



2009 年报

Annual  
Report  
2009

中国音乐著作权协会  
Music Copyright Society of China

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# 目录

## Contents

2-5	前言 President's Statement.....
6	管理层组织结构图 Organization Chart.....
7	会员发展及通讯会员大会 Membership & Members Communication Assembly.....
8	许可业务 Licensing Business.....
9	资料储备 Documentation.....
10-13	版税分配 Distribution.....
14	法律事务 Legal Work.....
15-16	海外签约协会 Affiliated Societies.....
17-28	年度记事 Annual Affairs.....
29	收支表 Income & Expenditure Account.....



# 前言

## President's Statement



协会2009年年报与大家见面了。正如在2008年年报中所预见到的“种种迹象显示，几年的下滑已到了尾声。可以说，协会部分业务较2007年已经有所好转，2009年应该是一个转折之年。”如期所遇的结果说明，从2006年协会开始的“两个适应”，即集体管理适应国情，工作方式适应市场的策略调整已经取得了积极的阶段性成果。

2009年协会总收益为4253.70万元人民币，比上一年度净增长15.32%。这一增长是在全球金融危机、传统音乐市场持续低迷的背景下实现的，可谓意义重大。这一成绩不仅结束了协会连续几年的业绩下滑趋势，其形成的转折之势亦决定了协会将开始新一轮的增长，也表明协会渐趋成熟、充满活力，展示了光明的前景。

今天，我是怀着快慰的心情做此年报前言的。这种心情既来自2009年协会如期所遇的转折，又是因为今年协会解决了一个久拖不决的大问题，即正式启动广播权的收费工作。以世界上的任何标准来衡量，当一个音乐著作权协会有能力解决广播权的问题时，都可以说标志着这个协会的成熟。

当今我国经济市场化的条件下，文化已成为产业，音乐已成为商品。在一边是国民的版权意识尚未尽人意，另一边是“互联互通”可以使音乐瞬间传遍世界的矛盾情形下，想象一下，如果没有我们的协会或我们的协会不及现在成熟，音乐著作权人会面临一个怎样的困难局面。

人们常说音乐无处不再。这说明人民群众喜欢音乐，音乐作者也以此为荣。在商业社会中，音乐亦无处不在。这意味着

The 2009 Annual Report of MCSC now come out. As expected in the 2008 Annual Report, “everything indicated that the decline of our business was coming to the end, so we can say that some of our license work is getting better, and the year of 2009 will be a year for transition.” The expected results indicate that the “two adaptations” strategy, namely collective management should adapt the national conditions and the ways of working should adapt the market, taken by MCSC from 2006 has achieved some positive initial success.

In 2009, MCSC's total licensing collection was about RMB 42.537million, up 15.32% over the previous year. It is of great significance to realize this increase under the circumstance of the global financial crisis and continuous decline of traditional music market. Not only does this performance make the continuous decline of MCSC's business coming to the end, but also the great change it takes us suggests that MCSC will start a new round of growth and it also means MCSC becomes increasingly mature, energetic and promising.

Today, when I write this statement, I feel very delighted and pleased. This kind of delight, on one hand, comes from the foresaid expected transition and, on the other hand, comes from the final solution of a big problem which has failed to be solved for a long time, namely the formal start of the broadcasting licensing work. By any standard in the world, when a music copyright

society is capable of dealing with the broadcasting licensing work, it marks, as it were, the mature of this society.

In today's market economy situation of China, culture has become an industry and the music has become a kind of commodity. Under the contradictory circumstances in which on one side, the copyright awareness of people is still not all roses and on the other side, the internet makes the music go around the whole world for a moment, you can imagine that if there is no MCSC or MCSC is less mature than it is now, then what a difficult situation will the music copyright holders face?

It is often said that music is an all-pervading presence. It indicates that people love music and the music creators are also very proud of it. In commercial society, music is also an all-pervading presence. It means that music is creating value and many music creators are living on it.

How could we, as such a group of music creators, acquire our deserved interests fairly and dignifiedly? It is a problem that we always have to face for a long time.

In the 30 years of reform and opening up, we saw the development of national productivity, the progress of our society and the establishment of the legal system, but all of these things can't spontaneously ensure the



音乐在产生价值。许多音乐作者是以此为生。

作为音乐创作者这样一个群体，如何才能公平地、有尊严地分享到他们应得的利益，很长时间以来一直是我們面临的一个问题。

改革开放30年来，我们看到国家生产力发展、社会进步、法制健全，但这一切并不能自然而然地保障社会中每一群体的利益得以公平体现。倘若没有一套行之有效的将权利“兑现”的机制，即将社会财富返还音乐作者的机制，音乐生产得越多，并不能保证音乐的创作者越富裕。

另外，在当今市场环境下，伤及音乐作者的不仅仅来自盗版。音乐作者在整个音乐产业链中所处的弱势地位，还有一些人有意无意地把音乐作者的利益置于所谓“国家利益、公众利益”的对立面，这使得音乐著作权人更容易被侵害、被边缘化。这些现象一点都不奇怪。越是改革深入，不同利益群体之间的矛盾就越凸现出来。这已成为当今中国社会一个新特征。因此，争取群体共同利益，有着与个体维权不可比拟的巨大意义与作用。

值得庆幸的是，我们的协会经过18年的风雨蹉跎，今天已经成长为能够担负起捍卫音乐作者群体

利益，具备将音乐创作者因创作而获得的权利“兑现”的功能。这是一个复杂的、与社会及音乐产业互动的、为音乐著作权人争取公平分享社会财富的机制。

常听到作家、摄影家、电影电视艺术家对音乐著作权协会取得成绩给予的夸奖及他们的羡慕。这些赞誉值得我们骄傲，也能激励我们更好地工作。其实，多年来我们如此执着地为音乐著作权集体管理事业努力打拼，只是缘自于20年前我们开启这一事业时所怀抱的“前人种树，后人乘凉”这样一种情怀。面对收获，只能让我们倍加感谢我们所处的时代，感谢社会各界对我们的理解和支持，感谢广大音乐著作权人的团结、耐心和远见。让我们毫不懈怠地去实现协会前面的目标，这就是在尽量短的时间内将协会打造成为以更高效率、更加透明为内涵的国际先进音乐著作权协会。

协会2010年有一项重要工作：换届改选。一部分老同志将从协会现在的岗位上退下来，换上更年富力强的同志。我衷心希望换届之后协会依然能够延续老同志们已创造的辉煌，更积极、更有活力地去迎接新的成功。

王立平

interests of each group in our society to be realized equally. If there isn't a series of effective systems to realize the rights by which a fair share of social wealth can be paid back to the music creators, the increase of the amount of the musical works can't ensure the music creators to become richer.

