



Welcome to the ALAI questionnaire on online practices of author-identification!

The purpose of this questionnaire is to ascertain what author-identification practices are commonly used in ALAI National group countries when works are disseminated online. The results will be used to determine what it means for the name of the author "to appear on the work **in the usual manner**" (Berne Convention, art. 15) when the work is disseminated over online media.

1. **Name and surname of the respondent: Jakub Vojtovič**
2. **E-mail address: vojtovic@akvk.cz**
3. **Which ALAI National group do you represent? Submitting on behalf of the Czech group**
4. **If your responses relate to more countries, please list them here:**

Photography and Visual Arts

5. Who are the most prominent **photo/visual art sharing platforms or visual content providers** in your region? On what other sites (including the authors' own) do photographs and other works of visual art appear?

Visual content providers:

- *The most prominent stock used mainly by Czech media is the official stock of the Czech News Agency (ČTK).*
- *Another popular image database is shutterstock.com and other similar image providers for professionals often used in marketing.*
- *In general, people tend to use pictures from Google images search without necessarily opening the page where the picture is located.*

Photo/visual art sharing platforms (UGC): the platforms listed below are always connected to a personal profile

- Instagram
- Facebook
- Snapchat

- Czech based service Rajče (rajce.net)

6. What practices are employed to place the author's name **in the visual content itself**, such as author's name in a corner of a photograph, mouseover (rollover effect), watermark, metadata in the file's properties, other means or author-identification, or no attribution at all? Are any of the above means standardized in your media sector?

In the case of professional visual content providers the usual practice is to place a watermark on the photo, to protect it from copying from a database. The professional content providers often do not indicate the actual author but only their copyright.

Quite often the name of the author can be found in one of the corners of the picture itself. Some news agencies inform the user about their copyright when the user clicks to copy the picture

No standards are employed and the ways of indicating the author vary.

7. Whatever the means, what information in addition to the name(s) of the author(s) is disclosed? E.g.

A. A copyright symbol?

If the copyright symbol is used directly in the photo itself, it is used usually only by professional photographers on their website or facebook page.

B. Standard identifier such as an ISBN (equivalent for photos or drawings).

- Such identifier is not usually part of the content itself, but there are exceptions, for example shutterstock will add the ID of the picture and a watermark when the picture is downloaded without paying. But no industry standards for identification of pictures are in place.

C. Year of first publication? Other year(s) (if so, to what do they pertain)?

- The year of first publication may sometimes appear on the photos of professional photographers but it cannot be perceived as usual practice.

D. In addition to the author's name, does the rightholder's name (if different from the author's) appear?

- The rightholder's name often appears as a watermark and also on the site where the picture is posted. Mostly, the original author is not mentioned, unlike the rightholder.

8. Once author-identifying data is included in the digital file, does it remain there, or do third parties, such as platforms, strip it out?

-When downloading a photo which was already uploaded on a webpage, very often a user cannot download the full size picture, therefore the photo is of worse quality and the metadata is changed. Moreover, it is hard to judge it, since we can only assess the final state of the picture offered by the third party. Of course the situation may vary. We tried uploading photos with metadata on Facebook and Instagram and then download them. In the case of Instagram the photo can't be downloaded at all, or at least by common user. In the case of Facebook, the uploaded photo is transformed by Facebook, it can be easily verified by downloading the uploaded photo. Not only metadata is changed, but also the name and resolution of the photo.

9. What practices are employed to place the author's name **in the description of the visual content on the website** (whether the author's own website or a third-party website)(outside of the content itself, such as below or above a picture, with a hyperlink to external site, with an indication of a public license, where appropriate...)? Are any of the above means standardized in your media sector?

