

中国音像著作权集体管理协会

China Audio-Video Copyright Association

2022 年报

ANNUAL REPORT



中国音像著作权集体管理协会
China Audio-Video Copyright Association



目录

CONTENTS

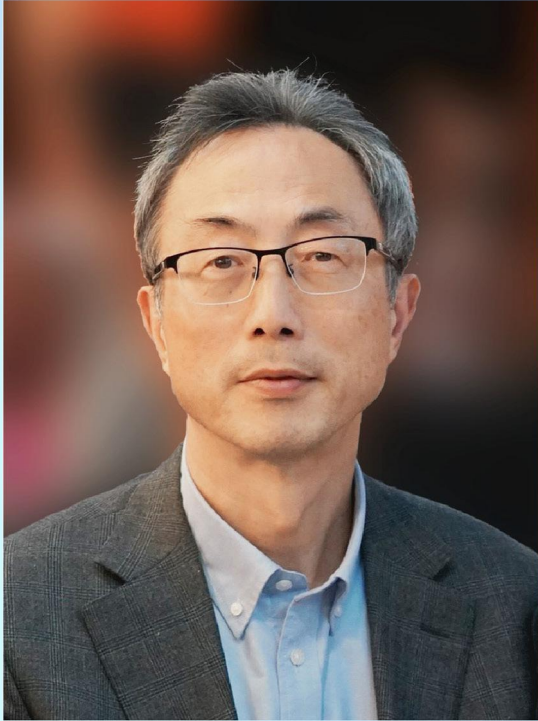


01	理事长寄语 PRESIDENT'S FOREWORDS	01
02	工作亮点 HIGHLIGHTS NUMBERS	05
03	会员事务 MEMBERSHIP	07
04	音乐电视作品和录音制品 MUSIC VIDEO AND SOUND RECORDING	11
05	著作权许可和收费 LICENSING AND COLLECTING	15
06	著作权使用费分配 DISTRIBUTION	23
07	法律事务 LEGAL AFFAIRS	25
08	重要工作 REMARKABLE WORK	29



01

理事长寄语
PRESIDENT'S
FOREWORDS



理事长 / 周建潮
President / Zhou Jianchao



守正创新，奋力开拓，履行好著作权集体管理制度赋予我们的神圣职责，以更加优异的成绩为繁荣发展中国特色社会主义文化事业和文化产业贡献力量。



2022年是三年疫情最艰难的一年！我会在中宣部版权管理局、中央和国家机关行业协会商会工作局的正确领导及广大会员的大力支持下，勇于拼搏，迎难而上，努力克服疫情带来的种种困难，与行业各方凝心聚力，奋力开拓著作权集体管理业务，全年实现财务收入45465万元，同比增长19.1%；会员数达553家，相较去年增长17.9%，共代表了1511家权利人；管理音乐电视作品达35.1万首，同比增长37.7%，各项业绩均创出历史最佳。

在这一年里，我会持续深耕“二合一”卡拉OK版权许可工作，与全国各地139家娱乐行业协会建立或延续合作关系；以实际行动帮助卡拉OK经营企业减负纾困，连续两年荣获民政部“我为企业减负担”专项行动通报表扬；积极探索创新业务模式，在营业场所背景音乐、网络直播和互联网短视频等新领域取得突破性进展，新业务领域著作权使用费收入超过3000万元；以版权使用费标准作为判赔依据的“新思路”司法实践成效显著，在卡拉OK版权市场上取得了非常好的市场指引作用和法律效果；著作权大数据管理平台在使用者的支持下在全国多个省市成功试运行，我会业务管理数字化、智能化转型迈出坚实一步；“天合案”等多个涉及著作权集体管理制度原则和我会发展的重大案件取得终审胜诉，推动了我国著作权集体管理理论发展和制度完善，我会自此涅槃重生，以崭新的面貌走向未来。

事非经过不知难，成如容易却艰辛。2022年，我会实现了诸多突破性进展，取得了诸多创新性成果，点点成绩得来不易。我们衷心感谢政府管理部门和行业各界对我会以往工作的支持和帮助。

雄关漫道真如铁，而今迈步从头越。展望新的一年，我会将在党的二十大精神指引下，在中宣部版权管理局、中央和国家机关行业协会商会工作局的正确领导下，不忘初心，牢记使命，守正创新，奋力开拓，履行好著作权集体管理制度赋予我们的神圣职责，以更加优异的成绩为繁荣发展中国特色社会主义文化事业和文化产业贡献力量。



CAVCA will not forget our original intention, bear our mission in mind, be innovative, and pioneering, fulfill our sacred responsibilities, entrusted to us under the collective copyright management system. CAVCA will contribute to the prospering development of China's socialist culture and cultural industry with even better achievements.



In 2022, with the effective leadership of the Publicity Department of the Communist Party of China (CPCPD), the Work Bureau of Central and State Agencies' Industry Associations and Commerce Chambers (the Work Bureau of CSAIACC), and the cohesion of our members, we, the China Audio-Video Copyright Association (CAVCA), strived to overcome the most difficult challenges brought by the COVID-19 epidemic with courage. We worked with all parties in the industry to develop the work of collective copyright management, generating a financial income of 454.65 million yuan for the year, a 19.1% year-on-year growth. Moreover, the number of members reached 553, representing 1,511 rights holders, which increased by 17.9%. In addition, the music videos (MV) registered under CAVCA reached 351,000, an increase of 37.7%, the best performance in history.

During the year, we continued working on the *One-Window Licensing Mechanism* in the karaoke copyright licensing market, signing and renewing cooperations with 139 entertainment industry associations nationwide.

CAVCA also took practical action to help karaoke business enterprises reduce their burden and won the *Reduce the Burden for Enterprises*, a special operation of the Ministry of Civil Affairs of the People's Republic of China (MCAC), for two consecutive years.

In addition, we actively explored innovative models in emerging areas, such as background music in commercial venues, live streaming, and short videos. As a result, we collected copyright royalties from those emerging areas exceeding 30 million yuan.

Furthermore, *Xinsilu*, which uses copyright tariffs as the basis of legal compensation, effectively achieved a remarkable market guidance effect in the karaoke copyright licensing market.

The Big Data Copyright Management Platform (BDCMP) was successfully run on a trial basis in many provinces nationwide with the support of users, which means we take a concrete step in the digital and intelligent transformation of business management.

Also, Tianhe and other significant cases that affected the principles of the collective copyright management system and drove the development of CAVCA have won final judgments. As a result, CAVCA has been rebranded with a new outlook toward the future.

Without experiencing difficulties, one cannot appreciate ease. Though success may seem effortless, its path is strewn with unease. We want to express our sincere gratitude to the government departments and all industry participations for their support and assistance in CAVCA's past work.

The road ahead is as rugged as iron, but take a step and ascend the mountain. Looking ahead to the new year, under the guidance of the spirit of the 20th CPC National Congress and the leadership of the CPCPD and the Work Bureau of CSAIACC, CAVCA will not forget our original intention, bear our mission in mind, be innovative, and pioneering, fulfill our sacred responsibilities entrusted to us under the collective copyright management system. CAVCA will contribute to the prospering development of China's socialist culture and cultural industry with even better achievements.





