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Media marketplace and copyright

Abstract: The relationship between the media marketplace and copyright is a multifaceted and evolving dynamic that shapes the production, distribution, and consumption of content in the digital age. This summary encapsulates the key points regarding this intricate relationship. In the modern media landscape, characterized by rapid technological advancements and digital proliferation, copyright plays a critical role in protecting the intellectual property rights of content creators. However, the digital revolution has brought about unprecedented challenges to traditional copyright enforcement and protection mechanisms. The emergence of digital platforms and online distribution channels has transformed the way media content is created, distributed, and consumed. Content creators have unparalleled opportunities to reach global audiences, yet they also face heightened risks of copyright infringement and content piracy in the digital realm. Moreover, the legal frameworks governing copyright vary across jurisdictions, adding complexity to the media marketplace. Balancing the interests of creators, distributors, and consumers requires careful consideration of evolving technologies, consumer behaviors, and regulatory landscapes. Despite these challenges, emerging technologies such as blockchain and artificial intelligence offer promising solutions for copyright management and content distribution. These innovations have the potential to reshape the media marketplace, providing new avenues for content monetization and rights management. In conclusion, the intersection of the media marketplace and copyright presents both opportunities and challenges for stakeholders across the industry. Navigating this complex landscape requires a holistic understanding of evolving technologies, legal frameworks, and consumer preferences.

Keywords: media; mediamarket; key players; copyright; digitalization; monetization.

The media marketplace encompasses a wide range of industries involved in the creation, distribution, and consumption of media content. This includes traditional media such as television, film, print, and radio, as well as digital media such as online streaming, social media, and gaming. Key players in the media marketplace vary depending on the sector but often include major conglomerates, technology companies, production studios, and content creators.

Key Players of the Media Marketplace:

1. Traditional Media Companies:

- Companies like Disney, WarnerMedia (owned by AT&T), Comcast (owner of NBCUniversal), and ViacomCBS are major players in the traditional media space, involved in film production, television networks, and cable channels.

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2. Technology Giants:

- Companies such as Google (owner of YouTube), Facebook (including Instagram), Amazon, and Netflix have a significant presence in the digital media landscape. They offer platforms for content distribution, original content production, and advertising.

3. Streaming Services:

- Besides Netflix, other prominent streaming services include Hulu (majority-owned by Disney), Amazon Prime Video, and newer entrants like Disney+, Apple TV+, and HBO Max.

4. Social Media Platforms:

- Social media platforms like Facebook, Instagram, Twitter, and TikTok play a crucial role in content distribution, user-generated content, and influencer marketing.

5. Gaming Industry:

- Companies like Sony (PlayStation), Microsoft (Xbox), and Nintendo dominate the gaming sector, along with game developers and publishers such as Electronic Arts (EA), Activision Blizzard, and Ubisoft.

Statistical Indicators of the Media Marketplace:

- Revenue: The global media and entertainment industry generated revenue of over \$2 trillion in 2020, according to a report by Statista. This revenue encompasses various segments including film, television, gaming, advertising, and digital media.

- Streaming Subscriptions: The number of streaming subscriptions has been steadily increasing. In the US alone, the number of subscription video on demand (SVOD) subscriptions reached over 400 million in 2020, as reported by the Motion Picture Association.

- Advertising Spending: Digital advertising spending continues to grow, with companies investing heavily in online platforms. In 2020, digital ad spending worldwide amounted to over \$350 billion, surpassing traditional advertising channels for the first time, according to eMarketer.

- Social Media Usage: The number of social media users worldwide exceeded 4 billion in 2020, representing a significant portion of the global population, according to data from Hootsuite and We Are Social.

- Gaming Revenue: The global video game industry generated revenue of over \$150 billion in 2020, driven by increased demand during the COVID-19 pandemic, according to market research firm Newzoo.

These statistical indicators provide insights into the size, growth, and trends within the media marketplace. It's essential to consult reputable sources such as industry reports, market research firms, and government agencies for up-to-date and detailed statistics on the media industry.

