

Common Framework for On-Line Rights Management: Global Repertoire Database Request for Proposals

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1 Introduction

There is a broad recognition of the urgent need to improve the transparency and efficiency of licensing of musical works. The music industry inherently has a high degree of fragmentation of rights both between recording and publishing rights but also within those categories, along territorial, ownership and creative collaboration lines. The growth of legitimate digital exploitation of music across the EU countries and indeed globally, requires efficient and transparent cross-border licensing solutions. Rights holders, collective rights managers (“CRMs”) and music service providers (collectively referred to as stakeholders in this RfP) continue to look for ways to enable the marketplace but one of the key difficulties they face is the absence of a globally authoritative source of information regarding musical works, their ownership and authority to license to support multi-territorial licensing solutions.

1.1 General background

On 17th September 2008 Commissioner Neelie Kroes held the first of a number of Roundtable meetings with industry stakeholders focusing on the legal and administrative barriers to the online distribution of music¹. One of the outcomes from the Roundtable meetings was agreement on the need for a common framework for consolidating and maintaining accurate information regarding musical works, their ownership and authority to license. Such a framework is required to provide a single, comprehensive and authoritative source of data on which parties can rely to ensure the correct rights have been granted and that royalty payments are accurately claimed and directed to the correct recipients.

As an action from the work of the Roundtable a Global Repertoire Database Working Group (“GRD WG”) was set up². The membership of the Working Group is as follows:

- Amazon
- EMI Music Publishing
- iTunes
- Nokia
- PRS for Music
- SACEM
- STIM
- Universal Music Publishing

¹ http://ec.europa.eu/competition/sectors/media/online_commerce.html

² http://ec.europa.eu/competition/sectors/media/joint_statement_2.pdf

The GRD WG published on Thursday 22nd April a Request for Information (“Rfi”) relating to the concept of a Global Repertoire Database (“GRD”). This provides more background to the activities and expectations of the GRD WG. It is recommended that any organisation considering responding to this Request for Proposals be familiar with the contents of the Rfi and the nature of the submissions received by the GRD WG. The Rfi and all submissions are all available at <http://globalrepertoiredatabase.com/rfi.html>.

1.2 High-level scope

Although the Rfi makes this clear, the GRD WG wishes to emphasise four points in relation to the scope of the GRD:

- Although the original catalyst for consideration of the development of the GRD came from the European Commission, the scope of the GRD is global in that similar administrative issues relating to the licensing of musical works are common throughout the world;
- These administrative issues are also common to all other forms of media being traded and exploited in the digital arena. The GRD needs to be able at some point to accommodate information regarding rights ownership and authority to license for other media types as well as musical works;
- The GRD will provide a reference tool that can be used by stakeholders to interface with their own transaction-processing environment. The scope of the GRD is not therefore conceived to provide applications for the processing of licences, the receipt of usage information, matching that to the relevant musical works or the subsequent distribution of royalties to rights owners; and
- Although the catalyst for the activities of the GRD WG has been in relation to on-line issues, it is the intention of the WG that the GRD should also be a tool for determining information regarding musical works, their ownership and authority to license in relation to off-line exploitation.

For the purposes of the RfP on-line refers to any form of exploitation of media assets and/or rights that occurs across a network, whether that is by wire or wireless means. Off-line refers to delivery mechanisms that traditionally involved the creation of one or other physical carrier such as TV programme tapes or audio CDs.

1.3 Summary of timeline

This Request for Proposals (“RfP”) provides the detailed business, functional and technical requirements needed for the development, data population and on-going management of a GRD. These elements are discussed in more detail in Section 3 with non-technical requirements discussed in Section 4. The timeline following publication of this RfP is as follows:

RfP Publication	Friday 30 th July 2010
Notification of intent to respond	Friday 3 rd September
Closing date/time for submissions	11.59.pm PDT, Friday 15 th October 2010
GRD WG evaluation of submissions complete	Friday 12 th November
Shortlist presentations	23 rd , 24 th and 25 th November
Final Working Group recommendation published	Friday 10 th December

A full explanation of the processes associated with this timeline is given in Sections 5 and 6.

2 Context and outcome

The current processes for managing media assets and/or rights, and the technical infrastructure, governance, ownership and access to data are financed largely on a territorial basis. This reflects the fact that in the off-line world media assets and/or rights are largely administered on a territorial basis. Since that is frequently not the case in the on-line world tools such as the GRD are needed to facilitate a different multi-territorial management of media assets and/or rights.

The GRD WG recognises that it is made up of only eight companies from the many thousands of stakeholders that have an interest in the delivery of an efficient and transparent transaction-processing environment for the exploitation of musical works on-line. The GRD WG is therefore not in a position to provide funding for the development and on-going management of the GRD. The GRD WG is as a consequence open to suggestions as to the most appropriate financial model that would fund the GRD.

Upon completion of the evaluation process the GRD WG will be recommending one or more solution providers for the delivery of the GRD and will publish a proposal to address its future governance, financing, ownership and access to data.

3 Requirements

This section of the RfP sets out the functional, technical and process requirements for the GRD. Submissions to the RfP will be evaluated on the clarity and completeness of the explanations provided as to how each such requirement is to be met. A fuller explanation of this is provided in Section 6. The business requirements are given to provide background and context to the general concept of the GRD.

3.1 Business requirements

The introductory section of this document broadly sets out the principal business drivers for creating a GRD. This section of the document seeks to provide the high-level business requirements the GRD will need to support.

3.1.1 THE BUSINESS CASE

Currently throughout the entire network of music publishers and musical work CRMs around the world, there is no single resource that provides open access to authoritative information about the ownership or control of the global repertoire of musical works. There are of course numerous databases of varying quality around the world that provide some ownership or control information for some of the global repertoire. This is because historically all music publishers and musical work CRMs, by and large have operated and administered their rights in musical works on a territory-by-territory basis. Almost without exception, the users of the rights in the musical works were themselves operating within a single territorial boundary. Ownership or control of a work could often vary from territory to territory and therefore the separate databases, with differing information, was not a problem for territorially based licensing.

However, with the advent of regional groupings of territories, such as the European Union, and, more particularly with the introduction of global on-line networks, such a straightforward territorial approach to licensing is no longer appropriate. It can no longer be assumed that if a music publisher or musical work CRM is located in a specific territory it is in a position to issue a licence for the exploitation of the musical works in that territory or on a multi-territory basis.

This manifests itself most particularly with regard to purely on-line exploitation business models. In respect of these fields of exploitation, the authority to license musical works may be held differently from the way the territorial off-line ownerships and authorities are held. Further, specific musical work CRMs may be appointed to license such rights across differing territories and a CRM may not have the right to license certain works for these uses even in their own territory. Therefore a single territorial view of information regarding musical works, their ownership and authority to license from discreet territorial databases will simply not provide the completeness of information required.

