

# 2020 年报

## Annual Report

China Audio-Video Copyright Association

中国音像著作权集体管理协会



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



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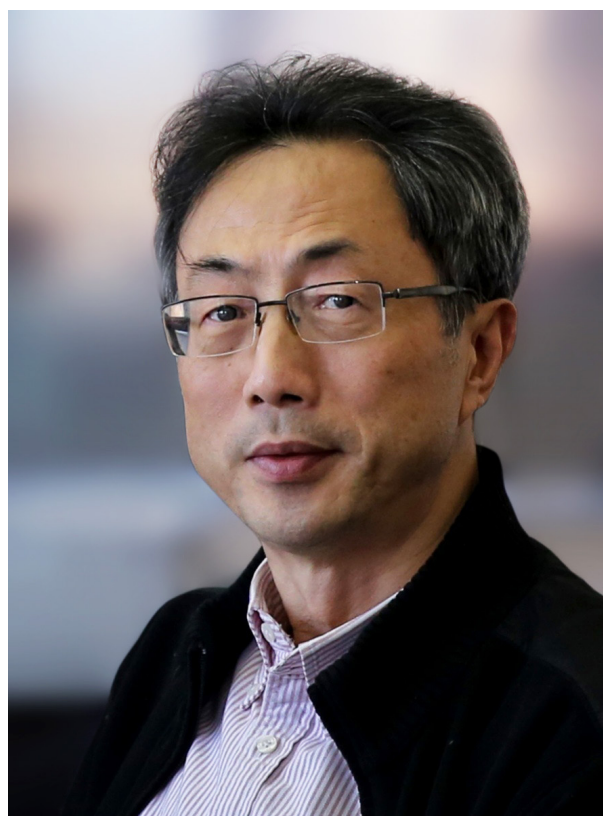
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# 理事长寄语

2020 年是极不平凡的一年，新冠肺炎疫情给行业带来严重影响。面对极其困难的局面，中国音像著作权集体管理协会（以下简称协会）在中宣部版权管理局、中央和国家机关工委的领导下，积极作为、敢于担当，讲政治，顾大局，坚持“二合一”许可模式，维护了卡拉 OK 市场秩序的安定。协会通过与中国文化娱乐行业协会（以下简称中娱协）及各地娱乐行业协会紧密合作，进行集体协商、集体签约，扩大市场覆盖面，使著作权集体管理活动取得了实质性进步。

2020 年，协会实现版权使用费收入 2.38 亿元，实现财务收入 2.44 亿元；会员总数达到 357 家，同比增长 44.53%，涉及 841 家权利人，创历史新高；卡拉 OK 授权曲目达 18.8 万余首，新增曲目 5.2 万余首，取得了在疫情影响情况下难能可贵的成绩。同时，协会与中娱协联合出台措施，支持歌舞娱乐行业复工复产，携手抗疫，共渡难关，为经营场所减免著作权使用费 9100 余万元。

2020 年，协会首次提出了在无法有效行使权利的特定市场发生的涉及著作权集体管理组织的著作权纠



理事长：周建潮

President: Zhou jianchao

纷应按照使用费标准统一裁判的法律意见，对著作权集体管理活动的理论和实践作出了贡献。与此同时，协会在拓展互联网及其他新技术领域的许可业务、深化会员服务、提高分配效率、积极为著作权法修改建言献策、推动著作权集体管理的理论创新等方面做了大量工作。协会还规范和优化了内部建设，加强了宣传工作，有效地扩大了协会的影响力，为促进我国著作权集体管理制度的完善和发展发挥了积极作用。协会 2020 年的工作获得了领导机关和社会的肯定，并在岁末荣获了国家版权局颁发的“中国版权金奖管理奖”。

战疫履责荣金奖，“两权”谋局谱新章。在新的一年里，面对新《著作权法》实施带来的机遇和挑战，协会要认真研究新法，努力开拓录音制作者广播和表演获酬权的收费工作，进一步全面推进互联网许可业务，积极向管理部门针对新法配套条例的修订建言献策。坚持卡拉 OK 版权“二合一”许可模式，加强与中娱协及使用者代表的沟通协商机制。全面落地著作权大数据管理平台、逐步完成著作权集体管理业务的数字化升级。制定各方面工作目标，争取较大幅度提升会员版权费收入，同时完善会员服务体系。坚持党

的领导，保证重大事项决策科学规范。加强协会自身建设，在业务拓展、财务规范、许可团队、人力资源和版权内容等方面加强管理，加强队伍建设和宣传工作。

2021 年是重大机遇与挑战并存的一年。在这一年里，我们可以期待，疫情被有效遏制，行业全面复苏，版权市场规范有序发展，新《著作权法》实施带来广阔发展天地。千淘万漉虽辛苦，吹尽狂沙始到金。在新的一年里，我相信，在国家版权局的支持下、在理事会的领导下、在代理总干事周亚平的带领下，通过全体的努力，协会秘书处一定能够抓住机遇、战胜挑战，提交出一份亮丽的成绩单！

The year 2020 was extraordinary because the COVID-19 epidemic brought a serious impact on the industry. In the extremely difficult situation, follow the leadership of the Copyright Administration Bureau of the Publicity Department of the CPC Central Committee (CABPD) and the Working Committee of the Central and State Organs, China Audio-Video Copyright Association (CAVCA) had acted actively, taken responsibility bravely, stressed political awareness, paid attention to the overall situation, and adhered to the One Window Licensing Mode to maintain the stability of the karaoke market. Through close cooperation with the China Cultural & Entertainment Industry Association (CCEA) and the local entertainment industry associations nationwide, CAVCA carried out collective negotiations and collective contracts signing, expanded the market coverage, and made substantial progress in copyright collective management activities.

In 2020, CAVCA collected copyright royalties of 238 million yuan and financial income of 244 million yuan; the total number of members increased 44.53% year-on-year, to a record high of 357, representing 841 rights holders; the number of authorized music videos rose to 188,000 an increase of more than 52,000 over last year. CAVCA made valuable achievements during the epidemic.

At the same time, CAVCA and CCEA issued measures jointly to support the work resumption of the singing and dancing entertainment industry. CAVCA and CCEA worked together to fight the epidemic and overcame difficulties, exempted the copyright royalties of more than 91 million yuan for the karaoke venues.

In 2020, CAVCA put forward a first-ever legal opinion urging that copyright disputes involving copyright collective management organizations in specific markets, where rights cannot be effectively exercised, should be judged with a standard tariff. This legal opinion made a great contribution to the theory and practice of copyright collective management activities. Meanwhile, CAVCA spared no effort in expanding the licensing business in the field of Internet and other new technologies, deepening the member services, improving the distribution efficiency, actively providing advices and suggestions for the revision of the Copyright Law, and promoting the theoretical innovation of the copyright collective management. CAVCA also standardized and optimized the internal construction, strengthened the publicity work, effectively expanded the influence of CAVCA, and played a positive role in promoting the improvement and development of China's copyright collective management system. The work of CAVCA in 2020 won the affirmation of

# President's Foreward

the authorities and the society, and was honorably granted the 2020 WIPO-NCAC Award for Copyright Administration Management by the National Copyright Administration of China (NCAC) at the end of the year.

CAVCA won the award for shouldering responsibilities during the fight against the epidemic in the past, it will compose a new canto by the implementation of "Two Rights" in the future. In the new year, facing the opportunities and challenges brought by the implementation of the new Copyright Law, CAVCA will study the new Law earnestly, work hard to carry out the collection work for the broadcasting and public performance rights of recording producers, further promote the Internet licensing business in an all-round way, and actively submit suggestions to the administrative departments on the revision of the new Law. We will adhere to the One Window Licensing Mode in the Karaoke market, and strengthen the communication and consultation mechanism with CCEA and member representatives. We will fully implement the Big Data Copyright Management Platform, and gradually complete the digital upgrade of copyright collective management business. CAVCA will set up work goals in all aspects, strive for a substantial increase in the income of members' copyright royalties, and improve the member service system.

CAVCA will uphold the leadership of CPC and ensure scientific and standardized decision-making mechanism on major issues. In addition, CAVCA will strengthen the self-construction, strengthen the management in business development, financial standards, licensing teams, human resources and copyright content, and the construction of talent teams and publicity work.

The year 2021 is a year of both great opportunities and challenges. In this year, we can expect that the epidemic will be effectively contained, the industry will recover in an all-round way, the copyright market will develop in a standardized and orderly way, and the implementation of the new Copyright Law will bring broad prospects for development. Only through thousands of clean-ups and filtering can gold eventually reveal from wild sands. In the new year, I believe that, with the support of NCAC, under the leadership of the Council and Acting Director-General Zhou Yaping, the Secretariat of CAVCA will be able to seize the opportunities, overcome the challenges and bring brilliant achievements through the efforts of all the staff!

# 工作亮点

## Highlights of Achievements

### 荣获“2020 年中国版权金奖管理奖”

CAVCA honorably won the 2020 WIPO-NCAC Award for Copyright Administration Management.