Moreover, in today's market situation, what injures the interests of the music creators is not only piracy. Both the weak position of the music creators in the music industry chain and the facts that some people put the interests of the music creators on the opposite position of the so called "national interests or public interests" consciously or unconsciously make the interests of the musical copyright holders more vulnerable and easily be marginalized. There's nothing odd about this phenomenon that conflicts among different groups come out day and day with further development of our Reform policy, and it has become a new feature of today's Chinese society. Therefore, to win over the common interests for a whole group carries the great significance and influence which the right defending for individual can't reach.

Fortunately, after 18 years tough times, today MCSC could shoulder the responsibility to safeguard the group interests of the music creators and to realize the interests of the music creators which arise from their music works. It is a complicated system which could interact with the music industry as well as the whole

society and could strive for a fair share of social wealth for the music copyright holders.

I have always heard the words of praise from the writers, photographers and film/TV artists to admire the success reached by MCSC. All these praises are something which we should be proud of and they could motivate us to work harder. In fact, we strived for the undertaking of music copyright collective management for years because when we started this undertaking 20 years ago, we had such a kind of affection, namely "one sows and another reaps". When facing these reaps, we feel more grateful to our era, to the understanding and support that all social sectors have given us and to the solidarity, patience and foresight of the massive music copyright holders. We will do our best to realize the front goals that is to make MCSC become an international advanced music copyright society which will be more effective and more transparent.

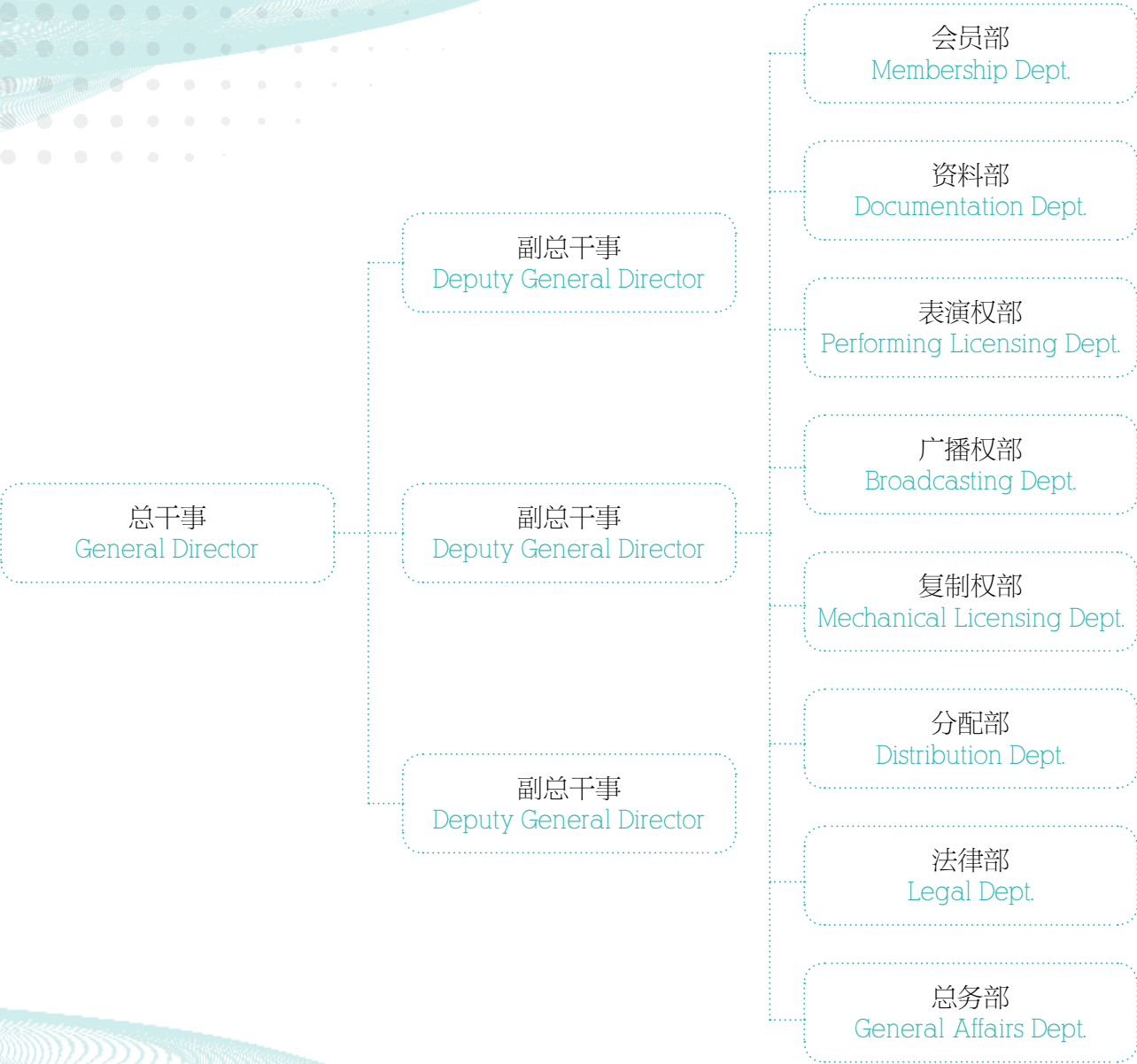
In 2010, there is an important work for MCSC—the new round of election for Board of Directors. A part of veteran comrades will retire from their current posts and some younger comrades will take over their jobs. I do hope, after the election, MCSC could extend the glorious success which has been reached by the veteran comrades and could become more positive and energetic in order to achieve new success.