◆ 02

工作亮点
HIGHLIGHTS
NUMBERS

财务总收入*

45465

万元

同比增长

19.1%

Total Financial Income:
454.65 Million Yuan
YoY* Growth **19.1%**

会员数

553

家

同比增长

17.9%

Numbers of Members: **553**
YoY Growth **17.9%**

著作权使用费收入

44696

万元

同比增长

19.4%

Copyright Royalties:
446.96 Million Yuan
YoY Growth **19.4%**

著作权使用费分配

37619

万元

Distributed Copyright Royalties:
376.19 Million Yuan

管理音乐电视作品数

35.1

万首

同比增长

37.7%

Registered Music Videos:
351 Thousand Pieces
YoY Growth **37.7%**

* 本年度报告所涉收入金额皆以财务收入为准。

The amounts of income mentioned in this annual report are subject to financial income.

* YoY: Year-on-Year



03

会员事务 MEMBERSHIP



优化会员拓展，提供高质量会员服务

CAVCA improved membership expansion efforts and provided high-quality membership services.



多类型、多样化的权利人入会，进一步提升版权内容质量

CAVCA also worked with more copyrights holders to enhance the copyrighted contents quality.

会员数量 Membership Growth



□ 会员* Members ■ 代表权利人* Representing Rights Holders

*会员：指与我会签约的主体，包括单位和个人。

Member means the artificial person or individual who is a rights holder and signed a collective management contract with CAVCA.

*代表权利人：指直接加入我会的原始权利人、版权代理公司代理的原始权利人等我会会员代表的权利人。因版权代理公司代理多家权利人，故代表权利人数大于会员数。

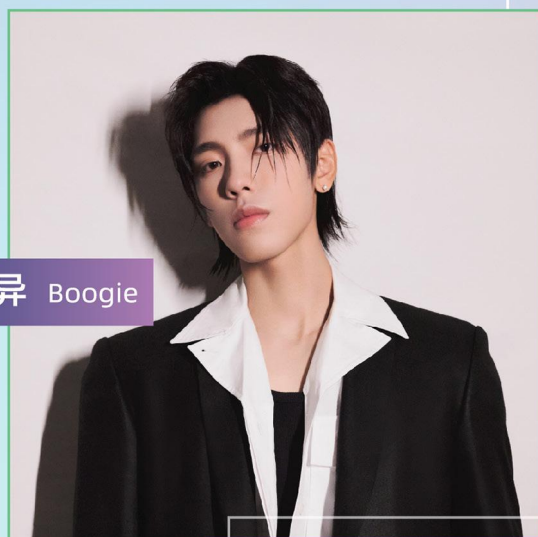
Representing Rights Holder means the rights holders represented by CAVCA, including an independent rights holder and original rights holders represented by a copyright agency.

代表艺人 及部分新会员

Representatives of Artists And Representatives of New Members



柳爽 Liu Shuang



王子异 Boogie



陈鸿宇 Chen Hongyu



房东的猫 Landlord's Cat



容中尔甲 Yungdrung Gyal



刀郎 Daolang



温岚 Landy Wen



庞龙 Pang Long



沙宝亮 Sha Baoliang

04

音乐电视作品
和录音制品

MUSIC VIDEO
AND SOUND
RECORDING

会员授权音乐电视作品:

351333 首

| 351,333 MVs Registered under CAVCA

新增 96188 首

| 96,188 New Pieces

同比增长 37.7%

| 37.7% YoY Growth

会员授权信息网络传播权录音制品:

15.1 万首

CAVCA has obtained over **151,000** authorizations of sound recordings for the right to communicate through the information network.

会员登记录音制品:

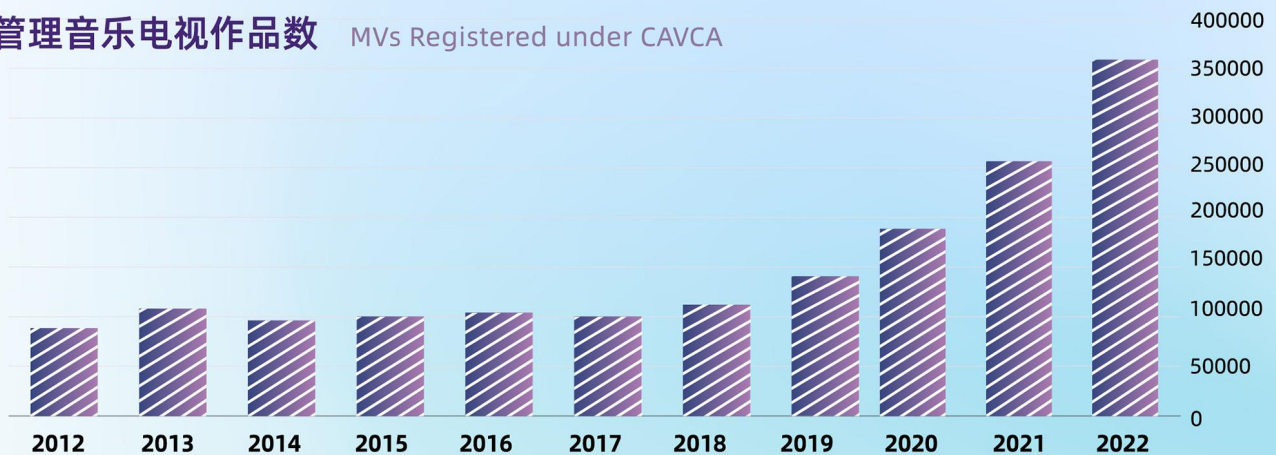
158.6 万首,录音制品登记工作仍在进行中

Members registered their **1.58 million** data of sound recordings under CAVCA, and the registrations are still in progress.

通过精细化版权管理,进一步提升了我会内容管理的广泛代表性

Through rigorous copyright management practices, CAVCA expanded the representation of recordings catalog, ensuring CAVCA can offer users a more diverse and comprehensive selection of copyrighted content.

