

we think  
of music

OSA 2023 YEARBOOK





we think  
of music



	01	02	03	04	05
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**OSA  
IN 2023  
FIGURES**



11.86 %

average cost deduction  
to cover OSA's costs

For Czech and foreign composers,  
lyricists and music publishers, OSA  
collected:

CZK 1,440,823,000







from every CZK 100 collected, the author receives

CZK 88.14

YEAR-ON-YEAR  
COMPARISON  
OF PRINCIPAL  
ECONOMIC  
INDICATORS  
2023/2022

REVENUES COLLECTED FOR OSA AND FOREIGN RIGHTS HOLDERS	CZK 1 440,823,000	CZK +220,602,000	+18.08 %	↗
TOTAL REVENUES COLLECTED FOR ALL COLLECTIVE MANAGEMENT ORGANIZATIONS	CZK 1,715,900,000	CZK +265,420,000	+18.30 %	↗
TOTAL COSTS	CZK 203,581,000	CZK +28,708,000	+16.42 %	
COSTS AS A PERCENTAGE	11.86 %		-0.20 %	

STRUCTURE OF REVENUES  
OF AUTHORS AND PUBLISHERS:

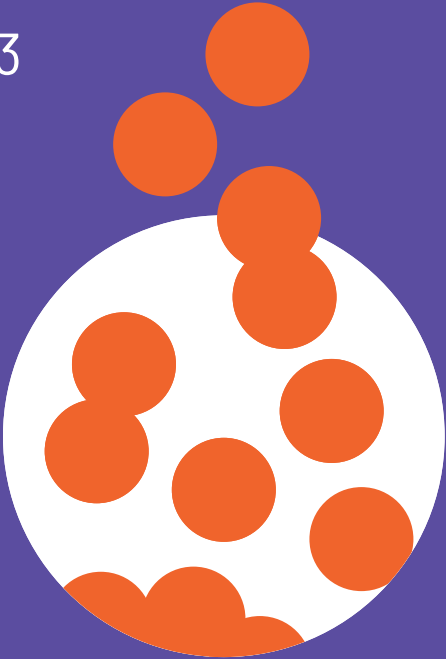
	2023 in CZK	2023/2022 difference in CZK	in %	
 <b>Public performances in total</b>	<b>416,711,000</b>	<b>+72,207,000</b>	<b>+20.96 %</b>	↗
Live performances	195,204,000	+33,876,000	+21.00 %	
Background music	202,899,000	+36,294,000	+21.78 %	
Cinemas	18,608,000	+2,037,000	+12.29 %	
 <b>Broadcasts and online media in total</b>	<b>791,889 000</b>	<b>+106,759,000</b>	<b>+15.58 %</b>	↘
Radio broadcasts	76,142 000	-1,656,000	-2.13 %	
Television broadcasts	331,434 000	+26,786,000	+8.79 %	
Cable retransmission	192,997 000	+68,805,000	+55.40 %	
Internet, mobile and similar networks, ringtones	191,316 000	+12,824,000	+7.18 %	
 <b>Mechanics and audiovision in total</b>	<b>106,045 000</b>	<b>-514,000</b>	<b>-0.48 %</b>	↘
Physical media	13,896,000	-1,220,000	-8.07 %	
Renting and leasing	5,217,000	+172,000	+3.41 %	
Private copying	86,932,000	+534,000	+0.62 %	
 <b>Agency representation of authors in total</b>	<b>7,227,000</b>	<b>+1,254,000</b>	<b>+20.99 %</b>	↗
Synchronization	1,148,000	-959,000	-45.51 %	
Theater performances	5,914,000	+2,283,000	+62.88 %	
Other (sheet music, concerts etc.)	165,000	-70,000	-29.79 %	
 <b>Collected from abroad</b>	<b>79,015,000</b>	<b>+19,978,000</b>	<b>+33.84 %</b>	↗
 <b>Other income</b>	<b>39,936,000</b>	<b>+20,918,000</b>	<b>+109.99 %</b>	↗

# MACROECONOMIC VIEW





Minimum wage  
in the Czech Republic in 2023

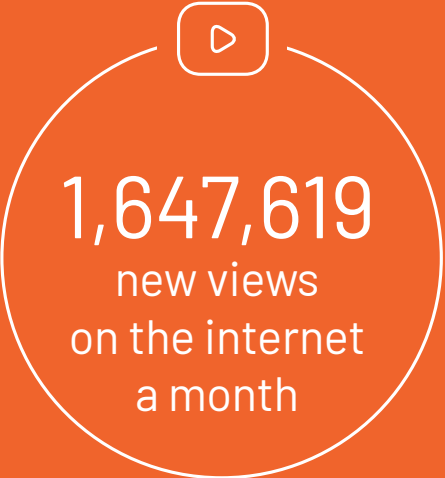


For the royalties to reach the minimum monthly wage in 2023, authors would have to sell either 16,233 carriers a month (calculated based on the assumption that the author has 1 piece of music on a CD with 12 pieces) or the piece of music would have to get 1,647,619 new views a month. This means that if the piece of music had no new views in the previous month, the platform pays no royalty to the author.

As concerns music downloads, the piece of music would have to be sold 20,881 times. And private national and regional stations, including the stations of the Czech Radio, would have to play it 9,251 times (calculation based on the average revenues collected from individual stations).

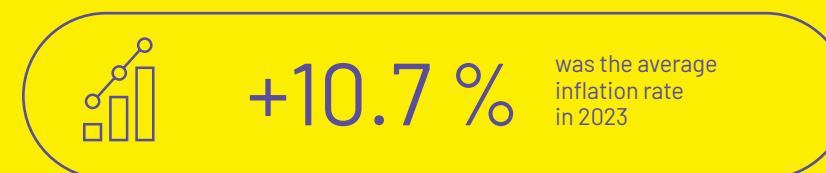
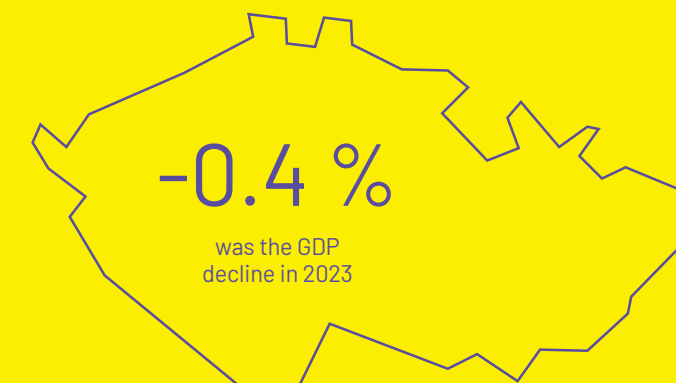
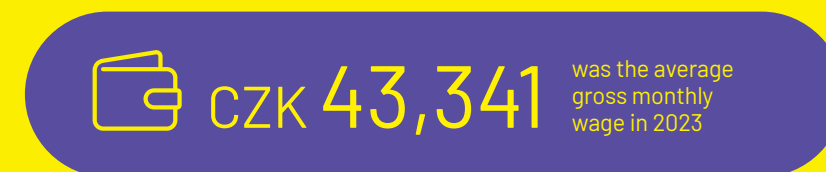
Model examples are based on the assumption that both music and lyrics were written by one author.

Model examples of royalties  
totaling CZK 17,300 per month



# Where do we stand?

Situation in 2023





# REPORT OF THE SUPERVISORY BOARD



DEAR COLLEAGUES,

This activity report of the Supervisory Board covers the fiscal period of 2023.

**Introductory information:** The OSA Supervisory Board held a total of 11 meetings. As this was not an election year, the same members as last year attended the meeting. The Supervisory Board was composed as follows:

The General Assembly was held on 29 May 2023 at the Grand Hotel International Prague, Koulova 15, Prague 6.

Audit

The Management Board is responsible for the preparation of the financial statements. The Supervisory Board is responsible for overseeing the financial reporting process. A proper audit

conducted by APOGEO Audit, s.r.o., an independent firm, found no deficiencies in the OSA’s 2023 financial statements. The information presented in the OSA Management Board’s annual report is consistent in all respects with the financial statements, which give a true and fair view of the assets and liabilities, costs and income, result of operations and cash flows, all in accordance with Czech accounting regulations.

Economic results

The times we are in are very challenging and difficult. Despite this, OSA’s economic results are very positive. Revenues collected reached CZK 1,715 million, an increase of 18.3 % year-on-year. The growth was mainly driven by concerts, recorded music and broadcasting.

The average cost deduction was 11.87 %, the overhead surplus amounted to CZK 3.6 million. This is a great result, for which I would like to thank the Management Board headed by Ing. Roman Strejček and all the contributing staff. The Supervisory Board and its working committees,



Michael Prostějovský

Ivan Kurz

Tomáš Roreček

Zdeněk Nedvěd

Lukáš Matoušek

Jiřina Petrová

Martin Kratochvíl

Jan Hála

Jolana Zemanová

Ondřej Soukup

Jiří Paulů

Michal Prokop

Dan Bárta

For the professional group of composers:
Ivan Kurz, chairman
Jan Hála
Martin Kratochvíl
Lukáš Matoušek
Michal Prokop
Ondřej Soukup

For the professional group of lyricists:
Michael Prostějovský, vice-chairman
Dan Bárta
Tomáš Roreček

For the professional group of publishers:
Jolana Zemanová – Universal Music Publishing s.r.o., vice-chairman
Zdeněk Nedvěd
Jiří Paulů – ProVox Music Publishing s.r.o.
Jiřina Petrová – Schubert Music Publishing s.r.o.

Individual working committees also remained unchanged:

Economic Committee

Dan Bárta, Tomáš Doležal, Jiří Paulů – ProVox Music Publishing s.r.o., František Táborský, Jolana Zemanová – Universal Music Publishing s.r.o.

Distribution Committee

Martin Kratochvíl, Jiřina Petrová – Schubert Music Publishing s.r.o., Michael Prostějovský, Miroslav Pudlák

Committee for Creativity Affairs

Jan Hála, Lukáš Hurník, Michal Košut, Lukáš Matoušek, Vladimír Popelka, Emil Víklícký

OSA Annual Awards Committee

Lukáš Matoušek, Michal Prokop, Michael Prostějovský, Jolana Zemanová – Universal Music Publishing s.r.o.

Partnership Committee

Jiří Gemrot, Karel Holas, Ivan Kurz, Martin Němec, Tomáš Roreček, Helena Rytířová – Chevaliere s.r.o.

Autor In Editorial Board

Jan Krůta, Zdeněk Nedvěd, Michal Prokop, Tomáš Roreček



Total revenues reached

**CZK 1,715,000,000**

**11,448**

rightholders represented  
by OSA in 2023

especially the economic and distribution committee, also proved to be very active.

#### Member base

As of 31 December 2023, OSA administered on a contractual basis the copyrights of a total of 11,448 rights holders, including 8,243 living authors, 3,034 heirs and 171 publishers. In the course of the year, OSA agreed to represent 426 new authors and 4 new publishers.

As of 31 December 2023, OSA had 597 members, including 371 composers of popular music, 60 composers of classical music, 92 songwriters, 45 heirs and 29 publishers. 1 membership lapsed.

53 authors, 5 publishers and heirs of 1 author met the conditions for membership. Out of this number, 9 composers (pop), 4 lyricists and 3 publishers applied for membership, 2 classical composers applied for extraordinary membership.

#### Supervisory Board activities

One of the basic prerequisites for a successful Supervisory Board is its open and friendly cooperation with the OSA Management Board and also undisturbed collegial relations, aimed primarily at the fair distribution of royalties, social issues, copyright law and the associated affairs. A helpful collegiality between the various professional groups must be

maintained. The measure of value is not immediate success. Rather, it is about setting and always maintaining a forward-looking course of action that guarantees positive results. It is these values that Supervisory Board has pursued in its work.

Each year, the preparation of documents for the OSA General Assembly is an essential task for the Supervisory Board. Individual OSA documents need to be continuously updated to account for the current conditions and needs of the copyright community. The results of the year-long work of the Supervisory Board in this respect are then reflected in the proposals for amendments to the Distribution Rules, the Articles and the KSVF considered by the General Assembly.

In addition to the proposals prepared for vote at the General Assembly, the Supervisory Board addressed other topics:

**appreciation of funds** through safe, high-yield time deposits,

**legal and social matters,**

**IT development** – improving the Infosa information system, improving services for music users using the e-shop, introducing a web application for the Partnership program, etc., **maintenance of OSA's real property** – preparation of the reconstruction of the

OSA headquarters in Prague 6, Čs. armády 786/20, and finding alternative premises for activities during the reconstruction period,

**current issues related to copyright issues** – annual report of the Management Board, auditor's opinion, annual financial statements, profit and loss of OSA's agency activities, etc.