- News websites with certain integrity always disclose the name of the author, if there is a rightholder different from the author his name is usually disclosed as well, this approach is adopted for example by lidovky.cz, ihned.cz, novinky.cz, idnes.cz. The practice of mentioning the author decreases with the quality of the news websites as such and their content.
- The situation changes when assessing visual content sharing platforms listed in the answer to the question 5. As mentioned before, those platforms presume a creation of a profile which is "signed" under every activity a user makes. Those profiles often contain more information about the author (age, workplace, etc.). But one should be observant since the one who makes available the image doesn't have to be necessarily the original author.
- On the other hand the Czech websites in general- company websites, personal websites and others do not mention the author in the description of the visual content placed on the website.

10. Whatever the means, what information in addition to the name(s) of the author(s) is disclosed? E.g.

See the second answer to the question 9.

A. A copyright symbol?

- Not on a regular basis.

B. Standard identifier such as an ISBN (equivalent for photos or drawings).

- When searching for an image in a database (ČTK, shutterstock) an ID of the photo is provided.

C. In online news media an article is often accompanied by some photos, if the events are actual, the photos are often as well, in those cases the date of the publication of the article is always disclosed, in those cases we can presume, that the photo was published at least the same year. Moreover in the case of ČTK an exact date when the picture was taken is disclosed, therefore it can be also showed when the picture is used by another party.

D. In addition to the author's name, does the rightholder's name (if different from the author's) appear?

- Yes, if there is one, usually both (the author and the rightholder) appear.

11. How do the service/platform providers named above in question 5 identify the author and in which form (questions 6-10)?

- They either place their name under the photo, in the description or it appears as a roll-over effect. Those platforms show the full name of the author.

Music, Audiobooks, Radio

12. Who are the most prominent **online radio broadcasters, on demand music services (both for streaming and downloading) or other similar services or platforms offering audio content, including audiobooks, podcasts etc.** in your region?

-On demand music services: Spotify, Deezer, Apple Music, Google Play, Czech based Supraphonline and MusicJet

-As for the audiobooks, the providers are rather scattered and there is no major provider, but we can mention at least audioteka.com and audiolibrix.com.

- Radio broadcasters usually simulcast their radio broadcast on their website (with additional features such as catch up service, video, texts etc.). A sample of the few most listened radios: Český rozhlas (public radio), Evropa 2, Impuls, also we can add Czech service YouRadio which allows user to listen to music based on his mood or genre preferences. This option can be also found on Spotify, but Spotify wasn't available for a long time in the Czech Republic, therefore YouRadio was basically its substitute.

13. Is there a practice to mention the author's or rightholder's name **within the audio content itself**? This may differ for radio, podcasts or audiobooks (where it is common to mention an author) and for musical services where the name may appear in the file's metadata or with the mouseover (rollover) effect. Are any of the above means standardized in your media sector?

- Everything listed in the question works as mentioned. The full name of the author or his pseudonym is always binded to a specific song or audio file. When comparing e.g. Spotify and Apple music the user interface is different, but the name of the author is always mentioned. The same practice is used in the case of Czech YouRadio. Therefore we cannot speak of standardization, but the author is almost always given credit in one way or another. It is true that in the radio broadcast the presenter cannot always mention the author of each song, since those are played in sets and the presenter doesn't interrupt the broadcast. But in the case of Český rozhlas- the public radio, the Artist is mentioned either before the song starts or after it is finished.

14. If the means of author-identification involve information that can be visualized (as opposed to a purely audio attribution of authorship), what information in addition to the name(s) of the author(s) is disclosed? E.g.

A. A copyright symbol?

-No, it is not usual. But in the case of online services and their flash-website players the copyright symbol can be found on the bottom of the website but this copyright symbol is meant for the whole website and not for individual audio content.

B. Standard identifier such as ISRC.

- We were able to find the ISRC code only when buying/downloading audio content from Supraphonline, ISRC is disclosed on the website and in metadata. In other cases the practice is not common.

C. Year of first publication? Other year(s) (if so, to what do they pertain)?

- Year of first publication is usually mentioned for the audiobooks.