管理音乐电视作品数 MVs Registered under CAVCA



部分热门作品 Popular Singles



卡拉OK金麦榜

Golden Mic Charts

金麦新歌榜 2022年度 TOP 30

Golden Mic Top 30 New Singles of 2022

排名 RANKING	视听作品 AUDIOVISUAL WORKS	表演者 PERFORMER	排名 RANKING	视听作品 AUDIOVISUAL WORKS	表演者 PERFORMER
01	最后的人	杨小壮	16	红颜知己	安静
02	孤勇者	陈奕迅	17	说说话	王靖雯
03	大风吹	王赫野	18	天地龙鳞	王力宏
04	听闻远方有你	刘芝雯	19	不如	秦海清
05	白月光与朱砂痣	大籽	20	叹	黄龄、Tăng Duy Tân
06	夜夜夜漫长	DJ小鱼儿	21	哥已不再是当年的哥	秋裤大叔
07	一路生花	温奕心	22	清空	王忻辰、苏星婕
08	画你	科尔沁夫	23	好想抱住你	程jiajia
09	星辰大海	黄霄云	24	穷叉叉	王搏
10	愿你	黄静美	25	秒针	李克勤、王赫野
11	危险派对	王以太、刘至佳	26	沦陷	王靖雯
12	如果爱还在	雨中百合	27	九十九步退一步	魏佳艺
13	不该用情	莫叫姐姐	28	你能不能不要离开我	莫叫姐姐
14	当我娶过她	莫叫姐姐	29	画离弦	海伦
15	孤城	洛先生	30	来跳舞	海来阿木

金麦榜是我会依据著作权大数据管理平台提供的线下KTV点唱数据进行统计排名的卡拉OK歌曲排行榜，自2020年12月首次发布以来，已发布27期月度榜单和两个年度榜单，是一个完全基于客观使用数据形成的音乐点播榜。

Golden Mic Charts (GMCs) calculate the offline karaoke on-demand data provided by the BDCMP and have released 27 monthly and two annual lists since December 2020. GMCs are music on-demand charts based entirely on objective usage data.

金麦热歌榜 2022年度 TOP 30

Golden Mic Top 30 Popular Singles of 2022

排名 RANKING	视听作品 AUDIOVISUAL WORKS	表演者 PERFORMER	排名 RANKING	视听作品 AUDIOVISUAL WORKS	表演者 PERFORMER
01	后来	刘若英	16	漠河舞厅	柳爽
02	可可托海的牧羊人	王琪	17	知心爱人	任静、付笛声
03	成都	赵雷	18	听闻远方有你	刘钧
04	红尘情歌	高安、黑鸭子	19	朋友的酒	李晓杰
05	我的好兄弟	小沈阳、高进	20	体面	于文文
06	过火	张信哲	21	光辉岁月	Beyond
07	突然的自我	伍佰	22	桥边姑娘	海伦
08	朋友	周华健	23	大风吹	王赫野
09	最后的人	杨小壮	24	西海情歌	降央卓玛
10	孤勇者	陈奕迅	25	再见只是陌生人	庄心妍
11	海阔天空	Beyond	26	月半小夜曲	陈慧娴
12	挪威的森林	伍佰	27	闯码头	大哲
13	花桥流水	高安、纳兰珠儿	28	包容	郑源
14	大海	张雨生	29	萍聚	卓依婷
15	水手	郑智化	30	曾经心痛	叶蓓文

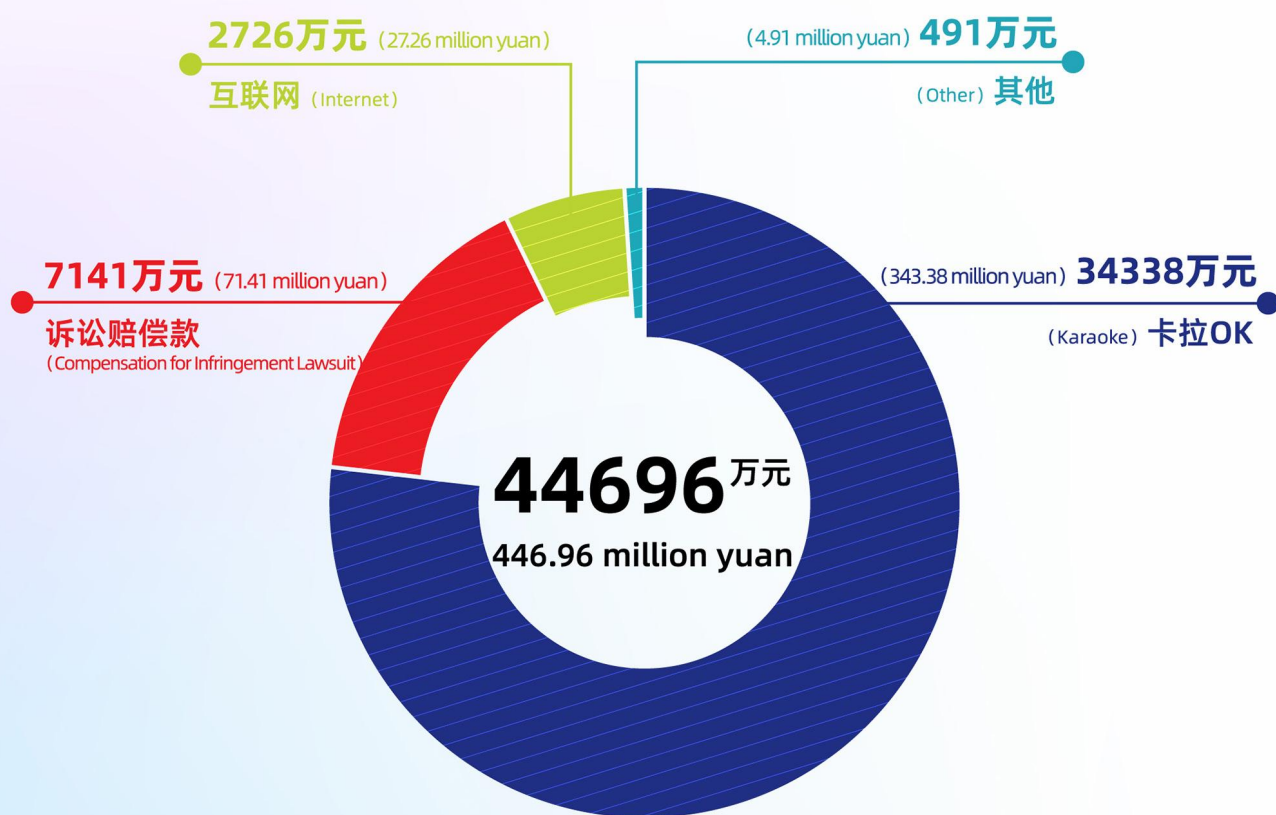
05

著作权许可和收费 LICENSING AND COLLECTING



克服疫情影响， 2022年著作权使用费收入再创新高

Copyright Licensing Work Overcomes the Epidemic's Impact, with Collected Copyright Royalties Reaching New Heights



● 卡拉OK Karaoke

KTV : 33224万元 (Karaoke Bar: 332.24 million yuan)

VOD : 1028万元 (VOD Provider: 10.28 million yuan)

迷你KTV : 86万元 (Mini KTV: 860,000 yuan)

● 其他 Other

线下背景音乐: 364万元 (Performance Right: 3.64 million yuan)

IPTV: 85万元 (IPTV: 850,000 yuan)

海外授权许可: 39万元 (Overseas Licensing: 390,000 Yuan)

教科书法定许可: 3万元 (Textbook: 30,000 yuan)





联动行业相关各方，卡拉OK版权许可业务在艰难的市场环境中稳步拓展

Karaoke Licensing Work Steadily Expands in A Challenging Market Environment by Cooperating with Industry Partners