#### Conclusion

In conclusion, the work of the Supervisory Board throughout 2023 was conducted in a good atmosphere of collegial cooperation and mutual helpfulness, for which I thank my colleagues. In the current difficult times, this is very important and should be appreciated.

The year 2023 was – despite all the current complex issues – a highly successful year in terms of finances. Thanks to all involved, led by the OSA Management Board. Thank you also for arranging the working meetings and managing the extensive administration associated with Supervisory Board proceedings.

**For the Supervisory Board**  
**Ivan Kurz**



**597**

OSA members  
in 2023



**AS SEEN BY THE  
CHAIRMAN OF THE  
MANAGEMENT  
BOARD**



## AS SEEN BY THE CHAIRMAN OF THE MANAGEMENT BOARD

Let me clarify something right at the beginning. The following text was not written by an artificial intelligence like ChatGPT or similar program that permeate our existence. At the same time, this is not to deny that I have not recycled some of my earlier thoughts in the text, I have even quoted selected opinions of others. We all have a similar *modus operandi* to the ChatGPT or Midjourney tools, not as sophisticated, but we put our words naturally, from the heart, using our own pure intelligence to do so.

I look forward to 2023 with great respect for the entire OSA team, which sold rights worth CZK 1.44 billion for composers, songwriters and music publishers. If I add to this the revenues we have collected for the other collective management organizations (INTERGRAM, DILIA, OOA-S and OAZA), we have reached the amount of CZK 1.71 billion. We collected royalties on behalf of 214,000 authors and music publishers worldwide. We managed an average cost deduction of 11.86%, making us one of the best performing music rights organizations in Europe at least.

As last year, the strongest source of income for music authors remains radio and television broadcasting, with CZK 407.6 million and a share of 28.29 % of the total royalties collected. If we add the income from cable retransmission, we reach a total of CZK 600.5 million with a share of 41.68 % of the total revenues collected. Revenues from digital platforms of CZK 191.3 million and a share of 13.28 % fell behind revenues from music used as background music in restaurants and shops and services and revenues from concerts. Looking abroad to developed markets to the west of our borders, in Germany, for example, revenues from

digital platforms are already higher than those from broadcasting. Nevertheless, it is fair to say at this point that we are the only ones in Central and Eastern Europe, together with HDS Croatia, who are able to license multinational digital platforms on our own and at the same time process their reports of music used from virtually all EU subscribers.

This year OSA, originally called Ochranné sdružení autorské, celebrates its 105th birthday. Our predecessors, led by Karel Hašler, founded OSA in 1919 with the ambition of creating an economically stable environment and helping to build a music marketplace where composers, songwriters and music publishers receive fair money from those who listen to and use music for their business. Music ecosystem is healthy only when royalties reach the creators. Working copyright protection not only benefits today's authors and consumers of copyrighted works, but is an essential foundation for future music.

OSA has come a long way in its 105 years, and it has often been a very bumpy road – the birth pangs of the First Republic, the Second World War, the era of building socialism, the post-revolutionary euphoria and the misunderstanding of the OSA's position in the music business as a relic of the past. All this hardship makes us stronger and strengthens our community, despite the dynamic times both from a geopolitical perspective and in the face of the phenomenon of artificial intelligence. The confidence of our authors and music publishers is a testament to this. Last year alone, 426 authors entrusted us with the management of their rights. And this year, in the first quarter alone, another 185 authors joined us. That's why we at OSA are constantly thinking about how to further modernize our systems and services. I believe this is partly due to the long-term strengthening of our corporate

culture, which we are building on the foundations of a free environment and the principles of trust, putting our employees and authors at the heart of the organization.

Rest assured, we discuss with authors artificial intelligence and services that try to generate music content. Authors are logically and rightly concerned about their livelihoods. Generating music using AI has many pitfalls and unanswered questions. A uniform approach is hindered by the completely inconsistent level of legal protection for artistic creations and AI creations in different parts of the world. The most fundamental question is what the algorithms that attempt to generate musical content have been trained on. No one doubts that the vast majority of it is music that has been downloaded on the Internet without the consent of the authors and artists. I dare to say that they have literally stolen decades of musical achievement, talent and hard work from artists and authors all over the world. Even the use of these services has its pitfalls. What is generated by AI may not be copyrighted, but the sound recording remains the property of the service. This is a risk for both authors and users who would like to generate their own music content for their business. Not to mention that artificial intelligence can blatantly plagiarize.

Students of HAMU in Prague describe creative activity in an interesting way in their discussions about artificial intelligence. Even a musical instrument is a certain "program" from which we choose certain options in the realization of a work. In general terms, a computer program is nothing but a "tool".

So, we are trying to get to know AI from the inside. We have been working with a Czech start-up to study the pitfalls of AI creativity, but also its

potential for authors. I believe that there is no need for authors and artists to panic, but we need an effective legal framework. The music industry has its own specificities. As David Bowie once said, "The music industry is different because its product is available for free". The arts are a form of recycled and mutually inspiring economy that is based on copying. Despite various destructive forces, such as the almost infinite access to music on the internet, the greatest songs still survive. That's why they find their place in the interaction with artificial intelligence.

I am sure you will forgive me if I reiterate what I said in the last yearbook. Artificial intelligence and its tools will permeate the space of music creation. It is likely that we will be overwhelmed by various attempts to create music based on a simple instruction. We may be in for a tsunami of such "would-be music" without human authorial input. People will literally be overwhelmed by a cluster of different sounds. But I personally think that this will be a crucial moment for an eruption that will bring to the surface again music in its pure form, music full of life, the catharsis of the human soul, in short, music created with a significant contribution of the human being. I am not worried about music written by actual people, it will always find its place and its listeners. Perhaps it will be music that imprints the human soul and mind on the artificial one in a sustainable symbiosis. New technologies, in conjunction with the human soul and emotion, may offer an even more colorful world and a new dimension to original music creation. And we at OSA will be ready to offer composers, songwriters and music publishers a modern service for the 21st century.

**Roman Strejček**  
Chairman of the Management Board

# 01

## ABOUT OSA



1919

establishment  
of OSA

## WHAT OSA IS

Ochranný svaz autorský (OSA) is a private professional association that follow up the activities of "Ochranné sdružení spisovatelů, skladatelů a nakladatelů hudebních děl, zapsané společenstvo s ručením omezeným", which was established by Karel Barvitius, Rudolf Piskáček, Arnošt Herman, Josef Šváb, František Šmíd, Eduard Joudal, Emil Štolc, Otakar Hanuš and Karel Hašler in 1919.

OSA is the so-called collective management organization authorized by the Ministry of Culture of the Czech Republic to represent authors and publishers of musical works in

accordance with the Copyright Act. Rights of foreign rights holders are managed by OSA on the basis of reciprocal cooperation agreements entered into with 84 foreign collective management organizations.

It is also one of the founding members of the International Confederation of Societies of Authors and Composers (CISAC)(in 1926) and the International Bureau of Companies Managing Registration and Mechanical Reproduction Rights (BIEM)(in 1929).

OSA has been a member of the Czech Chamber of Commerce since 2017.

motto:

we think  
of music

## WHAT OSA DOES

Through OSA, users obtain licenses to play pieces of 4.9 million authors from all around the world, including 11.5 thousand domestic ones. Since 2018, OSA has been a single point of contact for all collective management organizations in the Czech Republic. If you run, for example, a restaurant, shop or hairdressing salon, now you need only a single contract from OSA to play music and TV shows for your customers.

OSA makes sure that authors receive royalties for their music which we hear every day from radio and TV, at concerts, in bars and restaurants, or play on the internet or from music carriers.

The principle of mutual solidarity among authors has been one of the building blocks of OSA since the times of the First Republic. Thanks to the Partnership grant scheme, OSA supports in average 400 music projects and various charitable deeds a year.

## OUR VALUES

### COMMUNITY

We are a professional association of composers, lyricists and music publishers.

### TRADITION

We have been here for you since 1919.

### MUSIC

We share feelings through (our) universal language.

### ACCESSIBILITY

We make the music world accessible from a single point.

### OPENNESS

We promote transparent approach to authors as well as the public.



# CLIENTS OF OSA

## RIGHTS HOLDERS

composers, lyricists, music publishers and heirs

### WHY IS OSA IMPORTANT FOR MUSIC AUTHORS?

With some exceptions, authors do not get paid for writing music or lyrics. They receive their royalties only when their work is used, and the royalties are directly proportional to the success of their piece.

If the piece is successful and often played in radios or at concerts, authors are less capable of taking care of their copyright themselves.

We are here to ensure that the authors we represent can work in peace. We manage their rights and pay fair royalties to them on the basis of the data reported by music users.

### A) RIGHTS HOLDERS WHO HAVE ENTERED INTO A CONTRACT WITH OSA

OSA distinguishes 2 forms of relationships:

- ↘ a rights holder who has entered into a contract with OSA
- ↘ a member (having the advantage of voting rights and the possibility to elect their representatives or to stand as a candidate for the Supervisory Board at the General Assembly of OSA members)\*

\* membership conditions are defined in Article 3 of OSA Articles

### B) RIGHTS HOLDERS WHO HAVE ENTERED INTO A CONTRACT WITH A FOREIGN PARTNER ORGANIZATION WITH WHICH OSA HAS CONCLUDED A RECIPROCAL AGREEMENT

In addition, we manage rights by operation of law; for those rights, we pay our royalties to registered rights holders. We do not manage the rights of music performers (singers).

4.9 million

represented authors and publishers from all around the world, including 11,448 domestic ones

**TOTAL NUMBER OF RIGHTS HOLDERS AS OF 31 DECEMBER 2023** whose rights we manage on the basis of a contractual relationship directly with the rights holder or with a foreign partner organization:

Total domestic rights holders	11,448
Authors	8,243
Heirs	3,034
Publishers	171
Total newly accepted rights holders	430
Authors	426
Publishers	4

\* In addition to the above figures, 52 new contracts with copyright heirs were concluded in 2023.

**25 NEWLY ACCEPTED MEMBERS IN 2023**  
(accepted by the General Assembly in 2023 with effect from 1 January 2024)

### STRUCTURE OF MEMBERS AS OF 31 DECEMBER 2023

Total members	597
Popular music composers	371
Classical music composers	60
Lyricists	92
Publishers	29
Heirs	45

0.84 % Dance parties


4.10 % Jazz concerts


8.14 % Classical music concerts


86.92 % Popular music concerts

# CONCERTS HELD IN 2023

In 2023, we distributed royalties to authors and publishers in accordance with the lists of musical works used submitted by:

 organizers of **30,344** concerts,

 **46** TV stations that played **140,610** hours of music in 2023,

 **189** radio stations that played **1,023,955** hours of music in 2023.

## USERS OF MUSIC

entrepreneurs, operators, organizers, professional and general public

### WHY IS OSA IMPORTANT FOR USERS OF MUSIC?

Through OSA, users gain access **to legal use of music of all genres from around the world.**

The user enters into a single license agreement for live and recorded music events with OSA, which acts as **a single point of contact for all collective management organizations.** In the Czech Republic, there are **four other organizations managing copyrights of other artists: INTERGRAM** (singers, bands, actors, phonogram producers), **DILIA** (directors, writers, screenwriters, cameramen), **OOA-S** (authors of graphic works of art and visual elements of audiovisual works), **OAZA** (production sound designers).

## PROTECTION OF MUSICAL WORKS

Musical works are protected from the moment of their registration on the basis of a notification submitted for each musical work by the author.

## NEWLY REGISTERED NOTIFICATIONS OF MUSICAL WORKS

Total newly registered notifications	24,193
Popular music composers	19,994
Classical music composers	1,134
Lyricists	3,005
Joint notifications	60

Total number of business partners in all segments of collection in 2023\*:

**35,008**

\* according to Company ID No.





