

JOINT MCPSI AND IMRO LIMITED ONLINE EXPLOITATION LICENCE TO THE PUBLIC FOR PRIVATE USE
Summary of Key Terms and Conditions (Subject to Contract)

About this document	This document is a summary of certain terms of the MCPSI-IMRO Limited Online Exploitation Licence (LOEL). The MCPSI-IMRO (LOEL) covers the use of music online by small-scale/non-commercial companies and individuals, providing services to the Irish public, whose gross revenue is less than €7,000 per year.
Music use covered by the LOEL	<p>The LOEL covers the making available and mechanical rights in musical works for most types of Limited online and mobile music services. This includes services which offer:</p> <ul style="list-style-type: none"> • Permanent downloads • On-demand streaming and limited downloads • Premium and Interactive Webcasting • Pure Webcasting • Music Podcasting <p><i>Please refer to the LOEL terms and conditions for full definitions (Available on Request)</i></p> <p>The LOEL also covers the following types of audio-visual usage:</p> <ul style="list-style-type: none"> • 'Promo' music videos • Live concert performances • Combination of a musical work with images relating to the performer or composer of the work • Use of a musical work with an interview with an artist, composer, producer or other person involved in the creation of music, where the work used is associated with the interviewee
Rights and music use not covered by the LOEL	<p>The following rights are not covered by the LOEL and would need to be cleared directly with publishers/ copyright owners:</p> <ul style="list-style-type: none"> • Moral rights • Graphic rights • The right to 'adapt' a musical work • The 'synchronisation' of musical works with images (e.g. the filming of a music concert) for the purpose of online or mobile exploitation • The use of unauthorised arrangements, adaptations, parodies, burlesques and dramatico-musical works • The use of commercial musical works in contexts which the licensee ought reasonably to consider as being prejudicial to the public standing of the composer, artist featured or relevant copyright owners • The rights in sound recordings of musical works <p>Music use is not covered in all circumstances. In particular, the following uses would need to be licensed under separate schemes or directly with publishers/ copyright owners:</p> <ul style="list-style-type: none"> • Music used with advertising or sponsorship of any product or service • Music used in any audio-visual material other than that mentioned above • Mobile Ringtones/ Ringbacks • 'Simulcasting' of traditional scheduled broadcast services

Royalty rate	This is dependent on the type of service and the number of Streams / Downloads being provided per annum. Please see Table 1 for the full list of LOEL Royalty Bands.
Territory	Ireland
Limitations	<ul style="list-style-type: none"> • LOEL valid only insofar that Gross Revenue from the licensed Service does not exceed €7,000 (Excluding Vat) per annum. The Licensee shall notify the licensors if the Gross Revenue from the Licensed Services exceeds the sum of €7,000 (excluding VAT) per annum. In such a case, the licensee shall apply for a Joint Online Licence, which if granted, shall replace this agreement. • The licensee shall notify the Licensors immediately if the maximum usage limits set out in the LOEL Royalty Rates Tables are exceeded. If these maximum usage limits are exceeded, this agreement shall terminate and the Licensee shall apply for a Joint Online Licence. <p><i>Please refer to the LOEL terms and conditions for full list of Limitations and Exceptions(Available on Request)</i></p>
Eligibility	All applications will be subject to MCPSI-IMRO approval
Duration of the Scheme	This scheme will run from the 1 st of January 2008 until 30th June 2012
Application Process	Completion of the Limited Online Exploitation Licence Application Form including additional service forms where applicable. Application form can be found at www.imro.ie
Contact details	If you have any queries please call the Online Licensing Team on +3531 661 48 44 or email onlinelicensing@imro.ie

Table 1 – LOEL Royalty Rates

Type of Service	Digital Starter (per annum)	Band A (per annum)	Band B (per annum)	Band C (per annum)
<p>Limited Download/On Demand Streaming Service</p> <p>Users can stream specific tracks on an on demand basis, or access limited (aka 'tethered') downloads of tracks on demand</p>	<p>€75 + VAT</p> <p><22,500 streams per annum</p>	<p>€150 + VAT</p> <p><45,000 streams per annum</p>	<p>€300 + VAT</p> <p><90,000 streams per annum</p>	<p>€720 + VAT</p> <p><225,000 streams per annum</p>
<p>Pure Webcasting Service</p> <p>Continuous, programmed webcasts. Users cannot interact e.g. pause, fast forward, skip tracks or influence output by rating tracks</p>	<p>€75 + VAT</p> <p><82,500 streams per annum</p>	<p>€150 + VAT</p> <p><165,000 streams per annum</p>	<p>€300 + VAT</p> <p><330,000 streams per annum</p>	<p>€710 + VAT</p> <p><900,000 streams per annum</p>
<p>Premium and Interactive Webcasting Service</p> <p>User can interact e.g. skip tracks, pause, fast forward etc. but not select specific tracks on demand</p>	<p>€75 + VAT</p> <p><57,500 streams per annum</p>	<p>€150 + VAT</p> <p><115,000 streams per annum</p>	<p>€300 + VAT</p> <p><230,000 streams per annum</p>	<p>€690 + VAT</p> <p><575,000 streams per annum</p>
<p>Permanent Download Service</p> <p>Users can download tracks on a permanent basis</p>	<p>€75 + VAT</p> <p><1,250 downloads per annum</p>	<p>€150 + VAT</p> <p><2,500 downloads per annum</p>	<p>€300 + VAT</p> <p><5,000 downloads per annum</p>	<p>€750 + VAT</p> <p><12,500 downloads per annum</p>
<p>Music Podcasting Service</p> <p>A downloadable, audio only programme that contains both music and speech and where the podcast cannot be disaggregated into its individual tracks</p>	<p>€75 + VAT</p> <p><34,000 downloaded works per annum</p>	<p>€150 + VAT</p> <p><68,000 downloaded works per annum</p>	<p>€300 + VAT</p> <p><136,000 downloaded works per annum</p>	<p>€750 + VAT</p> <p><340,000 downloaded works per annum</p>
Type of Service	Band AA (per annum)	Band A (per annum)	Band B (per annum)	Band C (per annum)
<p>Clips Service</p>	<p>€75 + VAT</p> <p>1-250 clips</p> <p>Made available at any one time</p>	<p>€150 + VAT</p> <p>251-500 clips</p> <p>Made available at any one time</p>	<p>€300 + VAT</p> <p>501-1000 clips</p> <p>Made available at any one time</p>	<p>€750 + VAT</p> <p>1001-2500 clips</p> <p>Made available at any one time</p>