There is therefore a clear need for an authoritative repository of information about musical works and their ownership, control or administration which forms an aggregate picture that can be relied upon by all stakeholders regardless of their physical location. Furthermore, such a repository of musical work ownership information needs to be overlaid with authoritative information about which organisation (whether a music publisher, a musical work CRM or other institution) is in a position to grant the requisite licences for the exploitation of the musical works by rights share, by right type, by use type, by territory and by exploitation date. The same information will

also be available to enable individual stakeholders to carry out various forms of their own transaction processing without having also to deal with conflicting ownership and authority to licence information from different territories. The improvement in business-to-business communication around the licensing and exploitation of musical works that the GRD would bring will therefore provide significant benefits to all creators and consumers.

3.1.2 SCOPE

The GRD shall be a central repository of authoritative information that unambiguously identifies:

- All known copyright musical works including arrangements of public domain works;
- The writer(s) of each musical work;
- The ownership³ of the rights shares attributed to each party for each such copyright musical work on a territory by territory basis;
- The entity on behalf of those owners that is authorised to grant licences on a territory by territory basis, whether on an exclusive or non-exclusive basis and whether for an off-line or on-line exploitation, by rights share, by right type (e.g. public performance, reproduction etc.), by use type (e.g. online or offline) by territory;
- All known sound recording and music video data including the name of the main artist; and
- The links between each musical work and all sound recordings or music videos on which it appears.

Some of the data elements that would provide the information set out above are static, in the sense that they don't change; for example the title of a work or its composer. However, a significant amount of other information identified above is constantly changing. Therefore most of the data elements set out above are highly time sensitive. Therefore the GRD must be able to capture all changes of data over time and retain a complete historical record of that data that can be accessed in an automated manner. There will need to be a process of data population that is carefully managed over an appropriate period of time before that scope can be realised. This is discussed in more detail in Section 3.2.4.

3.1.3 LONG-TERM SCOPE

It is the view of the GRD WG that whilst the initial scope is focused on information regarding musical works, their ownership and authority to license and links to sound recordings, the database functionality required to enable this ought to be able to accommodate similar information about other media types. Simply from the point of view of musical works and sound recordings, these appear as part of other media types, particularly in the audio-visual and games world.

³ Throughout this RfP the term ownership shall also be taken to mean where an entity controls or administers a musical work, which should be seen as separate from authority to licence.

Therefore, whilst there may be elements of more complex media types that are not immediately catered for in the scope set out in Section 3.1.2 the GRD must be constructed in such a way that it is sufficiently flexible and extensible to manage other media types and the links between them in the longer term.

3.1.4 MANAGEMENT OF DATA

At the core of the GRD there is clearly a considerable data management activity. However, there are two axioms at the heart of the thinking of the GRD WG that must be reflected in the construction, data population and on-going management of GRD.

3.1.4.1 *Data Access*

As referred to in the introduction there are numerous databases around the world that contain, to varying degrees of accuracy and completeness, extensive information regarding musical works, their ownership and authority to license. However, a significant proportion of these databases are not accessible by anyone other than the proprietary owner of the database.

A fresh look needs to be taken as to what access those with legitimate business requirements need to this type of data. Everyone in the supply chain potentially needs access to a whole range of data in order to operate effectively. This is not to say that access to such data is necessarily granted without payment or that every data user gets access to the same levels of data as all other categories of data user.

The GRD must address this need for more open and transparent access to information regarding musical works, their ownership and authority to license. In achieving this objective the GRD must take due account of the need to provide safeguards against the disclosure of confidential information. At its simplest it is envisaged that the GRD will require the provision of a web-service utility data exchange allowing for the simple search, identification and presentation of appropriate data.

3.1.4.2 *Authoritative data*

Critical to the success of a GRD is the ability to provide an integrated and central view of data that is registered and maintained. The GRD will become the authoritative source for information regarding musical works, their ownership and authority to license and provide views onto the data that it contains according to the specific requirements of parties that are granted access.

The GRD would also provide authoritative associations between musical works and sound recordings. The GRD will have to derive its metadata from the most authoritative source available and, where possible, from its point of origination. The term “authoritative” means in this context the importance of the association between these information entities being made as close to source as possible by the individuals and organisations that have the authority to decide which recordings are related to which musical works. To

achieve this the GRD will need to tag all data elements it receives with the source of that data in order to be able to establish levels of authority relating to the data. The GRD will therefore need to interact with existing rights owner databases to achieve this view on a daily basis.

Whilst the GRD is aiming to be the authoritative source of aggregated data as set out above it is not intended that the GRD will become involved in the management of any conflicts of ownership or authority to license. However, in order to be an authoritative source the GRD will be required to identify any conflicts and inform the relevant data suppliers of the conflict, for them to resolve. The GRD will however have to manage the process of reconciliation of different data about the same entity received from one or more legitimate sources.

3.1.5 RELATIONSHIP WITH EXISTING SOURCES OF DATA

To become the authoritative source of data, the GRD will rely on other sources of data. In order that data is authoritative it must be obtained as near to the point of origination as is realistically possible. This generally means, in respect of musical works, that the sources will be the rights owners (which includes music publishers, writers (where unpublished) and musical work CRMs depending on specific circumstances). Critical also will be the links that exist between musical works and the various sound recordings upon which they appear. Generally speaking, these data links can also be provided by music publishers and musical work CRMs, depending on specific circumstances.

With regard to sound recordings the authoritative source of data is the maker of the sound recording or the organisation that is making available the release upon which the sound recordings appear. However, as the GRD, in its initial scope is only interested in distinguishing one sound recording from another (and not in master rights ownership information) it is anticipated that potential sources for such data will be either the record labels or their representative sound recording CRMs (depending on which party can provide the timeliest notifications) although the GRD WG would be interested in the identification of other potential data sources for sound recordings.

The GRD will have to develop a series of common business rules relating to the communication, ingestion and population of the GRD with that data. These business rules must be capable of being enforced through the technical infrastructure of the GRD. Similar business rules, and the ability of the technical infrastructure to enforce them, will need to be developed with regard to those companies that wish to interrogate and extract data from the GRD.

3.1.6 RELATIONSHIP WITH MUSIC INDUSTRY PROJECTS/STANDARDS

It is expected that standard identifiers will play a key role in the effectiveness of the GRD, in particular with regard to its ability to identify data conflicts. The GRD will aim to endorse and implement existing industry standards.

The processes built up around Common Works Registration, International Standard Musical Work Code (“ISWC”), International Standard Recording Code (“ISRC”), International Standard Audio-visual Number (“ISAN”), International Standard Music Number (“ISMN”) and the Interested Party Identifier (“IPI”) will also need to be a part of the processes around the GRD. The key point here is that the GRD shall not in any way compete with the activities built up around these standard identification systems but will need to establish relationships with the Registration Authorities of these standards. Finally, it is also anticipated that the GRD’s communication systems will use the message standards developed through Digital Data Exchange (DDEX).

3.2 Functional requirements

Respondents to this RfP will be expected in their submissions to describe how the solution being proposed will address each of the functional requirements given below. The description must also identify relative levels of complexity for each requirement and the consequential timescale for development that each item will require. Although the functional requirements will most likely be met by technical resources the submissions must also identify where technical and human resources will combine to meet the requirements and in particular the processes that would enable that successful combination.