2022年新冠疫情持续流行，全国20%-30%的卡拉OK场所倒闭关停，一般地区停业时间达4-6个月，给我会业务活动带来极大影响。

面对市场难题，我会积极贯彻落实国家版权局、文化和旅游部《关于规范卡拉OK领域版权市场秩序的通知》精神，持续加强与卡拉OK领域各相关方合作，联合版权管理部门、司法机关、行业协会等相关单位在北京、上海、重庆、浙江、江苏、安徽、广东、福建、湖北、湖南、吉林、黑龙江、云南、西藏、山东、河南、辽宁等地举办集体签约、讲座、座谈会和宣传活动，在福建马尾同当地行政管理部门、司法机关共建共维“五位一体”卡拉OK领域版权预防和保护联动机制，秉持“协商优先”的原则充分与场所沟通交流，积极促进卡拉OK场所交纳著作权使用费。同时，我会为有效减轻疫情期间依法履行版权义务、积极交纳著作权使用费的卡拉OK营业场所经营负担，出台一系列稳定卡拉OK版权市场秩序、推动卡拉OK产业复工复产的有力政策，取得良好效果。2022年，在疫情形势严峻的情况下，我会卡拉OK著作权使用费收入再创历史新高。

此外，我会持续完善许可工作各项制度，严厉查处违规违纪人员，大力推行数字化办公系统，简化了签约流程，节省了使用者成本，提升了办公效率，保证卡拉OK许可工作公开、公平、透明、高效进行。

In 2022, since the epidemic continued, the closure rate of karaoke bars nationwide was around 20%-30%. In addition, the commercial venues closed for 4-6 months in many regions. Those facts caused significant obstacles to CAVCA's work.

Faced the market challenges, CAVCA actively implemented the Notice on Regulating the Copyright Market Order in the Karaoke Field issued by the National Copyright Administration of the People's Republic of China (NCAC) and the Ministry of Culture and Tourism and continued to strengthen cooperation with relevant parties in the karaoke field.

CAVCA held lectures, seminars, collective contracting, and other publicity activities in many regions, such as Beijing, Shanghai, Chongqing, Zhejiang, Jiangsu, Anhui, Guangdong, Fujian, Hubei, Hunan, Jilin, Heilongjiang, Yunnan, Tibet, Shandong, Henan, Liaoning, with copyright authorities, judicial agencies, industry associations, and other related industry participants. CAVCA established a *Five-In-One Karaoke Copyright Prevention and Protection Linkage Mechanism* with Fujian Mawei's local administrative departments and judicial agencies. Those activities adhered to the principle

of consultation first and communicated with the venues fully, actively promoting the payment of copyright royalties by karaoke venues. At the same time, to effectively reduce the burden of karaoke bars that fulfill their copyright obligations and actively pay copyright royalties during the epidemic, CAVCA introduced effective policies to stabilize the karaoke copyright market order, achieving good results. As a result, despite the difficulty brought on by the epidemic in 2022, CAVCA achieved a historical high in karaoke copyright royalties collecting.

In addition, CAVCA continued to improve the licensing systems, severely punished violators, vigorously promoted the digital office systems, simplified the signing process, reduced user costs, improved office efficiency, and ensured that karaoke licensing work was conducted openly, fairly, transparently, and efficiently.

2022

卡拉OK
著作权使用费收入

2022 Karaoke Royalties'
Collection Source

*KTV Karaoke Bars

33224 万元

332.24 million yuan

* 本年度KTV著作权使用费收入含前期签约金额
The collected royalty of the karaoke bar department includes
the contracted amounts from past years.

VOD VOD Providers

1028 万元

10.28 million yuan

迷你KTV Mini KTV

86 万元

860,000 yuan

合计 Total

34338 万元

343.38 million yuan



线下营业场所背景音乐收费业务破冰

Work on Performance Rights for Brick-and-Mortar Commercial Venues Broke the Ice

通过与线下6300多家营业场所进行背景音乐使用的谈判沟通，该领域收费工作在上海、湖南、江苏、北京、重庆等十个省市取得进展，涉及餐饮、商场、酒吧、时尚品牌、会展、音乐节、展览等不同行业，并在酒店、展览、广场、公寓、写字楼、单项赛事、4S店等行业实现了签约，我会还与三家地方娱乐行业协会签约建立了合作关系。此外，我会还针对使用背景音乐的线下经营场所推出了“音乐通”客户端，在满足客户多样化需求的同时也有效规范了版权使用秩序，促进市场健康有序发展。

Through negotiation and communication with more than 6,300 brick-and-mortar commercial venues for background music usage, the collection work of performance rights has made progress in ten provinces and cities, including Shanghai, Hunan, Jiangsu, Beijing, and Chongqing, involving several industries, including restaurant, shopping mall, pub, fashion brand, exhibition, plaza, hotel, office building, event, automobile sales service shop, and others. In addition, CAVCA has also contracted with three local entertainment industry associations for collective contracts.

In addition, CAVCA also launched *Music Pass*, a client for public broadcast in brick-and-mortar businesses that use background music. This client effectively regulated the order of copyright use and promoted healthy and orderly market development while meeting customers' diversified needs.

与**6300**多家
营业场所积极沟通

CAVCA Actively
Communicates with 6,300
Business Venues

在**10**↑
省份业务取得进展

CAVCA makes progress in
Licensing Work across Ten
Provinces

在不同类型、不同领域的
行业实现签约

CAVCA Signs Contracts with
Business Venues of Different
Types and Fields

1 营业场所背景音乐工作简报（1）部分使用者名录

Part of the User List in the *Performance Right Licensing Work Report (1)*

北京SKP商场、2022年北京冬（残）奥会、中免集团、Dr.Martens马汀博士马丁鞋、F45 Training、上海“功夫熊猫”展、成都朵云书院、贵州乌江寨音乐喷泉.....

SKP, Beijing 2022 Olympic and Paralympic Winter Games, Store of China Duty-Free Group, Dr. Martens, F45 Training, Shanghai Kung Fu Panda Exhibition, Duoyun Book Store and Guizhou Wujiangzhai Music Fountain, etc.

2 营业场所背景音乐工作简报（2）部分使用者名录

Part of the User List in the *Performance Right Licensing Work Report (2)*

蔻驰、凯特·丝蓓、拉夫劳伦、盖璞、H&M、幸福荣耀超市、关西围音乐节.....

COACH, Kate Spade, Ralph Lauren, GAP, H&M, Happy Your Mart and Guanxiwei Music Festival, etc.

3 营业场所背景音乐工作简报（3）部分使用者名录

Part of the User List in the *Performance Right Licensing Work Report (3)*

全国连锁品牌：胡桃里音乐酒馆 National Chain Brand: The Walnut

地方性品牌：SUNSET酒吧、贰麻酒馆、自在酒馆、小丑酒吧、7米9酒吧、唱客音乐酒吧、科罗纳酒吧、酒漾酒吧、MY PUB等

Local Brand: SUNSET Dance Club, 'Erma Pub, Zizai Tavern, Joker Baby, 7.9 Meters Free Zone, Singer Music Restaurant Bar, Corona Club, CASA GRANDE and MY PUB, etc.