# HOW DOES MUSIC AFFECT CUSTOMERS AND HOW DOES IT BENEFIT ENTREPRENEURS AND TRADERS?



Music fundamentally affects the shopping behavior and decision-making of customers



Music can have a favorable effect on the amount of sales



Music supports positive brand perception



Appropriately chosen music improves working conditions and performance of employees



Music shortens the perceived wait time in queue

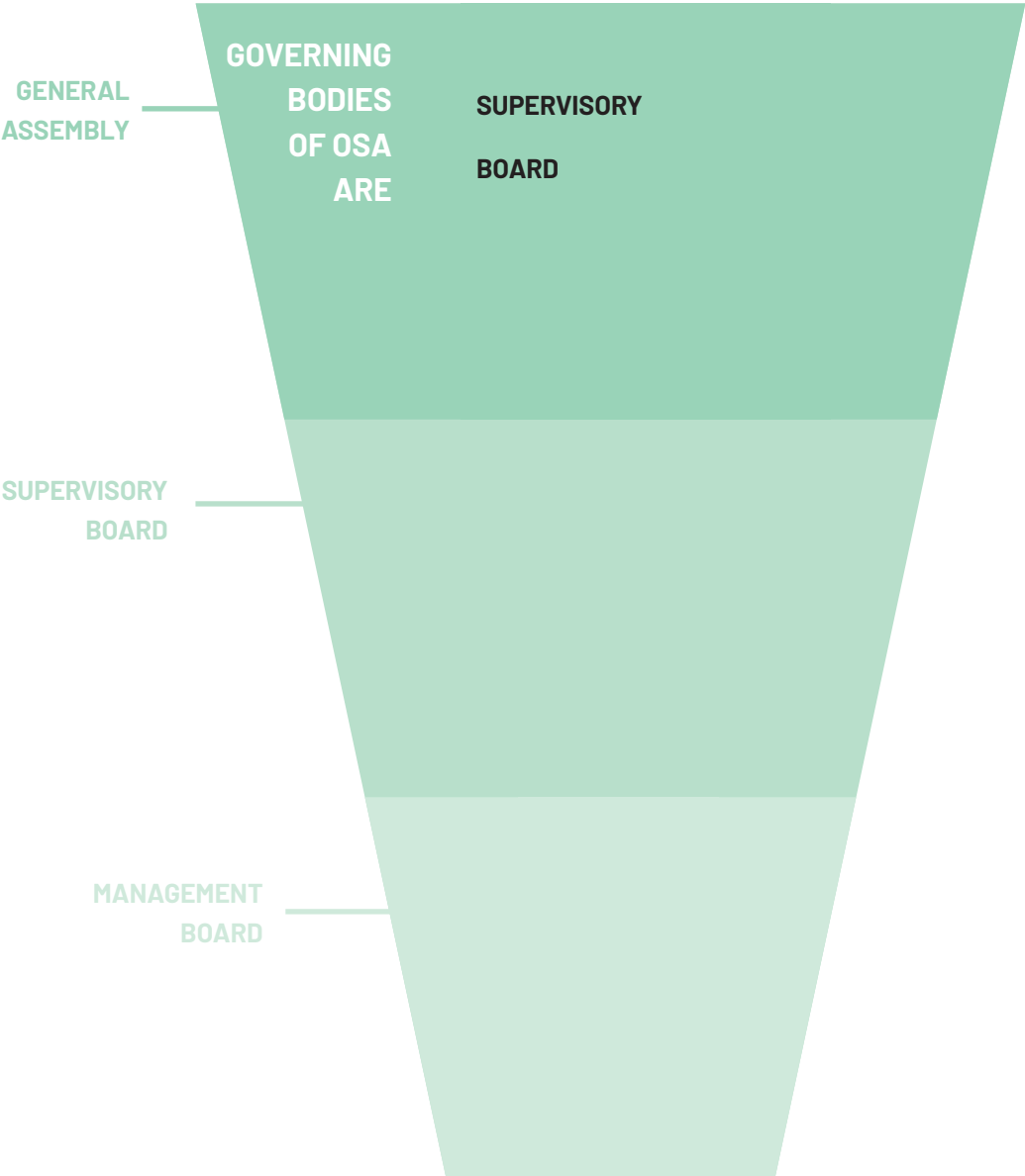
Source: Ipsos Media, Value of Music, France 2008

# OSA MANAGEMENT AND EMPLOYEES

## GENERAL ASSEMBLY

General Assembly is the supreme body of OSA. It consists of OSA members and is convened at least once a year in the first half of the calendar year after the closure of the books for the previous year. Powers of the General Assembly are set out in OSA Articles, available at [www.osa.cz](http://www.osa.cz).

The last General Assembly of OSA members was held on 29 May 2023 in the conference hall of the Grand Hotel International Prague.



## SUPERVISORY BOARD

Supervisory Board is the management and control body of OSA in between meetings of the General Assembly. It consists of 13 members who have been members of OSA for at least 3 years – 6 composers, 3 lyricists and 4 publishers. Members of the Supervisory Board are elected by the General Assembly for 3 years, with the possibility of re-election. Powers of the Supervisory Board are defined in OSA Articles, available at [www.osa.cz](http://www.osa.cz).

In 2023, 11 Supervisory Board meetings were held. Three members of the Management Board also attend the meetings. There was no change in the composition of the Supervisory Board in 2023.

### SUPERVISORY BOARD MEMBERS AS OF 31 DECEMBER 2023

chairman	Ivan Kurz	composer
vice-chairmen	Michael Prostějovský	lyricist
	Universal Music Publishing, s. r. o. – Jolana Zemanová	publisher
members	Dan Bárta	lyricist
	Jan Hála	composer
	Martin Kratochvíl	composer
	Lukáš Matoušek	composer
	Zdeněk Nedvěd	publisher
	Michal Prokop	composer
	ProVox Music Publishing, s. r. o – Jiří Paulů	publisher
	Tomáš Roreček	lyricist
	Ondřej Soukup	composer
	Schubert Music Publishing, s. r. o. – Jiřina Petrová	publisher



SUPERVISORY BOARD COMMITTEES

Committees are only preparatory, consulting and auxiliary bodies in relation to the Supervisory Board. Their members are appointed by the Supervisory Board and the term of office expires upon the expiry of the term of office of the Supervisory Board which set up the committees. Each committee member must be a member of OSA and at least one committee member must be a member of the Supervisory Board.

COMMITTEE MEMBERS

as of 31 december 2023

ECONOMIC COMMITTEE

prepares materials, documents and proposals for solutions for the decision-making of the Supervisory Board in the area of OSA management. In particular, it carries out business analyses, collection and cost analyses, looks for savings and deals with tax issues. It monitors tariff levels abroad, economic effects of tariff dates, discusses changes to royalty tariffs and the rate of royalties for new uses of works. In the social area, the committee manages and distributes resources from the Solidarity Fund (as defined in part. 3.2 of the Statutes of OSA Cultural, Social and Educational Fund), and decides on granting social contributions and support and on the amount and pay date of such support. All professional groups of the Supervisory Board must be represented in the committee.

chairwoman	Jolana Zemanová
members	Dan Bárta
	Tomáš Doležal
	Jiří Paulů
	František Tábořský

DISTRIBUTION COMMITTEE

prepares in particular proposals for changes to the Distribution Rules, checks all distribution mechanisms, monitors distribution rules of copyright organizations abroad (preferentially in EU countries), analyzes the effects of the Distributions Rules on the relations among rights holders whose rights are managed by OSA, addresses the issues of administrative cost deductions together with the Economic Committee. All professional groups of the Supervisory Board must be represented in the committee.

chairman	rotation principle
members	Martin Kratochvíl
	Jiřina Petrová
	Michael Prostějovský
	Miroslav Pudlák

COMMITTEE FOR CREATIVITY AFFAIRS

in particular classifies compositions on the basis of the score or recoding into the appropriate category according to Annex 1 to the Distribution Rules by genre, form and ensemble for which it is composed. It deals with requests from authors for the inclusion of reported works in a higher category. It comments on disputes over authorship in terms of creativity. It judges the degree of arrangement of works. It assists with the identification of possible plagiarism.

chairman	Emil Viklický
members	Jan Hála
	Lukáš Hurník
	Michal Košut
	Lukáš Matoušek
	Vladimír Popelka

PARTNERSHIP COMMITTEE

was established by the Supervisory Board in 2010 and pursues implementation of the OSA Partnership project. On the basis of a written request from the implementer of a particular project, the committee is authorized to decide on awarding a grant for the project implementation. Together with the OSA Management Board, it addresses the strategy and coverage of a spectrum of cultural events within the implementation of the Partnership project. All professional groups of the Supervisory Board must be represented in the committee.

chairman	Ivan Kurz
members	Jiří Gemrot
	Karel Holas
	Martin Němec
	Tomáš Roreček
	Helena Rytířová
	Milan Svoboda

AUTOR IN EDITORIAL BOARD

prepares, together with the magazine editors, the contents of individual issues and sees to the balance of published topics with regard to individual professional groups whose rights are managed by OSA.

chairman	rotation principle
members	Jan Krůta
	Zdeněk Nedvěď
	Michal Prokop
	Tomáš Roreček

## COMMITTEE FOR OSA ANNUAL AWARDS

A non-permanent committee which focuses on preparation of OSA Annual Awards and other anniversary events.

chairman	Michal Prokop
members	Lukáš Matoušek
	Michael Prostějovský
	Jolana Zemanová

## MANAGEMENT BOARD

Management Board is the governing and executive body of OSA. It has three members and consists of the chairman and two members. The Management Board is elected and removed by the Supervisory Board. It is accountable to the General Assembly and Supervisory Board for its activities. Powers of the Management Board are set out in OSA Articles, available at [www.osa.cz](http://www.osa.cz).

### MANAGEMENT BOARD MEMBERS AS OF 31 DECEMBER 2023

chairman	Roman Strejček
members	Jiřina Barello
	Luboš Tesař

## OSA EMPLOYEES

The number of employees remains stable in the long term. In 2023, the number of employees increased by 9 compared to the previous year. The total number of employees as of 31 December 2023 was 154 full-time employees (excluding 3 members of the Management Board). We also employ 7 persons with reduced capacity to work.

## OSA ACTIVITIES

OUTSIDE THE COLLECTIVE MANAGEMENT SYSTEM

### OSA AGENCY

In addition to the main activities of a collective management organization, OSA also performs secondary agency activities in accordance with the respective trade license. These include primarily the provision of licenses for use of musical works in the creation of advertisements and audiovisual works (the so-called synchronization rights), and use of musical works in theatre performances. The licenses are granted on the basis of a particular authorization by individual rights holders. The acquired agency status complies with the new European trends which provide space for negotiating such conditions for authors that take into account the market situation.

### MUSICJET

MusicJet is a Czech service providing a music library that includes millions of pieces from the biggest international and national publishers. MusicJet was established in the Czech Republic in 2011 as the largest music library of licensed and legally distributed music. It is a joint project of big national publishers (Universal Music, Supraphon), OSA (holding 5% of shares), and Bald Brothers as the majority owner.

It offers recordings for high-quality (FLAC) download or streaming. In addition to an extensive catalogue, it offers technical solutions in digital distribution of music to its partners:

- Music solutions including settlement of license agreements with collective rights management organizations for businesses and chains, restaurants, bars and other environments where music is an indispensable part of pleasant customer atmosphere.
- A streaming platform with an extensive licensed catalogue, which may be implemented in third party projects.
- A catalogue organized by genres based on moods, occasions and specific requirements of the partner.
- A streaming app for Android and iOS.
- Documents and solutions for monitoring of music playing in the media.

[www.musicjet.cz](http://www.musicjet.cz)

# 02

WE THINK  
OF MUSIC





# SUPPORT FOR PROJECTS AND CULTURAL ACTIVITIES

OSA is an association whose primary interest and mission is the sphere of culture and related activities. As such, it understands its proactive participation in the development of culture and cultivation of cultural awareness as the basic premise of its efforts. It cannot ignore the state of culture not only in the Czech Republic but also abroad, simply because OSA is a comprehensive part (i.e. an association of authors and participants) of the culture and, therefore, a creative agent, bearing its share of responsibility for the state of culture. Through its work, it supports in particular the area of its own activities – music.

## OSA PARTNERSHIP GRANT PROJECT

Support for the Czech music scene is the area where positive steps towards our joint vision of cultural and responsible society can be made in the easiest and most tangible way. To this end, the **Partnership project was created in 2010, aimed at supporting authors who are represented by OSA on a contractual basis, and at developing culture not only in the Czech Republic.**

Since 2010, as many as **3,130 music projects** have been supported under **5 schemes** focused on various areas of music activities.



**OSA LIVE**  
support for live music productions (concerts, festivals)



**MADE WITH OSA**  
support for releasing albums, music videos, sheet music or musical theme materials



**OSA PREMIERS**  
support in the introduction of new musical works



**OSA HELPS**  
support for philanthropic and charity events



**OSA TALENT**  
support in the organization of creative competitions and music courses focused in particular on young music authors, concerts and festivals presenting young authors, study stays for music authors involving creation of a copyrighted musical work

8.6 %

OSA Helps

5.4 %

OSA Premiers

5.1 %

OSA Talent

32.3 %

OSA Live

48.6 %

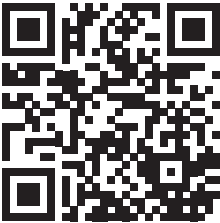
Made with OSA

Partnership is granted on the basis of a partnership application, which is discussed by the Partnership Committee and OSA Management Board. If the decision on granting support to a given project is positive, a grant agreement is concluded with the applicant. The increasing number of filed applications shows that interest in the grant scheme is growing year by year. We contribute financially both to the regularly supported projects and to emerging endeavors, which are no less interesting. In 2023, we saw the highest interest in the category Made with OSA, followed by the category OSA Live.

IN 2023, 430  
PROJECTS WERE  
SUPPORTED UNDER  
OSA PARTNERSHIP.