Clearly, the requirements given below are extensive and whilst the GRD shall need to have the data fields described, it is recognised that in a lot of cases the actual data to populate these fields will not be available, as it has never been captured. What this demonstrates though is the need for the GRD to be flexible enough in its construction to enable the capture of this type of data in the future should it start to be available.

The requirements relating to data population of the GRD are described in Section 3.2.4.

3.2.1 MUSICAL WORKS

The GRD shall provide for the following data fields about a musical work:

- (i) Musical work title with, where relevant, international character sets including arrangements;
- (ii) Language of title;
- (iii) Alternative work titles (including translated titles);
- (iv) Copyright status of the work by territory (as this may not be the same in all cases), including movement from copyright protection to the public domain and, in rare cases, from the public domain to copyright protection;
- (v) Composer, author, lyricist, writer name(s) including pseudonyms (past and present);
- (vi) Original rights owner name;

- (vii) Ability to bulk amend information regarding rights ownership and authority to license on a catalogue basis based on contractual connections by rights share, by right type, by use type and by territory with appropriate time related information (such as start date);
- (viii) Current rights owner and other contractually interested party names;
- (ix) International Standard Musical Work Code;
- (x) International Standard Music Number, if applicable;
- (xi) Rights owners' and other proprietary musical work codes;
- (xii) Interest Party Identifier of all composers(s), author(s), lyricist(s), writer(s), original rights owner(s), current rights owner(s) and other contractually interested parties;
- (xiii) Interested Standard Name Identifier of all composers(s), author(s), lyricist(s), writer(s), original rights owner(s), current rights owner(s) and other contractually interested parties; and
- (xiv) Any proprietary identifiers of all composers(s), author(s), lyricist(s), writer(s), original rights owner(s), current rights owner(s) and other contractually interested parties.

3.2.2 LICENSORS

The GRD shall provide for each musical work or portion thereof a process for confirming the entity with the authority to license in any given set of circumstances⁴. It will be necessary to identify the current Licensor:

- (i) By percentage share;
- (ii) By right type;
- (iii) By use type (which will need to distinguish at least between off-line or on-line);
- (iv) By territory or group of territories;
- (v) Historical information in respect of all the above; and
- (vi) By any combination of (i) to (v).

In addition, it will be necessary to have data fields that, when populated, enable the determination of whether the Licensor has exclusive or non-exclusive authority to licence in all combinations of circumstances. Where non-exclusive arrangements prevail this will mean that there may be multiple potential Licensors in some instances.

Whilst these requirements are described in terms of identifying a Licensor for any combination of circumstances, this is not the only reason for the requirement for this functionality. There may be many ways in which stakeholders will wish to interrogate the information generated from this functionality (see Section 3.2.4.7). In particular, it should be possible for users to interrogate the GRD information to avoid for example duplicate royalty claims or claims in respect of a work that are greater than 100%. This will apply equally to other media types as described in Section 3.5.

⁴ Which will normally be a music publisher or musical work CRM.

3.2.3 SOUND RECORDINGS AND MUSIC VIDEOS

The GRD shall provide the following data fields about a sound recording and/or music video:

- (i) Sound recording title with, where relevant, international character sets including sound recordings embodying public domain musical works which themselves may not be in the GRD;
- (ii) Language of title;
- (iii) Alternative sound recording titles (including translated titles);
- (iv) Music video title (especially if different from sound recording title);
- (v) Duration of the sound recording;
- (vi) Duration of the music video (if different from sound recording);
- (vii) Current record company name;
- (viii) Original release date;
- (ix) International Standard Recording Code;
- (x) International Standard Audio-visual Code, where relevant;
- (xi) Universal Product Code (UPC) where relevant;
- (xii) Other proprietary sound recording codes; and
- (xiii) Date of © line.

3.2.4 DATA

The GRD will only have value if it is populated with data that is authoritative and complete. Responders to this RfP will therefore have to explain in detail how they will manage the process of populating the GRD, ensuring data quality through maintenance activities and the presentation of that data to stakeholders.

3.2.4.1 Population and on-going registration of metadata

Once the GRD has been built it will still be an “empty” database. Therefore, the next step will be the population of the database with the appropriate data which will involve considerable management resource. Respondents must therefore explain how they will manage the process of data population (including data communication between data sources) of the GRD. This will need to indicate what progressive steps will be taken for the population and some indication of timelines associated with that activity which reflect the business critical nature of the project. Key to this will be a prioritisation methodology that ensures that the initial population of the GRD focuses on works that are in regular use.

Information about musical works and sound recordings shall be collected and aggregated from the most authoritative sources possible using existing standard business messaging formats. These include:

- (i) Common Works Registration (“CWR”): This electronic registration message format shall be used by music publishers to submit their copyright ownership claims to music CMOs;
- (ii) Audio-Visual Work Format (“AVR”): This may be used by certain music publishers in future to submit their copyright ownership

- claims for audio-visual works to music right societies (this format is currently in use by some music CMOs); and
- (iii) Digital Data Exchange (“DDEX”): The various DDEX message standard should be used to communicate information to the GRD.

The GRD should provide a standard interface for the suppliers of authoritative data to register their information. Currently no standardised message format exists to enable the reporting of information to identify the authorised licensor for a given musical work according to the parameters identified in Section 3.2.2. Therefore the GRD shall be required to develop in conjunction with the relevant stakeholders a suitable standard communication format for this purpose. This activity could be undertaken as part of the development of the GRD or it may be achieved through a recognised standards development body.

3.2.4.2 Dispute management

The GRD shall identify and report disputes over the copyright ownership of or authority to license musical works to the relevant parties. It will be the responsibility of the parties involved to resolve any conflicts involving legal disputes of ownership and/or authority to license. The notification and resolution processes should be automated to the maximum extent possible.

3.2.4.3 De-duplication

The successful development, data population and on-going management of the GRD will be determined by the careful construction and management of the combination of technical and human processes. Nowhere is this more so than in the matching and de-duplication of data. As the ability for this task to be carried out successfully within the GRD is mission critical this section attempts to provide particular focus on the process requirements that will be needed to manage this successfully.

Section 3.2.4.2 set out a basic functional requirement that the GRD will need to perform where a conflict in data results from an underlying legal dispute. Far more common will be the ability of the GRD to manage simple data differences where conflicting data is received about one data entity from more than one legitimate source. This function is therefore somewhat different from the requirement set out in Section 3.2.4.2 and will be considerably more resource intensive because it will frequently require manual intervention to reconcile the data differences.

It is a requirement that the GRD shall be designed to support automatic data matching processes when data is supplied and ingested from several different sources. System processes will need to ensure that any duplicate data records are automatically identified and either merged, cross-referenced or deleted as appropriate. In this context the GRD shall provide as standard, a systematic “auditing” enquiry and reporting functionality allowing the submitters of the data to carry out checks on submitted data. However, where systems are unable to undertake this role, the GRD will need well-defined processes to manage the reconciliation of the data differences described.

3.2.4.4 Data cross-reference and maintenance

A vital requirement for the GRD is that it shall be able to use pre-existing links between musical works and the sound recordings upon which they appear. The creation of these links shall, ideally, be achieved by linking the ISWC for a musical work to the ISRC of the sound recording upon which it appears.

