



Collective Management in an ASEAN Country: The FILSCAP Experience

FILSCAP, INC

Established in 1965

The (only) collective management organization in the Philippines

Primary function is to collect public performance royalties

Administers and manages other economic rights (mechanical and synchronization rights) for a few composers

ORGANIZATION MEETING OF FILSCAP June 1965 at the Selecta Restaurant

From left: Tito Arevalo, Prof. Felipe P. De Leon, Delfin Manlapas (partly hidden), Simplicio U. Suarez, Antonio U. Lustre, Arnold A. Guswitch (ASCAP International Representatives), and Miguel Velarde Jr.



WHAT WE DO



Composer

Assigns:

Reproduction Rights
Publication Rights
Adaptation Rights



Publisher

Assigns:

Public Performance



FILSCAP

Licenses

Assigns: Public Performance

Licenses



End Users

WHAT WE DO



Composer



FILSCAP



Distributes
Public
Performance
Royalties



Pay
License
Fees

Distributes
Reproduction,
Adaptation, and
Publication
Royalties



Pays
Reproduction,
Adaptation, and
Publication
Royalties

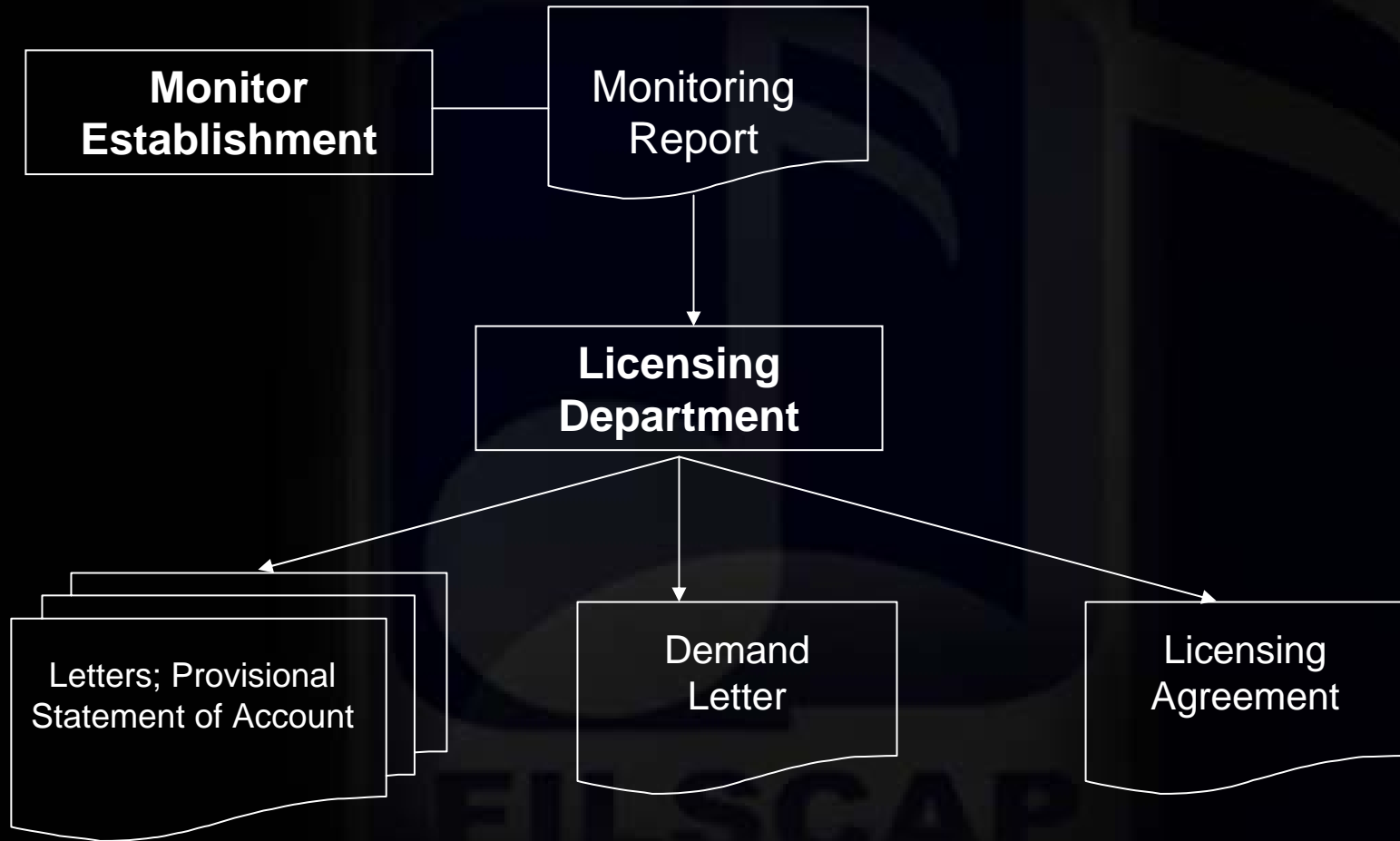


Publisher

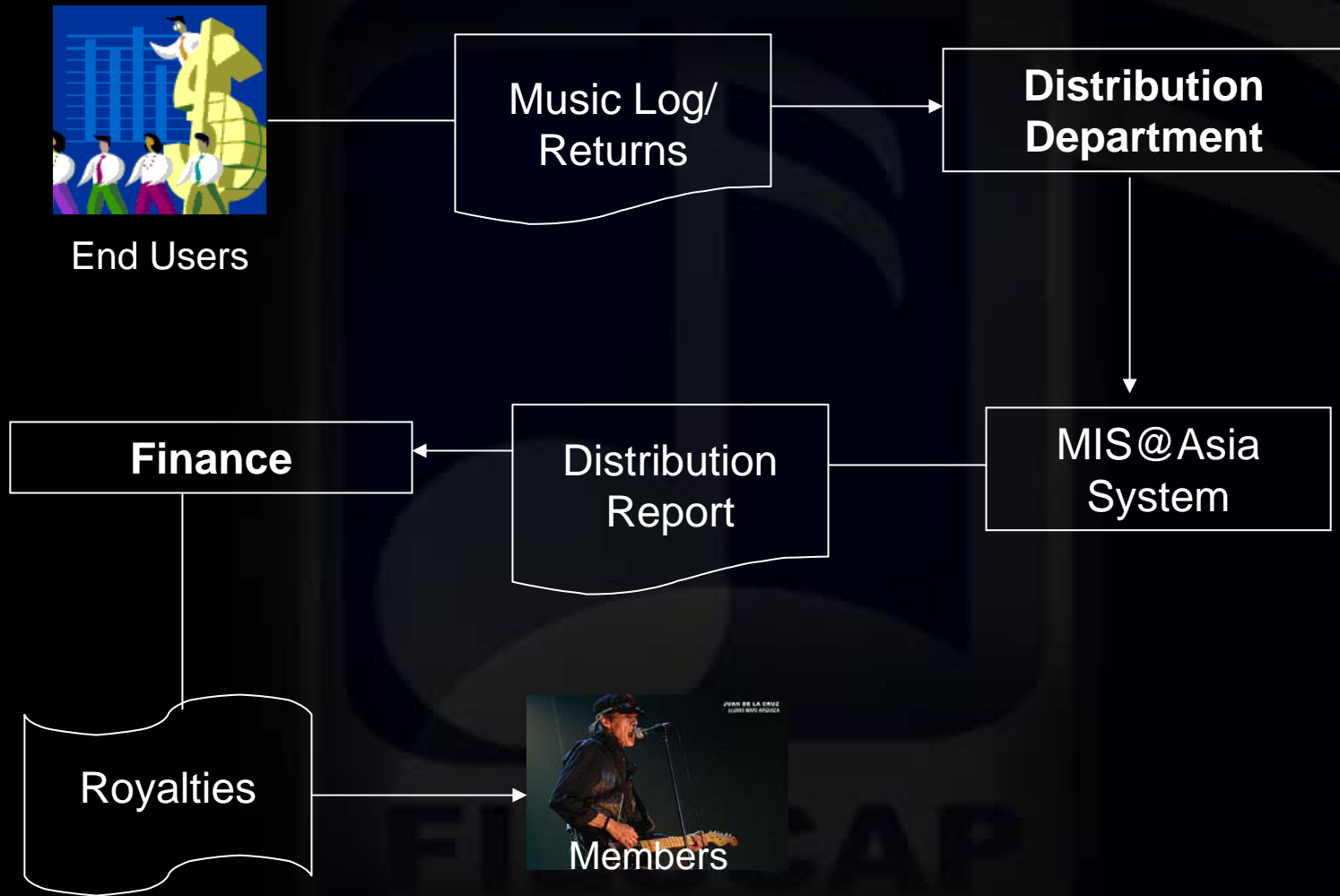


End Users

Licensing Procedure



Distribution Procedure



MILESTONES

1960s – ASCAP assistance

1980s – CISAC Associate Membership

1994 – HRAP MOA



1996 – Signing of Memorandum of Agreement with the KBP

MILESTONES

1997 – Enactment of Republic Act 8293 (Intellectual Property Code of the Philippines)

2002 – Licensing Agreement with SM Prime Holdings (1st major retailer to be licensed)



2004 – Signing of Licensing Agreement with GMA7 Network

MILESTONES



2004 – Signing of Licensing Agreement with ABS CBN

2005 – Memorandum of Agreement with The Bureau of Immigration & Deportation

MILESTONES



2006 – Filscap purchases its own property

2007 – Filscap will move into its own office