Wang Liping



# 管理层 组织结构图

Organization Chart

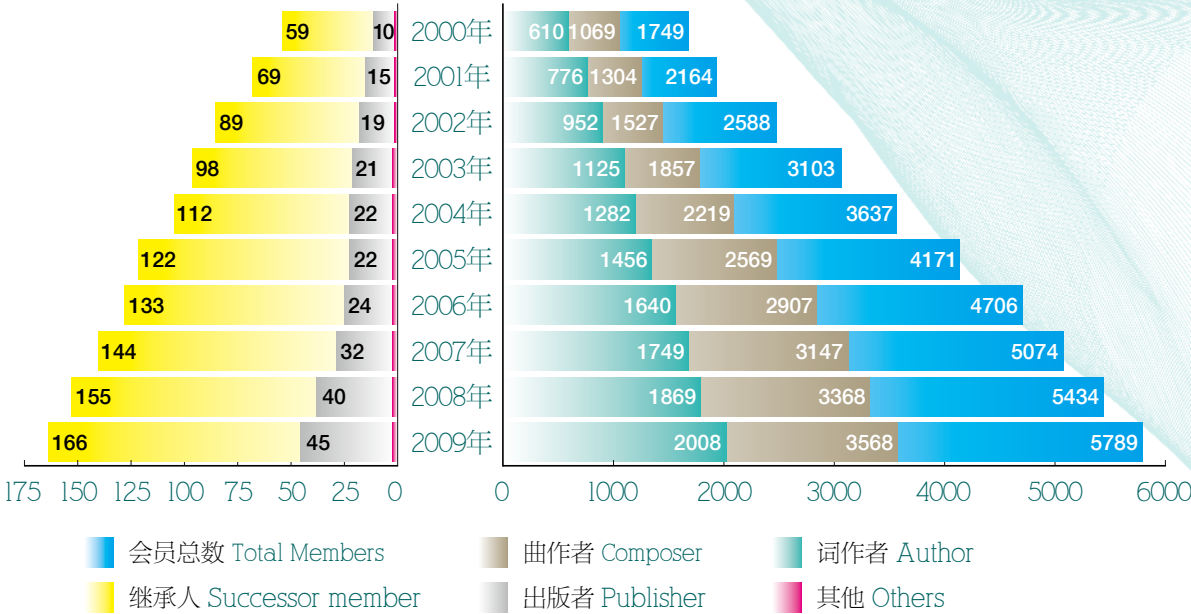


# 会员发展

Membership

2009年协会发展会员355人，截至年底会员总人数达到5789人。其中词作者139人、曲作者200人、继承人11人、出版公司5家。

By the end of 2009 the number of MCSC's members has increased to 5789, including 355 new members composed by 139 authors, 200 composers, 11 successor members and 5 publishers.



2000-2009年会员人数及组成图  
Statistics of MCSC Membership for the Year 2000-2009

# 2009年度通讯会员大会

The Members' Communication Assembly for the Year 2009

协会会员部通过向5700余名会员寄发“2008年年报”的形式召开了2009年度通讯会员大会。年报中对协会的各项工作进行了详细介绍，并特别对协会援助四川地震灾区的详细经过向全体会员做了通报。广大会员对协会2008年度工作均表示认可和支持。

The Members' Communication Assembly for the year 2009 was held through sending 2008 Annual Report of MCSC to members. MCSC's all works, especially the relief work for Sicuan earthquake-stricken members was introduced in the Report. Most of members responded with satisfaction to support MCSC's work in 2009.



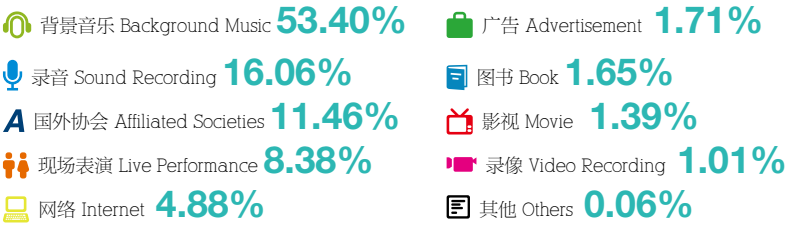
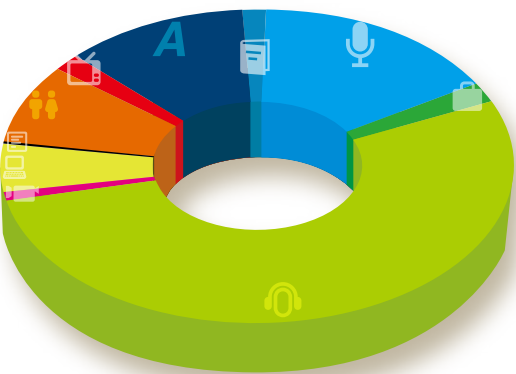
# 许可业务

## Licensing Business

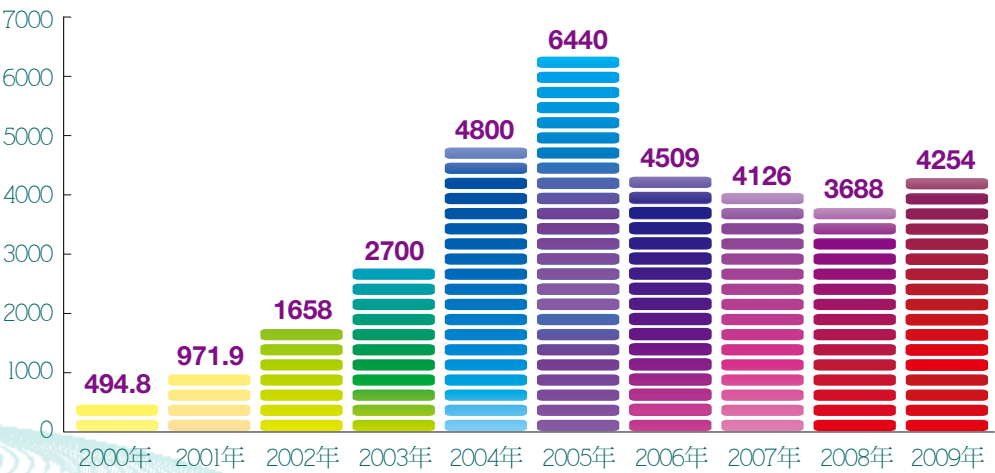
2009年协会许可总收益为4253.70万元人民币，按照下列划分：

Our total licensing revenue for the year 2009 is about RMB 42.537 million, which collected from different rights as below:

表演权 Performance right	2627.72万元人民币 RMB 2627.72 million
复制权 Mechanical reproduction right	930.86万元人民币 RMB 930.86 million
网络收益 Internet	207.56万元人民币 RMB 207.56 million
海外收益 Overseas income	487.56万元人民币 RMB 487.56 million
总收益 Total revenue	4253.70万元人民币 RMB 42.5370 million



2009年许可收入来源图  
Statistics of MCSC Licensing Revenue of 2009



2000-2009年许可收入图（单位：万元）  
Licensing Revenues for the Year 2000-2009 ( RMB 0000)

# 资料储备

## Documentation

2009年2月，作为中国大陆地区音乐著作权管理和提供许可服务的唯一组织，协会通过了国际标准音乐作品编码（ISWC）国际总代理机构的严格审查，与之签订了分代理协议。自此，协会成为国际标准音乐作品编码在中国大陆的唯一代理机构。全权负责ISWC编码在中国大陆地区的登记、发放和管理等工作。

ISWC编码具有在世界范围内、在所有音乐载体及传播方式中识别每首音乐作品作为一首创作作品的唯一性的特征，就好似一首音乐作品通行世界的“身份证号码”。ISWC编码由国际作者和作曲者协会联合会（CISAC）开发，经国际标准局批准。在当今数字音乐和网络环境下，一首音乐作品只有取得了ISWC编码，才能得到辨识，被有效地保护。

ISWC编码国内代理机构的确定为在中国大陆地区通过有效标识对浩如烟海的音乐作品进行规模、规范的便捷管理和使用开辟了一条新的无疑也是更为准确、高效的途径。ISWC编码的实施必将对作品在数字环境下合法有效地广泛传播起到不可估量的巨大推动作用。

另外，协会继续补充完善奥运歌曲的资料，重新确认奥运歌曲的版权，扩大作品资料的国际交流，确保许可授权及海外版税收益。

In February 2009, MCSC was approved as the exclusive agent of ISWC (the International Standard Musical Work Code) in mainland China by ISWC International Agency - CISAC, to responsible for the registration, distribution and management of ISWC codes in mainland China.

ISWC identifies a musical work as a unique intangible creation. It relates to the result of an intangible creation of one or more people, regardless of copyright status, distributions or agreements that cover this creation.

ISWC for musical works specifies a means of uniquely identifying a musical work as an intangible creation. A musical work, in the terms of this standard, is a result of an intangible creation of one or more people (creators); it is composed of a combination of sounds with or without accompanying text.

As the ISWC agent, MCSC will be promoting its efficiency of management and licensing work for thousands of musical works in China under the digital environment.

What is more, MCSC continued to strengthen the supplements to the documents of Olympic musical works, and communicate with sister societies timely to guarantee the accuracy of overseas distributions.



# 版税分配

## Distribution

在2009年中，协会共进行了7次分配，共计参与分配金额 4275万元人民币。

协会在按照分配计划进行分配工作的同时，不断提升分配工作水平：

### 一、完善DIVA系统

建立协会付款子系统。该系统方便了协会利用计算机管理对海外协会的付款，能够自动处理合并付款等比较复杂的操作，因而使对海外协会的分配报表也更加完善，达到了国际规范要求；建立会员付款管理系统。通过这一系统，可以很方便地查询对会员的历次分配结果，提高了协会为会员服务的水平。

### 二、完善分配与财务流程的对接

通过调整计算机程序和报表形式，协会实现了分配结果和银行付款系统的对接，使协会财务部门不再需要手工输入繁琐的银行报表；协会在对海外银行汇款的申请报表中，剔除了一些不完善的细小环节，使得整个流程更加方便，有效。

### 三、完善相关权利的具体分配

表演权方面。协会实现了表演权对全世界所有权利人的自主分配；卡拉OK方面。根据卡拉OK收费工作中使用者提供的使用清单，协会实现了有明细地对世界各协会的分配；广播权方面。随着广播权收费工作的逐步启动，协会还将增加对电台，电视台节目资料的管理，利用这些节目资料，将进一步提高表演权分配的覆盖面。

In 2009, MCSC finished 7 distributions, of which the total amount reached about RMB 42.75 million.

MCSC kept improving the distribution system to promote its efficiency:

### I. Improving the DIVA System

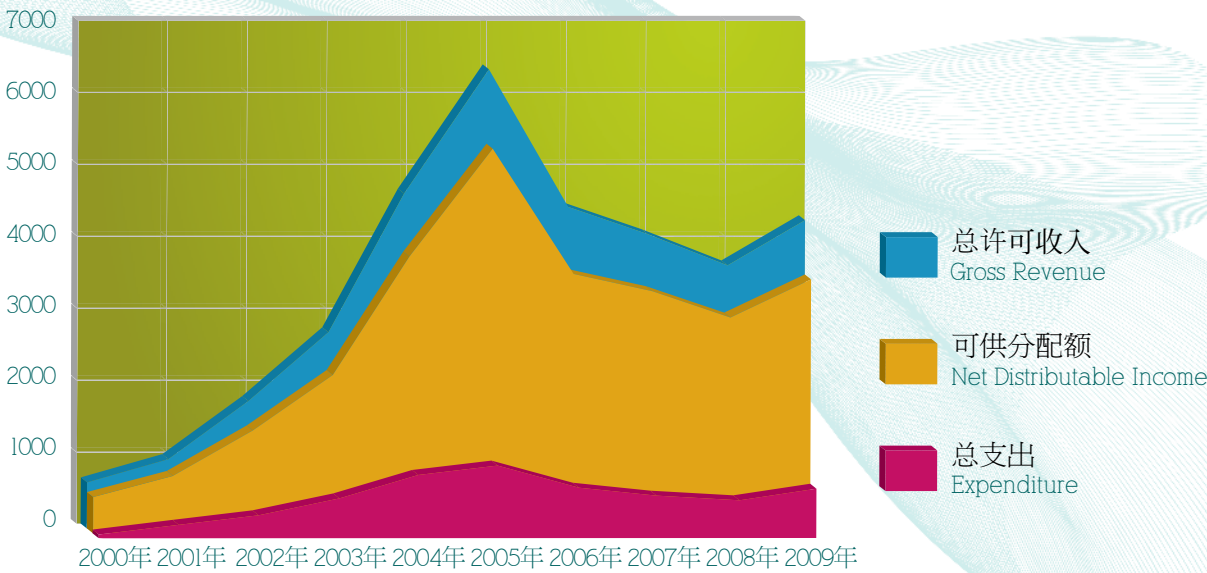
Set up sub-system of payment to make foreign remittance more convenient and make detail statement of overseas distribution more improved to reach the international standard; set up members' distribution payment system, which make members' to check their every distribution conveniently.