3.2.4.5 Data maintenance

Once the GRD is populated with data, it is clear that a significant amount of the data will never change; for example, musical work titles, and authors' and composers' names. However, for the GRD to be a valuable tool to its stakeholder community that data that can change over time must be maintained on an on-going basis so that it is the most up-to-date available (whilst still providing a full historical perspective). The most critical data that will have to be maintained in this way is the current ownership and authority to license for all musical works on a territory-by-territory basis.

As far as possible, this maintenance should be as automated as possible. So the GRD shall provide the necessary access and interfaces required to enable contributors of authoritative information to the GRD to update data so that the current rights ownership claim and authority to license picture is reflected at all times. Similarly those organisations contributing sound recording information will require the same level of access. However, even with automated tools (driven by agreed business rules) to carry out this maintenance, there will need to be business processes put in place to manage the human intervention that will be required. Respondents must therefore describe the processes it will put in place for the human intervention required to maintain the changing data. In addition respondents must provide an indication of the level of resource that will be required to undertake this work as well as a description of any technical tools that will support it.

3.2.4.6 Data quality

The reason why the activities described in Section 3.2.4.1 to 3.2.4.5 are so critical is that the GRD only has value if the overall quality of information it contains is of a consistently high standard. To enable this the data contained within the GRD shall be:

- (i) Complete, reflecting the true extent of each contributor's catalogue of musical works and associated sound recordings;
- (ii) Comprehensive, in terms of the repertoire and all associated data that is identified in it; and
- (iii) Accurate, in terms of identifying and describing musical works and sound recordings in any given context, where the correct ISWC and ISRC has been assigned and associated with the related descriptive metadata.

As part of the process of ensuring these levels of data quality, the GRD shall be able to receive and record "data provider codes". The purpose of these will be to enable the creation of an audit trail of data changes, particularly in the

management of conflicts. It will also be valuable in assisting the GRD in establishing which source of data in relation to any given item is likely to be authoritative.

3.2.4.7 Presentation of data to users of the GRD

The GRD shall be designed to provide its stakeholders with a view of the information it contains that is relevant to them in order to conduct their business. It is anticipated that different stakeholder groups will require views on specific segments of data that can be filtered in order to present precise results. For example, a stakeholder may wish to systematically run a query for a certain composer every day during a related artists' concert tour or be able to identify all repertoire owned by a particular rights owner or to look at multi-territory views for a work or group of works or identify the recipient of royalties for a work.

This requirement is therefore likely to influence the design of the underlying data model so that the relevant views may be presented in as flexible a manner as possible. The GRD shall provide tools such as business intelligence and report writing, to allow users to filter segments of data through online search enquiry and by reporting in the form of electronic field-delimited or XML data extracts for import into other systems and tools. In addition to offering web based "presentation" to users, all data that is available via a web-interface should also support exporting via CSV or similar standard data format. Furthermore, there should be an API so that similar queries can be run programmatically. Specifically:

- (i) The GRD shall provide the functionality to search and filter musical works information by:
 - (a) Musical work title;
 - (b) Composer name;
 - (c) Publisher name;
 - (d) Publisher agreements;
 - (e) IPI;
 - (f) ISWC;
 - (g) Rights share;
 - (h) Right type (i.e. mechanical or performing);
 - (i) Use type (i.e. online or offline);
 - (j) Territory;
 - (k) Licensor name and territory;
 - (l) Licensor identifier and territory;
 - (m) Status of work (e.g. incomplete data set, in conflict, etc.);
 - (n) Any of the above in relation to a specific date or period; and
 - (o) Any combination of the above.

- (ii) The GRD shall provide the functionality to search and filter sound recording and music video information by:
 - (a) Sound recording or music video title;
 - (b) Artist name;
 - (c) Artist identifier;

- (d) Record label name;
 - (e) Record label identifier;
 - (f) ISRC;
 - (g) ISAN;
 - (h) Musical works by way of the sound recording filter fields; and
 - (i) Any combination of the above.
- (iii) The GRD shall be designed to present a view of musical works and the sound recordings they are linked to; and
- (iv) The GRD shall provide a list of all the works for a specified publisher (and/or licensor) in which they have a rights share, by right, by use type, by specified territory and by date. The list shall include details of all interested parties with their shares in respect of each work. This shall be available in both summary view and a fully expandable view.

3.2.5 IDENTIFICATION, DESCRIPTION AND INFORMATION EXCHANGE STANDARDS

The GRD shall be required to support all music industry identification, description and information exchange standards currently in use or in advanced stages of design and implementation. The following sections list these standards and reference is provided to obtain further information.

3.2.5.1 *International Standard Musical Work Code (ISWC)*

ISO standard 15707:2001, see <http://www.iswc.org/en/index.html>.

3.2.5.2 *International Standard Music Number (ISMN)*

ISO Standard 10957: 2009, see <http://www.ismn-international.org/>.

3.2.5.3 *International Standard Recording Code (ISRC)*

ISO Standard 3901:2001, see http://www.ifpi.org/content/section_resources/isrc.html

3.2.5.4 *Interested Party Information (IPI)*

For information see <http://www.ipisystem.org/SUISASITES/IPI/ipipublic.nsf>

3.2.5.5 *International Standard Name Identifier (ISNI)*

Draft ISO standard 27729, see <http://www.isni.org/>.

3.2.5.6 *Common Works Registration (CWR)*

For information see <http://www.commonworksregistration.com/>.

3.2.5.7 *Audio-visual work format (AVR)*

For information see <http://www.cisac.org/CisacPortal/consulterDocument.do?id=12962>

3.2.5.8 *Digital Data Exchange (DDEX)*

For information see <http://www.ddex.net>

3.2.5.9 *Global Release Identifier (GRid)*

For information see http://www.ifpi.org/content/section_resources/grid.html

3.2.5.10 *Universal Product Code (UPC)*

For information see <http://www.gs1us.org/Default.aspx>.

3.2.5.11 *International Standard Audiovisual Number (ISAN)*

For information see <http://www.isan.org>.

3.3 Technical Requirements

Respondents to this RfP will be expected in their submissions to describe how the solution being proposed will address each of the technical requirements given below. The description must also identify relative levels of complexity for each requirement and the consequential timescale for development that each item will require. Although the technical requirements will most likely be met by technical solutions the submissions must also identify where technical and human resources will combine to meet the requirements and in particular the processes that would enable that successful combination.

3.3.1 INFORMATION ARCHITECTURE

The solution shall be designed to manage and support the data relationships between musical works, sound recordings and all their associated data entities. It is intended that this can then be expanded to manage relationships beyond these to audio releases, audiovisual productions, music cues and all related interested parties and the interfaces required to supply and retrieve this data.

3.3.2 SUPPLY AND INGESTION OF DATA

The solution shall be designed to support the ingestion of data supplied from multiple sources and specifically authoritative information regarding musical works, their ownership, authority to licence, sound recordings and all related interested parties. This must support the enforcement of business rules in relation to the communication and ingestion of data as described in Section 3.1.5. The solution will support appropriate data formats for the supply of this information, secure FTP server functionality and an Extract, Transformation and Load (ETL) tool for data ingestion. Providers of data should be able to upload their data files via a web interface.