互联网业务取得大幅进展

Licensing Work in the Internet Field Made Significant Progress

互联网许可业务稳步发展

Internet Licensing Work Steadily Developed

自2020年开展互联网许可业务以来，我会先后与字节跳动、微视、彩视、葫芦音乐等短视频及流媒体平台达成合作。2022年，我会与快手平台经过长达两年的维权和协商最终成功签约，字节跳动、彩视等平台同期顺利完成续约合作，互联网领域著作权使用费收入较去年大幅增长。

Since launching the Communication through Information Networks (CtIN) licensing work in 2020, CAVCA has successfully signed licensing agreement with short-video and music streaming platforms such as ByteDance, Weishi, ColorV. and Hulu Music. In 2022, after two years of negotiation work, CAVCA successfully signed a licensing agreement with Kuaishou. At the same time, CAVCA renewed cooperation with ByteDance, ColorV, and other platforms, resulting in significant increases in royalties.

网络直播业务取得突破性进展

The Internet Live Streaming Work Achieved Breakthrough

我会通过对大量市场调研数据的周密分析，提出了互联网直播中使用录音制品的费率协商标准，并与中国音像与数字出版协会两次联合组织30余家网络直播平台召开会议，共同协商。在行业协商中，我会充分听取权利人、使用者和相关行业协会等各方意见，对费率标准进行优化，并与部分使用者签署了支付录音制品使用费协议。

CAVCA has developed tariffs for using sound recordings in live streaming through a thorough analysis of extensive market research. CAVCA has also organized over 30 internet live-streaming service providers and over 20 rights holders for industry negotiations on the tariff with the China Audio-Video and Digital Publishing Association twice. During these industry negotiations, CAVCA considered the opinions of rights holders, users, and relevant industry associations, leading to the optimization of the tariffs, and signed copyright licensing agreements for the use of the sound recording in live streaming with several users.

2022年互联网
著作权使用费收入达

2726
万元

同比增长

422%

The Total Royalties from the
Internet Sector Reached
27.26 Million Yuan
422% YoY Growth



第二次“直播使用音乐录音制品付酬标准协商”工作会议
The Second Working Meeting on the Tariffs Negotiation for
Using Recorded Music in Live Streaming



2022年，我会与腾讯云、声网、即构、火山引擎等四大RTC服务商建立合作，覆盖了110家语音直播平台；我会还与东方甄选、万科物业、肯德基、戴森等品牌的直播间达成合作，实现电商直播业务零的突破。我会提出的网络直播中使用录音制品的费率标准在实践中逐步得到了行业认可。

Additionally, CAVCA has accessed 110 live chatting platforms by partnering with four major real-time communication (RTC) service providers, including Tencent Cloud, Agora, ZegoCloud, and Volcengine. CAVCA has also achieved a breakthrough in live commerce by cooperating with commercial brands such as Oriental Selection, Vanke Property, KFC, and Dyson. The industry gradually recognized CAVCA's tariffs for using background music.



广播电视台业务进展 Progress in Broadcasting Work

为加快新《著作权法》第四十五条所赋予的录音制作者广播表演获酬权在广播电视行业的落实，我会进行了充分的行业调研，广泛收集使用者的建议，与全国和地方的广播电视机构沟通协商付酬标准。我会还对各广播电视机构使用录音制品的情况进行了调查和监测，为下一步协商工作提供支持。

To accelerate the implementation of the remuneration rights for sound recording producers in the broadcasting industry, as stipulated in the new Article 45 of the Third Amendment to China's Copyright Law, CAVCA conducted industry research, collected users' suggestions, and established communication channels with relevant industry organizations of China's broadcasting and television institutions for the negotiation on copyrights' tariffs.

CAVCA also investigated and monitored programs broadcasted by radio and television institutions to expedite negotiations and achieve progress.



◆ 06

著作权使用费分配
DISTRIBUTION



根据我会第二届理事会第十四次会议审议通过的各项著作权使用费分配方案和细则，2022年度投入分配的著作权使用费共计37619万元，对扣除税金、管理及运营成本后的25110万元进行分配，其中向我会权利人分配15398万元，向中国音乐著作权协会结算词曲作者著作权使用费9712万元。

According to the distribution plans and rules for various copyright royalties adopted at the 14th meeting of the Second Council of CAVCA, a total of 376.19 million yuan in copyrights royalties was distributed by CAVCA in 2022. After deducting taxes and management costs, 153.98 million yuan were allocated to CAVCA's rights holders, while 97.12 million yuan were distributed to the songwriters and lyricists via the Music Copyright Society of China (MCSC).

2022年著作权使用费分配情况 2022 Distribution of Copyright Royalties

单位：万元 (Unit:10,000 Yuan)

项目 Item	投入 分配额 Distributed Royalties	权利人 可分配额 Total Net Distribution	权利人分配额 Net Distribution				税金 Taxes	管理及 运营成本 Management Cost	管理及 运营成本 比例 The ratio of Management Cost
			音集协 比例 The CAVCA Ratio	音集协 分配额 Net Distribution via CAVCA	音著协 比例 The MCSC Ratio	音著协 分配额 Net Distribution via MCSC			
KTV Karaoke Bar	35218	23089	60%	13853	40%	9236	2234	9895	30%
VOD VOD Providers	1057	890	50%	445	50%	445	68	99	10%
迷你KTV Mini KTV	93	78	60%	47	40%	31	6	9	10%
IPTV	50	42	100%	42	-	-	3	5	10%
互联网 Internet	1164	980	100%	980	-	-	75	109	10%
海外许可 Overseas Licensing	37	31	100%	31	-	-	3	3	10%
总计 Total	37619	25110	-	15398	-	9712	2389	10120	-



07

法律事务
LEGAL
AFFAIRS



多个重大诉讼案件取得胜诉

Major Litigations Wins

与天合集团及其子公司委托合同纠纷案

Dispute over Entrustment Contracts with Tianhe Group and Its Subsidiaries

2021年7月，北京知识产权法院就我会与天合文化集团有限公司及其诸子公司委托合同纠纷案作出一审判决，法院支持我会与天合集团签订的全部九份涉及卡拉OK著作权许可事务的独家合作协议自2018年11月1日起全部解除等诉求，判决天合集团及其子公司向我会支付其拖欠的著作权使用费、延迟支付的利息、损失赔偿金等款项共计99774654.49元并承担自2019年8月20日至实际支付之日止的利息，同时驳回天合集团的全部反诉请求。2022年11月，北京市高级人民法院对该案作出终审维持原判的判决。该案的判决让我会从此彻底甩掉历史包袱，清除历史积弊，对我会进入全新的健康发展阶段具有重要意义。

In July 2021, the Beijing Intellectual Property Court issued the first instance of the dispute over the entrustment contract between CAVCA and Beijing Tianhe Culture Co., Ltd. The court upheld CAVCA's claims that all nine exclusive cooperation agreements for karaoke copyright licensing affairs between CAVCA and the Tianhe Group had been terminated on November 1, 2018. The court also ruled that the Tianhe Group and its subsidiaries should pay CAVCA 99,774,654.49 yuan, which includes arrears for copyright royalties, damages, interest for delayed payments, and accrued interest from August 20, 2019, until the actual payment date. The Tianhe Group's counterclaims were rejected.