WHO IS ELIGIBLE TO APPLY FOR A GRANT

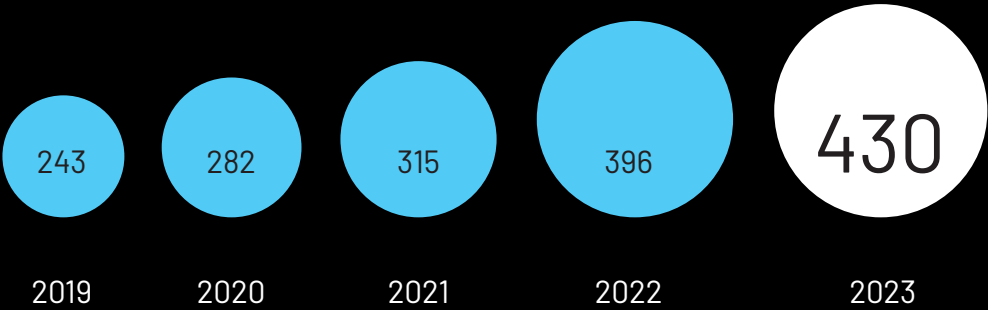
- authors represented by OSA
- organizers of events where music of (not only) Czech contemporary authors is played
- music publishers, publishers of music periodicals or music-themed books



Scan the QR code  
for more information  
about the grant  
program.

Partnership grant scheme	Number of projects
Made with OSA	209
OSA Live	139
OSA Helps	37
OSA Talent	22
OSA Premiers	23
Total	430

TOTAL NUMBER  
OF SUPPORTED  
PROJECTS





**Rodan**  
Introvert Party Club



**Ewa Farna**  
No ne

**Lake Malawi**  
Video Game Crush



**We Are Domi**  
Lights Off

## SONGWRITING CAMP CZ

powered by 



**Tom Sean**  
Dopamine  
Overdose



**7krát3**  
YoYo



**Mirai**  
Akorát



**Giudi**  
Jezinky

35 new songs / 91 minutes of music  
A total of 160 new songs!





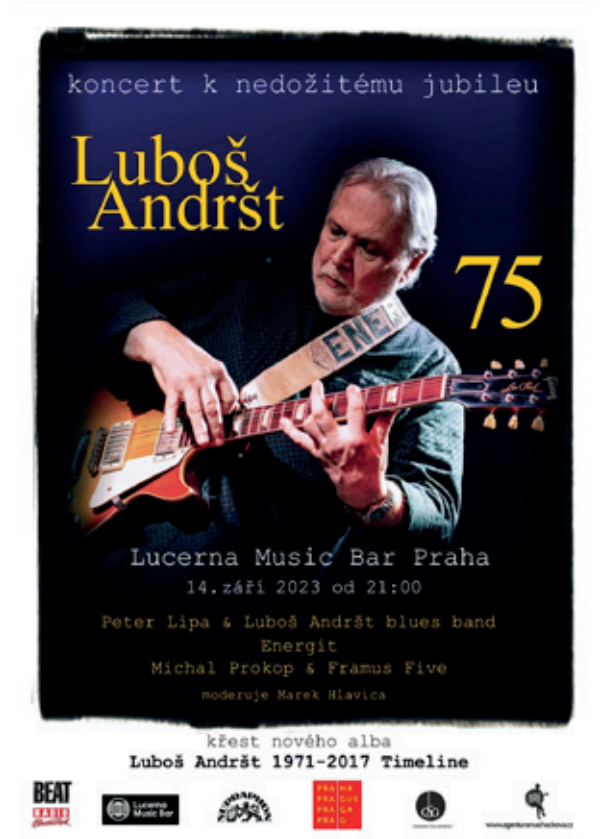
The 6<sup>th</sup> **Songwriting camp CZ powered by OSA** was held with our support, a unique project connecting producers, authors and artists directly in songwriting. Since 2018, the Songwriting camp has proved to be a perfect laboratory that enables Czech authors to move forward and interconnects them with foreign partners through their work. The most visible part of this success is undoubtedly the Eurovision Song Contest, where several songs have been successful – the songs make it to the Czech national round with iron-clad regularity.

In cooperation with **Bohemia JazzFest**, the traditional competition for the best jazz piece by a young author under 35 was announced. The award, together with a check from OSA for CZK 40,000, was presented to Martin Konvička for his piece Tsumaranai. We also financially supported the festival as such.





We participated in the 2<sup>nd</sup> annual **Composers Summit** – an extraordinary multi-day event where prominent Hollywood composers personally led lectures, workshops and music lessons. In mutual collaboration, a competition for young composers of music in audiovisual was announced. Tomáš Živor won a check for CZK 25,000, which we donated. He presented the winning composition to the audience during the opening concert of the Summit on stage next to big Hollywood stars.





Traditionally, we cooperated with the **SoundCzech** export agency, which tries to export Czech bands abroad. This year's financial support was a key part of the Mentoring Session. The project is based on individual consultations. Mentors are experts from various music industries from the Czech Republic and abroad. The registered participants choose mentors according to their needs and get professional individual feedback directly on their project. The interest in these consultations is enormous and growing.



In the OSA Helps category, we supported many charity and fundraising events, such as Ples na kolečkách, Avon Walk for Healthy Breasts, Together Against Powerlessness, Jaroslav Svěcený charity concert, Prague City Swim and the **Memory of Nations Awards**.



# Ceny Anděl










## 15/04/2023

Moderoval **Kryštof Bartoš**

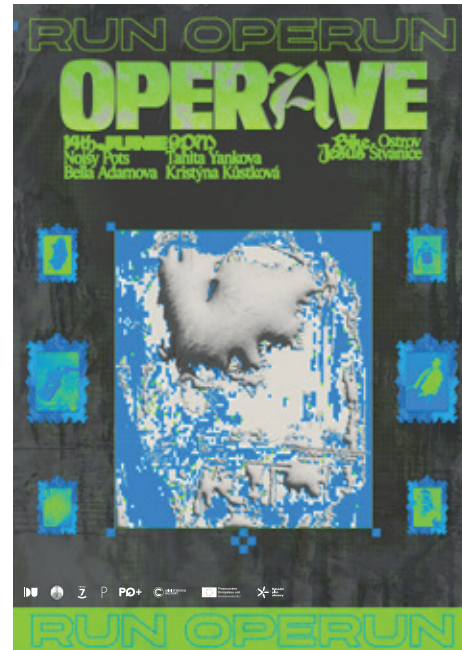
Vystoupil **Richard Müller**  
**Lenny**  
**Vypsaná FiXa**  
**58G**

**7krát3**  
**Prago Union**  
**Pam Rabbit**  
**Rozálie**

Mikrosvět  
Na výpravě



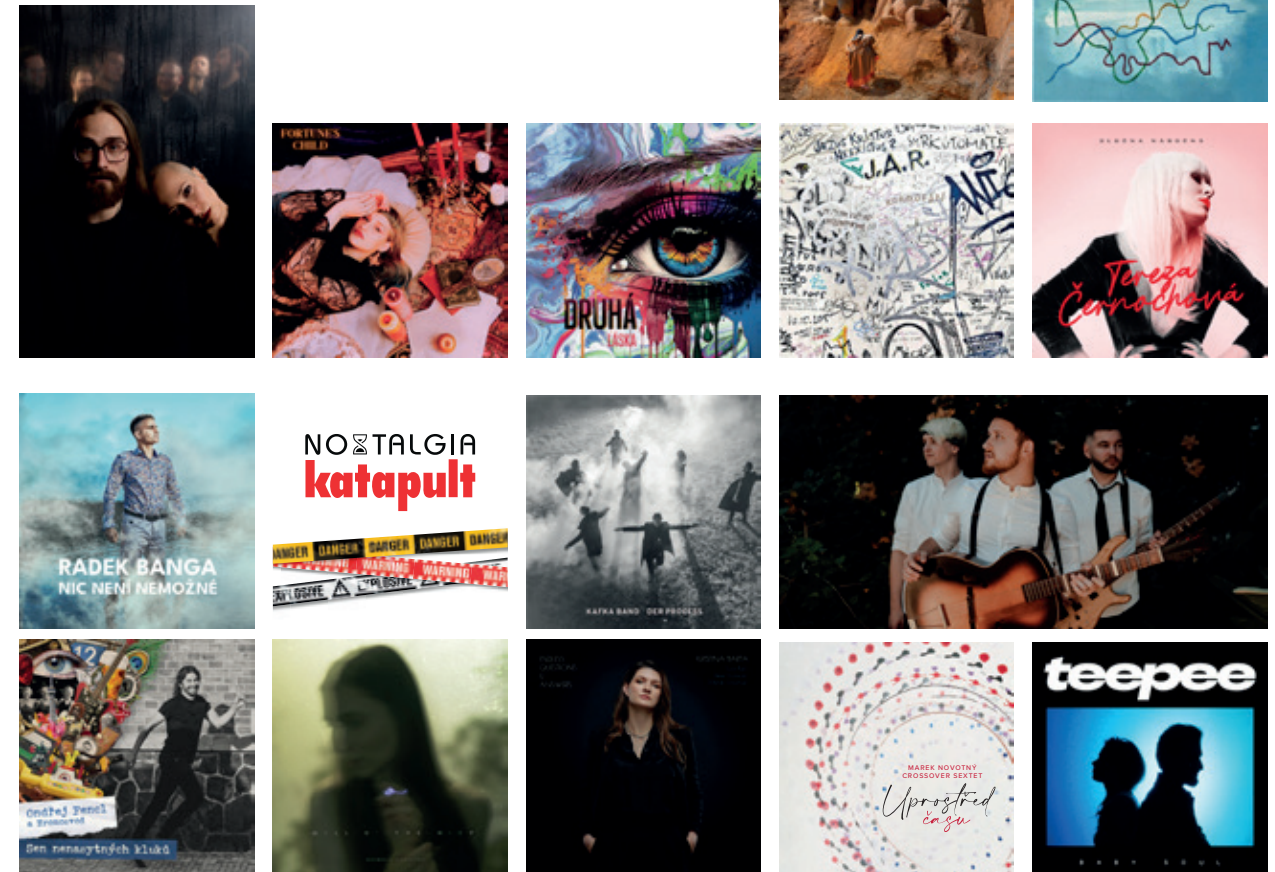
**NOVOŠTRAŠECKÁ  
KŘÍDLOVKA**

*Novostrášecká Křídlovka*

**Novostrášecká Křídlovka**  
 Hudební skupina 12 osob  
 Město: Novostráševes, okres: Havlíčkův  
 18122 PZP, 20  
 Zdravotní přizpůsobení: zdravotní

**nově  
5. listopadu**  
 Kulturní cestovní  
 11.000 – 18.000

[www.osa.cz/granty-partnerstvi](http://www.osa.cz/granty-partnerstvi)





## SUPPORT FOR CHARITY PROJECTS

Our association is interested in charity and help in need, not only within the framework of one of the Partnership project schemes (OSA Helps) that is focused directly on support for philanthropic and charity events. Once again, we express our support and help through language that is closest to our hearts – music.

OSA has a longstanding cooperation with **Diaconia of the Evangelical Church of Czech Brethren**. Diaconia runs more than 100 facilities across the Czech Republic and its activities are focused on serving people with intellectual and mental disabilities and other people who have found themselves in an adverse life situation. Our cooperation with Caritas **Czech Republic** and **Slezská diakonie** takes place under similar arrangements.

In many cases, OSA reflects the charitable or similar social significance of cultural events in its royalty tariffs, by granting licenses under symbolic or more advantageous conditions. These events include live and recorded music performances. Such contracts have been concluded, for example, with the **Association of Workers at Children and Youth Centers, Association of Elementary Art Schools, Union of Czech Choirs, Polish Culture and Education Association in the Czech Republic, Folklore Union of Prague and Central Bohemian Region, Haná Folklore Association, Society for Folk Traditions of South Moravian Region, National Section of the International Organization of Folk Art in the Czech Republic, Horní Beřkovice Psychiatric Hospital, Tloskov Social Services Centre** or **Association of Social Service Providers in the Czech Republic**, and allow the use of reproducing apparatus in the establishments of the aforementioned.

The feeling of unity and professional solidarity also motivates OSA to search for ways of supporting its own authors who need help, in particular in the form of financial aid from the Solidarity Fund.

## AUTHOR EDUCATION

Support for education is one of the most efficient and effective tools that are available to OSA to support the development of the musical world. For this reason, one of the schemes under the aforementioned Partnership project (OSA Talent), intended to support young talents through competitions, courses or study stays, is focused inter alia on education of authors.

In 2023, we traditionally supported **Workshop for the Youngest Composers** and **Composition and Percussion Workshop Trstěnice**, both organized by Association Q, **Generation – international competition for composers under 30**, organized under the patronage of Janáčkův máj, o.p.s, or **Czech Jazz Workshop**, organized by the Czech Jazz Society. This is a week-long workshop that brings together lecturers from around the world each year and is designed for all groups of musicians who want to learn the craft of music from the best in the field.