D. In addition to the author's name, does the rightholder's name (if different from the author's) appear?

-No

15. Once author-identifying data is included in the digital file, does it remain there, or do third parties, such as platforms, strip it out?

- It usually remains there since user needs it to organize his music library. Even in the case of platforms like Bandzone.cz (similar platform to Myspace) and Soundcloud author-identifying data remain in the digital file.

16. What practices are employed to place the author's or rightholder's name **in the description of the audio content on the website** (outside of the content itself, such as below or above a file, with a hyperlink to external site...)? Are any of the above means standardized in your media sector?

-In general the audio file/link is always accompanied by a cover art which lists the author of the audio work. And the author is mentioned in the description of a specific track. The rightholder, or the producer is not always mentioned, because it is the artist that listeners are looking for.

-In the case of audiobooks usually more people are mentioned: the reader, the rightholder and the author of the original work.

-We cannot speak about standardization in this sense in the audio sector, but the listener wants to be informed what he listens to and all the platforms allow him to do so.

17. Whatever the means, what information in addition to the name(s) of the author(s) is disclosed? E.g.

-Fairly new platforms such as Spotify allow user to view more information about the selected artist if he wishes to. Apart from biography of the artist, a link to his merchandise and upcoming events can be found as well.

A. A copyright symbol?

-No

B. Standard identifier such as ISRC.

- ISRC does not appear on already mentioned streaming websites. But sometimes it can be seen when buying/ downloading the audio files directly.

C. Year of first publication? Other year(s) (if so, to what do they pertain)?

-Year of first publication is usually mentioned for the audiobooks.

D. In addition to the author's name, does the rightholder's name (if different from the author's) appear?

-Yes, it usually does.

18. How do the service/platform providers named above in question 12 identify the author and in which form (questions 13-17)?

-The full name of the author appears in the file/link description, in the metadata and often on the cover art.

Film, TV, Video

19. Who are the most prominent **online TV broadcasters, user generated video sharing platforms, on demand film providers (both streaming and downloading) or other similar services or platforms offering audiovisual content** in your region?

- Youtube, Netflix, Livebox, HBO GO, o2TV, DocAlliance, aerovod.cz
- uloz.to (a Czech based platform for UGC legality of which is contested in courts by rightholders as the service is used practically only for sharing of infringing content)
- Stream.cz can be seen as a hybrid, not only it has its own shows and programs, but it is also a user generated video sharing platform
- National TV broadcasters also offer their own on-demand services VOYO.cz and Prima PLAY

20. What means are employed to place the author's or rightholder's name **in the audiovisual content itself**, such as in the opening or closing credits, on the bottom of the window with the film, by a watermark placed over the film, metadata in the file's properties, use of the mouseover (rollover) effect etc.? Are any of the above means standardized in your media sector?

- Standardization can be seen in the closing credits which always provide the viewer with most of information about the people participating on the creation of the audiovisual work. The Mouseover effect can be spotted in many cases, but it does not serve the author identification but rather categorization and description of the audiovisual work.

21. Whatever the means, what information in addition to the name(s) of the author(s) is disclosed? E.g.

A. A copyright symbol?

- Yes, usually part of the closing credits.

B. Standard identifier such as ISRC (music videos) or other equivalent.

- It depends on the content. E.g. if a movie is licensed from a country where such identification exists, it is part of the tape and therefore it can be also seen in other countries. The music videos almost always have ISRC code but it is not disclosed to the public.

C. Year of first publication? Other year(s) (if so, to what do they pertain)?

- Yes

D. In addition to the author's name, does the rightholder's name (if different from the author's) appear?

- Yes, in the opening and the closing credits.

22. Once author-identifying data is included in the digital file, does it remain there, or do third parties, such as platforms, strip it out?