3.3.3 ACCESS TO DATA

The solution will provide a presentation layer using a secure web browser (in multiple formats) with support for modern web standards in order to search and display views of the data and data relationships according to the needs of stakeholders. The solution will require an API/software interface to the database for use by all the agreed stakeholders including the capability to generate data extracts of defined segments of data to meet the needs of different users. However, not all stakeholders will necessarily be given access to the same data entities so that GRD needs to be able to manage confidentiality or limitations of access at a field level.

3.3.4 SCALABILITY

The complexity of the GRD will lie in the many relationships that exist between entities, and the rights and licensing authorities that are shared across parties. In addition, as the rights and licensing authorities change, historic as well as current records will have to be maintained. Similarly the size and complexity of musical works in the database will grow over time as rights are added and changed. There will also be significantly more sound recordings associated with the musical works. Some metrics in this regard are given in Section 3.4.

In addition (see Section 3.5):

- (i) The solution will require the scalability to add new data-sets to the existing model where this additional metadata becomes a necessary operational requirement; and
- (ii) The database will have the scalability to apply in due course to other media and entertainment industries where the same requirements exist.

Therefore the solution must provide a robust and scalable architecture and infrastructure.

3.3.5 INFORMATION SECURITY

The GRD shall provide a secure environment for the management of business critical information. The high dependency on the information stored in the GRD requires that it is only accessible to authorised users and remains secure from malicious attack and intentional data corruption.

The GRD shall provide individual stakeholders with secure password protected access. Designated users in each participating company using the GRD shall be responsible for both the authorisation and withdrawal of access of individual users within their organisation. The level of access available to authorised users of the GRD, including those exporting data sets using a Web based tool or API software, shall be defined and agreed in the form of a user agreement and code of practice.

Finally, the GRD must be able to support the maintenance of confidentiality of specific data fields as determined by the supplier of the data. Therefore, it is probable that the GRD will contain certain types of data that are completely confidential (i.e. not accessible to anyone) and are only required to enable the management and presentation of other data entities.

3.3.6 SERVICE LEVEL AGREEMENT

The GRD shall be required to conform to agreed service levels. At a minimum the service levels agreed shall satisfy the following requirements:

- (i) Guaranteed system availability for access to GRD services during the 24/7; and

- (ii) Advanced notification of planned system unavailability for maintenance purposes.

3.4 Volumes and complexity

As the GRD WG only includes a limited number of musical work rights owners, it is not possible to provide a global view of the volumes likely to be involved in the GRD. However, in 2009 CISAC indicated that about 18 million works had been allocated International Standard Musical Work Codes since in inception about 15 years ago. Similarly the CISAC Interested Party Identifier database nearly 3 million unique interested parties.

Of the societies on the GRD WG, PRS for Music indicates that for 2009 it received about 1,000,000 unique work shares registrations. Of these something in the region of 60% match but require some form of manual intervention to decide if the new registration matched with an existing entry (and a candidate to be merged) or whether it was a non-match that would be set up as a new work data record. SACEM indicates about 350,000 new work registrations per year.

On the publisher side it is not uncommon for them to register 1,000s of new and amended works on a monthly basis. The publishers on the GRD WG confirmed that their average monthly registration files range between 10,000 and 15,000 works. In addition, it should also be noted that some publishers may elect (and in some instances are contractually obliged to do so) to re-register established and/or pre-existing catalogues when the rights transfer from one publisher to another.

When it comes to the identification of the entity authorised to license in any given set of circumstances there is considerable complexity. Apart from the fact that these authorities may vary by rights share, by right type, by use type and by territory there will in addition be situations where mandates are non-exclusive, discretionary or conditional. The GRD therefore needs to be able to manage the data elements that enable this level of complexity to be expressed even if the result is that the enquirer needs to refer to the rights owner.

3.5 Long-term scope requirements

This section contains the functional requirements that the GRD shall support in the longer term. It is recognised that any expansion in relation to sound recording, audio release or audio-visual release information, particularly in relation to ownership can only be achieved with the agreement of the relevant stakeholders for the use of the GRD as a resource for those industries. However, the GRD shall be designed to be flexible and extensible enough to store the relevant data elements and the links between the entities as described below as well as an ability to present that data as described in Section 3.5.6.

3.5.1 SOUND RECORDINGS AND MUSIC VIDEOS

In addition to the data elements about sound recordings and music videos detailed in Section 3.2.3 the GRD shall provide the following information:

- (i) Copyright status of the sound recording or music video by territory (as this may not be the same in all cases), including movement from copyright protection to the public domain and, in rare cases, from the public domain to copyright protection;
- (ii) Original rights owner name;
- (iii) Ability to bulk amend information regarding rights ownership and authority to license on a catalogue basis based on contractual connections by rights share, by right type, by use type and by territory with appropriate time related information (such as start date);
- (iv) Current rights owner and other contractually interested party names;
- (v) Names of all artists (whether main or supporting) performing on the sound recording or in the music video including pseudonyms (past and present);
- (vi) Director of music video;
- (vii) Producer of music video;
- (viii) Any other relevant contributors;
- (ix) Interested Standard Name Identifier of all artist(s), performer(s), producer(s), original rights owner(s), current rights owner(s) and other contractually interested parties; and
- (x) Any proprietary identifiers of all artist(s), performer(s), producer(s), original rights owner(s), current rights owner(s) and other contractually interested parties.

3.5.2 SOUND RECORDING, MUSIC VIDEO AND PERFORMER LICENSORS

The GRD shall provide for each sound recording or music video or portion thereof and for performers a process for confirming the entity with the authority to license in any given set of circumstances⁵. It will be necessary to identify the Licensor:

- (i) By percentage share;
- (ii) By right type;
- (iii) By use type (which will need to distinguish at least between off-line or on-line);
- (iv) By territory or group of territories;
- (v) Historical information in respect of all the above; and
- (vi) By any combination of (i) to (v).

In addition, it will be necessary to identify whether the Licensor has exclusive or non-exclusive authority to licence in all combinations of circumstances.

⁵ Which will normally be a record label or sound recording CRM and/or performer CRM.

Where non-exclusive arrangements prevail this will mean that there may be multiple Licensors in some instances.

3.5.3 AUDIO AND AUDIO-VISUAL RELEASES

Sound recordings and the musical works that they contain are generally made available to consumers in the form of “audio releases”. In the off-line world these were generally in the form of physical artefacts in various technical configurations and occasionally were associated with other media types, such as posters. In the on-line world these releases can, in theory, contain a whole range of media types bundled together, although largely at the moment they represent the on-line equivalent of an off-line product. Regardless of whether or not this is how the on-line world develops, it is anticipated that the need to manage audio-visual information at least as it pertains to the use of musical works and possibly sound recordings will become important.