The copyright foundation is a fundamental aspect of the media market, serving as the legal framework that protects the intellectual property rights of content creators and owners. Copyright law grants creators exclusive rights to their original works, enabling them to control how their content is used, distributed, and monetized. In the context of the media market, copyright plays a crucial role in various industries, including film, television, music, literature, and software.

Key Components of the Copyright Foundation in the Media Market:

1. Original Works: Copyright protection applies to original works of authorship, including literary works, musical compositions, films, photographs, software code, and other creative expressions. These works must be fixed in a tangible form, such as writing, recording, or digital file.

2. **Exclusive Rights:** Copyright holders are granted exclusive rights to their works, including the rights to reproduce, distribute, perform, display, and create derivative works based on the original. These rights enable creators to control how their content is used and monetized.

3. **Duration:** Copyright protection typically lasts for the lifetime of the author plus an additional period, such as 70 years, depending on the jurisdiction. After the copyright term expires, the work enters the public domain and can be freely used by anyone.

4. **Fair Use and Exceptions:** Copyright law includes limitations and exceptions, such as fair use (or fair dealing in some jurisdictions), which allows for the use of copyrighted works for purposes such as criticism, commentary, news reporting, teaching, and research without permission from the copyright holder. These exceptions balance the interests of creators with the public's right to access and use copyrighted content.

5. **Enforcement:** Copyright enforcement involves protecting against infringement, which occurs when someone violates the exclusive rights of the copyright holder without authorization. Enforcement mechanisms include legal remedies such as cease and desist letters, injunctions, damages, and, in some cases, criminal prosecution.

6. **Digital Rights Management (DRM):** With the rise of digital media, DRM technologies have been developed to control access to and usage of digital content. DRM systems encrypt content and enforce usage restrictions, such as limiting the number of devices on which content can be accessed or imposing expiration dates on digital rentals.

7. **International Treaties and Agreements:** Copyright law is governed by international treaties and agreements, such as the Berne Convention for the Protection of Literary and Artistic Works and the WIPO Copyright Treaty. These treaties establish minimum standards of protection and facilitate international cooperation in copyright enforcement.

Overall, the copyright foundation provides creators and copyright holders with the legal framework to protect and monetize their creative works in the media market. By safeguarding intellectual property rights, copyright encourages innovation, creativity, and investment in the production of diverse and high-quality media content.

In the field of intellectual property (IP) in the media market, several key legal issues arise due to the complexities of digital distribution, global reach, and evolving technologies. Here are some of the main legal problems along with references:

1. **Online Piracy and Copyright Infringement:**

- Issue: Online piracy, including illegal downloading, streaming, and sharing of copyrighted content, remains a significant challenge for the media industry. It undermines the revenue streams of content creators and distributors [1].

- References:

- "Global Online Piracy Study" by IPSOS and the Global Innovation Policy Center (GIPC) provides insights into the prevalence and impact of online piracy.

- Reports from organizations like the Motion Picture Association (MPA) and the Recording Industry Association of America (RIAA) offer data on the economic impact of copyright infringement.

2. **Digital Rights Management (DRM) and Fair Use:**

- Issue: Balancing the protection of copyrighted content through DRM technologies with the rights of users to access and use content under fair use/fair dealing provisions can be contentious [2].

- References:

- Legal analyses of DRM and fair use, such as scholarly articles in law journals and research papers from organizations like the Electronic Frontier Foundation (EFF), provide insights into the legal complexities surrounding these issues.

3. Copyright Enforcement in the Digital Environment:

- Issue: Enforcing copyright in the digital environment, especially across international borders, presents challenges due to jurisdictional differences, anonymity of infringers, and the sheer volume of online content [3].

- References:

- "Cross-Border Copyright Enforcement and the Internet" by the World Intellectual Property Organization (WIPO) explores legal frameworks and challenges in cross-border copyright enforcement.

- Reports from legal research organizations like the International Federation of the Phonographic Industry (IFPI) provide information on efforts to combat online copyright infringement.