### II. Improving the process from distribution to remittance

Make our process from distribution to bank remittance automatic instead of input by hand through adjusting computer programs and application form for bank remittance; perfect the bank application form for foreign remittance.

### III. Improving distributions for rights

Further improved overseas distributions for performing rights; distributions for Karaoke collection would be made based on the works for practical using; as the tariff for broadcasting rights had been carried out at the end of 2009, we began to collect and file documents of radio and TV programs to make preparation for collection in the near future.



2000-2009年总收入、可供分配金额及总支出对比图（单位：万元）  
Annual Gross Revenue, Net Distributable Income and Expenditure 2000-2009 (RMB 0000)

继2008年，协会在保密会员具体分配金额的前提下，对2009年度分配情况公示如下：

Further to 2008, in order to make the distributions more transparent, MCSC once again announced the distribution information as below:

分配金额（税后，人民币） The amount ( taxes deducted, RMB )	被分配人数 The number of members paid
50 （最低金额 minimum）	2853
51-5000	2354
5001-10000	165
10001 - 50000	307
50000以上 More than 50000	110

注：因卡拉OK曲目使用明细单的延迟提供，致该项收费未计入上述统计。  
Note: The amount collected from Karaoke licensing is not included in the above statistics because of the delayed offer of the songs list involved.



# 版税分配

## Distribution

### 卡拉OK分配情况说明

#### 一、未分配金额构成

1. 2008年卡拉OK收入 1000万元人民币
2. 2009年卡拉OK收入 1362万元人民币

#### 二、分配延迟原因

造成上述两笔费用至今没有分配的原因是：

1. 虽然2008年的收入相对较早到达协会账户，但是由于协会迟迟无法获得歌曲使用清单，因此分配拖延。
2. 2010年7月，音集协（中国音像集体管理协会）刚刚与协会完成了2009年收入的结算，提供了一份歌曲使用清单。虽然协会在收到清单后立即着手开展了相关工作，但由于工作量庞大，此项工作仍在进行当中。

#### 三、关于歌曲使用清单的特别说明

音集协提供的这份歌曲使用清单来自第三方市场调查公司的统计数据，其中包含了9万6千首歌曲名称信息及每首歌曲被点播的比例，能够比较客观地反映卡拉OK行业对音乐作品的使用现状。因此，针对2008、2009年两年的卡拉OK收入分配，协会将以这份歌曲使用清单为依据操作。

虽然协会将基于同一份清单进行分配，但是为了方便权利人核查和管理，对2008年和2009年卡拉OK收入的分配工作仍将分别进行。

### Explanation on the Karaoke Distribution

#### I. The amount which have not been distributed

1. RMB 10 million for the year 2008
2. RMB 1362 million for the year 2009

#### II. The reasons for delay of distribution

1. Although the revenue for the year 2008 reached MCSCs account earlier, the amount has to be delayed to distribute because the works list had not been provided by CAVCA ( China Audio-Video Copyright Association ) for a long time;
2. In July of 2010, the amount for the year 2009 reached MCSCs account made by CAVCA with a works list. As the quantity of works is huge, MCSC has to take a longer time to finish the distribution work.

#### III. About the works list

The works list provided by CAVCA was made by a marketing survey company, which include about 96000 works with title and frequencies on demand for every work, and is considered to reflect the real using state of the works objectively.

For the convenience of checking and managing, MCSC will make two distributions for the year 2008 and 2009 separately based on the above mentioned works list.

#### 四、协会分配工作的进展

1. 已完成对歌曲使用清单资料的初步整理和录入。
2. 已将无法识别的外文歌曲交由相关海外签约协会协助核查权利归属。
3. 已筹备近期在协会官方网站上对无法确定权利人的作品予以公示。在公示阶段，协会将给相关权利人充分的时间来辨识作品的权利所属情况，并到协会资料部办理作品资料登记手续，以方便权利人分配到应得的使用费。

#### 五、协会分配工作时间表

目前，可初步预计此项分配工作将于2010年年底完成，协会会员及权利人将在2011年年初收到详细的分配报表和银行汇款。

#### IV. The progress of MCSCs distribution work

1. The works has been checked;
2. The unidentified works has been sent to related overseas societies for copyright confirmation;
3. In order to make related copyright holders to get their corresponding payment, we are preparing to put the unidentified works on MCSCs website for copyright confirmation, and allow the related copyright holders enough time to confirm and register their works in MCSCs Membership Department.

#### V. The timetable of MCSCs distributions

According to preliminary estimation, the two distributions will be finished at the end of 2010, and the detailed distribution statements and the bank remittance will reach MCSCs members and other related copyright holders at the beginning of 2011.



# 法律事务

Legal Work

2009年，协会共承办民事诉讼案件35件，指导地方律所代理的诉讼13件，通过诉讼等方式共索赔和追回著作权使用费（已到帐）达人民币126万余元，待执行款近27万元，诉讼花费总支出为26万余元，继续保持了较高的诉讼效率。

另外，根据国家版权局的部署和要求，协会参与了《著作权法》修订中关于信息网络环境下音乐著作权保护现状的调研工作；参与了由国务院法制办牵头的有关我国行会立法的调研工作等。

In 2009, MCSC took 35 lawsuits and directed the branch offices to do 13 local cases, through which the amount of compensatory and licensing fees including about RMB 1,260,000 (received) and about RMB 270,000 (not reached MCSC account) was retrieved. For the lawsuits we expended more than RMB 260,000.

On the demand of NCAC (The National Copyright Administration of China), MCSC was involved in the investigation and study work of the present status of music copyright protection under the digital environment, which is the preparation for the amendment to *Copyright Law of China*; MCSC was also involved in the investigation and study of legislation of industry associations led by the Legal Office of the State Council.