In November 2022, the Beijing High People's Court handed down a final judgment upholding the original judgment in the case. The case's verdict has ultimately allowed CAVCA to eliminate its historical baggage and problems, and this outcome shows that CAVCA stepped into a new healthy development era.

与天语同声、中音传播公司合同纠纷案

Contracts Dispute with Tianyu Tongsheng and Zhongyin

2022年5月，北京市高级人民法院就北京天语同声信息技术有限公司、中音传播（深圳）有限公司诉我会著作权合同纠纷案作出终审裁定，维持一审判决结果：我会自2014年起无需再向两公司支付著作权使用费收入21%的运营服务费，为会员挽回了1.299亿元的版权费。此案的胜诉使我会的管理成本大幅度降低，为我会的健康发展扫平了历史遗留的法律风险和隐患。

In May 2022, the Beijing High People's Court ruled on the case of *Beijing Tianyu Tongsheng Information Technology Co., Ltd. and Zhongyin Communication (Shenzhen) Co., Ltd. v. CAVCA Copyright Contract Dispute (2021)*, upholding the result of the first instance judgment: CAVCA is no longer required to pay 21% of the copyright royalties income to the two companies for the operating service fees since 2014, saving 129.9 million yuan in royalties for the CAVCA's members. Furthermore, winning this case has significantly reduced the management cost of CAVCA and cleared the legal risks and hidden dangers left by history for the healthy development of CAVCA.

与广东6家KTV垄断纠纷案 Monopoly Dispute with 6 Karaoke Bars in Guangdong

2020年6月，北京知识产权法院一审对广东8家KTV诉我会垄断纠纷案作出判决，驳回原告KTV全部诉讼请求。一审后，其中6家KTV向最高人民法院提起上诉。2022年3月，最高人民法院驳回所有KTV上诉请求，维持原判。法院认为：虽然我会具有市场垄断地位，但没有滥用垄断地位实施原告所称的拒绝交易、附加不合理交易条件的行为，不构成滥用市场支配地位的垄断行为。该案判决明确了著作权集体管理组织仍受反垄断法规制，厘清了著作权集体管理组织的行为性质，及时回应了反垄断司法执法的实践需求，对我国著作权集体管理的发展具有重要意义。

In June 2020, the Beijing Intellectual Property Court ruled on CAVCA's monopoly dispute with eight karaoke bars in Guangdong, rejecting all the plaintiff karaoke bars' claims. After the initial trial, six out of eight karaoke bars appealed to the Supreme People's Court of the People's Republic of China.

In March 2022, the Supreme People's Court rejected the appeal and upheld the original decision. The court held that while CAVCA had a monopoly position in the market, but didn't abuse it by refusing to deal or imposing unreasonable trading conditions. Therefore, it did not engage in monopolistic behavior. The verdict clarified that collective copyright management organizations are still subject to anti-monopoly regulations and responded to the practical needs of anti-monopoly judicial enforcement on time. This case is significant for the development of collective copyright management in China.

诉浙江联娱大数据科技有限公司不正当竞争案 Unfair Competition Dispute with Zhejiang Lianyu Big Data Technology Co.

2022年2月，浙江省高级人民法院对我会诉浙江联娱大数据科技有限公司虚假宣传纠纷案作出终审判决，依法认定浙江联娱公司构成虚假宣传，判决立即停止虚假宣传的不正当竞争行为，赔偿我会经济损失和维权合理费用共计100万元。本案是首例通过司法实践制止擅自从事著作权集体管理活动的判例，肯定了著作权集体管理组织在卡拉OK领域进行著作权集体管理活动的唯一合法主体地位，对于建立卡拉OK正常版权许可秩序具有重要意义。

In February 2022, the High People's Court of Zhejiang Province issued a final judgment regarding unfair competition between CAVCA and Zhejiang Lianyu Big Data Technology Co., Ltd. The court found that Zhejiang Lianyu had engaged in false propaganda. Accordingly, the court ordered Lianyu to stop unfair competition activities immediately and compensate CAVCA with 1 million yuan for economic losses and reasonable costs.

This case is significant as the first instance where unauthorized collective copyright management activities were halted through judicial practice. Furthermore, the verdict confirms CAVCA as the sole legal entity for conducting collective copyright management activities in the karaoke copyright market, which is vital for establishing order in karaoke copyright licensing.



积极推动卡拉OK侵权案件判赔“新思路”

Promotes *Xinsilu*, the Criteria for Awarding Compensation in Karaoke Infringement Cases

和解促成场所签约 **1173** 家

CAVCA leading to the signing of contracts with 1,173 venues through settlement

代签约卡拉OK场所处理
非会员权利人诉讼

6064 件

CAVCA handled 6,064 lawsuits by non-member rights holders on behalf of contracted karaoke bars

在卡拉OK领域，我会继续在全国范围内推行以国家版权局2006年公告的《卡拉OK经营行业版权使用费标准》为基础、以包房为单位计算的版权使用费作为侵权损害判赔依据的“新思路”，获得山东、广东、四川、重庆、河北、新疆等20个省（自治区、直辖市）法院的支持，对减少诉讼纠纷，建立健康发展的卡拉OK版权秩序具有重要意义。

2022年，在我会诉侵权卡拉OK场所案件中，法院参照“新思路”标准判决侵权卡拉OK场所赔偿著作权使用费，大大震慑了侵权场所的侵权行为，有力地促进了我会的版权许可工作。同时，我会始终将协商沟通贯穿诉讼全过程，全年通过和解促成场所签约1173家。

2022年，我会代签约卡拉OK场所处理非会员权利人诉讼6064件，为签约场所排忧解难，解决了场所的后顾之忧。越来越多法院参照集体管理组织收费标准来计算侵权判赔额，使得我会签约卡拉OK场所判赔额大大降低。此类案件全国平均单曲判赔额仅为33.76元，部分省份降至10元以下，较之前动辄单曲千元的判赔额显著降低，极大减轻了我会签约卡拉OK场所的负担，同时维护了著作权集体管理制度的稳定。

CAVCA has been promoting using *Xinsilu*, a new judicial practice, in the karaoke copyright infringement field. This practice uses the Karaoke Industry Copyright Tariff (KICT), announced by NCAC in 2006, as the basis for criteria for awarding compensation for karaoke copyright infringements. KICT specifies the daily copyright royalty to be paid for each karaoke private room.

Courts in 20 provinces, autonomous regions, and municipalities, including Shandong, Guangdong, Sichuan, Chongqing, Hebei, and Xinjiang, have supported *Xinsilu*, reducing litigation disputes and establishing a healthier karaoke copyright licensing market. In 2022, courts cited copyright royalties to infringing karaoke bars based on this tariff, significantly deterring further infringements and promoting CAVCA's copyright licensing work.