2007 – FILSCAP is accepted as a regular member of CISAC



CHALLENGES FACED

FILSCAP'S MISSION STATEMENT

“Provide a consistent income stream for a growing membership of composers through Creative Licensing, Efficient Collection and Accurate and Timely Distribution of Performance, Mechanical Reproduction, and Synchronization Royalties.”

- Corporate Governance
 - The Society is a business that is being run by creative people with no corporate experience
 - Composition of the Board, therefore leadership and directions, may change every 2 years
 - Need to change corporate culture and work attitudes to adapt to rapid growth

CHALLENGES FACED

- Public Awareness
 - Users (businessmen), lawyers, and even members of the judiciary who are not well-versed in IPR
 - Improvement of the Society's image
- Music User Problems – convincing the businessmen that music is not free
 - “Are you serious???”
 - “I’m doing you a favor!”
 - “If the amount is negligible then I’ll pay”
 - “I pay you and you add more work for me to do?!”

CHALLENGES FACED

- Distribution of Royalties
 - Need for more data (improvement of monitoring music usage)
 - Convincing users to submit music logs and cue sheets
 - There will always be members who feel they should be receiving more (than others or than what they are receiving)
- Fast Changing Technology
 - Staff having difficulty coping with developments especially in the digital environment
- Government Support
 - Stronger Legislative Support
 - Need for Implementing Rules and Regulations (enforcement)
 - More efficient and better informed judiciary

George Canseco



1973-1987 - Board of Director

1988-1997 – President

1998-2005 - Chairman

“Please continue with the fight to enforce our rights as composers!”

**“Always remember that we
composers never die...**

we only decompose.”