# 海外签约协会

Affiliated Societies

协会名称 Society	所属国家/地域 Territory
ACDAM	古巴 Cuba
AEPI	希腊 Greece
AKKA/LAA	拉脱维亚 Latvia
AKM	奥地利 Austria
APDAYC	秘鲁 Peru
APRA/AMCOS	澳大利亚 Australia
ARTISJUS	匈牙利 Hungary
ASCAP / BMI / SESAC/ HARRY FOX	美国 United States
BUMA/STEMRA	荷兰 Netherlands
CASH	香港 Hong Kong
COMPASS	新加坡 Singapore
COSCAP	巴巴多斯 Barbados
COTT	特立尼达和多巴哥 Trinidad and Tobago
EAU	爱沙尼亚 Estonia
GEMA	德国 Germany
HDS ZAMP	克罗地亚 Croatia
IMRO	爱尔兰 Ireland
JASRAC	日本 Japan
KazAK	哈萨克 Kazakhstan
KODA/NCB	丹麦 Denmark
KOMCA	韩国 Korea
LATGA-A	立陶宛 Lithuania
MACA	澳门 Macau
MACP	马来西亚 Malaysia
MASA	毛里求斯 Mauritius



# 海外签约协会

Affiliated Societies

协会名称 Society	所属国家/地域 Territory
MCT	泰国 Thailand
MUST	台湾 Taiwan
OSA	捷克 Czech
MCPS-PRS	英国 United Kingdom
RAO	俄罗斯 Russian Federation
SACEM/SDRM	法国 France
SACM	墨西哥 Mexico
SABAM	比利时 Belgium
SADAIC	阿根廷 Argentina
SAMRO	南非 South Africa
SAZAS	斯洛文尼亚 Slovenia
SCD	智利 Chile
SGAE	西班牙 Spain
SIAE	意大利 Italy
SOCAN/ SODRAC	加拿大 Canada
SOKOJ	塞尔维亚 Serbia
SPAC	巴拿马 Panama
STIM	瑞典 Sweden
SUISA	瑞士 Switzerland
TEOSTO	芬兰 Finland
TONO	挪威 Norway
UACRR	乌克兰 Ukraine
VCPMC	越南 Vietnam
ZAMP	马其顿共和国 Macedonia, Republic of

# 年度记事

Annual Affairs

我国首例因商家侵权播放背景音乐引发的诉讼，即协会诉北京美廉美连锁商业有限公司案已于1月6日下午在海淀人民法院进行了公开宣判。法院一审判决被告北京美廉美连锁商业有限公司赔偿协会半首歌曲（歌曲的作曲部分）的著作权赔偿金及合理费用，全部诉讼费由被告承担。

1月14日，上海市旅游行业协会与协会签订了“音乐著作权使用许可协议”。这是两协会经过反复交涉、协调和听取广大会员意见，代表行业利益，破解酒店背景音乐播放中所谓侵权、维权难题，引导酒店会员单位守法经营，既有利于提高服务质量，又有利于行业全面贯彻执行知识产权保护法规，实行行业自律的重要举措。这也是协会继之前与北京市旅游行业协会、重庆市旅游协会就所属酒店会员单位达成音乐著作权许可整体合作后与又一直辖市行业协会签约。这一合作对推动行业协会与著作权集体管理组织之间深入开展版权合作起到了积极的促进作用。

The first lawsuit against infringement of background music taken by MCSC to sue Beijing Merry Mart Supermarket Co. Ltd was announced openly by Beijing Haidian People's Court on January 6. Beijing Merry Mart Supermarket Co. Ltd was claimed to compensate MCSC for the related royalty fees as well as the related expense incurred.

On January 14, following the agreements which MCSC signed with the Hotels Branch of Beijing Tourism Trade Association as well as Chongqing Tourism Trade Association, another Music Copyright Licensing Agreement between Shanghai Tourism Trade Association and MCSC was signed. This cooperation would play an active role in further promoting copyright cooperation between industry associations and copyright collective management organizations.





# 年度记事

## Annual Affairs

2月6日，作为中国大陆地区音乐著作权管理和提供许可服务的唯一组织，协会通过了国际标准音乐作品编码（ISWC）国际总代理机构的严格审查，与之签订了分代理协议。自此，协会成为国际标准音乐作品编码在中国大陆的唯一代理机构，负责总代理提供的ISWC编码在中国大陆地区的登记、发放和管理等工作。

On February 6, MCSC was approved as the local agent of ISWC (the International Standard Musical Work Code) in mainland China by the International Agency of ISWC - CISAC, to responsible for the registration, distribution and management of ISWC code in mainland China.



February



March

举国关注的2009年“两会”召开，全国政协委员，协会常务理事徐沛东在会上积极倡议尊重保护音乐版权。徐沛东代表倡议，应通过立法保护音乐作者版权并加大执法力度。音乐产业的繁荣是衡量文化繁荣的重要依据，提倡文化繁荣不只是口号，而只有尊重作者，尊重创作，才能促进整个文化产业的全面繁荣，全社会都应尊重创作者

The National People's Congress and Chinese People's Political Consultative Conference was held in March of 2009, in which Mr. Xu Peidong, one of MCSC's Directors of Board proposed music copyright should be respected and protected through legislation and its implementation. He also said the whole society should respect creators and their works to promote the prosperities of the whole culture industry.

3月4日，协会常务理事徐沛东、副主席谷建芬出席在北京举行的全国优秀流行歌曲创作大赛全国总决赛新闻发布会。作为中国流行音乐的创始人物，谷建芬在会上表示对当今乐坛只承认歌手却不尊重词曲作者，不尊重音乐版权的普遍现象十分不满，对音乐著作权保护难以落实的现实感到心寒。谷建芬副主席作为往届“两会”代表，她提出的关于为中国词曲作家增加版权费的观点，曾得到过温家宝总理的认可。

On 4 of March, MCSC's Director of Board Mr. Xu Peidong and Vice President Ms. Gu Jianfen participated the press conference of the final of the National Popular Songs Creation Competition, in which Ms. Gu Jianfen complained that composers, authors and their musical works can not be respected as singers at the present pop music community. As one of the progenitors of pop music in China and the previous representative of the National People's Congress and Chinese People's Political Consultative Conference, Ms. Gu's comment on increasing royalty payment for composers and authors has been appreciated by Mr. Wen Jiabao, our Premier of the State Council

3月30日，协会起诉杭州华溥实业有限公司凯悦酒店分公司和杭州九佰碗连锁餐饮食品有限公司侵权使用背景音乐一案，在杭州市中级人民法院正式立案受理。此案是全国首例酒店和餐饮行业侵权使用背景音乐案件。

The first case against infringement of background music in hotel and food industry in China was taken by the Intermediate People's Court of Hangzhou on 30 of March.