**Karel Velebný Summer Jazz Workshop** is a week-long music seminar founded in 1984 by Karel Velebný, where leading Czech jazz soloists and foreign lecturers pass on their knowledge and experience.

Education is supported by long-term cooperation with the **Institute of Modern Music** on music workshops for creative bands. The workshops provide participants with the opportunity to improve on stage and in their overall appearance. OSA also supports the

Institute in Educating Elementary School Pupils. These are educational courses using up-to-date computer music programs with which children learn to work and create music. In addition to creating, children are educated to understand the meaning of intellectual property. After a year of learning, children are able to compose basic music.

**Prague Music Week** was held in 2023 for the first time. It offered all music lovers an interesting program of conferences and a technology fair, as well as a rich concert program with Czech and international bands. The represented authors had a 30 % discount on the entrance fee. The new music event Prague Music Week follows the successful Nouvelle Prague conference and showcase festival and the Beats Evolution Conference.

**MenART**, another of the supported projects, is also dedicated to the education of young musical talents. This is a scholarship scheme for children and students gifted in artistic fields and their teachers. It enables them to work closely with mentors – prominent personalities of the Czech art scene – for one school year. MenART is implemented in the fields of music (classical and non-genre restricted sections), visual arts, literature and drama, and dance.

**Support for authors studying and interning abroad** is possible thanks to the OSA Talent grant scheme, through which we support several dozen young authors each year.

# INTERNATIONAL ACTIVITIES

## OSA HOSTED A MEETING OF REPRESENTATIVES OF AUTHORS' ORGANIZATIONS CISAC EUROPEAN COMMITTEE



After 12 years, between 19 and 20 April 2023, the CISAC European Committee held an important meeting of representatives of authors' organizations from all around the world in Prague. The conference was attended by almost 150 delegates not only from Europe, but also from the USA, Japan, South Korea and South Africa.

During the conference, topics such as the **case law of the Court of Justice of the EU**, the future of the **digital market** or the **shares between the rights of music authors and the rights of producers and performers** were discussed, as the current division of revenues from subscription services such as Spotify or Apple Music between authors, producers and service providers is not fair. The results of the research among customers of digital services such as Netflix and Spotify revealed a new and perhaps unexpected trend among digital services – their users prefer lower subscription fees at the cost of having their stream interrupted by advertising. Customers who, on the other hand, welcome a completely ad-free stream will probably have to pay much more for the service. The presentation on the functioning of the digital market in the USS also attracted a lot of interest.

The European Committee was held in Prague for the second time, the first was in 2011. Last year, authors' organizations from all over Europe demonstrated trust in Roman Strejček, Chairman of the OSA Management Board, who was elected its president for the next 2 years. *"Personally, I appreciate it tremendously and take it as a recognition of the **great work of OSA on the international scene**. For a long time we have been one of the most transparent copyright organizations not only in Europe. Moreover, in recent years we have been one of the best performing music copyright organizations in the whole of Europe, at least in terms of the royalties-collected-to-cost ratio. Therefore, I want to thank the Supervisory Board and to all the staff who have been working for a long time to strengthen OSA's credibility in the eyes of our foreign partners," said Roman Strejček on his election.*

## CISAC – a worldwide network of authors' societies *Confédération internationale des sociétés d'auteurs et compositeurs*

CISAC - has been in operation since 1926 and currently has 227 member organizations in 118 countries. It represents more than 5 million creators from all geographical areas and all artistic repertoires: music, audiovisual, drama, literature and visual arts. It protects and promotes rights worldwide. **It enables collective management organizations to represent creators seamlessly around the world and ensures that creators receive royalties for the use of their works anywhere in the world.**

The chairman of CISAC is a Swedish composer, musician, singer, guitarist, producer and **member of the Swedish music group ABBA Björn Ulvaeus**. Alongside him, the organization is led by four vice-presidents: South African singer, songwriter, actress, entrepreneur, humanitarian and teacher Yvonne Chaka Chaka, Mexican composer and director Arturo Márquez, Chinese director, screenwriter and producer Jia Zhang-ke and international neo-expressionist visual artist Miquel Barceló.

### Significance of the European Committee

CISAC has a total of five regional committees, each dedicated to a specific geographical area: European Committee, African Committee, Asia-Pacific Committee, Canada/USA Committee, Latin American and Caribbean Committee.

Each of these groups focuses on specific copyright issues and related matters within their respective geographical area. They play an important role in establishing the infrastructure for the operation of this global organization of authors and composers and provide assistance to their member societies and creators.

More on [www.cisac.org](http://www.cisac.org)



# V Ý R O Č N Í C E N Y O S A



Scan the QR code to see  
video how Milan Cais  
designed the the award.

## CULTURAL ACTIVITIES

### OSA ANNUAL AWARDS

Every year since 2006, OSA has been awarding the most successful Czech composers and lyricists in 15 categories for their work in classical and popular music. The award winners in most categories are decided by OSA statistics from radio and television broadcasters, concert organizers, online music service operators or music media producers and sellers. From 2020 onwards, the charts of the most successful pieces of music and artists are compiled only on the basis of the statistics for the last two years. Young artists under 30 years of age in the field of popular and classical music are also recognized and receive financial awards from OSA to further develop their work.

The categories which are not awarded based on data but by decision of the OSA Supervisory Board include the OSA Golden Award for contribution to Czech music, the OSA Golden Fund for the most played pieces and authors over the long term, and the Award for the Promotion and Propagation of Czech Music.





## 18<sup>TH</sup> OSA ANNUAL AWARDS OSA Annual Awards celebrate their coming of age

**Marek Ztracený won in three categories. Viktor Sheen, Martin Smolka, Prokop Holoubek, Marek Kopelent and Gabriela Beňačková-Čápková also won awards.**

**For the eighteenth time, on Thursday 1 June, the OSA Annual Awards, which honor leading domestic composers and lyricists in popular and classical music, celebrated authors in a total of 15 categories. The award for the most successful composer of popular music and the most successful lyricist was defended by Marek Ztracený, who also won in the Popular Song of the Year category with his hit Moje milá. The OSA Gold Award for Lifetime Achievement went to the late composer and pianist Marek Kopelent. The composer and founder of the Golden Kids trio Bohuslav Ondráček (in memoriam) and the piece Go for Happiness, composed by Karel Svoboda and Zdeněk Borovec, were added to the OSA Golden Fund. Viktor Sheen was the most streamed author for the second year. The whole gala evening in the Vzlet Cultural Palace was hosted by the Expres FM radio presenter Veronika Koloušková and the composer and actor Jan Maxián.**

In the field of classical music, the composer Martin Smolka was successful, becoming the most successful composer and author of classical music abroad. His composition Agnus Dei also took first place in the category of Classical Composition of the Year. In popular music, Prokop Holoubek of the band Midi Lidi was the most successful composer abroad. The award for the most successful publisher went to Universal Music Publishing.

OSA does not forget about young authors – the most successful author of classical music is Vojtěch Frank. The rapper Denis Bennett alias Earth won the award for the young author of popular music. In addition to a glass statuette designed by the renowned musician and artist Milan Cais, the category winners also received a check worth CZK 50,000, which OSA donates annually to successful young authors. The newest category is the Most Successful Streaming Author, where the award went to last year's winner of the Most Successful Young Author of Popular Music category, Viktor Sheen.

*"The inclusion of the Most Successful Streaming Artist category was in response to the dynamic growth of music playback from internet platforms, which is quite dominant among the younger generation. Recent figures show us that this way of consuming music will continue to grow, so I am pleased that the OSA Annual Awards are moving with the times and reflecting this trend in their awards,"* explains **Roman Strejček, Chairman of the OSA Management Board.**

This year's theme of the ceremony was dialogue in music and musical duets. During the evening, Bára Basiková and Jakub Hübner, Kateřina Marie Tichá and Martin Chobot, Elizabeth Kopecká and Martin Chodúr, Jakub Vaňas and En. Dru, singer-songwriter Kaczi and dancer Anna Kroupová with clarinetist Kamil Doležal delivered amazing performances accompanied by Šimon Marek's Unique Quartet and a band consisting of Jan Steinsdörfer (piano), Tomáš "Kaštan" Baroš (double bass, bass guitar) and Dano Šoltis (drums).

The 18<sup>th</sup> Annual OSA Awards were held under the auspices of the Ministry of Culture.

Media partners include **Óčko Star TV**, which **broadcasted the recorded OSA Annual Awards ceremony on 21 June at 6 p.m. and 25 June at 1 p.m.**, as well as radio stations Expres FM and Classic Praha.



Scan the QR code to see the 18th OSA annual awards.







WINNERS OF THE 18<sup>TH</sup> OSA ANNUAL AWARDS:

OSA Golden Award  
**MAREK KOPELEŇ**

OSA Golden Fund – author  
**BOHUSLAV ONDRÁČEK**

OSA Golden Fund – composition  
**JDI ZA ŠTĚSTÍM**  
(KAREL SVOBODA, ZDENĚK BOROVEC)

Award for the Promotion  
and Propagation of Czech Music  
**GABRIELA BEŇÁČKOVÁ-ČÁPOVÁ**

Popular composition of the year  
**MOJE MILÁ**  
(MAREK ZTRACENÝ)

Classical composition of the year  
**AGNUS DEI**  
(MARTIN SMOLKA)

The most successful author of popular music  
**MAREK ZTRACENÝ**

The most successful lyricist  
**MAREK ZTRACENÝ**

The most successful author of classical music  
**MARTIN SMOLKA**

The most successful composer  
**UNIVERSAL MUSIC PUBLISHING**

The most successful young author of popular music  
**DENIS BENNETT ALIAS EARTH**

The most successful young author of classical music  
**VOJTĚCH FRANK**

The most successful author of classical music abroad  
**MARTIN SMOLKA**

The most successful author of popular music abroad  
**PROKOP HOLOUBEK**

The most successful streaming author  
**VIKTOR SHEEN**

# 03

## ECONOMIC RESULTS





# ECONOMIC RESULTS OF OSA IN 2023

## MAIN ECONOMIC INDICATORS

	2019	2020 <sup>1)</sup>	2021 <sup>2)</sup>	2022	2023	2023/2022 difference
<b>Total collected revenues</b>	1,386,668	1,152,748	1,313,412	1,450,480	<b>1,715,900</b>	<b>+265,420</b>
<b>Total costs</b>	168,409	155,425	152,806	174,873	<b>203,581</b>	<b>+28,708</b>
<b>Average cost deduction in %</b>	12.14 %	13.48 %	11.63 %	12.06 %	<b>11.86 %</b>	<b>-0.20 %</b>

\* In thousands CZK / excl. VAT

\*\* Costs are always net of income tax.

<sup>1)</sup> 2020 costs are costs before recognition of cost deduction deficit.

<sup>2)</sup> Revenues collected in 2021 include extraordinary supplementary payments received by OSA on the basis of the concluded agreements on settlement for previous periods. If not included, the total revenues collected would amount to CZK 1,091,272 thousand.

License revenues	1,675,964
Other revenues collected	39,936
<b>Total revenues collected</b>	<b>1,715,900</b>
2022/2021 comparison (in %)	+18.30 %
2022/2021 comparison (in CZK)	+265,420

\* in thousands CZK / excl. VAT

## REVENUES COLLECTED, COSTS AND AVERAGE COST DEDUCTION

Category of rights	Revenues collected	Costs	Average cost deduction in %
Live public performances	195,204	27 026	13.85 %
Background music in public premises	221,507	43 158	19.48 %
Radio broadcasts	76,142	11 044	14.50 %
Television broadcasts	331,434	48 362	14.59 %
Cable retransmission	192,997	18,807	9.74 %
Internet, mobile and similar networks	191,316	18,670	9.76 %
Physical media	13,896	851	6.12 %
Renting and leasing	5,217	147	2.82 %
Private copying	86,932	6,650	7.65 %
From foreign collective management organizations	79,015	4,571	5.78 %
For domestic collective management organizations	275,077	23,885	8.68 %
<b>Total for collective management</b>	<b>1,668,737</b>	<b>203,171</b>	<b>12.18 %</b>
Agency representation of authors	7,227	410	5.67 %
<b>Total incl. agency representation of authors</b>	<b>1,675,964</b>	<b>203,581</b>	<b>12.15 %</b>
Other income	39,936		
<b>Total incl. agency representation and other income</b>	<b>1,715,900</b>	<b>203,581</b>	<b>11.86 %</b>

\* in thousands CZK / excl. VAT

\*\* Costs are always net of income tax.