### 基于著作权大数据管理平台对卡拉 OK 点唱数据进行统计的客观结果，创立卡拉 OK 歌曲排行榜“金麦榜”

CAVCA launched the Golden Mic Charts for Karaoke songs based on the statistics of karaoke VOD data from the Big Data Copyright Management Platform.

### 举办首届中国国际著作权集体管理高峰论坛

CAVCA held the first China International Copyright Collective Management Summit.

### 互联网许可业务“破冰”，先后与字节跳动、微视、彩视、全民小视频等达成合作

CAVCA made the icebreaking achievement in the internet licensing business and reached cooperation with ByteDance, Weishi, Colorv, Quanmin Video, etc.

**2.38** 亿元  
100 million yuan

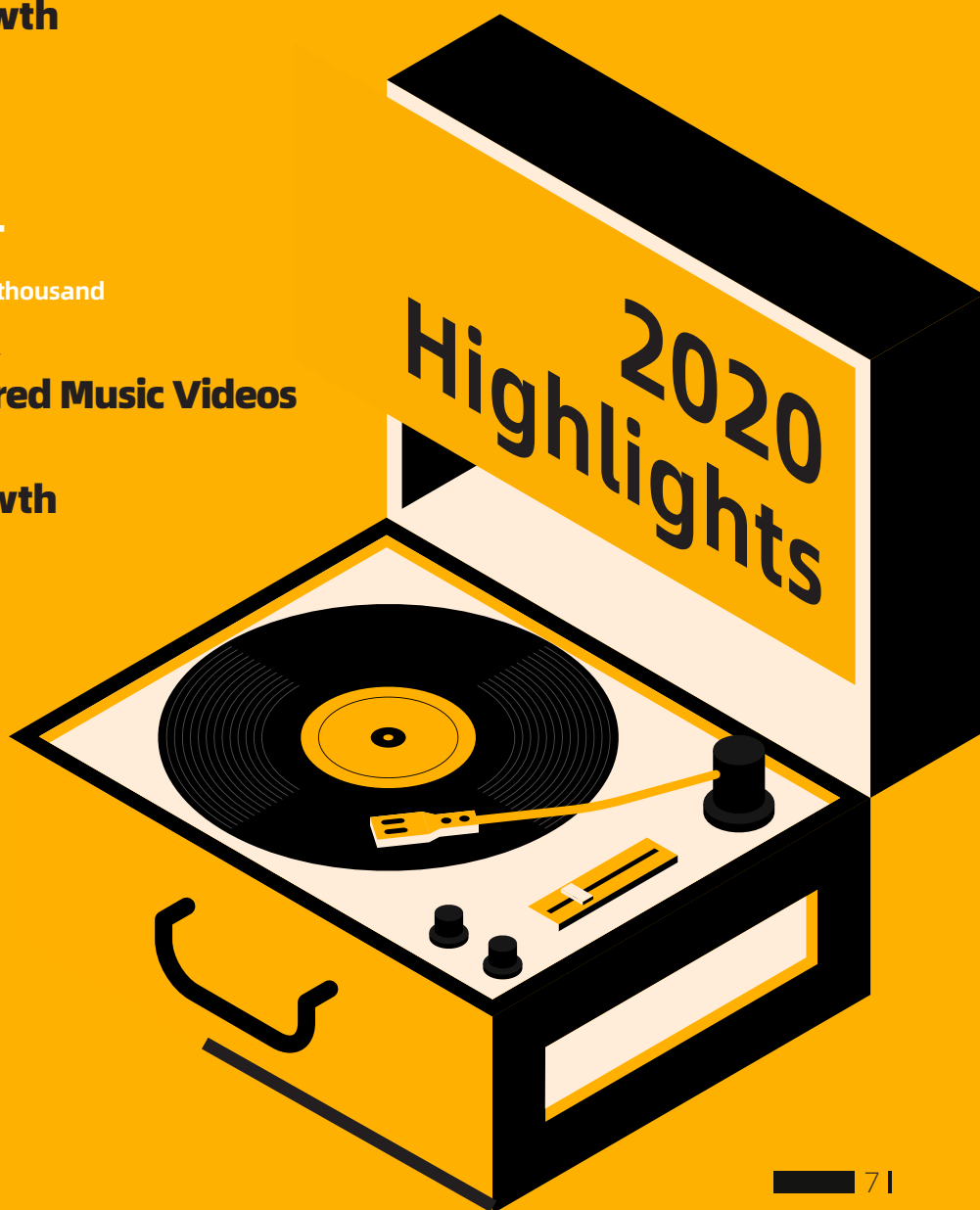
著作权使用费收入  
Collected Copyright Royalties

**357** 会员数  
Number of Members

同比增长 44.53%  
Year on Year Growth

**18.8** 万  
10 thousand

管理音乐电视作品数  
Number of Registered Music Videos  
同比增长 38.2%  
Year on Year Growth



# 会员事务

## Membership Affairs

### 会员数量高速增长

Rapid Growth of Members

357

会员数

Members in total

+44.53%

同比增长

Year on year growth

+115

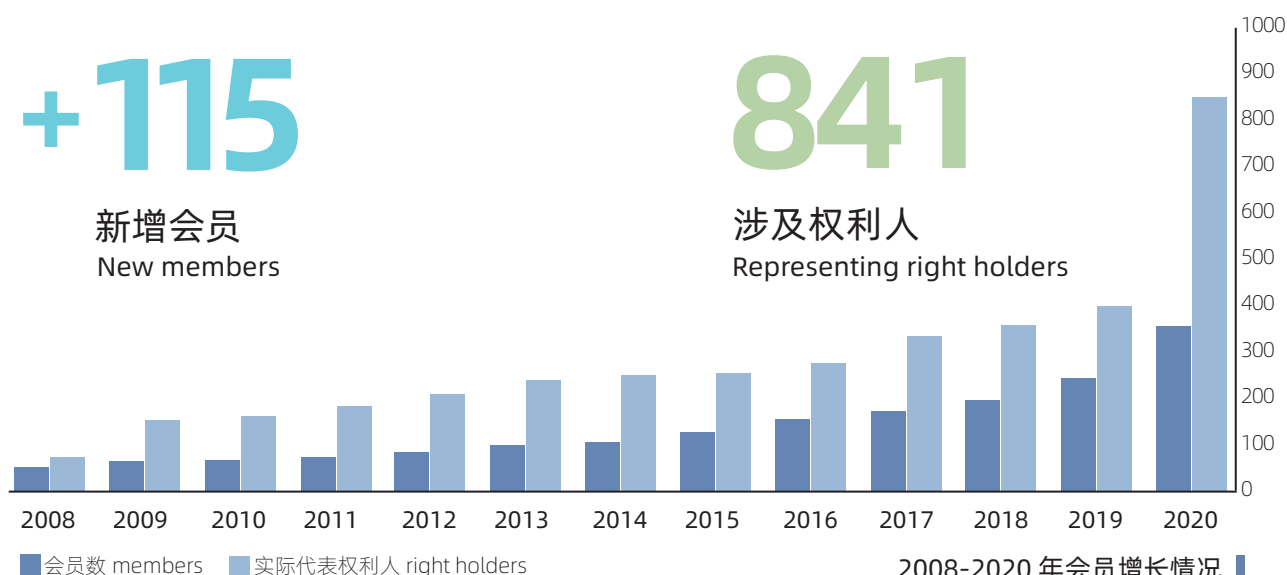
新增会员

New members

841

涉及权利人

Representing right holders



Growth of Members from 2008 to 2020

## 部分新晋会员展示 Typical New Members

新晋会员有音乐制作公司、娱乐经纪公司、版权运营公司、影视音乐公司、MCN 机构等，包括哇唧唧哇、地球娱乐、致力音乐、好乐无荒、仁溪音乐、讯飞音乐、千和世纪、风靡时代、昌禾文化、伯音时代、新月演艺、杰思娱乐、韶惜音乐、柠萌影业、心喜文化、觉得文化、梦飞船文化、重低音文化、京粤传媒、无忧传媒等。

New members are diversified, including record companies, artists agencies, copyright agencies, OST production companies, and MCN agencies. The new members include WAJJIWA Entertainment, Earth Entertainment, Zhili Music, HL Entertainment, Renxi Music, CMC Music, Qian He Shi Ji, Feng Mi Shi Dai, Changhe Culture, Bo Yin Culture, Xin Yue Yan Yi, JSJ Entertainment, Shaoyin Music, Linmon Pictures, Xinxi Culture, Jet Entertainment, Mengfeichuan Culture, Zhongdiyin Culutre, Jingyue Media, Joy Media, etc.



