

# THE DIFFERENCE BETWEEN SOCAN & RE:SOUND



We've developed this comparison sheet to help you understand the differences between SOCAN and Re:Sound. It also outlines how the two copyright collectives are similar in some instances, and how the different licenses work and are administered.

Both SOCAN and Re:Sound are different copyright collectives and represent different legal rights and interests. The licence fees collected by each collective go to different stakeholders. For more than 80 years now, SOCAN, a not-for-profit company, has been collecting licence fees and distributing them as royalties to its members (songwriters, composers and their music publishers) for the use of their works at live events. 86 cents of every dollar SOCAN collects, goes to its more than 110,000 Canadian members and the millions of creators and publishers worldwide it represents in Canada.

In 1997, the Neighbouring Rights Collective of Canada (NRCC) was established. In 2010, NRCC became Re:Sound, a not-for-profit music licensing company, representing thousands of artists and record companies. It works to obtain fair compensation for artists and record companies.

The licenses that apply to both SOCAN and Re:Sound are set by the Copyright Board of Canada, to whom they must apply for approval of their licenses each year. As a business owner and music user, you may be required to have a licence with both collectives.

SOCAN is not affiliated with Re:Sound. We encourage you to contact Re:Sound directly and visit the website at [www.resound.ca](http://www.resound.ca) for more information about their licenses. You can also go to the Copyright Board of Canada's website at [www.cb-cda.gc.ca/](http://www.cb-cda.gc.ca/) for more information.

## WHAT ARE THE DIFFERENCES?

### SOCAN

Year established: 1925 (predecessors)

Number of employees: over 300

Represents virtually the world's entire repertoire

21 approved "General Licensing" tariffs\* (as of 2012)

SOCAN music licence fees are distributed as royalties to songwriters, composers, lyricists and music publishers

SOCAN songwriters, composers, lyricists and music publishers own the rights to the actual songs (the intellectual property)

SOCAN licenses both live and recorded music

SOCAN currently has more than 25 approved tariffs set by the Copyright Board of Canada, including those allowing you to use music in various ways, whether your business is a restaurant, nightclub, banquet hall, hairdresser or fitness club

### RE:SOUND

1997

Approx. 30

Limited repertoire (excludes most recordings done in countries that are not part of the WIPO Rome Convention)

4 approved "General Licensing" tariffs\*(as of 2012)

Re:Sound licence fees are distributed as fair compensation to recording artists and record companies

Re:Sound recording artists or record companies own the rights to the recordings of those songs (the physical recording or digital file)

Re:Sound licenses only recorded music

Under a relatively new addition to the Copyright Act, record companies and performers are also entitled to compensation for public performances of their work, through what is known as a "Neighbouring Right". The organization that administers this right in Canada is Re:Sound (formerly the Neighbouring Rights Collective of Canada [NRCC]). The tariffs that apply to their members' work are also set by the Copyright Board of Canada

In some cases Re:Sound's licensees may be the same as SOCAN's. For example, Re:Sound now has licenses covering background music and recorded music to accompany dance, which may apply to the same kinds of businesses with which SOCAN currently has relationships.

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## WHAT ARE THE SIMILARITIES? BOTH SOCAN AND RE:SOUND

<b>ARE COPYRIGHT COLLECTIVE SOCIETIES</b>	Both administer a part of Copyright that deals with the public performance and broadcast of music (although they are different rights, benefiting different stakeholders)
<b>ARE REGULATED BY THE COPYRIGHT ACT</b>	Both collect fees based on tariffs approved by the Copyright Board of Canada in accordance with Canada's Copyright Act
<b>HAVE STAFF WHO CONTACT BUSINESSES</b>	Both have staff who contact businesses using music across the country to explain their obligations
<b>HAVE APPROVED TARIFFS COVERING SIMILAR MUSIC USES</b>	Examples include background music, fitness (but the two societies' tariffs are not always identical in what they cover.)
<b>HAVE RECIPROCAL AGREEMENTS</b>	Both have agreements with foreign societies to allow them to collect on behalf of foreign members' repertoire, and receive fees from foreign performances
<b>HEAD OFFICES</b>	Both are located in Toronto

## COMPARISON OF GENERAL LICENSING TARIFFS

As of October, 2012, Re:Sound currently has approved tariffs covering uses similar to the following SOCAN tariffs:

MUSIC USE	SOCAN TARIFF	COMPARABLE RE:SOUND TARIFF
Recorded Music Accompanying Live Entertainment	3B	5A
Exhibitions and Fairs	5A	5D
Skating	7	6B
Receptions, Conventions, Assemblies and Fashion Shows	8	5B
Strolling Musicians, Buskers; Recorded Music in Public Areas	10A	5G
Marching Bands; Floats with Music, Parades	10B	5F
Circuses, Ice Shows, Fireworks Displays, Sound & Light shows	11A	5E
Background Music	15A	3
Recorded Music for Dancing	18	6A
Fitness Activities and Dance Instruction (See note 2)	19	6B
Karaoke Bars	20	5C

## NOTES

**1** Re:Sound also has tariffs similar to some of SOCAN's Media tariffs, which are not listed here.

**2** Re:Sound's Fitness tariff covers only music used during fitness classes, skating, or dance instruction. It does not include music used in conjunction with weight training, cardiovascular training and circuit training etc., unless it occurs during a fitness class. These activities are licensable under Re:Sound's Background music tariff. By comparison, SOCAN's Tariff 19 does cover music used during any type of fitness activity, including weight training, etc. occurring outside of a fitness class.

IF YOU HAVE FURTHER QUESTIONS ABOUT SOCAN LICENSING, PLEASE CONTACT SOCAN at **1.866.944.6210** or **licence@socan.ca**.

**SOCAN**