min	__Times/Day Total__Times
/ to /			__h__min	__Times/Day Total__Times
/ to /			__h__min	__Times/Day Total__Times
/ to /			__h__min	__Times/Day Total__Times
/ to /			__h__min	__Times/Day Total__Times
/ to /			__h__min	__Times/Day Total__Times

Please fill in the appropriate number for the [Type of Use].

- 1.Dramatic performance (opera, musical, ballet, etc.)
- 2.Concerts
- 3.Dance (Performance in entertainments where costume, acting, or a dance constitutes an important role, such as show, circus, dance party, etc.)
- 4.Entertainments (magic, dramatic entertainment, stage acts, etc)
- 5.Performance other than the above four types including parades
- 6.Background music using sound recordings such as CDs, MDs, etc.

<Note>

Please use one sheet per venue.

If the number of performances exceeds 10, please use additional sheets.

Please fill in the "List of Works Performed" every month and submit it to the Association Bureau of the Expo 2005, Aichi by the 25th of the relevant month.

No. _____

Date of Application

Year 200__ M__ D__

List of Works Performed

Name of Performance	Date of Application		Year 200__ M__ D__	Venue	Number of Times Performed	Average Ticket Price			
Date of Performance	From: Y 200__ /M__ /D__ To: Y 200__ /M__ /D__ Total: _____ days		Name of Applicant	Number of Times Performed _____ times _____ minutes _____ persons					
Work Title (upper column)	Lyricist (Adapter)	Inst. (Tick the box)	Lyrics (Original or translated)	Composer (Arranger)	Performer (Singer of the CD sold on the market)	Duration (min.)	Number of Times Performed	Serious/ Popular	Fee
1			Original Translated		()			S / P	
2			Original Translated		()				
3			Original Translated		()				
4			Original Translated		()				
5			Original Translated		()				
6			Original Translated		()				
7			Original Translated		()				
8			Original Translated		()				
9			Original Translated		()				
10			Original Translated		()				
							Sub-Total		
							Consumption Tax		
							Total		

Music Performance Application (Showing of Videograms)

Date of Application: Year 200__M__D__

To: JAPANESE SOCIETY FOR RIGHTS OF AUTHORS, COMPOSERS AND PUBLISHERS

Venue		Capacity	____seats including standing space for ____ persons
Name of Applicant	(Signature)	TEL	()
Name of Company/Society which the above applicant belongs to			

Title of Software		Software Type	Videogram / Film
Contents	1. Theatrical film (film for theaters, film for TV, opera, musical, ballet) 2. Cultural film (excluding films stated in above No.1)		
Term of Exhibition	Year 200__M__D__ to Year 200__M__D__		
Duration per showing	____h____min	Number of Times Performed	____Times/day Total____times
Software Producer	Name of Company:		
	Address:		
	Person in Charge:	TEL	()
Company in Charge of Music Selection of Software	Name of Company:		
	Address:		
	Person in Charge:	TEL	()

<Note>

Please use one sheet per software.

Fill in "Company in Charge of Music Selection of Software" in case it differs from the Software Producer.

<Report of the Musical Works Performed>

Fill in the form "Showing of Videograms for all works" to be performed, and send it along with this form to the Association Bureau of Expo 2005, Aichi.

Application is required even if it is a commissioned (original) work.

Write the composer's name only when the commissioned (original) works do not have a title.

Write the work administration number for [Work Title] and library name for [Performer Name] when the library works do not have titles.

※Attach a sketch (layout) of the venue for confirmation, indicating the place of showing.

No. _____

Date of Application

Year 200__ M__ D__

Showing of Videograms

e fill in the blanks within the thick lines.

Name of Event			Venue	Number of Times Performed		Average Ticket Price	
Date of Event	From: Y 200__/M__/D__	Total: ____ days	Name of Applicant	Duration	____ minutes		yen
Title of Software	To: Y 200__/M__/D__		Genre of Software	Venue Capacity	____ persons		
Work Title (Fill in the upper space)	Lyricist (Adapter)	Method of Usage (please circle)	Composer (Arranger)	Performer Name (Group name)	Number of Times Performed	Duration (min.)	Fee
1		Inst					
2		Inst					
3		Inst					
4		Inst					
5		Inst					
6		Inst					
7		Inst					
8		Inst					
9		Inst					
10		Inst					
				Sub-Total			
				Consumption Tax			
				Total			

Note: This form is a key document used for royalty distribution to copyright-holders. Your accurate registration is appreciated.

- Please use one sheet for one software.
- “Work title” should be the **original** title, and the name of the persons should be the **full name** for both Japanese and foreign works. In the case where the original title is not written by Roman alphabets, e.g. Russian or Korean, please change the characters to alphabets. If you do not have composer/lyricist information, please write **the licensing number of the audiovisual software in the lower space of “Work Title.”**
- When a work is translated or arranged, please write **the name of the original composer/lyricist in the upper space and the name of the adapter (translator/arranger) in parentheses in the lower space.**
- **When the usage is instrumental**, please circle “inst” of “Method of Usage”.
- “Number of Times Performed” should be a **total number of times** for one work.
- “Duration” should be for **duration** of one performance for one work.
- For a medley work, please write the information for each work used in **the medley**.