# 新晋会员 代表艺人与代表作

Typical Artists of  
New Members  
and Albums



毛不易





马伯骞 Victor Ma



谢春花 Xie Chunhua



王赫野 Wang Heye



陈意涵 Estelle Chen



陈柯宇 Chen Keyu



乌兰托娅 Wulan Tuoya



亚东 Ya Dong



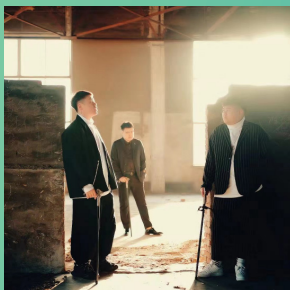
降央卓玛 Jamyang Dolma



小阿枫 Xiao Afeng



山水组合 Shan Shui Duo



半吨兄弟 Bandun Brothers



小田音乐社 Xiao Tian Music Club

(排名不分前后)  
In no particular order

## 会员服务

### Member Service

组织抗疫歌曲征集与分享活动，收到环球音乐、索尼音乐、太合音乐、希瓜音乐、看见音乐、颂今音乐等多家会员单位创作的作品，在特殊时期用音乐向抗击疫情的前线人员致敬。

策划会员座谈会活动，听取会员声音。创设会员风采、热歌推荐等板块，通过自媒体平台对会员歌曲进行宣传。

CAVCA organized anti-epidemic song collecting and sharing activities, and received works created by many members such as Universal Music, Sony Music, Taihe Music, Xigua Music, Kanjian Music, Songjin Music, to salute those on the frontline of the fight against the epidemic.

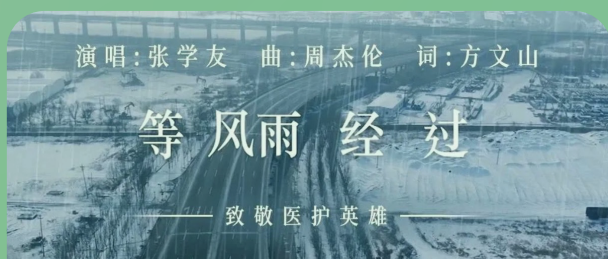
CAVCA held member symposiums and listened to members' voices, created sections such as member showcases, hot song recommendation, to promote members' songs through wemedia platforms.



会员风采 | 太合音乐：因爱集结，为爱而唱——《心暖心等于世界》



会员风采 | 索尼音乐：爱一直都在，《爱从未离开》



会员风采 | 环球音乐：心向阳光，《等风雨经过》我们微笑相见



会员热歌推荐 Vol.7 | 风华秋实特辑！《活着》《潮汐》...每一首歌都值得细细《体会》

## 卡拉 OK 金麦榜 Golden Mic Charts

为更好推广会员作品，协会通过著作权大数据管理平台对线下卡拉 OK 的纯客观的点唱数据进行统计设立的排行榜金麦榜于 2020 年 12 月 2 日首次发布，是我国第一个由中立的非营利组织发布的音乐排行榜。金麦榜包括新歌榜和热歌榜，每月定期发榜，通过协会自媒体（金麦榜官方微博、微信公众号、抖音号）、抖音 APP、全国 KTV 点歌机等线上线下渠道更新发布，《可可托海的牧羊人》《你莫走》《后来》《成都》《酒醉的蝴蝶》《桥边姑娘》《游山恋》《少年》等歌曲多次上榜，引起会员和业内热烈反响和广泛关注。

To promote the works of members better, CAVCA used the Big Data Copyright Management Platform to calculate the objective karaoke VOD data and launched the Golden Mic Charts by using the platform on December 2, 2020. The Golden Mic Charts are the first music chart released by a neutral non-profit organization in China. The Charts include New Song Chart and Hot Song Chart, released regularly every month through CAVCA's we-media platform (Golden Mic Charts Weibo, WeChat, and Douyin), Douyin App, and karaoke VOD machines all over the country. *Shepherd of Cocoa Sea, Don't You Go, Later, Chengdu, Drunken Butterfly, Girl by the Bridge, Mountain Love, and Yourh*, those songs were listed in the charts many times, arose a big reaction, and attracted industry members' attention.



金麦榜抖音号  
Tiktok Account



金麦榜微信订阅号  
WeChat Account



金麦榜微博  
Weibo Account

# 管理作品 Registered Works

## 管理音乐电视作品

### Registered Music Videos

授权音乐电视作品增幅再创历史新高；涉及复制权、放映权、信息网络传播权。

The growth rate of registered music videos hit a record high, covers the right of reproduction, the right of projection, and the right of communication through information networks.

188781

管理音乐电视作品数  
Number of Registered  
Music Videos

## 管理录音制品

### Registered Sound Recordings

随着信息网络传播权、广播和表演获酬权业务的开展，协会启动了录音制品的管理工作，积极地按照不同的权利类型录音制品进行信息收集，相关的信息登记及权利管理系统建设工作正在进行之中。

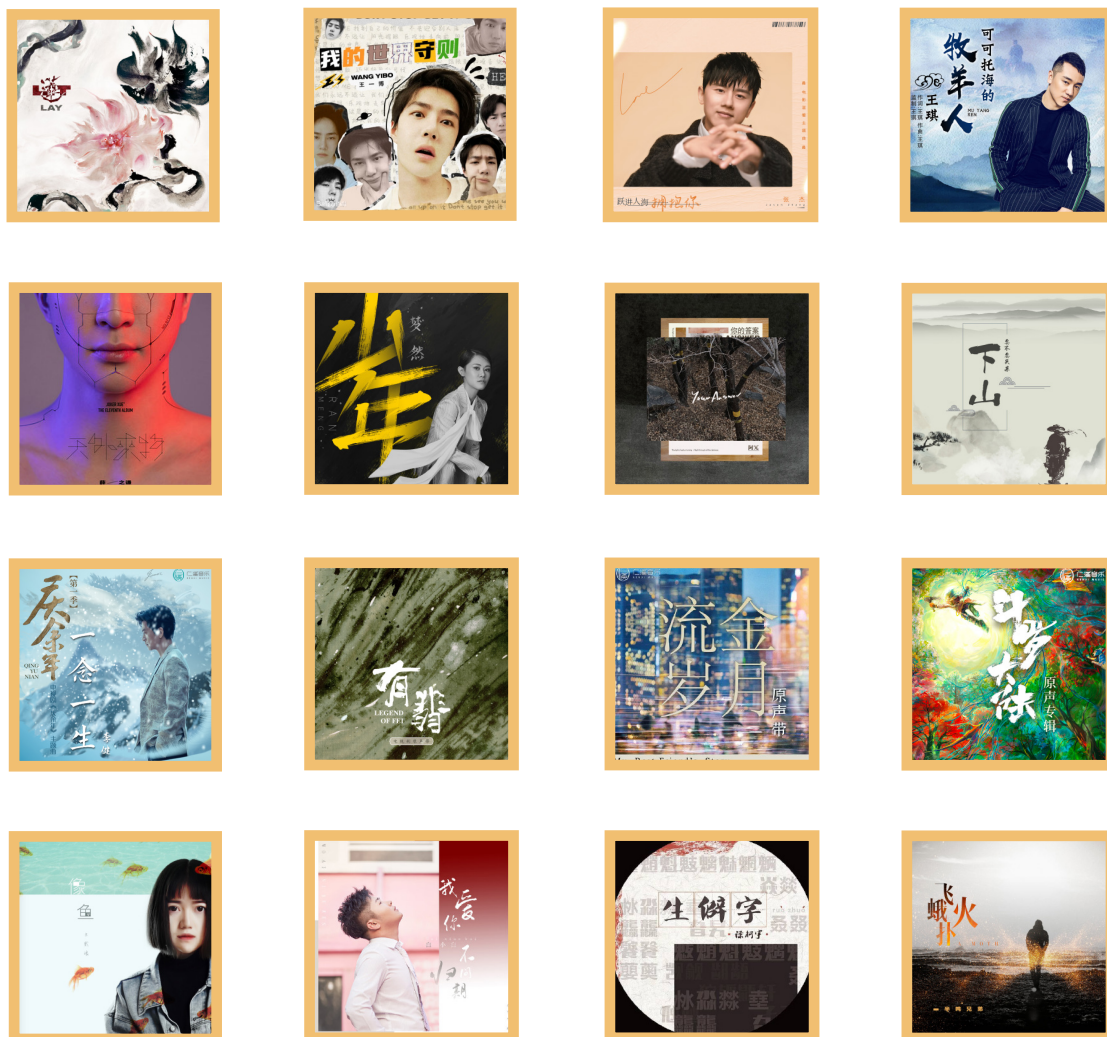
To conduct business relevant to the right of communication through information networks, and the rights to remuneration for broadcasting and performance, CAVCA started to manage sound recordings, collecting and registering sound recordings' information by types of right actively. CAVCA is carrying the construction of related rights management systems in succession nowadays.