# 年度记事

## Annual Affairs

在第九个“世界知识产权日”到来之际，上海世博会事务协调局与协会于4月24日下午在上海举行了《中国2010年上海世博会音乐著作权合作备忘录》签署仪式。上海世博会举办期间，组织者和参展者都将大量涉及使用第三方音乐作品的情形，由此会产生相关的著作权许可和使用费支付等知识产权问题。借鉴北京奥运会的做法，在国家版权局和上海市版权局的支持下，上海世博会组织者采取了与协会合作的方式从总体上解决这一问题，即由协会对于上海世博会期间组织者和参展者使用第三方音乐作品进行一揽子许可。

《音乐著作权合作备忘录》的签署，是贯彻“依法办博”理念，落实2009年2月11日国务院常务会议精神的一项重要举措，标志着上海世博会知识产权的保护工作真正形成了组织者知识产权、参展者知识产权和第三方知识产权“三位一体”的保护格局，体现了组织者努力将上海世博会打造成一项尊重智力成果、尊重知识产权的大型盛会的坚定决心。

协会会员部及协会资料部主任周雯分别获得国家版权局颁发的2006-2007年度全国版权工作先进集体及个人荣誉。

By the coming of the 9th World Intellectual Property Day, MCSC and Shanghai World Expo Business Coordinated Bureau jointly held the signing ceremony of the Cooperative Memorandum of Music Copyright during the World Exposition in Shanghai 2010 on 24 of April in Shanghai. During the Shanghai Expo 2010, the IP problems such as copyright licensing and royalty payment will arise with a lot of musical works of different territories used by organizer and exhibitors. Under the support of NCAC (National Copyright Administration of China) and the Shanghai Copyright Bureau, Shanghai World Expo Business Coordinated Bureau cooperated with MCSC to solve the related music copyright problems through referring to the experience of copyright licensing of the 29th Olympic Games in Beijing. This cooperation represents the strong determination of IP protection of the Shanghai World Expo Business Coordinated Bureau.



Membership Department of MCSC and Ms. Zhou Wen, the Director of Documentation Department of MCSC won respectively the titles of the advanced collective and excellent individual of National Copyright for the year 2006-2007 issued by NCAC (National Copyright Administration of China).

中宣部、中央文明办等10部委发出《关于广泛开展“爱国歌曲大家唱”群众性歌咏活动的通知》，同时，推荐了100首爱国歌曲。在这100首入选歌曲中，协会会员作品占据了相当比例。

*The Notice about the Singing Contest of Patriotic Songs was issued and 100 of patriotic songs were recommended by our related governments to the public. A lot of the recommended songs belong to MCSC's repertoire.*

April

May



# 年度记事

## Annual Affairs

6月23日，协会屈景明总干事一行3人抵达四川后在四川代表处工作人员的陪同下，冒着高温和山体滑坡的危险，亲赴汶川、绵竹等震中重灾区，逐一探望遭受重灾的会员，并代表协会理事会和全体会员将饱含着协会关爱之情的沉甸甸的补助金发放到每位会员手中。

On 23 of June, on behalf of the Board of Directors and whole members of MCSC, Mr. Qu Jingming, General Director of MCSC reached Sichuan province together with 2 staff, without having a good rest they went to visit members stricken in the worst earthquake-hit areas accompanied by persons from MCSC Sichuan office and dispensed relief fund to them for helping them rebuild their homes.



6月25日，协会成都地区会员代表座谈会在四川省版权局举行。本次会议主要围绕协会的抗震救灾工作、日常工作情况以及会员们关心的问题展开了讨论。协会四川办事处首席代表、四川省版权局版权处徐登明处长主持了会议。协会屈景明总干事、黄虎威理事、会员郭万春、田逢俊、彭潮溢、李永才、李官明、罗晓音、吴飞、龚专、潘月剑、黄自山以及协会总部和四川办事处的相关工作人员出席了本次座谈会。

The symposium of local member representatives' in Chengdu was held on 25 of June, in which the relief work for members in the earthquake areas, daily works and other problems members concerned were discussed. Mr. Xu Dengming, the chief representative of MCSC Sichuan office and Director of Copyright Department of Sichuan Copyright Bureau chaired the meeting, and Mr.Qu Jingming, the General Director of MCSC, Mr. Huang Huwei, one of the Directors of Board of MCSC, members of MCSC including Mr. Guo Wanchun, Mr. Tian Fengjun and so on as well as staff of MCSC Sichuan office and of MCSC head office participated this symposium.

救灾补助金发放情况明细表：  
Detail List of Relief Fund:

姓名 Name	性别 Sex	所在地 Residence	工作单位 Work Unit	房屋受损情况 Damage Situation of housing	家庭人均年收入 The Per-capita Income Per Year for Family	补助金额 The Amount of Relief Fund Received
杨国庆	男	汶川县威州镇	汶川县文化体育局	严重损坏， 已列入拆除之列	5130元/年	18000元
廖必钊	男	汶川县威州镇		严重损坏， 已列入拆除之列	2100元/年	19500元
黄自山	男	汶川县威州镇	威州民族师范学校	中度损坏， 建议采取加固	4740元/年	17000元
周晓勇	男	南部县升钟镇	南部县升钟镇中学	房屋倒塌	6053元/年	18000元
林 萍	女	绵竹市	绵竹市南轩中学	中度损坏， 建议采取加固	9722元/年	15500元

6  
June



# 年度记事

## Annual Affairs

为了进一步推动美发美容行业背景音乐的合法播放，普及背景音乐版权知识，提高美发美容行业背景音乐播放水平及服务质量，协会与北京美发美容行业协会于7月10日在北京蓝海美业管理顾问有限公司联合举行北京美发美容企业合法播放背景音乐倡议发布仪式并共同签署了《中国音乐著作权协会与北京市美发美容行业协会就推动美发美容行业合法播放背景音乐的倡议书》。

On 10 of July, in Beijing MCSC and the Association of Beauty & Hairdressing Industry signed a proposal to propagate music copyright knowledge and propose beauty and hairdressing operators to play background music legally in their business places.

