



## 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:** Stefania Landaeta and Yecid Ríos
2. **E-mail address:** presidencia@cecolda.org
3. **Which ALAI National group do you represent?** CECOLDA (Colombia)
4. **If your responses relate to more countries, please list them here:** Colombia

### 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?

Flickr: This is a webside of image hosting service and video hosting service. The images that the photographers upload to Flickr go into their sequential presentation of photos, the basis of a Flickr account. All the list or presentation of photos can be displayed as a justified view, of the achieve details.

It's available at: [www.flickr.com](http://www.flickr.com)

Instagram: Is Platform to support several types of apps and services. The users of the website can to share their own content with apps or services. The Instagram Platform help broadcasters and publishers discover content, get digital rights to media, and share media using web embeds.

It's available at: [www.instagram.com](http://www.instagram.com)

Facebook: This is a social network that allows users to add other users as "friends", exchange messages, post status updates, share photos, videos and links, use various software applications (applications) and receive notifications of the activity of other users. It's available at: [www.facebook.com](http://www.facebook.com)

Pinterest: It's a platform that allows to users, create and manage, on thematic personal boards, collections of images such as events, interests, hobbies and others. Is available at: [co.pinterest.com](http://co.pinterest.com)

Tumblr: This platform is a microblogging and social networking website that allows users to post multimedia and other content to a short-form blog. Users can follow other users' blogs. It's available at: [www.tumblr.com](http://www.tumblr.com)

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?

Flickr: In this platform, clicking on a photo or image, the user can open an interactive place alongside data, comments, and facilities for embedding in the images, external sites.

Users may label their uploaded images with titles and descriptions, by the uploader or by other users, if the uploader permits it. The albums of Flickr represent a form of photos metadata. The way to indicate authorship of a work is freedom for users.

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Facebook, Instagram, Pinterest, and Tumblr: The way to indicate the authorship of a work is free by users. However, some users label the authors of the works, others only mention them, and other users simply don't indicate the authorship. When the publication of the content is done by the same author it's common to accompany the mention of the author's name, information or metadata of the work, as well as the website where it can be obtained.

7. 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 (equivalent for photos or drawings)

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?

The way to indicate the authorship of a work by users is free. Typically, if the content is advertised as a work, the title of the work and its author are mentioned. In some cases it's accompanied by a copyright symbol added to the phrase "All rights reserved", and the year of creation, but this is not common, except in platforms such as Flickr, or websites focused exclusively for photographers.

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?

The platforms don't modify the published contents or remove them unless the publications don't comply with the terms and conditions of the websites, among which is the respect of the intellectual property of third parties. Thus, if the platform concludes that the content is an infringer of intellectual property rights or exists another infraction to the conditions of the platform, the web eliminates or limits the published content.

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? 10. 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 (equivalent for photos or drawings)

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?

In most platforms, the information of the visual content is usually added below it. In some cases those who upload the contents add hyperlinks where more information related to the creations can be found, also a copyright symbol and/or notice of "all rights reserved". In any case, there aren't standardized practices in the media sector.

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

The providers or platforms don't directly identify the author, since they only make available the hosting service and the necessary tools for users to upload their content. In this way, the author's identification work is in charge of the users themselves.

## **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: Is a European media-services provider. As a freemium service, basic features are free with advertisements or automatic music videos, while additional features, such as improved streaming quality, are offered via paid subscriptions. Available at: [www.spotify.com](http://www.spotify.com)

Deezer: Is a French online music streaming service. It allows users to listen to music content from record labels, including Universal Music Group, Sony Music and Warner Music Group on various devices online or offline.

Available at: [www.deezer.com](http://www.deezer.com)

Itunes: Is a media player, media library, Internet radio broadcaster, and mobile device management utility. It is used to purchase, play, download, and organize digital multimedia, on personal computers, running the macOS and Windows operating systems.

Available at: [www.apple.com/co/itunes/](http://www.apple.com/co/itunes/)

Youtube: Is an American video-sharing platform that allows users to upload, view, rate, share, add to playlists, report, comment on videos and subscribe to other users.

Available at: [www.youtube.com](http://www.youtube.com)

- Online radio broadcasters:

Caracol radio: Is one of the main radio networks in Colombia.

Available at: [www.caracol.com.co](http://www.caracol.com.co)

La W: Is a news/talk/adult contemporary Colombian radio network, part of Caracol Radio.

Available at: [www.wradio.com.co](http://www.wradio.com.co)

- Platforms offering audiobooks:

Buscalibre

Available at: [www.buscalibre.com.co](http://www.buscalibre.com.co)

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Panamericana

Available at: [www.panamericana.com](http://www.panamericana.com)

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Planeta de libros: Is a recent Internet portal that gives access to a big literary universe.

Available at: [www.planetadelibros.com](http://www.planetadelibros.com)

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?

- On-demand music services: Spotify, Deezer, and Itunes, usually present the name of the author in the credits of the album or song that is shown, that is, as metadata. However, these data aren't evident when a user access to the content. The user should look for the credits tab or the technical sheet to access the information of the authors. The mouseover effect to indicate the author's name is rarely used.

YouTube, through its users provides information not always complete. That is to say, contents with the name of the work can be presented but without the name of the author, everything depends on the way in which the users decide to upload the contents.

- Online radio broadcasters: Some of them provide simulcasting of their analogous broadcast is not common that The author's name **appeared**.

- Platforms offering audiobooks: **Usually** next to the name of the publication appears the author, it's also shown on the cover of the content and in the technical sheet. On the other hand, the name of the audiobook narrator is often not included, for example in Panamericana and Buscalibre.

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?