+38.2%

同比增长  
Year On Year Growth

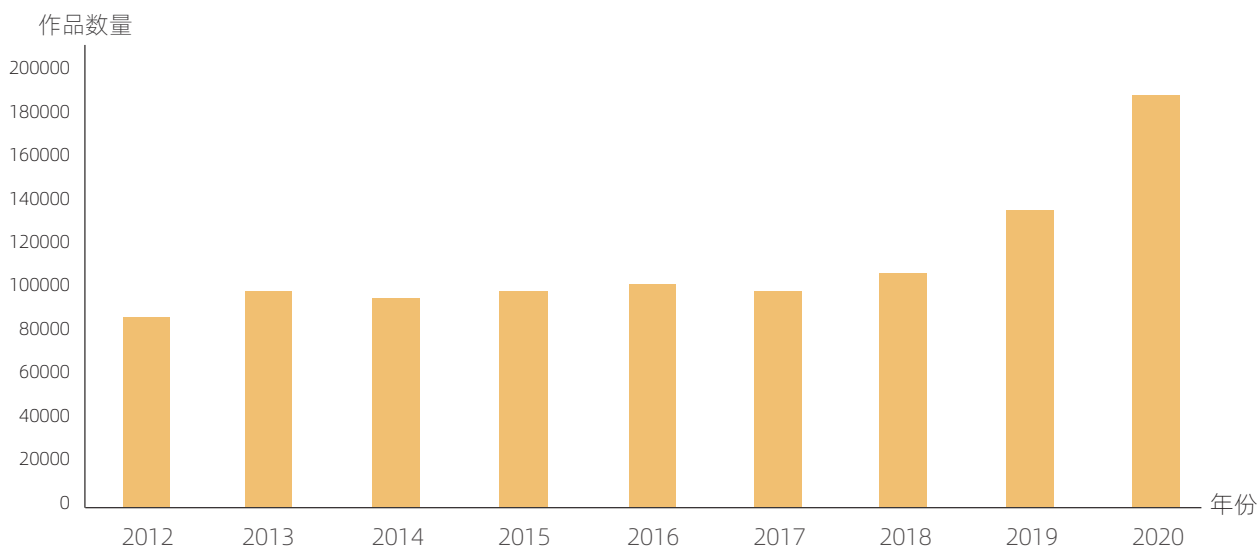
+52865

年度新增音乐电视作品  
The Number of Music Videos  
Increased in the Year



## 2012-2020 年协会管理音乐电视作品数量趋势图

Works Registered under CAVCA from 2012 to 2020



# 许可业务 Licensing

## 完善和规范卡拉 OK 许可机制

Improve and standardize the karaoke licensing mechanism

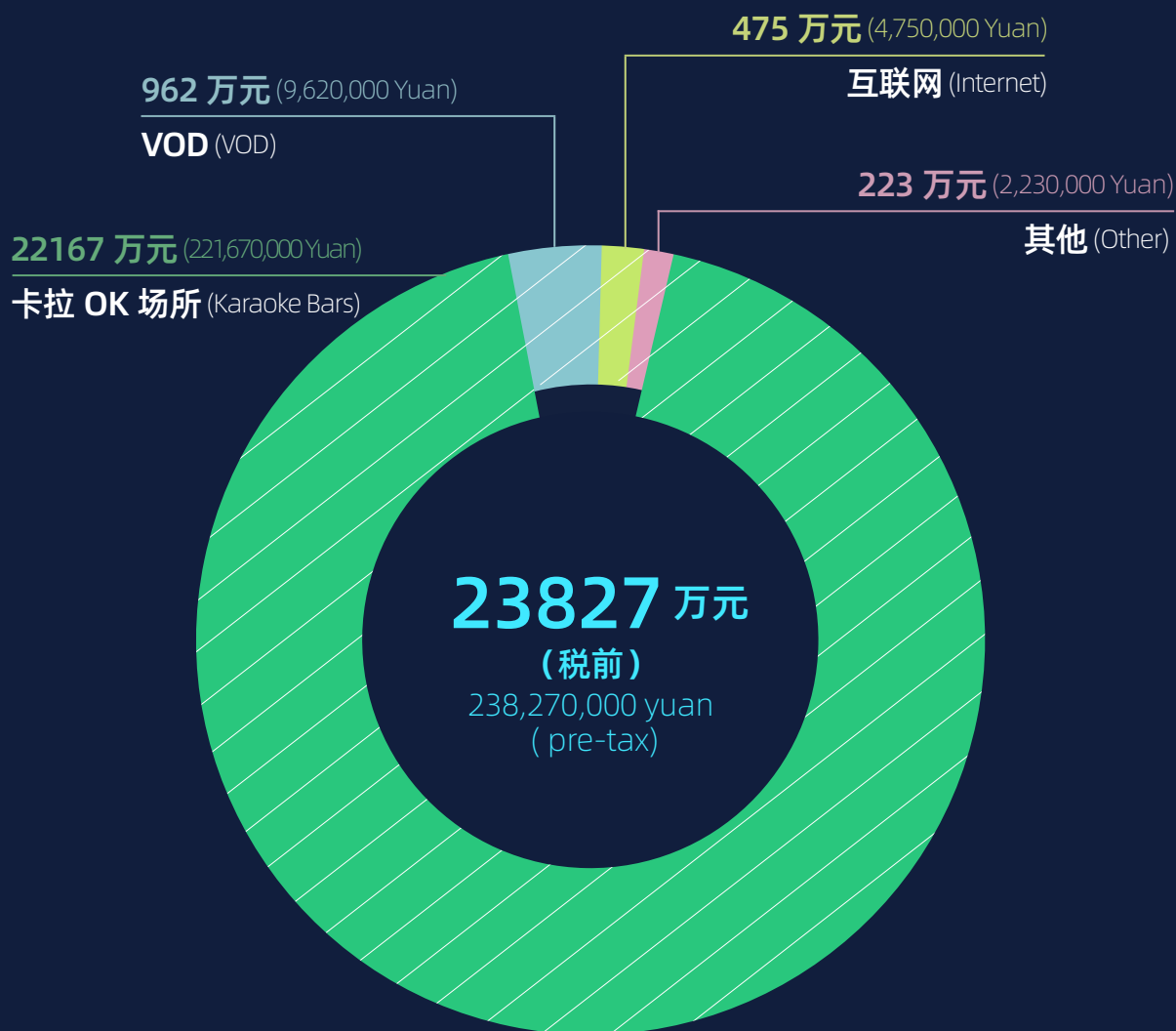
2020 年初，协会依照中宣部版权管理局、文旅部市场管理司要求发布《歌舞娱乐行业著作权许可业务实施方案》，完善和规范卡拉 OK 领域“二合一”版权许可机制，并与中娱协建立联席会议机制。此后一年间，协会与全国超过三分之一的省区市的 70 余家地方娱乐行业协会建立了合作关系，实现卡拉 OK 许可覆盖率大幅提高，其中上海市达到 85%，绍兴市达到 96%。

2020 年 2 月，协会与中国文化娱乐行业协会联合发布《音像著作权和歌舞娱乐行业抗击疫情倡议书》，并于 6 月底发布《2020 年卡拉 OK 著作权许可使用费实施方案》，根据疫情影响采取扶持性、阶段性收费模式，对受疫情影响的卡拉 OK 经营者采取减免政策，支持卡拉 OK 行业复工复产，得到了社会各界好评，被称为有温度的组织。

At the beginning of 2020, under the requirement of CABPD and the Culture Market Department of the Ministry of Culture and Tourism (MCTCMD), CAVCA issued *The Implementation Plan for Copyright Licensing in the Singing and Dancing Entertainment Industry* to affirm and improve the One Window Licensing Mechanism in the karaoke market, and established a joint meeting mechanism with CCEA. In the following year, CAVCA established cooperative relations with more than 70 local entertainment industry associations in more than one third of the provinces, autonomous regions and municipalities in China, achieving a significant increase in the coverage rate of karaoke licensing, with 85% in Shanghai and 96% in Shaoxing.

CAVCA and CCEA jointly published the *Anti-epidemic Proposal of the Audio-Video Copyright Industry and the Singing and the Dancing Entertainment Industry* in February 2020 and the *Implementation Plan for Karaoke Copyright License Fees* at the end of June 2020. CAVCA adopted a supportive and phased charging mode, granted discounts to the karaoke bars that were affected by the epidemic, and supported the re-opening of karaoke venues. CAVCA received praises from all sectors of the society and is now known as an organization with warmth.

## 2020 年度著作权使用费收入 Collected Copyright Royalties of 2020



其 他:  
Other:

海外授权许可: **42 万元**  
Overseas Licensing: 420,000 Yuan

智能电视: **82 万元**  
IPTV: 820,000 Yuan

教科书法定许可: **7 万元**  
Textbooks: 70,000 Yuan

迷你卡拉 OK: **92 万元**  
Mini Karaoke: 920,000 Yuan

注: 2020 年互联网许可使用费部分到账, 不足一个分配周期, 本年度不投入分配

Note: CAVCA only collected part of the Internet license royalties in 2020, and these royalties will not be distributed by CAVCA this time since its undue distribution period.

2020 年，根据中宣部版权管理局、文旅部市场管理司要求，卡拉 OK 点唱设备生产商（VOD 生产商）的“二合一”版权许可机制得到进一步完善，目前占卡拉 OK 领域 95% 以上的 VOD 生产商已获得协会版权许可。

协会优化了卡拉 OK 许可业务团队，在全国设立 31 个许可业务办公室，全国持证许可业务工作人员 186 人，并不断完善管理和信息公示机制。

In 2020, under the requirement of CABPD and MCTCMD, the One Window Licensing Mechanism for VOD manufactures was further improved. At present, more than 95% of VOD manufacturers in the karaoke market were licensed by CAVCA.