After two difficult covid years (2020-2021) and the following year (2022), influenced mainly by the energy crisis and high inflation, the Czech economy was the only EU country that failed to return to the level before the coronavirus pandemic in 2023. Furthermore, the Czech Republic also had the highest inflation rate in

the EU at the end of the year, according to Eurostat. With such an unfavorable economic situation, the economic results of OSA in 2023 seem very flattering. Not only did OSA's total income (still unfortunately not related to the very important area of public music licensing) nominally surpass the pre-pandemic level

already in the previous year 2022, but last year in 2023 it followed this trend even more dramatically and increased its total revenues (including non-licensing revenues) by 18.30 % year-on-year (i.e. by CZK 265,420 thousand), thus once again rewriting the historical records after one year. Of these, revenues collected for music authors increased by CZK 199,684 thousand year-on-year and revenues collected on the basis of mandates for other domestic collective management organizations increased by CZK 44,818 thousand.

For a fair assessment of the results, in addition to comparing nominal income, real value over time must be taken into account. Inflation between 2020 and 2022 was a cumulative 22.1% (inflation for 2023 will not be reflected in rates until next year). Thus, in 2023 even the real value of OSA’s total income (in which inflation through 2022 was reflected through rates) already outperformed the pre-pandemic 2019 results. Finally, despite the negative inflationary effects, our average cost deduction (cost-to-collection ratio) in 2023 has fallen below the 12% threshold, specifically to 11.86 %, the second lowest since 1993. We continue to consolidate our leading position as one of the best performing music copyright organizations in Europe.

The main driver in 2023 was the broadcasting licensing segment with a nominal increase in revenues collected by CZK 68,805 thousand year-on-year. It should be noted that a retroactive settlement with a major user in this segment had a very positive impact on this result. The entire public music sector also performed well, with a year-on-year increase

in nominal revenues (including revenues for other domestic collective managers) of CZK 121,008 thousand. However, this area, which is crucial for OSA in terms of overall revenues, fell to 50 % of the pre-covid revenues collected in the two covid years. Last year finally reached the nominal pre-covid level, but did not surpass it yet.

OSA also performed very positively in other areas year-on-year. Revenues from TV broadcasters increased by 26,786 thousand. The upward trend in revenues from licensing of online services continued, supported by a strategic decision as well as OSA’s technological ability to license domestic online repertoire to the world.

2023 was a year when exports of domestic music thrived. Our foreign partners, i.e. collective management organizations, sent us CZK 19,978 thousand more year-on-year for music of authors we represent used abroad. This result may have been affected by a lower comparative base in the previous year, which may have been affected by the pandemic period due to the time lag between the use of music abroad and the incoming payment from the foreign collective management organization.

Although the year-on-year comparison for 2023 is very positive in nominal terms and there has not been a significant year-on-year decline in any of the music segments, the real value of revenues has not yet surpassed the last pre-forecast year of 2019 in a number of music segments due to the very high rate of inflation (which we are now factoring into our tariffs – due to the high inflation – in 2022).

For example, the entire public performance music segment, the mechanics and audio licensing segment, the radio broadcasting segment or the royalties collected abroad have not surpassed 2019 in real value of their revenues. All of the above-mentioned segments either came close to or slightly exceeded the pre-forecast results only in nominal terms, but unfortunately inflation has not yet been covered by these revenues. It should also be noted, however, that the results for the pre-covid year 2019 were also quite extraordinary in terms of historical

performance, i.e. the comparative basis for comparing real earnings is very good.

The resulting structure of revenues collected for licenses granted (including revenues collected for other domestic collecting management organizations) in 2023 was as follows – broadcasting and online media: 47.25 % (47.86 % in 2022), public performances: 38.41 % (36.52 %), mechanics and audiovisual: 9.20 % (11.08 %), from abroad: 4.71 % (4.12 %) and agency representation of authors: 0.43 % (0.42 %).

\* The amounts collected in the text are exclusive of VAT.

BASIC STRUCTURE OF LICENSE REVENUES

	2019	2020	2021 <sup>1)</sup>	2022	2023	2023/2022 difference
Public performances	447,186	221,645	197,716	344,504	416,711	72,207
Broadcasts and online media	469,832	572,539	732,767	685,130	791,889	106,759
Mechanics and audiovision	108,143	103,707	110,080	106,559	106,045	-514
From abroad	79,018	75,653	52,507	59,037	79,015	19,978
Agency representation of authors	7,094	5,998	3,769	5,973	7,227	1,254
<b>Total for OSA and foreign rights holders</b>	<b>1,111,273</b>	<b>979,542</b>	<b>1,096,839</b>	<b>1,201,203</b>	<b>1,400,887</b>	<b>199,684</b>
Collected for other domestic collective management organizations	268,220	165,457	208,657	230,259	275,077	44,818
<b>Total incl. other domestic collective management organizations</b>	<b>1,379,493</b>	<b>1,144,999</b>	<b>1,305,496</b>	<b>1,431,462</b>	<b>1,675,964</b>	<b>244,502</b>

\* in thousands CZK / excl. VAT

<sup>1)</sup> The revenues collected for 2021 include an extraordinary upplementary payment in the total amount of CZK 139,075 thousand, received by OSA in 2021 on the basis of settlement agreements concluded with satellite operators for the period from 2014, a supplementary payment of CZK 39 million received under the settlement agreement concluded with television broadcasters from the period from 2013, and a supplementary payment for 2019 in the amount of CZK 44,065 thousand for accommodation facilities, received on the basis of the agreement concluded with the Czech Association of Hotels and Restaurants.

## Public performances in 2023

In 2023 we collected a total of CZK 643,704 thousand for public music performances (including revenues collected for other domestic collective management organizations), i.e. 23% more year-on-year than in 2022. In nominal terms, we have not yet surpassed the revenues collected, but de facto we have already caught up with the last pre-covid year 2019, compared to which we fell behind by less than 4%. The revenues collected for music authors were CZK 416,711 thousand (i.e. CZK 72,207 more year-on-year and revenues collected for other domestic collective management organizations amounted to CZK 226,993 thousand (i.e. CZK 48,801 thousand more year-on-year).

Year-on-year in 2023, we increased revenues by CZK 33,876 thousand from concerts or live music performances which is a 21% increase in revenues collected and only 2 % short of the revenues of the last pre-covid year, i.e. 2019. The live performances segment, which fell by a staggering 74 % during the two-year covid crisis, is recovering very well. In

particular, the increase in concert admissions has had a significant impact. The segment of background music licensing (excluding cinemas and jukeboxes), with a single point of contact and collection for all other domestic collective management organizations (DILIA, INTERGRAM, OAZA and OOA-S) since 2018, improved year-on-year by CZK 85,098 thousand (i.e. by 25 %). This result was partly due, for example, to an extraordinary retroactive payment from AHR for part of 2022. For music authors, OSA collected CZK 36,289 thousand more for background music (excluding cinemas and jukeboxes)(i.e. an increase of 22 %). For other domestic collective management organizations, the same segment received CZK 48,809 thousand (i.e. 27%) more year-on-year.

However, measured in real revenues (i.e. after taking into account the inflationary depreciation of the value of money in the period 2020-2022), the public performances segment still lags significantly behind the pre-covid year 2019, namely by CZK 172,895 thousand. Using this metric, the public performances segment fell CZK 48,045 thousand in terms of real revenue, and the background music segment (incl. cinemas, jukeboxes and other collective management organizations) fell by CZK 124,850 thousand.

\* The amounts collected in the text are exclusive of VAT.

### PUBLIC PERFORMANCES

	2019	2020	2021	2022	2023	2023/2022 difference
Live performances	199,221	94,869	52,238	161,328	195,204	33,876
Background music (excl. cinemas and jukeboxes)	229,101	118,990	136,510	166,504	202,793	36,289
Cinemas	17,993	7,342	8,869	16,571	18,608	2,037
Jukeboxes	871	444	99	101	106	5
<b>Total for OSA and foreign rights holders</b>	<b>447,186</b>	<b>221,645</b>	<b>197,716</b>	<b>344,504</b>	<b>416,711</b>	<b>72,207</b>
Collected for other domestic collective management organizations	221,609	118,500	149,615	178,192	226,993	48,801
<b>Total incl. other domestic collective management organizations</b>	<b>668,795</b>	<b>340,145</b>	<b>347,331</b>	<b>522,696</b>	<b>643,704</b>	<b>121,008</b>

\* in thousands CZK / excl. VAT

## Broadcasts, online media and mechanics in 2023

In 2023, the broadcasts, online media and mechanics segment contributed the aggerate amount of CZK 946,018 thousand (incl. revenues collected for other domestic collective management organizations) to OSA’s total licensing revenues collected. The revenues collected in this segment increased by 12%, i.e. CZK 102,262 thousand year-on-year.

\* The amounts collected in the text are exclusive of VAT.

### BROADCASTS AND ONLINE MEDIA

	2019	2020	2021	2022	2023	2023/2022 difference
Radio broadcasts	76,074	76,081	77,664	77,798	76,142	-1,656
Television broadcasts	237,569	310,281	300,425	304,648	331,434	26,786
Cable retransmission	104,310	104,450	245,481	124,192	192,997	68,805
Internet and mobile networks	51,609	81,278	109,032	178,310	191,274	12,964
Ringtones	270	449	165	182	42	-140
<b>Total for OSA and foreign rights holders</b>	<b>469,832</b>	<b>572,539</b>	<b>732,767</b>	<b>685,130</b>	<b>791,889</b>	<b>106,759</b>

\* in thousands CZK / excl. VAT

## Broadcasts and online media

The best performing segment in 2023 was retransmission licensing, which has repeatedly achieved very good results. Compared to the previous year, we collected CZK 68,805 thousand more in retransmission license revenue from operators. This represents a major 55% increase year-on-year. This result was mainly influenced by the strategic settlement for the past with major operators in the market and, as with other uses, the rate increased by inflation.

The television broadcasting segment was also a strong performer last year. Revenues from TV broadcasters improved by CZK 26,786 thousand (i.e. 9 % increase) year-on-year. In the case of major broadcasters, this was also helped by higher revenues of broadcasters, which are the basis for the calculation of royalties. The digital platforms segment also continued to grow, and its continuous expansion was further boosted by the covid crisis, unlike in most other areas. In 2023, the segment enjoyed a year-on-year increase of CZK 12,964 thousand, a 7% increase. The results for online usage are due to the worldwide popularity of streaming services, organic growth in the number of users, the adjustment of the fees for music subscription services, as well as OSA’s commercial policy of licensing its catalogue directly to foreign markets. We are one of the exceptions in the Eastern European region where we are technologically capable of handling the huge amount of data that all the major digital platforms report to us on a monthly basis. The radio licensing business is nominally stable in terms of revenue levels. However, even with this stability, real revenues (after inflation) from radio licensing are declining compared to the past.

\* The amounts collected in the text are exclusive of VAT.



## Mechanics and audiovision

The licensing of mechanical rights and audiovisual works segment (i.e. the area most affected by the latest trends in the development of the music market, represented in particular by the transition from physical media to new media) remains the most static in the long term. Total revenues collected (including revenues collected for other domestic collective management organizations) decreased by 3% year-on-year in 2023 (i.e. by CZK 4,497 thousand). This was mainly due to the year-on-year decrease in compensations, which form a substantial part of revenues from mechanics, where royalties for music authors fell by CZK 514 thousand and for other collective management organizations by CZK 3,991 thousand.

Revenues from compensation for blank carriers (CDs, USB disks, hard disks) and devices enabling the copying of copyrighted works compensate music authors for the fact that each one of us can legally and without the author’s consent make a copy of our favorite album or film for personal use. These compensations are distributed on the basis of proceeds from the sale of music on physical media and online platforms. We can say that these compensations to some extent help mitigate the decline in authors’ income from the sale of music. For comparison – while in 1998, proceeds from the sale of music and audiovisual carriers for music authors had amounted to CZK 126,511 thousand, it was only CZK 13,896 thousand in 2023.

\* The amounts collected in the text are exclusive of VAT.

### MECHANICS AND AUDIOVISION

	2019	2020	2021	2022	2023	2023/2022 difference
Music carriers	16,240	14,909	12,953	14,737	13,566	–1,171
Audiovisual carriers	607	101	846	379	330	–49
Renting and leasing	4,774	4,880	5,073	5,045	5,217	172
Private copying (compensations)	86,522	83,817	91,208	86,398	86,932	534
<b>Total for OSA and foreign rights holders</b>	<b>108,143</b>	<b>103,707</b>	<b>110,080</b>	<b>106,559</b>	<b>106,045</b>	<b>–514</b>
Collected for other collective management organizations	46,611	46,957	59,042	52,067	48,084	–3,983
<b>Total incl. other domestic collective management organizations</b>	<b>154,754</b>	<b>150,664</b>	<b>169,122</b>	<b>158,626</b>	<b>154,129</b>	<b>–4,497</b>

\* in thousands CZK / excl. VAT

## Agency representation of authors in 2023

In 2023, the segment of agency representation of authors generated revenues higher by CZK 1,254 thousand, i.e. by 21%, year-on-year. Revenues from theater performances, an area very negatively affected by government measures in the pandemic period, increased by 63% and, in nominal terms, surpassed the pre-pandemic year 2019. Synchronization revenues, on the other hand, fell by 46% year-on-year.