- It is hard to say since such audiovisual content is not usually downloadable. In the case of pirated copies the situation may be of course different, the pirated versions often somehow transform the original audiovisual file and create a new one which doesn't include the

author-identifying data. This can be also extended to purely audio industry and pirated copies of audio files. When uploading a video on uloz.to metadata remain in the digital file, on the other hand when uploading a video on YouTube, a regular user is not able to download the original digital file, instead he is forced to use a program to download it.

23. What means are employed to place the author's or rightholder's name **in the description of the audiovisual content on the website** (outside of the content itself, such as below or above a file, with a hyperlink to external site...)? Are any of the above means standardized in your media sector?

- Usually it is the director of the audiovisual work who is considered to be the author, so it is very often him who is listed as the author. The author is usually listed in the description whereas the rightholder is more often listed in the work itself.

24. Whatever the means, what information in addition to the name(s) of the author(s) is disclosed? E.g.

A. A copyright symbol?

- It depends on the platform, but in general it usually appears in the work itself.

B. Standard identifier such as ISRC (for music videos) or other equivalent

- No, see answer to question n.21.

C. Year of first publication? Other year(s) (if so, to what do they pertain)?

- Year of the publication is usually listed in the description.

D. In addition to the author's name, does the rightholder's name (if different from the author's) appear?

- Yes, the rightholder sometimes also appears in the description, in such cases more people who helped create the audiovisual work are mentioned: producer, screenwriter, editor, music composer etc.

25. How do the service/platform providers named above in question 19 identify the author/rightholder and in which form (questions 20-24)?

- They mention him in the description, when it is him who uploads the content he is automatically signed since he had to previously register. Moreover, the author and rightholder is listed in the opening and ending credits of the work.

E-zines, E-books, Blogs, News, News Aggregators

26. What are the most prominent providers of **online literary content**(e.g. magazines/e-zines, e-books, blogs, news, including news aggregators) in your region and how do they identify the author or rightholder?

- This may not be easy to assess in the case of blogs and magazines, since the website visits numbers are not usually made available and if they are, it is hard to find them and compare them.

- Nevertheless the main e-books sources are: Amazon, Alza, Kosmas, Palmknihy.cz
- News: novinky.cz, lidovky.cz, idnes.cz, ihned.cz

- news aggregators: Google News
- e-magazines: Neviditelný pes, Britské listy, Reflex, Respekt, Marianne, Elle, Joy, Forbes
- Blogs: ČiliChili, 1000vecicomeserou, asijatka, Humans of Prague, blogspot blogs and blogs made part of news websites

27. Is there a practice to mention the author's or rightholder's name **within the literary content itself**, such as author's name as a byline appearing together with the literary content, or disclosed via mouseover (rollover effect), watermark, metadata in the file's properties, other means or author-identification, or no attribution at all? Are any of the above means standardized in your media sector?

This again varies from each type of media to another.

- *In the case of e-books the author appears as in paperbooks.*
- *As for the magazines and news it really depends on the content, also there is a thin line between "the content itself" and its description. There are cases where the editorial staff is signed under an article but more often a sole author is signed. The standardization depends on the media type, but certain similarity is present.*
- *The blog is usually led by one person, who is known to the reader, otherwise if more authors participate on the content, the one who wrote the article is signed.*

28. Whatever the means, what information in addition to the name(s) of the author(s) is disclosed? E.g.

A. A copyright symbol?

- *Copyright symbol can be found in the e-books, apart from that a copyright symbol doesn't really make part of articles in general.*

B. Standard identifier such as an ISBN or ISSN.

- *ISBN identifier is binded only to the e-books.*
- *ISSN is given upon request to any continuously published e-zines. It is regulated by standard ČSN ISO 3297. Purely online e-zines with ISSN: Neviditelný pes, Britské listy, Respekt and others.*

C. Year of first publication? Other year(s) (if so, to what do they pertain)?

- *Year and often an exact date of publication*

D. In addition to the author's name, does the rightholder's name (if different from the author's) appear?

- *While the books are special case, where the publisher/rightholder is always mentioned in the text itself, in other literary works mentioned in question n.26 this practice is not common.*

29. Once author-identifying data is included in the digital file, does it remain there, or do third parties, such as platforms, strip it out?