The GRD shall provide the following information about audio and audio-visual releases:

- (i) Release title with, where relevant international character sets;
- (ii) Language of release title;
- (iii) Alternative release title (including translated title);
- (iv) All relevant data as set out in Sections 3.2.1 and 3.2.2 in relation to any musical work(s) contained on the release;
- (v) All relevant data as set out in Sections 3.2.3, 3.5.1 and 3.5.2 in relation to any sound recording(s) or music video(s) contained on the release;
- (vi) Title, language and alternative titles for all other resources (e.g. pictures, graphics, text, screen savers, games) contained on the audio release;
- (vii) Any resource identifier codes (whether proprietary or standardised);
- (viii) All relevant contributor names not provided in (iv) and (v) above to the release (particularly including the director and principal actor(s);
- (ix) Copyright status of the release by territory (as this may not be the same in all cases), including movement from copyright protection to the public domain and, in rare cases, from the public domain to copyright protection;
- (x) Original release rights owner name;
- (xi) Ability to bulk amend information regarding rights ownership and authority to license on a catalogue basis based on contractual connections by rights share, by right type, by use type and by territory with appropriate time related information (such as start date);
- (xii) Current release rights owner and other contractually interested party names;
- (xiii) Original release date of release;
- (xiv) Universal Product Code (UPC) of the release, where applicable;
- (xv) Global Release Identifier (“GRid”) of the release, where applicable;
- (xvi) Any proprietary release identifier codes;

- (xvii) Configuration code of release;
- (xviii) Interested Standard Name Identifier of all contributors including artist(s), actor(s), performer(s), director(s), producer(s), original rights owner(s), current rights owner(s) and other contractually interested parties; and
- (xix) Any proprietary identifiers of all contributors including artist(s), actor(s), performer(s), director(s), producer(s), original rights owner(s), current rights owner(s) and other contractually interested parties.

For audio-visual releases the GRD shall provide the following additional information:

- (i) International Standard Audio-visual Number;
- (ii) If the release is part of a series, the series title and number, the episode title and number;
- (iii) Production type (TV programme, feature film, commercial);
- (iv) Year of production; and
- (v) Country of production;

3.5.4 AUDIO-VISUAL LICENSORS

With the clear caveat that the GRD as currently conceived could only extend its data content to audio-visual licensors in co-operation with the relevant stakeholders it shall provide for each audio-visual release and the media entities it contains, a process for confirming the entity with the authority to license in any given set of circumstances. It will be necessary to identify the Licensor:

- (i) By percentage share;
- (ii) By right type;
- (iii) By use type (which will need to distinguish at least between off-line or on-line);
- (iv) By territory or group of territories;
- (v) Historical information in respect of all the above; and
- (vi) By any combination of (i) to (v).

In addition, it will be necessary to identify whether the Licensor has exclusive or non-exclusive authority to licence in all combinations of circumstances. Where non-exclusive arrangements prevail this will mean that there may be multiple Licensors in some instances.

3.5.5 DATA CROSS-REFERENCE AND MAINTENANCE

It is necessary to maintain a cross-reference between information about sound recordings (and by cross-reference the musical work(s)), other resources and the releases into which they are packaged for consumers. The GRD will therefore be required to maintain a cross-reference between ISRCs and the GRid (in the case of primarily audio releases) and other proprietary release identifiers. The same principle shall be needed in respect of audio-

visual releases. Therefore by way of example the following links shall be maintained within the GRD.

- (i) Musical works and related audio and audio-visual releases (usually in the form of a cue sheet);
- (ii) Sound recordings and related audio and audio-visual releases (usually in the form of a cue sheet); and
- (iii) Other resources and related audio and audio-visual releases.

3.5.6 PRESENTATION OF DATA TO USERS OF THE GRD

As for the initial scope set out in Section 3.1.2 the GRD shall be designed to provide its users with a view of the information it contains that is relevant to them in order to conduct their business. Therefore the ability to present data by various filters will be required once the GRD holds audio and audio-visual release information. By way of example:

- (i) The GRD shall provide the functionality to search and filter audio release information by:
 - (a) GRid;
 - (b) UPC;
 - (c) Release title;
 - (d) Rights share;
 - (e) Right type;
 - (f) Use type;
 - (g) Territory;
 - (h) Licensor name and territory;
 - (i) Licensor identifier and territory;
 - (j) Status of work (e.g. incomplete data set, in conflict, etc.);
 - (k) Historical information in respect of all the above; and
 - (l) Any combination of these.
- (ii) The GRD shall provide the functionality to search and filter audiovisual release information by:
 - (a) International Standard Audio-visual Number;
 - (b) Release originating company name;
 - (c) Release originating company and other proprietary release identifiers;
 - (d) If the release is part of a series, the series title and number, the episode title and number;
 - (e) Production type (TV programme, feature film, commercial);
 - (f) Year of production;
 - (g) Country of production; and
 - (h) All relevant contributors to the release including the director and principal actor(s) and any associated identifier codes;

4 Other requirements

As was explained in Section 2 the nature of and context for this RfP is somewhat different from most RfPs dealing with a system development and data management project. Although the GRD is scoped as a tool for use by a wide range of stakeholders, at the moment the current activity is being managed by a group of eight companies, all of whom recognise that they are not representative of that range of stakeholders.

For the GRD WG to take the project to the next phase after evaluation of submissions to this RfP, a significant amount of work will be required on entirely non-technical issues.

4.1 Governance

To be able to take the project forward some form of governance structure will be required beyond that of the current GRD WG. The exact nature of the governance structure will depend on the background and identity of the respondent(s) that the GRD WG identifies as a partner going forward.

It is therefore incumbent on responders to specify, at least in outline, the nature of the governance that would be required to (i) contract with the respondent(s) for the build phase (assuming there will be one), (ii) the data population phase and (iii) the on-going management and maintenance of the GRD. The description needs to show how the governance would be more representative of the immediate stakeholder community and flexible enough that other stakeholder communities can become involved in the governance should the GRD scope actually expand into their area of metadata management.

4.2 Ownership

Clearly, an issue that is very close to governance concerns ownership; that is ownership of the database (and application) software and the functionality that makes up the GRD itself and, the data that it contains. How such ownership arrangements are constructed will be determined by the nature and identity of the respondent(s) that the GRD WG identifies as a partner going forward. Therefore, respondents are required to provide a description of the ownership structures that would apply if its solution were selected (in part or in full) going forward.

4.3 Finance

The creation, population and maintenance of the GRD need to be financed in some way. As was explained in Section 2 this RfP is not associated with a source of finance that would meet this expenditure.

The GRD WG has identified some of the possible financial models, but is open to suggestions from respondents as to others that may be relevant. Those identified include:

- It might be possible to divert funds that are currently financing database systems that may no longer be needed, or may be less needed or require less investment, as a result of the GRD;
- Similarly, were one or more of the solution providers identified by the GRD WG as partners to come from the existing musical works rights administration environment it may be possible that the existing finance mechanisms that apply today can be adapted to finance the GRD; and
- Finally, it is also perfectly possible to envisage the creation and maintenance of the GRD being an entirely commercial venture, where the solution provider makes the investment themselves and recoups that investment over time through charging, in one way or another, for access to the GRD data⁶.

