

Extended Collective Licence (Article 43a CopA)

granted by

(1) **SUISA**, Swiss Cooperative Society for Authors and Publishers of Music, Bellariastrasse 82, Postfach, 8038 Zurich

(2) **SWISSPERFORM**, Kasernenstrasse 23, 8004 Zurich

hereafter referred to as: Licensors

to

(3) **Volksliedarchiv der Schweizerischen Gesellschaft für Volkskunde SGV**, Rheinsprung 9, 4051 Basel

(4) **Memoriav**, Bümplizstrasse 192, 3018 Bern

hereafter referred to as: Licensees

Collectively referred to as: The Parties

Service Description:

The Parties are committed to the preservation, accessibility and intermediation of Switzerland's audio cultural heritage. As part of their activities, they have indexed and digitised the Lenzburg Folk Festival tape collection, created between 1972 and 1980, with a view to making it available online to an interested public. The 2163 songs in the collection are documented with relevant particulars (e.g. title, name(s) of artist(s), date created, composer, etc.) and an audio file (Mp3-format, streamed and non-downloadable), and made available through the Parties' platforms: SGV – <<https://archiv.sgv-sstp.ch>> (hitherto Fotoarchiv); Memoriav – <www.memobase.ch>. The intended purposes are non-commercial, for own use and purely for scientific, teaching and similar uses. Before streaming, users must agree that the audios will only be streamed via the official platforms for the designated purposes, and that they will not be disseminated.

II. Permitted uses:

a) Author's rights:

SUISA authorises the Licensees to store and make available musical works for the purpose of the Service described in Section I effective from the signing of this Agreement.

b) Neighbouring rights:

SWISSPERFORM authorises the Licensees to store and make available recordings, within the meaning of the above Service Description, and the performances by performers contained in those recordings.

III. Fees

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IV. Term of Licence

Indefinite

V. Territory

Switzerland and Liechtenstein

VI. Publication and opting out

Licensees are aware that this Licence will be published on Licensors' websites and that rightholders who do not agree may exclude their rights from this Licence ("opting out"). In such cases, Licensees must obtain a direct licence from the rightholders.

VII. Jurisdiction and governing law

This Agreement is subject to Swiss Law. Disputes arising in connection with this Agreement shall be submitted to the exclusive jurisdiction of the Commercial Court of Zurich.

Zurich, on

SUISA

Basel, on

SGV

Zurich, on

SWISSPERFORM

Bern, on

Memoriav