- *The only transmittable files in this case are the e-books, the author-identifying data remains as it is necessary for e-reading gadgets, such as kindle or PocketBook, to categorize them.*

30. What practices are employed to place the author's or rightholder's name **in the description of the literary content on the website** (outside of the content itself, such as below or above a file, with a hyperlink to external site...)? Are any of the above means standardized in your media sector?

The author's name is always closely connected to the literary content, either he is signed under the article or next to it. A hyperlink leading to other author's works are quite common. Rightholder's name is frequently listed in the bottom of the website accompanied by the copyright symbol or copyright claim.

31. Whatever the means, what information in addition to the name(s) of the author(s) is disclosed? E.g.

A. A copyright symbol?

-As mentioned in the previous answer, the copyright symbol can be often found in the bottom of the website.

B. Standard identifier such as an ISBN or ISSN.

*- ISBN identifier can be part of the description, but such identifier exists only for the e-books. **As written in the answer 28 B, the ISSN is disclosed as well.***

C. Year of first publication? Other year(s) (if so, to what do they pertain)?

-Year and often an exact date of publication in case of articles and blogs is disclosed.

D. In addition to the author's name, does the rightholder's name (if different from the author's) appear?

-See answer to question n.30.

Websites as Such

332. Is there a standardized or prevailing practice how to place the name of the author in and to the **website as such**, e.g. at the very bottom of the website, at the bottom of the window (if the page is scrolled or the window resized, the text sticks to the lower window border, elsewhere than at the bottom of the website), with a hyperlink to external site naming the actual rightholder?

We should make a distinction of three subjects: the author of the content, the website as such and the rightholder of the content placed on the website.

Prevailing practice is to place the name of the website in the upper part of the website, the author's name is placed where suitable (see previous answers) and in the bottom of the website is the rightholder's name.

34. Whatever the means, what information in addition to the name(s) of the author(s) is disclosed? E.g.

A. A copyright symbol?

B. Standard identifier such as an ISBN .

The identifier for the website is its URL adress. In the case of e-zines, if ISSN identifier was granted it is also sometimes displayed.

C. Year of first publication? Other year(s) (if so, to what do they pertain)?

D. In addition to the author's name, does the rightholder's name (if different from the author's) appear? If necessary, a controlling person, or concern is also disclosed.

In most cases, we can find the rightholder's name, copyright symbol and a year to which the copyright is claimed in the bottom of the website. In the Czech Republic we can come across three different practices concerning the usage of copyright symbol. First some webpages show the copyright symbol accompanied by year of creation of the website. Second the copyright symbol is accompanied by the year of creation of the website and current year (©1999-2016). Third, only the current year and the copyright symbol is displayed. Needless to say, that such practice „claiming a copyright“ is not required by the copyright law. Actually a copyright symbol with some year is often indicated as first, it is followed by the rightholder's sometimes followed by an address.

General

35. Can you identify substantial similarities or differences between the online and offline identification practices in your region?

Substantial similarity goes hand in hand with certain type of media, especially those which developed from traditional offline media. We are talking about e-books, e-zines, audiovisual works and audio recordings, their nature basically doesn't allow them not to mention the authors.

On the other hand some content existing only online may at some point of its existence separate itself from the author and exist anonymously. Especially photos are challenged with this problem, they may be copied many times without author even noticing. Accordingly, practice like using watermark developed, so the work could be protected from alienation. Nevertheless, substantial differences arise when a copyright symbol is used, it is basically omnipresent in the online world, whereas in the offline world we do not stumble upon it so often.

Overall, in the Czech Republic, there is a pursuit to identify the authors as clearly as in the offline world, but all the advantages offered by online communication are paid by some disadvantages, which may reflect in alienation between author and his work in the course of time.