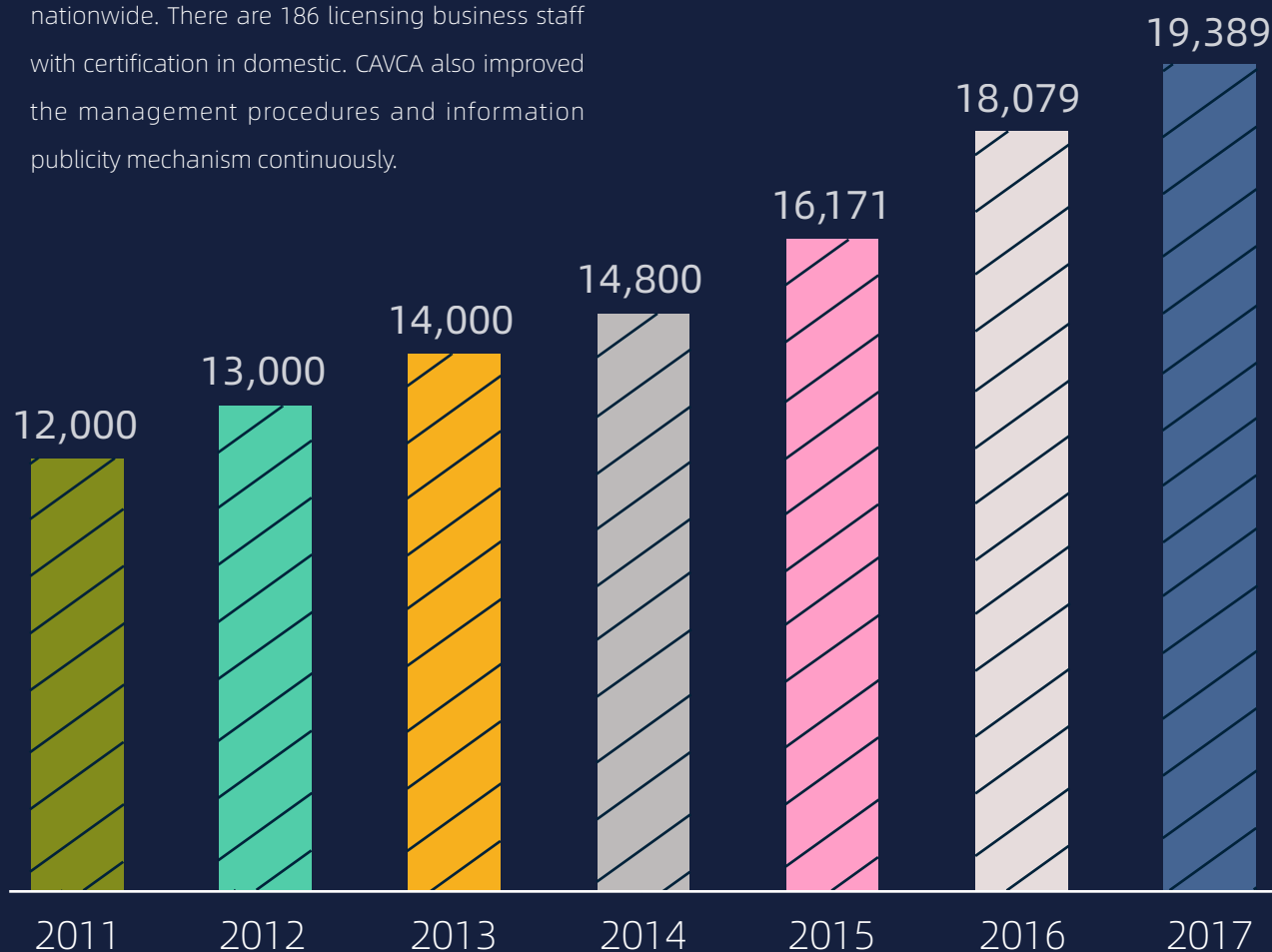
CAVCA optimized the construction of the karaoke licensing team, set up 31 licensing offices nationwide. There are 186 licensing business staff with certification in domestic. CAVCA also improved the management procedures and information publicity mechanism continuously.

## 签约卡拉 OK 场所 Signed karaoke bars

# 7973

较2019年的6683家  
Compared with 6683  
karaoke bars in 2019

增加  
Increased **19.3%**

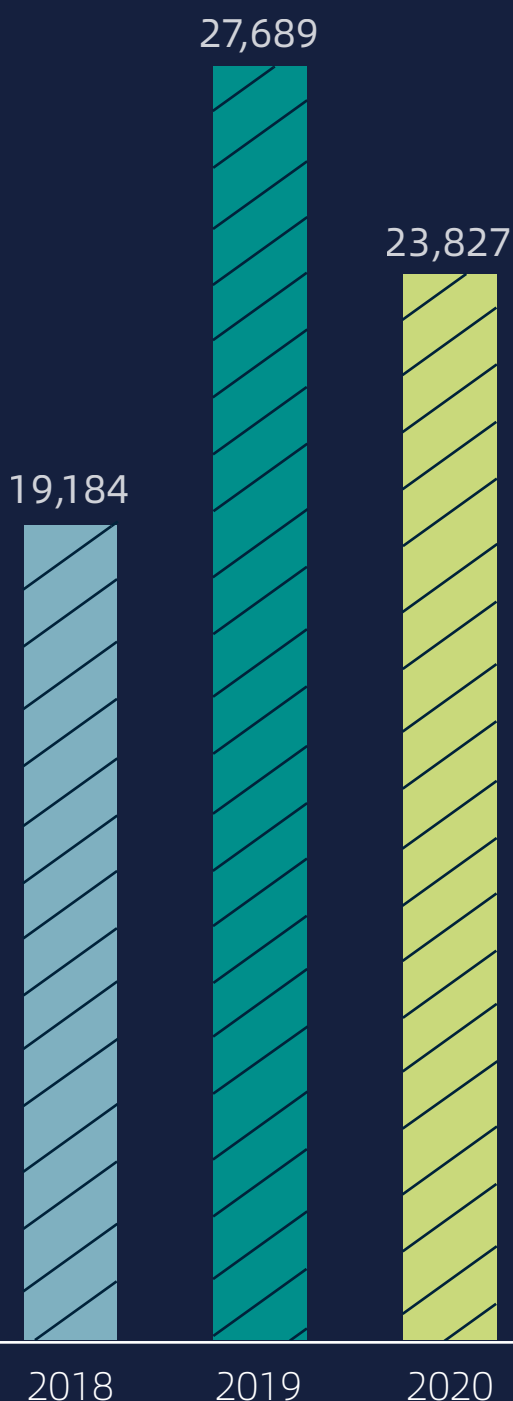


## 突破传统业务，发放互联网相关版权许可

CAVCA broke through the traditional business area, started issuing Internet-related copyright licenses

经过沟通谈判，协会首次向互联网平台发放许可，收取著作权使用费。自 2020 年 9 月开始协会相继与字节跳动、微视、彩视、全民小视频等达成合作；继续推进与其他 20 多家互联网平台合作洽谈，包括流媒体播放器、直播、在线卡拉 OK 等多种使用形式；通过协会的工作，很多权利人是首次从短视频平台获得版权费收入，实现了自身合法权益；协会的业务从传统的卡拉 OK 扩展到互联网领域，同时促进了在新兴互联网领域通过著作权集体管理的方式建立健康平衡的互联网版权秩序。

CAVCA reached a cooperation agreement with ByteDance, Weishi, Colorv, and Quanmin Video successively after communication and negotiation since September 2020. CAVCA is negotiating with more than 20 other Internet platforms to seek cooperation at this moment, including streaming media players, live broadcasts, online karaoke apps etc. Through the efforts of CAVCA, many rights holders were able to receive the copyright royalties from short video platform for the first time. The business of CAVCA has expanded from the traditional karaoke market to the Internet field, and helped promote the establishment of a healthy and balanced Internet copyright order through the copyright collective management in the emerging Internet field.



## 历年著作权使用费收入 Collected Copyright Royalties

(单位：万元 / 年份) (Unit: 10,000 Yuan/Year)



# 法律事务 Legal Affairs

## 打击卡拉 OK 场所侵权，促进 版权费收取工作

Fight against infringing karaoke bars  
and promote copyright fee collection

2020 年，协会继续加大打击侵权卡拉 OK 场所的力度，促成和解案件 1367 件，收取著作权使用费 4765 万元，占本年度收取著作权使用费总额的 20.71%。

协会与全国各地各级别的法院积极沟通，加大了司法实践对著作权集体管理的理解和支持，上海、湖南、山西、陕西、浙江、河北、湖北、甘肃、宁夏等地法院均陆续作出参照协会对卡拉 OK 收费标准以包房数为基数计算侵权赔偿的生效判决；浙江、陕西、山西、福建等地的高级人民法院在 2020 年出台了本省辖区内针对卡拉 OK 著作权纠纷案件的裁判指导意见。

典型案例包括：山西省高院二审中对恶意侵权的娱乐场所作出了惩罚性赔偿判决，判赔版权费折合单价高于当地许可价格的 20%；太原市中级人民法院对二次侵权场所裁判赔偿款为许可使用费的 2 倍；上海浦东新区人民法院以协会官网公示价格标准向娱乐场所追偿赔偿额达 20 余万元。

In 2020, CAVCA continued to strengthen its efforts to fight against infringing karaoke bars, negotiated settlement for 1367 facilitated settlements, and collected copyright royalties of 47.65 million yuan, accounting for 20.71% of the total collected copyright royalties.