As with governance and ownership the optimum financial model for this will largely depend on the nature and identity of any respondents identified. Therefore, any respondents need to specify in their submissions the financial model which would best support the development and maintenance of the GRD in the context of their offering.

5 Submission requirements

This section sets out issues relating to the nature, content and timeline for delivery of any submissions.

5.1 Respondent profile

Potential respondents will have experience in high volume data environments which have to support complex data relationships. Potential respondents include a range of enterprises such as CRMs, technology companies, software solution providers or others with demonstrated capabilities in large-scale data management and efficient, cost-effective and timely technology development and management.

The GRD WG is open to proposals being made in partnership with others but proposals must make it clear what elements each party will deliver and be responsible for and who will act as the prime contractor.

⁶ These explanations are intended to be exemplary and it is recognised that other financial models exist that may also meet the expenditure requirements.

5.2 Structure of submissions

The following headings are provided as a suggested framework for submissions. However, the GRD WG is entirely open to receiving submissions that are structured according to respondent's preferences provided that the subject matter described below is still provided.

5.2.1 SUMMARY

This should provide an executive summary of the submission highlighting the key technical project milestones, proposed governance, ownership and finance models and the headline costs of the development and data population of the GRD, and the on-going management and maintenance costs.

5.2.2 PARTNERSHIPS OR CONSORTIA

If a submission to the RfP is being provided by more than one entity a description of the partners or consortia members is required. This information should include the full company name, the nature of the relationship with the respondent, the length of time the relationship has existed and details of any possible "conflict of interest" of any partner.

5.2.3 SYSTEM AND DATA DELIVERABLES

This section of any submission is likely to be substantial as it must describe in detail how the respondent will meet all the business, functional and technical requirements described in Section 3 with particular reference to the data issues described in Section 3.2.4. Information will also be required on what existing off-the-shelf applications will be used by the respondent in the construction and operation of the GRD.

5.2.4 SYSTEM ARCHITECTURE

Section 5.2.3 is intended to focus on the construction and data population of the GRD itself. In addition, respondents need to explain the system architecture that underpins the GRD and how this will enable the GRD to communicate with its data suppliers and data users. Respondents must explain how their solution can meet the specific requirements documented in Section 3. It is suggested that submissions provide an assessment probably in tabular format that explain which of the requirements defined in Section 3 are met and how. Additional supporting material is welcome but the salient points listed in Section 3 must be fully addressed in the submission. It is possible that respondents will not necessarily be able to fulfil all the stated requirements but, as an aid to the evaluation process, it is very important that respondents identify those requirements that their submission aims to address.

5.2.5 TECHNICAL ARCHITECTURE

Whether respondents are intending to build the GRD from the ground up or already have a solution that meets the requirements, or that can be adapted

to meet the requirements, it will be necessary to provide a detailed description of the hardware components on which the GRD will be housed. This description also needs to detail the hardware components that will be used to enable communication with data suppliers and data users.

5.2.6 HUMAN RESOURCE REQUIREMENTS

This section needs to provide a description of the skill-sets of the personnel that will be involved in the development, data population and maintenance of the GRD. A distinction needs to be made between personnel already available to respondents and those that will need to be recruited. The description must identify where specialist recruits are to be sourced and the point in the project where such recruitment will have to take place.

5.2.7 KEY MILESTONES AND TIMELINES

The development, data population and on-going maintenance of the GRD is clearly a complex activity. Respondents must therefore provide a clear description of the phases of the project, the key milestones that trigger each phase, all associated timelines and whether phases can run in parallel or sequentially.

5.2.8 CONTINGENT EVENTS

As this RfP explains, the GRD will require over time, considerable cooperation from a wide range of stakeholders, most particularly in the context of the supply of data. At the time of publication of the RfP there is no guarantee that all such stakeholders will choose to cooperate or, even if they do, that the cooperation will be straight forward. The respondents need to show how seeking such cooperation would be managed and, in the event it is not forthcoming or proves more complex than anticipated, how it would affect the ability to deliver in the manner set out in Section 5.2.7.

5.2.9 RISK MANAGEMENT

Closely related to contingent events is the management of risk in such a large project that will inevitably involve a large number of stakeholders. Respondents will therefore need to set out a risk register in their submissions and provide an indication of what action could be taken to mitigate them if they arise.

5.2.10 COST ESTIMATES

Respondents are requested to provide indicative costs and investment requirements. Respondents are invited to offer “creative” proposals on how this solution could be designed, delivered and subsequently managed thereafter. However, the cost estimate will need to be broken down as follows:

5.2.10.1 System development

This concerns that actual build (or adaptation of existing infrastructure) to create the GRD database. It is anticipated that the cost here will be associated

primarily with detailed requirements gathering, system design and build, and off-the-shelf application acquisition.

5.2.10.2 Data population and reconciliation

Clearly this is mission critical to the success of the GRD, and costs in relation to it are expected to focus largely on personnel and systems costs for to data communication and reconciliation.

5.2.10.3 On-going maintenance and management

The GRD will require personnel to maintain the data it contains and to manage any change requests in functionality that the stakeholder community requests.

5.2.10.4 Technical architecture

The cost of the hardware infrastructure that will be required to house the GRD through the phases of development, data population and on-going maintenance will need to be provided.

5.2.11 GOVERNANCE, OWNERSHIP AND FINANCE

This section of submissions should clearly state the governance, ownership and financial model for the GRD that the respondent is proposing in the context of their solution approach.

5.2.12 INTELLECTUAL PROPERTY

If the nature of a submission will contain intellectual property owned by the respondent related to business processes and/or technology that are required to carry out the service this must be described here. This includes intellectual property held either by the company or through third party licence agreements. The description must include any licence and/or fee requirements associated with it.

5.3 Supplier information

Submissions must provide the following information about the respondent or, in the case of a partnership or consortium, all parties to the submission.

5.3.1 COMPANY DETAILS

- (i) The company's legal status, and the name of the holding company if applicable;
- (ii) The importance of the services to the vendor (i.e. in terms of percentage of total turnover, vendor image, other product dependence); and
- (iii) Audited financial statements for the past 5 years.

5.3.2 KEY PERSONNEL PROFILES

Respondents are asked to identify the key individuals who will lead and manage the delivery of the solution. Respondents are asked to provide a brief

resume for each key individual detailing their previous experience and the role they will be performing during the delivery of the solution.

5.3.3 PROPOSALS FOR ENGAGEMENT

Respondents are asked to provide the following information about their terms of engagement in their submissions:

- (i) Details of the respondent's standard terms and conditions for the delivery of systems and services;
- (ii) Information about any aspect of their systems or services that are likely to be subcontracted to a third party, including details about the expected terms and conditions of the subcontracting relationship that will ensure continuity of service provision;
- (iii) Steps that will be taken to ensure quality assurance of services provided. Some examples might include:
 - (a) Standards adopted;
 - (b) Delivery approach;
 - (c) Industry accreditation;
 - (d) Steps to achieve transparency to clients during delivery; and
 - (e) Conflict resolution methodology.

