

AVP (Audio Visual Product) Licensing Scheme for DVD & VHS "Non-Music Products"



SUMMARY OF KEY TERMS AND CONDITIONS (subject to contract)

Factor	Description of terms and conditions
Purpose	Licence for the inclusion of MCPS members' musical works into DVD and VHS products manufactured in the UK or produced in the UK and custom pressed in the EU for retail distribution, that are not 'Music Products'.
Rights	Mechanical and synchronisation.
Formats	DVD-Video and VHS.
Royalty basis	8.5% of PDP x MCPS claim, where the MCPS claim = $\frac{\text{aggregate duration of music in the main production, menu and special features}}{\text{total aggregate linear running time of the main production, menu and special features}^*}$
Royalty cap	None.
Accounting	Quarterly shipments in arrears; promotional copies allowance; returns off-set against same catalogue number; 10% retentions (25% for TV advertised product); export provisions. Which are as per AP1 and DVD1.
Prior approval	Required, but not in the following circumstances: <ul style="list-style-type: none"> • promo music videos, live concert footage, artist related images or interviews with related parties • visuals that have been pre-cleared or licensed for other usages (including TV productions) • sports footage or children's programming of a non-contentious nature (including fitness videos).
Main Exclusions	The use of unauthorised arrangements, adaptations, parodies, burlesques and dramatico-musical works. The use of commercial musical works in contexts which the licensee ought reasonably to consider as being prejudicial to the public standing of the composer, artist featured or relevant copyright owners.
Main Restrictions	Any game content, whether it has been specially produced for the product or not.

*The duration of any menus or special features that do not include music will be excluded from this calculation.