CAVCA communicated with courts actively at all levels across the country then acquired the understanding and support for

# 1367

卡拉 OK 侵权和解案件数  
Number of Facilitated Settlement Cases

# 4765

 万元  
10 thousand yuan

诉讼收取著作权使用费  
Collected Copyright Royalties from Litigations

# 3130

处理非会员商业诉讼数  
Number of Handled Commercial Litigations  
Lodged by Non-members

# 33

非会员商业诉讼商业主体数  
Number of Commercial Entities of Commercial  
Litigation Lodged by Non-members

copyright collective management organizations by judicial authorities. Courts in Shanghai, Hunan, Shanxi, Shaanxi, Zhejiang, Hebei, Hubei, Gansu, and Ningxia successively made legally effective judgments that determined the compensation by referring to CAVCA's karaoke standard tariff and the room number of the infringers. The higher people's courts in Zhejiang, Shaanxi, Shanxi, and Fujian issued judgement guidances on karaoke copyright disputes in their respective jurisdiction in 2020.

Here are three typical cases following: Shanxi Provincial High People's Court imposed punitive compensation upon malicious infringing in the second instance. In this case, the copyright compensation per unit was 20% higher than the local license price. The Intermediate People's Court of Taiyuan imposed a compensation that was two times the standard tariff upon the repeated infringing venues. The People's Court of Pudong District in Shanghai recovered the compensation of more than 200,000 yuan from entertainment venues based on the standard tariff published on CAVCA's official website.

## 积极处理非会员商业诉讼， 维护卡拉 OK 版权授权秩序

Handled commercial litigations lodged by non-members and maintain the karaoke market's copyright licensing order actively

2020 年协会处理本类案件 3130 件，较 2019 年增加 1553 件，涉及 33 个商业主体。

为维护卡拉 OK 正常版权许可秩序，协会积极为已经获得许可的卡拉 OK 经营者处理非会员商业诉讼案件，同时积极与法院沟通，希望通过司法实践引导以集体管理的方式解决卡拉 OK 版权问题，按照协会卡拉 OK 正常许可标准确定判赔额，得到了部分法院的支持。

山西、江西、湖南、黑龙江等地法院判决，已获得协会许可的卡拉 OK 场所不承担赔偿责任；浙江、河南、云南、江苏、山东、山西、北京等地单曲判赔额低于 100 元；山西省高院以协会的正常许可标准计算侵权赔偿额。

In 2020, CAVCA handled 3,130 cases like mentioned above, 1,553 increased cases compared with 2019 and involving 33 commercial entities.

To protect the copyright licensing order of the karaoke market, CAVCA represented licensed karaoke operators handled commercial cases lodged by non-members of the association. Meanwhile, CAVCA communicated with courts proactively, hoping to urge the courts to guide these non-members to solve the karaoke copyright disputes through collective management. CAVCA also advised the courts to determine the compensation based on its standard tariff. Some courts have supported this proposition.

In Shanxi, Jiangxi, Hunan, and Heilongjiang, courts sentenced CAVCA licensed karaoke establishments to bear no compensation liability. In Zhejiang, Henan, Yunnan, Jiangsu, Shandong, Shanxi, and Beijing, courts sentenced compensation of infringing less than 100 yuan per single song. The Shanxi Higher People's Court calculated the compensation for infringement based on the CAVCA's standard tariff.

## 积极参与修改著作权法，为 录音制作者争取权益

Participate in the revision of the Copyright Law to call for the rights and interests of recording producers actively

2020 年是修改著作权法的关键之年，协会联名百家唱片公司向全国人大提交呼吁书，召开由多位有影响力的专家参加的专题研讨会，参加全国人大修改著作权法座谈会，向全国人大表达诉求，通过各种方式为录音制作者争取广播权和表演权。

协会组织专家团队认真研究，提出著作权法修改意见。在 2020 年 11 月 11 日通过的著作权法第三次修正案中，协会关于第 45 条录音制品制作者广播权、表演权的意见得到全部采纳，关于第 17 条视听作品权利归属的意见得到部分采纳。

The year 2020 was a critical year for the revision of the Copyright Law. To call for broadcasting and public performance rights of recording producers, CAVCA submitted an appeal to the National People's Congress (NPC) signed by a hundred record companies jointly. CAVCA also convened a seminar attended by influential experts. Furthermore, CAVCA participated in the Copyright Law revision symposiums held by the NPC and expressed the demands to the NPC.

CAVCA organized an expert team to study carefully and put forward suggestions for the amendments to the Copyright Law. In the third amendment to the Copyright Law passed on November 11, 2020, the opinions put forward by CAVCA on broadcasting and performance rights of sound recording producers in Article 45 were fully adopted. The opinions on the ownership of the rights of audio-video works in Article 17 were partially adopted.

## 打击互联网侵权，拓展互联网著作权许可业务

Fight against Internet infringement and expand Internet copyright licensing business

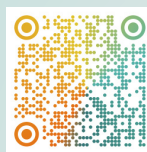
根据会员举报，协会对涉侵权的互联网平台进行了广泛取证、并用信息技术手段对侵权行为进行监测；取证数量达 3000 多首，监测侵权链接超过 1.5 亿。对于侵权的互联网平台，协会通过向国家版权局行政投诉、向应用商店投诉、向法院起诉、召开新闻发布会等形式打击侵权互联网平台。

2020 年 7 月，在多次主动沟通未果后协会向北京互联网法院起诉快手侵犯《鸿雁》等 5 首歌曲的录音制作者权。2020 年 11 月，协会举办“短视频平台音乐版权维权情况”发布会，公布了对快手等短视频平台涉嫌侵权行为的监测结果，并向国家版权局进行行政投诉。随后，国家版权局约谈快手，要求其进行自查自纠侵权问题，建立相关的版权机制，与著作权集体管理组织积极协商解决版权问题。通过维权工作，协会引起了社会对于短视频平台使用录音制品版权保护问题的广泛关注，提高了社会的互联网版权保护意识，维护了音像权利人的合法权益。

According to the clues provided by the members, CAVCA collected 3000 pieces of evidence on Internet platforms involved in infringements. In addition, CAVCA monitored 150 million infringing links via technical means. CAVCA took several actions to combat the infringing Internet platforms, such as lodged administrative complaints to the NCAC, filed complaints of infringing Apps to the app stores, brought lawsuits to the courts, and held press conferences.

In July 2020, after the failure of repeated communications with Kuaishou, CAVCA brought a lawsuit against the platform to Beijing Internet Court for infringement of producers' rights of 5 songs, for example, *Wild Goose*. In November 2020, CAVCA held a press conference, Protection of Music Copyright on Short Video Platforms, announced the monitoring results of suspected infringements on short video platforms including Kuaishou. CAVCA filed an administrative complaint with the NCAC upon the case. The NCAC interviewed Kuaishou subsequently, asking it to conduct self-examination and self-correction of infringement issues, establish copyright protection mechanism, and negotiate with copyright collective management organizations actively to resolve the issues.

Through these rights protection efforts, CAVCA aroused widespread concern about sound recordings' copyright protection on short video platforms, raised the society's awareness of internet copyright protection, and safeguarded audio-video right holders' legitimate rights and interests.



扫描二维码查看“2020 年协会备受社会关注的重点案例”

Scan the QR code to view the "CAVCA Significant Cases of Great Social Concern in 2020"



# 分配工作 Distribution

根据 2021 年 7 月 30 日音集协第二届理事会第十一次会议通过的 2020 年度各项著作权使用费分配方案和细则，对 2020 年度收取的著作权使用费进行分配。

在卡拉 OK 著作权使用费投入分配金额中，根据著作权集体管理条例和国家版权局的指示精神，协会和中国音乐著作权协会协商确定，权利人分配额的 40% 支付给中国音乐著作权协会，由其向音乐作品（词、曲）权利人分配；其余 60% 由协会向音像权利人进行分配。

According to the 2020 distribution plans and rules for various copyright royalties, which were adopted at the 11th meeting of the Second Council of CAVCA on July 30, 2021, the collected copyright royalties of 2020 were distributed.

According to the Regulations on the Collective Management of Copyright, CAVCA and the Music Copyright Society of China (MCSC) came to an agreement that CAVCA collects karaoke royalties on behalf of MCSC and allocates 40% of the collected royalties to MCSC for its distribution to music works' authors (composers and lyricists). The remained 60% is distributed by CAVCA to audio-video rights holders.