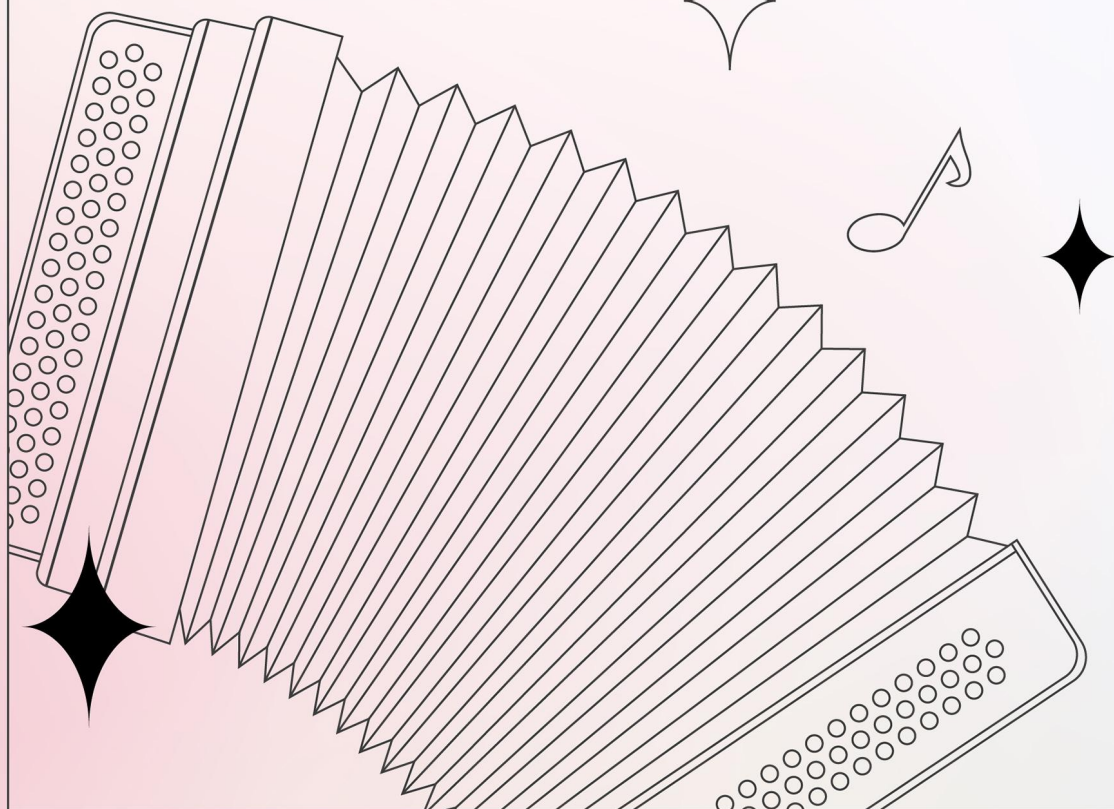
CAVCA consistently negotiated and communicated with karaoke bars throughout the litigation process, leading to the licensing agreement signing with 1,173 venues through settlement. Additionally, CAVCA handled 6,064 lawsuits by non-member rights holders on behalf of contracted karaoke bars, relieving the difficulties of the venues.

Moreover, in 2022, more and more courts began referring to tariffs set by collective management organizations to calculate infringement compensation, leading to a massive reduction in compensation. As a result, the national average compensation awarded for one song for the karaoke bars signed with CAVCA was only 33.76 yuan, dropping to less than 10 yuan in some regions. This new practice has significantly reduced compensation amounts from the previous 1,000 yuan for one single song infringement, relieving the burden on karaoke bars signed with CAVCA while maintaining the stability of the collective copyright management system.

08

重要工作

REMARKABLE WORK



坚持以党建工作统领全局，认真学习贯彻党的二十大精神

Insisting on Party Building Work to Lead the Overall Situation and Earnestly Studying and Implementing the Spirit of the 20th Party Congress

2022年，在中央和国家机关行业协会商会党委的领导下，我会围绕“喜迎二十大，建功新时代”主题积极开展多项生动深刻的党建活动，党支部组织党员和入党积极分子收听收看党的二十大开幕会，集体学习党的二十大精神报告，举办支部书记讲党课主题党日活动，在上级党委组织的主题征文活动中踊跃投稿并荣获一等奖、二等奖各一篇及组织奖。我会党支部积极推动完善支部建设，抓好“三会一课”，设立党建图书角，积极发展党员和入党积极分子。我会党支部坚持以学促思、以思促行，将党建工作与协会业务相融合，开展坚守著作权集体管理初心使命思想教育，充分发挥党支部战斗堡垒作用，发挥党员的先锋模范作用，引领我会业务工作高质量开展。

In 2022, under the Party Committee of Central and State Agencies' Industry Associations and Commerce Chambers' leadership, CAVCA carried out lively and profound party-building activities around the theme of *Welcoming the 20th National Congress, Building a New Era*.

The Party branch of CAVCA organized activists to watch the opening ceremony of the 20th National Congress, study the report of the 20th National Congress, and hold a Party Day activity with the theme of *A Party Lecture by the Branch Secretary*. In addition, the branch won the first and second prizes and the organization prize in a thematic essay writing activity organized by the higher-level party committee.

Furthermore, the Party branch of CAVCA focused on improving branch construction, grasping the *Three Meetings and One Class*, setting up a party building book corner, and developing party members and activists. The branch also integrated party-building work with the work of CAVCA, carrying out education on the ideology of adhering to the original mission of collective copyright management.

By promoting thinking and action through learning and giving full play to the role of the fighting base of the party branch and the pioneering role of party members, the Party branch of CAVCA led CAVCA in carrying out work with high quality.

召开第二届理事会第十三次会议

Held the 13th Meetings of the Second Council

7月26日，我会召开第二届理事会第十三次会议。会议审议通过了2021年度工作报告、财务工作报告，及2021年各项著作权使用费分配方案分配细则及2022年预算报告，会议审议同意徐军同志担任协会财务总监。

On July 26th, CAVCA held the 13th Meeting of the 2nd Council. The council deliberated and approved the 2021 Work Report, the 2021 Financial Report, the 2021 distribution plans of copyright royalties, and the 2022 Budget Report at the meeting. In addition, the Council approved the appointment of Xu Jun as the Chief Financial Officer of CAVCA.



全面推进著作权集体管理业务数字化进程

Advancing the Digitalization of Copyright Collective Management Work

2022年，我会通过技术手段赋能集体管理事业发展，用技术创新引导卡拉OK领域建立版权许可新秩序，以著作权大数据管理平台为引擎逐步推动著作权集体管理业务数字化优化和升级，实现作品的授权、传播，以及付费信息的全量、实时、精准、动态的完全透明化，使产业各端主体得以信息共享。截至年末，著作权大数据管理平台在全国23个省（自治区、直辖市）的96个城市完成落地试点工作，接入卡拉OK场所475家，涉及近1.2万间包房，通过扫码付费模式收取著作权使用费244万元。我会还针对使用背景音乐的线下经营场所推出了“音乐通”客户端，启动了对权利信息与资料管理系统的升级优化工作，通过内控管理技术系统建立数字化工作申报流程，全面推进数字化智能化办公，加速提升我会数字化管理水平。

23  (自治区、直辖市)

完成落地试点工作
Piloted in 23 provinces, autonomous regions, and municipalities.