4. User-Generated Content and Copyright Liability:

- Issue: Platforms hosting user-generated content face legal uncertainty regarding their liability for copyright infringement by users. Determining the extent of platform responsibility and the application of safe harbor provisions can be complex [4].

- References:

- Legal analyses and court rulings on intermediary liability, such as the landmark case of *Viacom International Inc. v. YouTube, Inc.*, shed light on the evolving legal standards in this area.

- Research papers and articles from legal scholars and organizations like the Center for Democracy & Technology (CDT) provide perspectives on intermediary liability and user-generated content.

5. Emerging Technologies and IP Protection:

- Issue: New technologies such as artificial intelligence (AI), virtual reality (VR), and blockchain pose challenges and opportunities for IP protection, including issues related to ownership, licensing, and infringement [5].

- References:

- Academic studies and reports from organizations like the World Economic Forum (WEF) examine the intersection of emerging technologies and intellectual property, highlighting legal implications and best practices.

- Industry publications and whitepapers from technology companies and legal firms offer insights into the application of IP law in emerging tech sectors.

These legal problems underscore the ongoing need for robust legal frameworks, international cooperation, and technological innovation to address the complexities of intellectual property in the media market. Additionally, consulting legal databases, scholarly articles, and reports from reputable organizations can provide further insights and analysis on these issues.

Addressing legal issues in the field of intellectual property (IP) in the media environment requires a multifaceted approach that combines legal, technological, and policy solutions. Here are some proposed solutions:

1. Enhanced Enforcement Mechanisms:

- Strengthen enforcement efforts against online piracy through collaboration between governments, law enforcement agencies, and industry stakeholders. This could involve implementing

stricter penalties for copyright infringement, increasing resources for investigative and enforcement activities, and improving coordination at the international level.

2. Development of Effective DRM Systems:

- Invest in the development of robust digital rights management (DRM) technologies that strike a balance between protecting copyrighted content and preserving user rights. This may include adopting encryption methods, watermarking techniques, and licensing mechanisms that are difficult to circumvent while minimizing inconvenience to legitimate users.

3. Education and Awareness Campaigns:

- Launch public awareness campaigns to educate consumers about the importance of respecting intellectual property rights and the consequences of piracy. These campaigns could include outreach efforts in schools, universities, and online platforms, as well as collaborations with industry associations and content creators to promote legal alternatives to piracy.

4. Legislative Reforms:

- Advocate for legislative reforms to modernize copyright laws and address emerging challenges in the digital environment. This may involve updating copyright statutes to clarify the liability of online intermediaries, establish clearer rules for fair use/fair dealing, and harmonize international standards for copyright enforcement.

5. Promotion of Legal Streaming Services:

- Encourage the growth of legal streaming services by promoting innovative business models, expanding content libraries, and improving user experiences. This could involve partnerships between content creators, distributors, and technology companies to offer affordable, convenient, and diverse options for accessing digital content.

6. Voluntary Agreements and Partnerships:

- Foster voluntary agreements and partnerships between stakeholders in the media industry to combat piracy and promote IP protection. This may include initiatives such as the creation of industry-led anti-piracy task forces, cooperative arrangements for sharing best practices, and joint efforts to disrupt piracy networks.

7. Investment in Technology and Research:

- Invest in technology research and development to support the advancement of anti-piracy tools, digital fingerprinting technologies, and other innovative solutions for protecting intellectual property in the digital age. This could involve public-private partnerships, grants for research institutions, and incentives for technology startups.

8. International Cooperation:

- Enhance international cooperation and collaboration among governments, intergovernmental organizations, and industry stakeholders to address cross-border challenges in IP enforcement. This may include sharing intelligence and best practices, streamlining legal processes for cross-border enforcement actions, and promoting multilateral agreements on copyright protection.

By implementing these solutions in a coordinated manner, stakeholders can work together to address legal issues in the field of intellectual property in the media environment, ultimately promoting innovation, creativity, and sustainable growth in the digital economy.

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Ключевые слова: медиа; медиарынок; ключевые игроки; авторское право; цифровизация; монетизация.

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