## 2020 年度著作权许可使用费分配情况

Distribution of Copyright Royalties in 2020

(单位: 万元)  
(Unit: 10,000yuan)

	卡拉 OK 场所 Karaoke Bars	卡拉 OK 点播系统 Karaoke VOD	迷你 卡拉 OK Mini Karaoke	智能电视 IPTV	海外授权许可 Overseas licensing	教科书 法定许可 Textbook Statutory Licensing	互联网 Internet Licensing
收费额 Total Collection	22167	962	92	82	42	7	475
投入分配额 Allocated for Distribution	21048	960	53	83	54	7	-
管理费比例 Ratio of Management Cost	28%	5%	5%	5%	5%	5%	-

说明:

收费额和投入分配额的差异, 是收费额和投入分配额划分口径不同导致, 部分收费额会并入下次投入分配额。

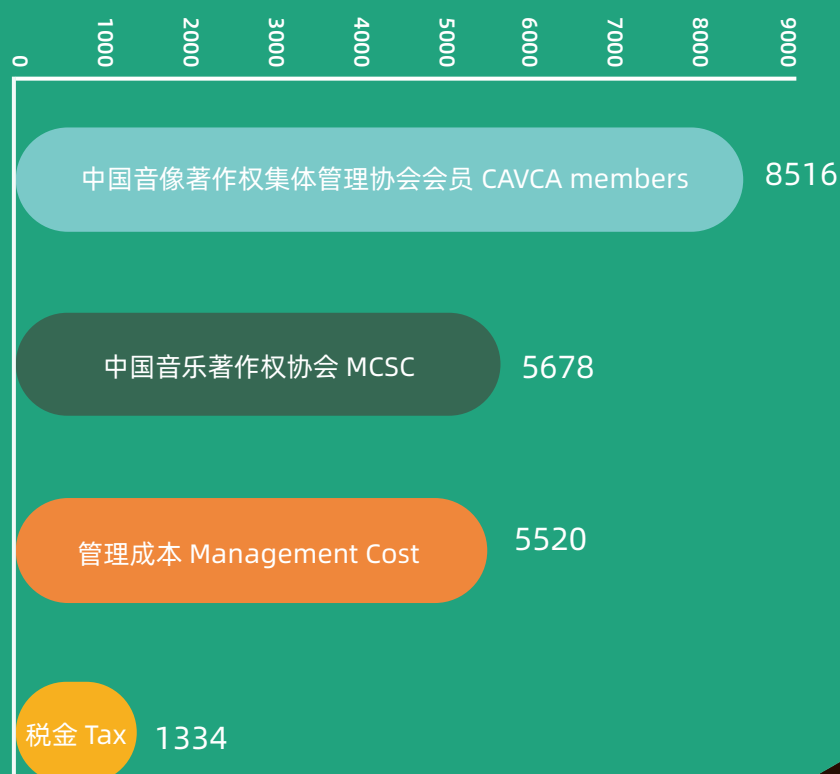
Note:

The difference between the amounts of Total Collection and Allocated for Distribution is caused by the different statistical methodologies. The unallocated collection will be distributed next distribution.

## 2020 年卡拉 OK 场所著作权使用费分配情况

Distribution of Royalties Collected from Karaoke Bars in 2020

(单位: 万元)  
(Unit: 10,000 yuan)



2020 年投入分配金额  
Allocated for Distribution

**21048** 万元  
10,000 yuan



# 行业交流 Work Exchange



## 举办首届中国国际著作权集体管理高峰论坛

China International Copyright  
Collective Management Summit

在国家版权局指导下，2020年12月2日，协会在北京举办了首届中国国际著作权集体管理高峰论坛，中宣部版权管理局局长于慈珂向会议发表书面致辞，副局长赵秀玲参会并发表演讲，来自文旅部市场司、全国人大法工委、最高人民法院的领导和来自北京、上海、浙江等地的法官和著作权领域的知名专家共聚一堂，共议著作权集体管理事业的发展和完善。会议还邀请了因疫情影响不能到京的国际唱片业协会和英国录音表演权协会的专家通过视频介绍国际著作权集体管理发展状况，来自产业界、唱片界、法律业者、行业媒体等200余人参加论坛。

本次论坛亦是在《著作权法》第三次修正后的首个专注于著作权集体管理的国际高峰论坛，历史性汇聚国内外著作权集体管理的发展态势、理论建设、制度创新、司法实践等各方面信息，以国际视野和顶层思维对著作权集体管理的前沿、热点问题进行权威解读，充分展开思想碰撞、观点交锋，体现了高规格、高质量、高关注度的特点，得到了政府机关和业内人士的好评。



论坛还举办了协会和字节跳动公司的战略合作签约仪式，首次发布了通过协会的著作权大数据平台获取数据评定的金麦榜的上榜歌曲，对 24 家具有良好版权保护意识的卡拉 OK 歌厅和 2 家娱乐行业协会颁发了版权保护奖和突出贡献奖。

Under the guidance of the National Copyright Administration, CAVCA held the first China International Copyright Collective Management Summit in Beijing on December 2, 2020. Yu Cike, Director of CABPD, delivered a written message to the meeting. Zhao Xiuling, Deputy Director, attended the meeting and delivered a speech. Officials from the MCTCMD, the Legislative Affairs Commission of the Standing Committee of the National People's Congress, the Supreme People's Court, judges from Beijing, Shanghai, Zhejiang and other places and well-known experts in the copyright field gathered together to discuss the development and improvement of copyright collective management. The Summit also invited experts from IFPI and PPL, who were unable to come to Beijing due to the epidemic, to introduce the development of international copyright collective management through video. More than 200 people from the copyright industry, the recording industry, the legal profession, and media attended the summit.

The Summit was the first international summit focusing on copyright collective management after the adoption of the third amendment of the Copyright Law. It extensively gathered information on the development trend, theoretical construction, institutional innovation, and judicial practice of the copyright collective management at home and abroad, authoritatively interpreted the frontier and

hot issues of copyright collective management with international vision and top-level thinking, and fully inspired the collision of ideas and exchange of views. It embodied the characteristics of high specification, high quality and high attention, and was well received by the government authorities and industry insiders.

A strategic cooperation signing ceremony between CAVCA and ByteDance was held during the Summit and the top songs in the first Golden Mic Charts compiled based on CAVCA's Big Data Copyright Management Platform were announced as well. 24 karaoke bars and two entertainment industry associations with good copyright protection awareness were awarded the copyright protection award and the outstanding contribution award respectively.

## 其他交流活动 Other Communication Activities

浙江高院知识产权审判庭第三期浙知沙龙

The 3rd Zhezhi Salon of Intellectual Property Tribunal of The Higher People's Court of Zhejiang Province

第八届中韩音乐产业著作权合作交流会

The 8th China-Korea Music Industry Copyright Cooperation and Exchange Conference

中国国际服务贸易交易会

China International Fair for Trade in Services (CIFTIS)

2020 中国（北京）音乐产业大会

2020 China (Beijing) Music Industry Conference

北京国际音乐产业高质量发展促进大会

Beijing Music Exposition (BME)

上海国际独立音乐季

Shanghai International Indie Music Season

第七届音乐产业高端论坛

The 7th Music Industry Forum 2020



# 党建工作 Party Building

2020年，在中央和国家机关行业协会商会党委的关怀领导下及全体党员的努力和支持下，协会党支部紧紧围绕党中央决策部署和上级党委指示，坚持以习近平新时代中国特色社会主义思想为指导，以深化拓展党建质量为主线，努力克服疫情的影响，认真组织开展政治理论学习，传达学习贯彻上级党委指示精神，落实党中央对疫情防控的决策部署，布置落实党员干部遵守中央八项规定，积极做好党员发展工作。协会党支部与党员群众不忘初心，坚定不移地做好各项工作，鼓舞支部党员更好地成为著作权集体管理工作的奋斗者和践行者。

In 2020, under the care and leadership of the Party Building Department of the Central Party and Government Authorities, Industrial Associations and Chambers of Commerce and the efforts and support of all party members, the Party branch of CAVCA closely focused on the decision and deployment of the CPC Central Committee and the instructions of the higher party committee, adhered to Xi Jinping's

Thought on Socialism with Chinese Characteristics for a New Era, followed the main line of deepening and expanding the quality of party building, strived to overcome the impact of the epidemic, earnestly organized and carried out political theory studies, conveyed and implemented the spirit of the superior Party Committee's instructions, implemented the CPC Central Committee's decision-making and deployment of epidemic prevention and control, arranged and implemented Party members and cadres to comply with the Central Committee's Eight-Point Decision, and actively did a good job in the development of Party members. The Party branch of CAVCA and all Party members will not forget their original aspirations and will unswervingly finish various tasks, inspiring the Party members of the branch to become better fighters and practitioners of copyright collective management.