国庆期间将在天安门广场举办“国庆六十周年”庆典活动，活动中需要播放奥运歌曲等为节日增添气氛。为此，北京市人民政府天安门地区管理委员会特地向协会申请了音乐著作权使用许可，以便合法使用相关音乐作品。这一看似平常的举动却有着不平常的深意。这意味着自我国政府发布《国家知识产权战略纲要》以来，政府部门对音乐著作权的尊重和保护不仅见之于文字，而且已付诸行动。在中华人民共和国建国60周年举国欢庆之际，从国家知识产权保护事业的角度看去，天安门管委会申请播放背景音乐著作权许可的举动的确是一份意义深刻的国庆献礼！

The Management Committee of Tian Anmen Area of Beijing Government applied a music copyright license from MCSC for a lot of music used in the celebrations for the 60th National Day in Tian Anmen Square. This Action marks our government has begun to attach more and more attention to IP protection since the issuing of the Outline of the National Intellectual Property Strategy.



July



September



# 年度记事

## Annual Affairs

10月24日至27日，“第二届中国国际版权博览会”在位于北京奥林匹克中心区的国家会议中心隆重召开。作为国内唯一的音乐著作权集体管理组织，协会参加了这次国家级版权专业盛会。本届博览会受到了国家各级政府的大力支持和版权产业的空前关注，为加速中国版权产业的市场化进程及与国际版权产业合作共赢创造了新的发展机遇。

On 24-27 of October, the 2th China International Copyright Exposition was held in National Conference Center located at Beijing Olympic center area, which obtained supports from governments at all levels and unprecedented concern from copyright industry. This Exposition created new development opportunities for the marketization of copyright industry in China and win-win cooperation of international copyright industry. As the only music copyright collective management organization in China, MCSC participated this national copyright occasion.



11月10日，国务院总理温家宝签署国务院令公布了《广播电台电视台播放录音制品支付报酬暂行办法》。该办法的出台为协会启动广播权收费工作奠定了基础。

*The Provisional Measure for Payment of Remuneration for Broadcasting of Sound Recordings by Radio and Television Stations* was approved by Mr. Wen Jiabao, the Premier of the State Council to promulgate on November 10, 2009. This measure laid the groundwork for MCSC's licensing work for broadcasting right.

11月11日下午，以朝鲜著作权局副局长张哲淳先生为首的朝鲜著作权工作者代表团在国家版权局工作人员的陪同下来协会进行访问。协会对此作了认真准备，热情地接待了朝鲜代表团的来访。协会屈景明总干事向朝鲜代表团团长张哲淳先生表示：“这是协会第一次接待朝鲜著作权团体的来访，很高兴。中国音乐著作权协会愿意与同行加强联系，并提供尽可能的帮助。”

In the afternoon of November 11, in the company of one officer of NCAC (National Copyright Administration of China), the copyright delegation of North Korea led by Mr. Zhang Zhechun, the Deputy Director of Copyright Bureau of North Korea visited MCSC. Mr. Qu Jingming, the General Director of MCSC warmly received them and expressed that it was the first time for MCSC to receive copyright group from North Korea and MCSC would like to strengthen ties with them and to offer help to them if possible.



亚洲历史最为悠久、运作最为成功的集体管理组织——日本音乐著作权协会（JASRAC）迎来其成立70周年纪念日。作为JASRAC的姊妹协会，协会致函对其多年来在日本音乐版权保护领域取得的巨大成就表示祝贺，并感谢其多年来对协会工作的支持。

In November 2009, JASRAC held its 70th Anniversary Celebration. As the sister society, MCSC conveyed its best congratulations to JASRAC for its great success in the field of music copyright protection in Japan as well as the sincere gratitude for its continual support and help to MCSC.

10  
October

11  
November



年度记事  
Annual Affairs

12月2日至3日，由国家版权局（NCAC）和世界知识产权组织(WIPO)共同举办的数字环境下版权和相关权集体管理研讨会在京召开。此次会议旨在与各国著作权集体管理组织代表分享先进经验，共同探讨数字环境下著作权集体管理制度如何应对机遇与挑战，认清发展趋势。协会刘平副总干事代表协会参加了研讨会。

On December 2 and 3, NCAC (National Copyright Administration of China) and WIPO (The World Intellectual Property Organization) jointly organized a seminar on collective management of copyright and the related rights under digital environment in Beijing, in which advanced experiences of copyright collective management organizations from different countries were shared and how copyright collective management organizations to deal with challenges and opportunities under digital environment was discussed. Mr. Liu Ping, the Deputy General Director of MCSC attended the seminar.

12  
December

收支表  
Income and Expenditure Account

单位：万元  
RMB 0000

		2008年			2009年		
		Performing Rights Division	Mechanical Rights Division	Total	Performing Rights Division	Mechanical Rights Division	Total
INCOME	收 入	表演权	复制权	总 计	表演权	复制权	总 计
-LOCAL PERFORMING -OVERSEAS	表演 -国内 -海外	2410.71		2410.71	2835.28		2835.28
		389.84		389.84	487.56		487.56
MECHANICAL	复 制		887.96	887.96		930.86	930.86
Total	收入合计	2800.55	887.96	3688.51	3322.84	930.86	4253.7
EXPENDITURE	支 出	表演权	复制权	总 计	表演权	复制权	总 计
ADMINISTRATIVE EXPENSES	行政开支	501.63	88.8	590.43	591.44	93.09	684.53
EXCESS OF INCOME OVER EXPENDITURE	收支盈余	2298.92	799.16	3098.08	2731.4	837.77	3569.17
NET DISTRIBUTABLE INCOME FOR THE YEAR	本年度可供分配收入净额	2298.92	799.16	3098.08	2731.4	837.77	3569.17





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