\* The amounts collected in the text are exclusive of VAT.

+21 % in agency representation of authors

year-on-year higher revenues by CZK 1,254,000

63% increase in revenues

rom theater performances

### AGENCY REPRESENTATION OF AUTHORS

	2019	2020	2021	2022	2023	2023/2022 difference
Synchronization	1,579	2,622	1,415	2,107	1,148	–959
Theatre performances	5,406	3,053	1,723	3,631	5,914	2,283
Other (sheet music, concerts etc.)	109	323	631	235	165	–70
<b>Total for OSA and foreign rights holders</b>	<b>7,094</b>	<b>5,998</b>	<b>3,769</b>	<b>5,973</b>	<b>7,227</b>	<b>1,254</b>

\* in thousands CZK / excl. VAT

## Revenues collected from abroad in 2023

This is a picture of how the export of domestic music is doing. For the OSA repertoire used abroad, foreign collective management organizations sent OSA CZK 79,015 thousand in royalties in 2023, i.e. almost 34% more year-on-year. The segment's results have returned to pre-covid levels after two years of decline. Year-on-year, revenues collected from Austria, Germany and Slovakia grew the most. Conversely, the highest declines in foreign revenues collected were from the Netherlands, Serbia and Italy in 2023. At the same time, the strengthened koruna, which is disadvantageous for exporters of goods and services, created negative counter-pressures on the nominal level of revenues from abroad.

\* The amounts collected in the text are exclusive of VAT.

### REVENUES FOR DOMESTIC REPERTOIRE USED ABROAD IN 2023

	in thousands CZK / excl. VAT	Share in %
Germany	21,932	27.76 %
Slovakia	17,125	21.67 %
Austria	10,596	13.41 %
France	5,515	6.98 %
USA	4,458	5.64 %
Hungary	3,710	4.70 %
Netherlands	2,891	3.66 %
Switzerland	2,247	2.84 %
France	1,572	1.99 %
Serbia	1,173	1.48 %
Great Britain	7,796	9.87 %
<b>Total for OSA</b>	<b>79,015</b>	<b>100.00 %</b>

\* in thousands CZK / excl. VAT

### REVENUES COLLECTED FROM ABROAD

	2019	2020	2021	2022	2023	2023/2022 difference
<b>Total for OSA</b>	<b>79,018</b>	<b>75,653</b>	<b>52,507</b>	<b>59,037</b>	<b>79,015</b>	<b>19,978</b>

\* in thousands CZK / excl. VAT

## Costs of OSA activities in 2023

In 2023, total costs incurred for OSA activities amounted to CZK 203,581 thousand, which represents a year-on-year increase of more than 16%. However, the higher costs were accompanied by a more than 18% growth in revenues collected. Increased personnel costs (including statutory social insurance, benefits and functional allowances) contributed mainly to the development of costs in 2023, while the costs of IT services also increased significantly year-on-year. In contrast, energy costs (mainly electricity and gas) decreased by half. We were also able to beat the increased costs due to inflation thanks to the increase in revenues collected. In 2023, we achieved an average cost deduction (calculated as a ratio of costs to revenues collected) of 11.86 %. This is our second-best result ever since 1993, confirming our long-standing position as one of the best performing music copyright organizations in Europe. OSA's costs, net of costs re-invoiced to other domestic collective management organizations, amounted to CZK 179,696 thousand.

### OSA COST STRUCTURE IN 2023

Services	30,151
Depreciation and provisions	14,866
Other operating costs	3,935
Taxes and fees	34
Materials used	2,708
Energy consumption	1,499
Contributions to BIEM, CISAC	926
<b>Total costs net of personnel costs</b>	<b>54,119</b>
Personnel costs incl. benefits and emoluments	112,842
Statutory social security	36,620

\* in thousands CZK / excl. VAT / income tax

### OSA COSTS

	2019	2020 <sup>1)</sup>	2021	2022	2023	2023/2022 difference
<b>Total costs</b>	<b>168,409</b>	<b>155,425</b>	<b>152,806</b>	<b>174,873</b>	<b>203,581</b>	<b>28,708</b>

\* in thousands CZK / excl. VAT / excl. income tax

<sup>1)</sup> before recognition of cost deduction deficit in 2020



# 04

## DISTRIBUTION AND PAYMENT OF ROYALTIES





214,132

number of authors  
and publishers who  
received royalties  
from distribution

DISTRIBUTED ROYALTIES

In 2023, OSA distributed to rights holders and transferred to other domestic collective management organizations a total amount of CZK 1,221,025 thousand (excluding the drawings on funds and compensations paid out). OSA distributed CZK 969,833 thousand to music authors and publishers, of which CZK 681,167 domestically (i.e. CZK 84,908 thousand more year-on-year) and CZK 288,666 thousand

(i.e. CZK 36,510 thousand more year-on-year) abroad. Other domestic collective management organizations (on the basis of the authorization from those organizations to grant licenses to their repertoires) received CZK 251,192 thousand (i.e. CZK 41,067 thousand more year-on-year). In 2023, OSA allocated CZK 88,470 thousand in non-distributable amounts.

DISTRIBUTED ROYALTIES

	2020	2021	2022	2023	2023/2022 difference
Authors	298,709	294,574	307,475	354,366	46,891
Publishers	235,148	284,439	288,784	326,801	38,017
Total domestic rights holders	533,857	579,013	596,259	681,167	84,908
To abroad	197,314	255,744	252,156	288,666	36,510
Total distributed for OSA and foreign rights holders	731,171	834,757	848,415	969,833	121,418
Transferred to other domestic collective management organizations	151,625	191,090	210,125	251,192	41,067
Total distributed, incl. royalties for other domestic collective management organizations	882,796	1,025,847	1,058,540	1 221,025	162,485

\* in thousands CZK / excl. VAT / excl. the drawings on funds

AVERAGE AMOUNT OF ANNUAL ROYALTY IN 2023

	2019	2020	2021	2022	2023	2023/2022 difference
Total amount distributed to rights holders for the year*	CZK 811,657 thousand	CZK 731,171 thousand	CZK 834,757 thousand	CZK 848,415 thousand	CZK 969,833 thousand	CZK 121,418 thousand
Number of rights holders included in distribution for the year**	204,947	196,096	213,747	204,132	214,238	CZK 10,106
Number of distributed musical works for the year***	1,009,212	950,541	1,096,477	1,046,217	1,143,525	CZK 97,308
Average amount of royalties distributed per rights holder to whom the royalties were distributed for the year	CZK 3,960	CZK 3,729	CZK 3,905	CZK 4,156	CZK 4,527	CZK 371
Average amount of royalties distributed per distributed title for the year	CZK 804	CZK 769	CZK 761	CZK 811	CZK 848	CZK 37

\* excl. royalties transferred to other domestic collective management organizations / excl. VAT

\*\* excl. the rights holders who have not entered into a contract with OSA, have not registered themselves or are not represented by any foreign collective management organization

\*\*\* only identified titles are included.

NUMBER OF AUTHORS AND PUBLISHERS TO WHOM ROYALTIES WERE DISTRIBUTED

	2019	2020	2021	2022	2023	2023/2022 difference
Domestic	7,474	7,777	8,035	8,498	8,967	469
Foreign	197,473	188,319	205,712	195,634	205,271	9,637
Total	204,947	196,096	213,747	204,132	214,238	10,106

\* excl. the rights holders who have not entered into a contract with OSA, have not registered themselves or are not represented by any foreign collective management organization.

NINE-YEAR COMPARISON FOR 2015–2023

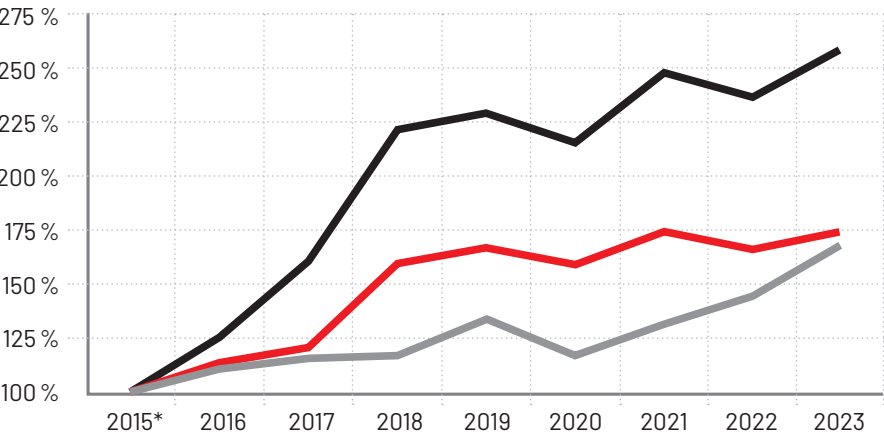
In the long term, the number of authors and pieces of music in OSA statements has been growing at a faster rate than the number of authors in statements or revenues collected. Therefore, the same amount of revenues collected is distributed to a higher number of authors and publishers. In recent years, however, revenues collected have grown even more dynamically than the number of songs or the number of authors. This has been helped by OSA’s success in recent years in resolving years of litigation, which resulted in significant extra payments for previous periods. These represented a de facto addition to the authors’ previously paid royalties. The growing importance of the online sector, also in conjunction with OSA’s successful commercial policy in licensing its online

catalogue, is an important contributor to the increased growth in revenues collected. The segment of digital platforms and the transformation of the music market are also the reasons for the significant long-term growth in the volume of songs billed. The dynamic increase in the number of songs billed is undoubtedly due to OSA’s emphasis on quality technology, which enables us not only to process the enormously growing amount of data from the online environment, but also to continuously improve the quality of billing so that we achieve the highest possible proportion of addressable billing, i.e. the fairest possible distribution of revenues collected per specific song used.

	2023/2015 difference	
Number of authors included in distribution	+91,926	+75 %
Number of distributed musical works	+702,170	+159 %
Revenues collected for licenses**	CZK +571,066 thousand	+69 %

\* reference year 2015 = 100 %

\*\* excl. revenues collected for other domestic collective management organizations and excl. other revenues collected / excl. VAT



Number of distributed musical works

Number of authors included in distribution

Revenues collected for licenses\*\*

PAYMENT OF ROYALTIES

In 2021, we switched from the original quarterly payment of royalties to a monthly payment in most categories of use, which has further reduced the period between the use of music and its payment. We provide monthly payments to domestic rights holders as well as offer it to foreign collective management organizations. OSA thus sets the trend in the swiftness of royalty payment. In international comparison, we rank among the ultimate world leaders in this respect.

WE PAY OUT ROYALTIES ON A MONTHLY BASIS

When were royalties for the use of the piece of music paid out	Where was the piece of music used?				
	Live public performances	Background music in public areas	Television	Radio	Internet, mobile and similar networks + carriers*
Payment	When was the piece of music used?				
January	20. 11.–13. 12.		September	October	continuously
February	14. 12.–20. 1.		October	November	continuously
March	21. 1.–10. 2.		4 <sup>th</sup> quarter		November December
April	11. 2.–10. 3.		December	January	continuously
May	11. 3.–11. 4.		January	February	continuously
June	12. 4.–11. 5.		1 <sup>st</sup> quarter		February March
July	12. 5.–7. 6.		March	April	continuously
August	8. 6.–7. 7.		April	May	continuously
September	8. 7.–9. 8.		2 <sup>nd</sup> quarter		May June
October	10. 8.–10. 9.		June	July	continuously
November	11. 9.–13. 10.		July	August	continuously
December	14. 10.–15. 11.		3 <sup>rd</sup> quarter		August September

\* royalties for online use and for physical media are paid out on a monthly basis dependent on the payment and reporting.

IN 2023, WE  
DISTRIBUTED  
ROYALTIES TO  
100 COUNTRIES  
AROUND THE  
WORLD.