# 团队建设 Team Building





石林峡秋季登山  
Autumn Mountaineering in Shilin Gorge

因业务规模扩大，协会秘书处于 2020 年 3 月搬入新址办公，并广纳人才，调整部门结构，优化全国许可业务团队；同时加强内部管理，规范工作流程，严格财务管理，完善各项规章制度。协会还聘请著作权集体管理专家进行全员培训，并组织员工入职培训、办公技能培训，提高员工整体素质。协会还为员工开展了形式多样的团建活动，丰富了员工生活，增进了团队凝聚力，充分调动了员工的工作积极性和创造性。



秘书处新址  
New Office of the Secretariat of CAVCA

Due to the expansion of the business scale, the Secretariat of CAVCA moved to a new office in March 2020, and then recruited talents, adjusted the department structure, optimized the licensing teams nationwide; At the same time, CAVCA strengthened the internal management, standardized the work process, implemented the strict financial management, improved various rules and regulations. CAVCA also invited experts in the copyright collective management field to train all the staff, and organized the induction trainings and office skills trainings to improve the overall quality of employees. CAVCA also carried out various team building activities for employees, which enriched their lives, enhanced team cohesion, and fully aroused their enthusiasm and creativity in work.



# 中国 版权金奖 WIPO-NCAC Copyright Awards

2020年12月2日，国家版权局官方网站发布《2020年中国版权金奖获奖名单》，中国音像著作权集体管理协会荣获“2020年中国版权金奖管理奖”。

中国版权金奖是由国家版权局和世界知识产权组织共同主办的中国版权领域最高奖项，也是中国版权领域唯一的国际奖项。奖项设立于2008年，每两年评选一次，设作品奖、推广运用奖、保护奖和管理奖等四类奖项，其中管理奖是鼓励和表彰以创新理念和科学方法组织开展版权执法监管、社会服务、普法宣传等工作，为维护社会公共利益、优化版权服务体系、促进版权产业高质量发展、提升版权社会影响力等作出突出贡献的个人或单位。

自2018年11月5日公告终止天合集团收费资格后两年来，协会新任领导班子以著作权集体管理制度设计宗旨为指导思想，坚决落实卡拉OK“二合

—” 版权许可机制，在实践中创新著作权集体管理的理论，坚持非营利性积极拓展许可业务，努力平衡各方利益，积极服务会员和使用者，建设著作权大数据管理平台，提升和优化著作权集体管理透明度和执业水平，著作权收费连创新高，管理费比例创历史新低，使著作权集体管理活动取得了实质性进步，为促进我国著作权集体管理制度的完善和发展发挥了积极作用。协会荣获本届中国版权金奖管理奖代表了政府主管部门和社会对协会 2020 年工作的充分肯定。

On December 2nd, 2020, NCAC published Winners of the 2020 WIPO-NCAC Copyright Awards on its official website and CAVCA honorably won the 2020 WIPO-NCAC Award for Copyright Administration Management.

WIPO-NCAC Copyright Awards is the highest award in China's copyright field jointly sponsored by the NCAC and the World Intellectual Property Organization (WIPO), and it is also the only international award in China's copyright field. The awards, set up in 2008, is held once every two years. It consists of four categories , namely Creativity, Copyright Utilization, Copyright Protection and Copyright Administration Management. Among them, the copyright management award encourages and praises individuals or organizations that have made outstanding contributions to the protection of public interests, the optimization the copyright service system, the promotion of the development of the copyright industry and the enhancement of the social influence of copyright via innovative ideas and scientific methods in copyright enforcement and

supervision, social service, law popularization and publicity.

Since CAVCA announced the termination of the fee collection qualification of Tianhe Group on November 5, 2018, the new leading group of CAVCA had taken the established purpose of the copyright collective management system as the guiding ideology, resolutely implemented the karaoke One window Licensing Mechanism, innovated the theory of the copyright collective management in practice, actively expanded licensing business while adhering to the non-profit operation mode, strived to balance the interests of all parties, actively served members and users, developed the Big Data Copyright Management Platform, improved and optimized the transparency and practice level of the copyright collective management, continuously increased the royalties collection to record highs while bringing down the management cost to record lows, made substantial progress in copyright collective management activities, and played a positive role in promoting the improvement and development of China's copyright collective management system. The winning of the 2020 WIPO-NCAC Award for Copyright Administration Management by CAVCA represented the full affirmation of the government authorities and the society towards the work of CAVCA in 2020.

# 大事记

## Chronicle of Events

### 第二届理事会第九次会议 The 9th Meeting of The Second Council

**5月15日** 召开第二届理事会第九次会议，会议审议通过 2019 年工作报告、财务报告、各项著作权使用费分配方案和细则，及 2020 年预算报告；审议同意国琨同志担任协会副总干事。

**May 15th** CAVCA held the 9th meeting of the Second Council, which examined and approved the 2019 work report, 2019 financial report, 2019 various copyright royalties distribution plans and rules, and the 2020 budget. In addition, Guo Kun was examined and approved to hold the post of Deputy Director-General of CAVCA.

## 2020 年卡拉 OK 著作权 许可使用费实施方案 Implementation Plan for Karaoke Copyright License Fees in 2020

6 月 22 日 发布《2020 年卡拉 OK 著作权许可使用费实施方案》，对受疫情影响的卡拉 OK 场所采取扶持性、阶梯式收费模式进行使用费减免，与广大著作权权利人和卡拉 OK 经营者共抗时疫。

June 22nd CAVCA issued the *Implementation Plan for Karaoke Copyright License Fees in 2020*, and adopted the supportive and phased charging mode for karaoke bars that were affected by the epidemic, to fight against the epidemic together with the broad copyright owners and karaoke operators.

## 著作权大数据管理平台 Big Data Copyright Management Platform

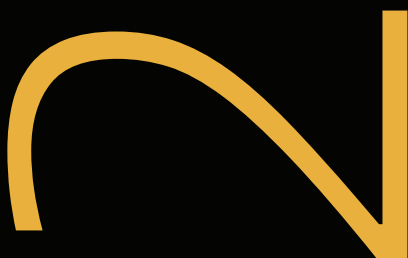
8 月 21 日 召开“著作权大数据管理平台”试点工作交流研讨会并正式启动公测。

August 21st CAVCA held The Big Data Copyright Management Platform Pilot Work Seminar and launched the platform open test officially.

## 互联网版权许可业务 Internet Copyright Licensing

9 月 与字节跳动、彩视就录音制品在短视频业务的使用达成合作，协会互联网版权许可业务取得突破进展。

September CAVCA reached an agreement with ByteDance and Colorv, licensed the two companies' uses of sound recordings in their short video business, marked a breakthrough in the Internet copyright licensing area.



## 卡拉 OK 版权保护座谈会 Karaoke Industry Copyright Protection Forum

10月16日 召开卡拉 OK 行业版权保护座谈会，加速推动卡拉 OK 全行业版权规范使用进程。会上协会与全国 15 家 KTV 及 VOD 企业就卡拉 OK 音像及音乐作品的授权进行集体签约。

**October 16th** CAVCA held the Karaoke Industry Copyright Protection Forum to accelerate the process of promoting the karaoke industry to use copyright according to laws and regulations. At the meeting, CAVCA signed a collective contract with 15 KTV and VOD enterprises on licensing of karaoke music video works and music works.

## 短视频平台音乐版权维权发布会

### Press Conference on Music Copyright Protection of Short-Video Platforms

11月7日 召开“短视频平台音乐版权维权情况发布会”，就短视频平台未经授权使用音乐录音制品情况及协会维权情况进行介绍。

**November 7th** CAVCA held the Press Conference on Music Copyright Protection of Short Video Platforms, introduced the unauthorized usage of sound recordings by short video platforms to the public, and the right protection measures taken by CAVCA.

## 中国版权金奖管理奖 2020 WIPO-NCAC Award for Copyright Administration Management

12月2日 国家版权局公布 2020 年中国版权金奖获奖名单，协会荣获“中国版权金奖管理奖”。

**December 2nd** NCAC announced the winners of the 2020 WIPO-NCAC Copyright Awards and CAVCA honorably won the 2020 WIPO-NCAC Award for Copyright Administration Management.



## 著作权集体管理高峰论坛 International Copyright Collective Management Summit

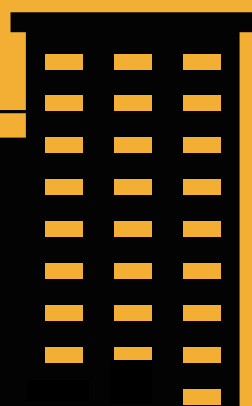
12月2日 成功举办首届中国国际著作权集体管理高峰论坛。

December 2nd CAVCA held the first China International Copyright Collective Management Summit successfully.

## 卡拉 OK 歌曲金麦榜 Karaoke Music Golden Mic Charts

12月2日 协会编制的我国第一个由中立的非营利组织发布的音乐排行榜卡拉 OK 歌曲“金麦榜”正式启动。

December 2nd The Golden Mic Charts compiled by CAVCA was officially launched. It is the first karaoke music chart released by a neutral non-profit organization in China.



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# CAVCA 2020 年报

中国音像著作权集体管理协会