475 

接入卡拉OK场所
The platform was accessed by 475 karaoke bars

1.2万 

涉及包房近
Covered nearly 12,000 private rooms

244 

通过扫码付费收取著作权使用费
Collected 2.44 million yuan in copyright royalties via QR code

In 2022, CAVCA upgraded and optimized the rights information and data management system, further accelerating the digital management of CAVCA.

First, CAVCA empowered the development of collective copyright management through technological means, guiding the establishment of a new copyright licensing order in the karaoke field with technological innovation. With the BDCMP as the engine, CAVCA promotes digital optimization and upgrades collective copyright management business, achieving full, real-time, accurate, and dynamic transparency of authorization, dissemination, and financial information. BDCMP enables information sharing among all parties in the industry, improving transparency for industry stakeholders. By the end of the year, it had been

successfully piloted in 96 cities across 23 provinces, autonomous regions, and municipalities. The platform was accessed by 475 karaoke bars and covered nearly 12,000 private rooms, collecting 2.44 million yuan in copyright royalties via QR code.

Secondly, CAVCA introduced the *Music Pass* client for brick-and-mortar businesses that use background music. This client initiated upgrading and optimizing the rights information and data management system of CAVCA.

By establishing a digital work declaration process through internal control management technology systems, the digital and intelligent office of CAVCA has fully accelerated and refined.



搭建专业交流平台拓展学术文化视野， 开展行业交流活动共议集体管理发展

Building A Professional Communication Platform, Expanding Academic and Cultural Vision, and Carrying Out Industry Communication Activities to Discuss the Development of Collective Management

1月16日，我会参加2021年中国版权年会“新形势下的著作权集体管理组织面临的新问题和新的挑战”论坛，与会专家就我国著作权集体管理组织适应管理体制变化、著作权相关法律法规修改、集体管理在技术革新发展的新形势下面临的问题和挑战等议题发表了观点。

On January 16, CAVCA attended a forum at the Annual Copyright Conference of China 2021, focusing on the new issues and challenges that copyright collective management organizations face under the new situation. Experts shared their views on adapting China's copyright collective management organizations to changes in the management system, amendments to copyright-related laws and regulations, and the problems and challenges faced by collective management under the new situation of technological innovation and development.



5月31日，时值新《著作权法》施行一周年之际，我会通过线上方式举办营业场所播放音乐版权保护座谈会，会议聚焦新《著作权法》为录音制作者增设的广播和表演获酬权的落地实施问题。

On May 31, CAVCA organized an online seminar on the Protection of Music Copyright in Business Venues, which coincided with the first anniversary of the Third Amendment to China's Copyright Law. The seminar focused on implementing the right to remuneration for broadcasting and performance for sound recording producers under the new Copyright Law.



7月8日，我会与《中国新闻出版广电报》“版权监管周刊”联合举办网络直播中使用音乐版权保护专题研讨会，著作权法专家、学者及行业组织、使用者代表、律师、媒体齐聚一堂，共同探讨网络直播中音乐版权使用的解决之道。

In July 8, CAVCA held a seminar on Copyright Protection of Music Used in Live Streaming in collaboration with China Press and Publishing Media's *Copyright Supervision Weekly*. The seminar brought together copyright law experts, scholars, industry organizations, user representatives, lawyers, and media to discuss solutions to the use of music copyright in live streaming.





为卡拉OK场所减免使用费， 再获民政部通报表扬

MCAC Commends CAVCA for Two Consecutive Years of Waiving Copyright Royalties for Karaoke Bars

4233 万元
2021年为卡拉OK场所
减免使用费

CAVCA waived royalties for karaoke bars amounted to **42.33 million yuan** in 2021

两年合计减免
著作权使用费

1.33 亿元

CAVCA reduced and exempted copyright royalties for karaoke industry by **133 million yuan** in 2020 and 2021

11月2日，我会因减免2021年著作权使用费再获民政部通报表扬，名列《关于表扬在减轻企业负担工作中表现突出的全国性行业协会商会的通报》名单第五名。2021年我会为受疫情影响暂停营业的歌舞娱乐场所、歌曲点播系统技术服务商减免著作权使用费4233万元，与2020年合计共减免著作权使用费达1.33亿元，用实际行动为企业纾困解难。

On November 2nd, CAVCA was commended by the MCAC for our outstanding performance in waiving copyright royalties once again, ranking fifth in the Notice on Commending National Industry Associations and Commerce Chambers for their Outstanding Performance in Reducing the Burden on Enterprises. In 2021, CAVCA provided 42.33 million yuan in copyright royalty waivers to singing and dancing entertainment venues and VOD providers affected by COVID-19, bringing the total waived copyright royalties to 133 million yuan in 2020 and 2021. CAVCA took concrete actions to alleviate the difficulties and support enterprises in need.

联系我们 CONTACT US

会员部/Membership Department

电话：010-6608 6468 转 260
Tel : 010-6608 6468 ext.260

邮箱：membership@cavca.org
E-mail: membership@cavca.org

资料部/Documentary Department

电话：010-6608 6468 转 238/220
Tel : 010-6608 6468 ext.238/220

邮箱：documentation@cavca.org
E-mail: documentation@cavca.org

许可部/Licensing Department

电话：010-6608 6468 转 211
Tel : 010-6608 6468 ext.211

邮箱：license@cavca.org
E-mail: license@cavca.org

法律部/Legal Department

电话：010-6608 6468 转 294
Tel : 010-6608 6468 ext.294

邮箱：falvshiwu@cavca.org
E-mail: falvshiwu@cavca.org

财务部/Finance Department

电话：010-6608 6468 转 217
Tel : 010-6608 6468 ext.217

邮箱：caiwu@cavca.org
E-mail: caiwu@cavca.org

分配部/Distribution Department

电话：010-6608 6468 转 265
Tel : 010-6608 6468 ext.265

邮箱：distribution@cavca.org
E-mail: distribution@cavca.org

广播表演权部/Broadcasting-Performance Rights Department

电话：010-6608 6468 转 266/268
Tel : 010-6608 6468 ext.266/268

邮箱：bpr@cavca.org
E-mail: bpr@cavca.org

宣传部/Publicity Department

电话：010-6608 6468 转 212
Tel : 010-6608 6468 ext.212

邮箱：publicity@cavca.org
E-mail: publicity@cavca.org

办公室/Administrative Department

电话：010-6608 6468 转 278
Tel : 010-6608 6468 ext.278

邮箱：hr@cavca.org
E-mail: hr@cavca.org



微信订阅号
Wechat Subscription



微信服务号
Wechat Official Account



微博
Weibo





地址 / Address: 北京市朝阳区东三环北路38号院3号楼安联大厦22层2212
Unit 2212, 22nd floor, Anlian Plaza, 38 North Dongsanhuan Road, Chaoyang District, Beijing.

邮编 / Post Code: 100020

电话 / Tel: 010-6608 6468/6427/6442/6649、010-6501 6009/6439

传真 / Fax: 86 10 66086475

网址 / Website: www.cavca.org