A TOTAL OF 193 UN MEMBER STATES

100 COUNTRIES

93 COUNTRIES

ROYALTIES  
DISTRIBUTED ABROAD

THE LARGEST FOREIGN RECIPIENTS  
OF ROYALTIES COLLECTED  
IN THE CZECH REPUBLIC

	In thousands CZK	Share in %
USA	103,925	36.00 %
Great Britain	60,739	21.04 %
Germany	30,999	10.74 %
France	18,650	6.47 %
Slovakia	13,234	4.58 %
Italy	8,984	3.11 %
Canada	8,128	2.82 %
Austria	6,879	2.38 %
Sweden	4,685	1.62 %
Australia	4,513	1.56 %
Other*	27,930	9.68 %
Total	288,666	100.00 %

\*other – Albania, Algeria, Argentina, Armenia, Azerbaijan, Barbados, Belarus, Belgium, Benin, Bolivia, Bosna and Hercegovina, Brazil, Bulgaria, Burkina Faso, Columbia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Democratic Republic of Kongo, Denmark, Dominican Republic, Ecuador, Egypt, Estonia, Finland, French Polynesia, Georgia, Ghana, Greece, Guinea, Hong Kong, Hungary, Chile, China, Iceland, India, Indonesia, Ireland, Israel, Jamaica, Japan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Lithuania, Macao, Macedonia, Madagascar, Malaysia, Mali, Mauritius, Mexico, Moldavia, Montenegro, Morocco, Namibia, Netherlands, New Caledonia, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Puerto Rico, Romania, Russia, Saint Lucia, Senegal, Serbia, Singapore, Slovenia, South Africa, South Korea, Spain, Switzerland, Taiwan, Tanzania, Thailand, Trinidad and Tobago, Turkey, Uganda, Ukraine, Uruguay, Venezuela, Vietnam, Zambia, Zimbabwe, incl. other territories administered by partner foreign organizations located in those territories

COMPLETE LIST OF PARTNER FOREIGN COLLECTIVE  
MANAGEMENT ORGANIZATIONS TO WHICH WE SENT  
ROYALTIES IN 2023 FOR RIGHTS HOLDERS WHOSE RIGHTS  
THE ORGANIZATIONS MANAGE:

Organization	Country	Organization	Country
ABRAMUS	Brazil	MUSICAUTOR	Bulgaria
ACUM	Israel	MUST	Taiwan
AGADU	Uruguay	NCB	Denmark
AKKA/LAA	Latvia	PRS	United Kingdom
AKM	Austria	SABAM	Belgium
AMCOS	Australia + New Zealand	SACEM	France
APRA	Australia + New Zealand	SACM	Mexico
ARTISJUS	Hungary	SADAIC	Argentina
ASCAP	USA	SAMRO	South Africa
AUME	Austria	SAYCO	Colombia
AUTODIA	Greece	SAZAS	Slovenia
BMI	USA	SCD	Chile
BUMA	Netherlands	SESAC	USA
CASH	Hong Kong	SGAE	Spain
COTT	Trinidad and Tobago	SIAE	Italy
EAU	Estonia	SOCAN/SODRAC	Canada
GEMA	Germany	SOKOJ	Serbia
HDS-ZAMP	Croatia	SOZA	Slovakia
IMRO	Ireland	SPA	Portugal
JASRAC	Japan	STEF	Iceland
KODA	Denmark	STEMRA	Netherlands
LATGA-A	Lithuania	STIM	Sweden
MACP	Malaysia	SUISA	Switzerland
MCPS	United Kingdom	TEOSTO	Finland
MCSC	China	TONO	Norway
MESAM	Turkey	UBC	Brazil
MSG	Turkey	UCMR-ADA	Romania
		ZAIS	Poland



05

OSA  
AND THE LAW

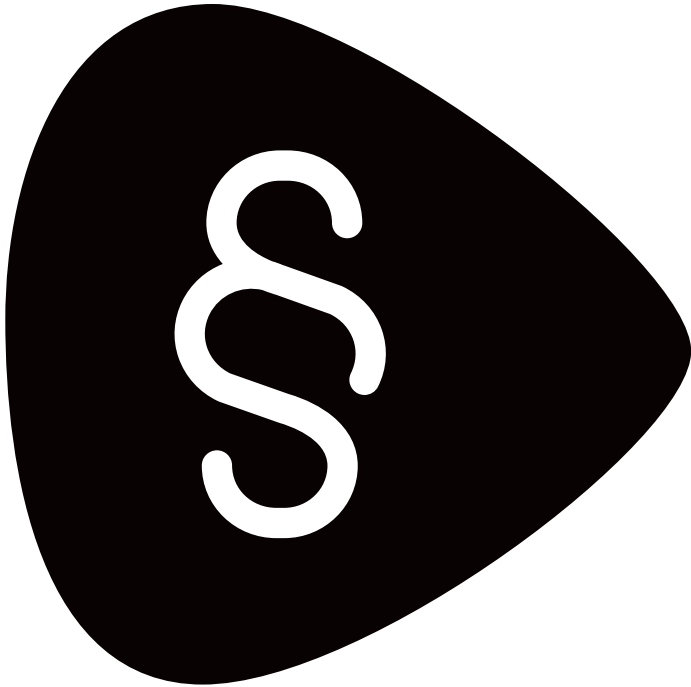


LEGAL RISKS

Virtually no area of human activity is exempt from potential legal risks, and the collective management of copyright is no exception. These risks arise primarily from unclear interpretation of legal norms, which is manifested not only in negotiations with right holders and users, but especially in decisions of the courts. Legal norms are of course subject to amendments, whether at national or European level, which of course reflect various particular interests, and even the best intentions may not be satisfactorily implemented in the text of the new legislation.

Unfortunately, these risks are not present only in the field of copyright law, but also affect civil law in general (inheritance law, regulation of licensing agreements, etc.) and the application of criminal and tax law. Certain uncertainties in inheritance proceedings involving the copyright of a rights holder who concluded a contract with OSA, or the not always clear income tax and value added tax rules, are not exceptional. Employment law is also undergoing fundamental changes. OSA has for some time also faced the problem of divergent interpretations of the law by some private enforcement agents, which caused problems in internal administration.

THE TEXT OF THE  
COPYRIGHT ACT STILL  
CAUSES DIFFICULTIES  
OF INTERPRETATION  
WHICH COMPLICATE  
OSA’S ACTIVITIES.



LEGISLATION

Unfortunately, interpretation difficulties have not completely disappeared even after the adoption of the amendment to the Copyright Act and the Civil Code No. 429/2022 Sb., which was intended to implement European Directives (EU) 2019/789 and (EU) 2019/790 into Czech law. The amendment was adopted in December 2022, and came into force on 5 January 2023. The new provisions of the Copyright Act on platforms with user-uploaded content (e.g. YouTube services or some content repositories) or on broadcasting via so-called direct delivery technology can be welcomed in principle, but even they are imperfect. In the area of direct signal delivery in particular, OSA has already been confronted in some cases with divergent interpretations of the law, which, moreover, have an international element.

Other areas that have been implemented include additional online services for broadcasters (services such as online archives or catch-up), where the so-called ‘headquarters theory’ of the broadcaster is newly regulated to enable the granting of a pan-European license, or a more detailed regulation of the institute of extended collective management, where the obligations of independent rights managers vis-à-vis collective managers are clarified.

Following the new right of publishers of press publications (Section 87b of the Copyright Act), a new collective management organization is currently being established in the Czech Republic, for the time being referred to as the publishers’ licensing rights management organization.

Repeatedly, we have witnessed misunderstanding of the user public, and even legal representatives of users, regarding some changes in the amendment in the field of public productions (later known as the so-called “hardware store law”), which were supposed to combat alleged “malice” of collective management organizations. OSA had already warned at the time of the adoption of the amendment that the proposals in question lacked proper concept, as they did not relate in any way to the European directives being implemented, but more importantly conflicted with European legislation and the case law of the CJEU.

Interpretation problems can also be observed in the area of the collection of so-called compensation, where OSA encounters outdated wording of the applicable subordinate decree, which, together with technological developments, leads to interpretative disputes with persons obliged to pay these royalties.

## JUDICIAL DECISIONS

OSA is also trying to enforce authors' rights on the Internet, especially in the context of a long-standing dispute with the operators of the Hellshare and Hellspy platforms. The lawsuit against this service was filed as early as 2014, and the proceedings lasted until 2023. At the beginning of 2023, the Hellshare and Hellspy platforms ceased operations due to new legislation on the liability of operators of similar platforms. The proceedings were thus terminated amicably between the parties.

There is also a dispute pending between OSA and a mobile phone importer concerning the interpretation of Decree No. 488/2006 Sb., which provides for the types of apparatus and media liable to payment of the so-called compensation. The case was appealed to the Supreme Court in early 2023 and has not been decided yet.

OSA was also a party to proceedings concerning a dispute between the Ministry of Culture and a user concerning the process of adopting royalty rates for collective management organizations under Section 98f of the Copyright Act, which provides that a consent of the Ministry is required for an increase in the rate exceeding inflation rate in the preceding year. In this case, a decision of the Supreme Administrative Court was issued in 2023, according to which, in principle, in the case of setting a new royalty rate or in the case of a change in the systematic calculation of the royalty rate, it is not necessary for the collective management organization to seek prior approval from the Ministry of Culture for an increase in the royalty rate pursuant to Section 98f(2) of the Copyright Act. The user in question filed a

constitutional complaint against the decision of the Supreme Administrative Court, which was rejected by the Constitutional Court. The decision has a major impact on the activities of all collective management organizations in the Czech Republic.

In its decision of 18 December 2019, the Office for the Protection of Competition imposed a fine of CZK 10,676 thousand on OSA. The Office for the Protection of Competition accuses OSA of not taking into account room occupancy rates when collecting royalties from accommodation establishments between 2008 and 2014, which allegedly constitutes an abuse of a dominant position. OSA lodged an appeal against the decision, which was rejected by the President of the Office on 23 November 2020, thus affirming the original decision. The decision required OSA to pay the fine in question. OSA is defending itself against the decision of the Office by bringing an action before the administrative courts. The Regional Court in Brno granted OSA's action, finding that the Office for the Protection of Competition, or rather the President of the Office for the Protection of Competition, was not competent to issue the decision in question due to lack of subject matter jurisdiction. However, the decision of the Regional Court was subsequently overturned by the Supreme Administrative Court and the case was referred to the Regional Court for further proceedings. These proceedings are currently suspended as the Regional Court has referred so-called preliminary questions to the Court of Justice of the EU.

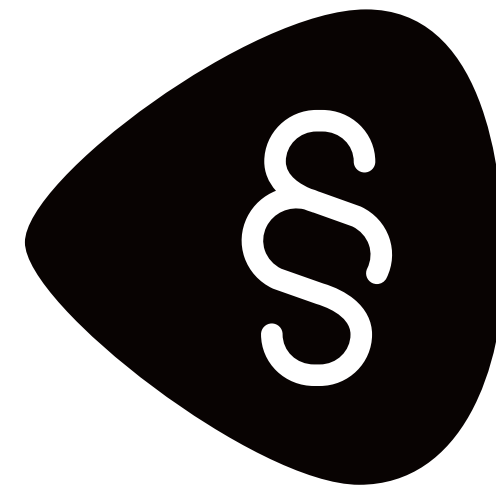
Another matter that is worth mentioning is the decision of the Supreme Administrative Court in a dispute between an electronics retailer and the Ministry of Industry and Trade on the review of a fine for advertising that was contrary to good morals – the retailer presented the offered external discs as a good solution for storing illegally downloaded

films by attaching a photo of a pirate. In order to assess the morality of the advertisement in question, the Court had to consider whether the downloading of protected content from illegal sources itself was illegal. The downloading of a file can be regarded as the acquisition of a reproduction of a work under the Copyright Act. The Supreme Administrative Court held that the acquisition of such a copy cannot be subject to the statutory exemption for private reproduction and that making such copies is therefore unlawful – a contrary conclusion would be completely in violation of the legitimate interests of the right holders. It is therefore a fundamental refutation of the assumption that it is legal to download content from illegal content repositories, an opinion which has long been adopted by a part of the Czech public.

The rapid development of artificial intelligence (AI) has already led to disputes in the Czech Republic concerning AI. The Metropolitan Court in Prague has thus concluded that an image created by AI is not a work of authorship because it was not created by a natural person. The Court held that the actual task given to AI (the so-called prompt) can only be a theme or an idea, which, however, do not enjoy copyright protection. However, a higher instance court may reach different conclusions.

In the past year, the CJEU has issued a number of landmark decisions shaping copyright and collective management at the European level. In Case C-290/21 (AKM), it addressed the conditions for the application of the so-called emission theory in the case of satellite transmission of broadcasts. Thus, under the strict conditions

given, the license for satellite transmission of a broadcast is settled in the country from which the television signal is sent on an unbroken chain of communications from the earth to the satellite and back. In Case C-426/21 (Ocilion IPTV), the Court dealt with the legal regime for the technology of catch-up. It held that where a broadcast is actively recorded and made available to viewers by the provider of the service in question, it is not the making of private copies of copyrighted work by viewers, but an ordinary communication to the public and the provider must therefore obtain the appropriate license. In Joined Cases C-775/21 and C-826/21 (BlueAir Aviation), the issue of communication of a work to the public in means of transport, specifically in an aircraft, was raised again. The Court held that the dissemination of background music on an aircraft constitutes communication of a work to the public, although the mere installation of equipment or software enabling the music to be played does not. This conclusion is entirely in line with long-standing practice in the Czech Republic. An important decision is the judgment in Case C-260/22 (Seven.One), where the Court recognized the right of broadcasters to receive compensation for their rights in their own broadcasting.





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