5.3.4 REFERENCES

Respondents are requested to provide references in support of their submission to this document that demonstrates their previous experience in the implementation and delivery of information management solutions to multiple business partners. References should include a short description about similar solutions and/or services that have been provided previously, together with the name of the organisation and details of an appropriate employee who may be contacted.

5.4 Request for proposal process

This section sets out the process for responding to the RfP, including relevant contact details and the timeline for its completion.

5.4.1 CONTACT PERSON

All contact regarding this RfP should be directed to:

Name: Neil Gaffney
Address: EMI Music Publishing
27 Wright's Lane
London
W8 5SW
United Kingdom
Email: ngaffney@emimusicpub.com

In order that all potential respondents to this RfP are given the same information, any substantive questions from potential respondents and the answer given by the GRD WG will be published on the website.

5.4.2 REGISTERING AN INTENTION TO SUBMIT

Respondents are asked to confirm their intention to submit or otherwise by e-mailing the contact point as above by **Friday 3rd September**.

5.4.3 COSTS ASSOCIATED WITH THE PREPARING THE SUBMISSION

Respondents must note that the GRD WG which contributing to the preparation and issue of this RfP will not be liable for, nor pay for, any expenses or losses incurred by the respondent in connection with the preparation of their submission.

5.4.4 CONFIDENTIALITY OF THE SUBMISSION

The GRD WG undertakes to treat all material and information supplied by respondents as confidential information where such information is specifically identified as such. Where responding companies choose to prepare a collaborative submission each of the parties involved will be responsible for ensuring their own arrangements for managing confidentiality about each other's business and technology.

5.4.5 INTELLECTUAL PROPERTY

The GRD WG assumes that subject to any information given in Section 5.2.12, all submissions are unencumbered by any other intellectual property.

5.4.6 NO COMMITMENT TO CONTRACT

This RfP has already acknowledged that by its very nature it is unlike most RfPs. An explanation has been given in Section 2 of the steps the GRD WG plan to take after the evaluation process. In light of this the GRD WG makes no commitment to carry out the planned evaluation process or to contract with or otherwise engage with any respondents to this RfP at the conclusion of the evaluation process at its sole discretion.

5.4.7 FORMAT AND COPIES OF THE SUBMISSION

Submissions to this RfP must be supplied in an electronic machine-readable format using standard desktop applications. The contact point reserves the right to distribute electronic copies to the GRD WG members.

5.4.8 TIMETABLE FOR DELIVERY OF SUBMISSIONS

Respondents should provide their submissions by **11.59pm (PDT) on Friday 15th October 2010**. Respondents are required to supply their submissions to the contact point by email at the above address. The contact person will acknowledge receipt of all submissions. The GRD WG accepts no responsibility for non-receipt.

The evaluation of submissions takes a two-stage process. Responds must provide submissions by the required deadline and based on the outcome of the evaluation of the submissions, some or all of the respondents will be invited to attend a meeting with the GRD WG to present their submissions.

The presentations will be held in London at a location that will be notified to presenters in advance.

The timetable for responding to the RFP is as follows:

Activity	Date (all 2010)
Issue of RfP	Friday 30 th July
Responding companies to email contact person to confirm whether or not they plan to respond. Also, whether they plan an individual or collaborative submission with other recipients of the RfP	Friday 3 rd September
Respondents to submit their submissions to contact person by email	11.59.p.m PDT, Friday 15 th October

6 *Evaluation criteria and process*

A set of evaluation criteria have been prepared by the GRD WG and these criteria will be used to review all submissions. However, an initial evaluation will consider whether or not every submission contains the basic information set out in Section 5.3. The GRD WG reserves the right at its sole discretion to disqualify without further consideration any submission that does not satisfy this basic requirement.

To assist respondents in the development of their submissions the following is provided as a guide to the evaluation process that will be adopted. However, it is only a guide and the GRD WG reserves the right to change the evaluation criteria at its sole discretion:

- (i) **Satisfying the requirements:** The content of submissions will be evaluated on their ability to meet the stated requirements that will enable the respondent to provide a service that meets the objectives of the GRD. Respondents will be scored on the vision, quality, completeness and ability of the respondent to deliver a solution;
- (ii) **Governance, ownership and financial model:** The nature of the submissions to these issues will also be evaluated. It is acknowledged that entirely objective evaluation on these issues is not straightforward. However, the GRD WG will be looking in the submissions for clear understanding of the relationships that currently exist amongst the various stakeholder groups and how these might be adapted to any governance, ownership or financial model;
- (iii) **Commercial attraction:** The combination of costs and the attractiveness of the proposed financial model in order to provide a robust and long term solution will also be evaluated;

- (iv) **Technology and expertise:** The technical innovation, ease of implementation and the level of confidence for successful delivery must be demonstrated in submissions including an indication of the current state of “readiness” and quality of staff needed to develop, populate and maintain the GRD; and
- (v) **Track record and experience:** The respondent’s evidence of the capacity to deliver the GRD based on previous experience will also be evaluated.

6.1 Evaluation process timetable

The table below sets out the timetable for the evaluation process. Respondents should particularly note the dates for physical presentations of any selected submissions.

Activity	Date (all 2010)
Evaluation of submissions and selection of respondents for proposal presentations	Monday 18 th October to Friday 12 th November
Presentation of proposals by selected respondents	Tuesday, Wednesday and Thursday 23 rd , 24 th and 25 th November
Publication of recommendation and proposal for moving forward	Friday 10 th December

6.2 Managing conflicts of interest

Clearly the organisations represented on the GRD WG have an interest in the development and subsequent use of the GRD, albeit that these interests may be different, because they come from the three stakeholder groups, namely, musical work CRMs, music publishers and music service providers. Furthermore, it is recognised that some of the organisations on the WG have interests in potential solutions to the GRD. Therefore the GRD WG is acutely aware that each of its constituent organisations, to a greater or lesser extent, may at various points in the process, have conflicts of interest. The GRD WG does not want this to discourage solution providers with no links with its members from making submissions to this RfP. Therefore it has agreed a process to manage these real or perceived conflicts of interest.

Essentially, since the publication of the RfI on 22nd April the GRD WG meetings have been held on the basis of consensus. The GRD WG has adopted for these purposes the International Organization for Standardization (“ISO”) definition, which is as follows:

“General agreement, characterized by the absence of sustained opposition to substantial issues by any important part of the concerned interests and by a process that involves seeking to take into account the views of all parties

concerned and to reconcile any conflicting arguments. Consensus need not imply unanimity".

In the absence of consensus the GRD WG has adopted a super-majority decision making process, which was introduced for the RfP development and will also be used during the evaluation process. A super-majority vote requires 80% of the members of the GRD WG (see Section 1.1) to vote in favour of any issue that is debated or requires a decision. In addition, because two members of the GRD WG, PRS for Music and STIM, are in partnership on the International Copyright Enterprise ("ICE"), which may be a respondent to this RfP, the two organisations will only have one vote between them (a process that they are required to manage between themselves).

Thus in the event that a super-majority vote is ever called on an issue under debate or which requires a decision, six of the seven members of the GRD WG must vote in favour. This means that no single stakeholder group within the WG can be "out-voted" by the other two.