B. Standard identifier such as ISRC

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?

In the case of musical works is common to observe a copyright symbol and the release date of the disc of which it's a part, or the song itself. Regarding audiobooks, the date of the last edition of the book and the ISBN, not the ISRC, are usually added. In the case of podcasts and radio publications, is usual to find the publication date.

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?

We do not have information about it.

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?

It's not common to find external hyperlinks. Attribution of authorship is usually indicated next to the name of the publication or content.

17. 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 ISRC

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?

Please, look at the above answers.

18. How do the service/platform providers named above in question 10 identify the author and in which form (questions 13-17)?

Please, look at the above answers.

### **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?

Netflix: Is an American media-services provider and production company, based in streaming service which offers online streaming of a library of films and television programs, including those produced in-house. Available at: [www.movistar.co/movistar-play](http://www.movistar.co/movistar-play)

Amazon Prime: Is a paid subscription service offered by Amazon that gives users access to services of streaming music and video, and other benefits, that would otherwise be unavailable, or cost extra, to the customer.

Available at: [www.primevideo.com](http://www.primevideo.com)

Movistar play: It's the platform of Movistar company that offers audiovisual content through streaming.

Available at: [www.movistar.co/movistar-play](http://www.movistar.co/movistar-play)

Caracol Play: It's the web platform of Caracol Televisión where its contents are offered on-demand and streaming.

Available at: [play.caracoltv.com](http://play.caracoltv.com)

HBO GO: It's an online streaming service. It contains a billboard of series, movies, among others that were broadcast by HBO.

Available at: [www.hbolatam.com/CO](http://www.hbolatam.com/CO)

Youtube

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?

In general, the name of the author or rightholder is usually provided in the credits of the work. In particular, audiovisual content platforms on request additionally inform ownership or authorship in the technical or description sheet. Thus they establish who is the director, the cast, and in some cases the producer.

YouTube, through its users provides information not always complete. That is to say, contents with the name of the work can be presented but without the name of the author, everything depends of the way in which the users decide to upload the contents.

21. 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 ISRC (music videos) or other equivalent

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?

The information in addition to the name(s) of the author(s) that is disclosed, is the year of publication, the country of origin, the producer and the repertoire. It isn't common to find an ISRC standard or a copyright symbol.

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?

The author's identification data usually remains in the same conditions in which the platforms have been submitted.

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?

The name of the rightholder and the author when is indicated outside of audiovisual content itself, is shown in the description of the content or technical sheet. On the other hand, it's very common for the platforms show the name of the director and the main actors.

24. 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 ISRC (for music videos) or other equivalent

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?

Please, look at the above answers.

25. How do the service/platform providers named above in question 15 identify the author/rightholder and in which form (questions 20-24)?

Please, look at the above answers.

**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?

- The company has operations in Colombia and Mexico, and coverage in Latin America and Spain. Available at: [www.libreriadelau.com](http://www.libreriadelau.com)
- Buscalibre: One of the largest bookstores in Latin America with 5 million titles available. At: [www.buscalibre.com.co](http://www.buscalibre.com.co)
- Librería Nacional: This book seller handles more than 60,000 references in all subjects. It has 250 Suppliers and Publishers among which are the most representative of the publishing world in Spanish and English. Available at: [www.librerialnacional.com](http://www.librerialnacional.com)
- Lerner: Is one of the oldest and most traditional bookstores in Bogotá, has a web platform with an online store available at: [www.librerialerner.com.co](http://www.librerialerner.com.co)
- Panamericana: Another traditional in Colombia with an online store at: [www.panamericana.com.co](http://www.panamericana.com.co)
- Amazon: A chain of retail bookstores owned by online retailer Amazon, through which it is possible to buy books online. Available at: [www.amazon.com](http://www.amazon.com)
- Universities like Universidad Externado: For example, this educational institution has an online bookshop available at: [www.publicaciones.uexternado.edu.co](http://www.publicaciones.uexternado.edu.co)
- Google Books: This Google service has the option to take the user to the place where he or she can find, buy or rent the book. Available at: <https://books.google.es/>

The authors and rightholders are shown in what is called the record, review or product details. Although it's possible that in some of these reviews only the title of the book and the price appear.

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?

The most used in the publishing sector is to present the name of the author and the owner through metadata. In turn, metadata are commonly presented under the ONIX standard that classifies the different types of authors or holders to facilitate the cataloging of works, thus, the information is organized by coding the profiles of authors, editors, compilers, producers, interpreters, among others. The standard can be found at: <https://www.editeur.org/14/Code-Lists/>

The "Mouse over" tool is little used today.

28. 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 or ISSN.

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?

In addition to the names of the authors, additional information is presented. The use of identifiers or standards is mandatory, the ISBN (International Standard Book Number) is usually used for individual publications, and the ISSN (International Standard Serial Number) for serial publications, the DOI (Digital Object Identifier) identifier is also used to make visible the information object to which the DOI refers. This is achieved by linking the DOI to metadata about the object, such as a URL, indicating where the object can be found.

Furthermore, when a year is shown, this usually refers to the year in which the last edition of the work was published.

In addition to the author's name, the name of the publisher appears as the rightholder.

On the other hand, isn't common display the copyright symbol for publications.

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 platform that provides the information, usually presents the data as the publisher has delivered it. In this way, isn't common that third parties such as platforms, erase data at least consciously. The reason for which incomplete information of a publication can be shown is that the same publishers sometimes (which are the source of the information) don't present the complete information. Finally, standards such as the ISBN aren't sufficient to guarantee the completeness of the data.

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?

Publishing sector used to use the ONIX standard, which as we saw is a system of cataloging information, however the publishers are very free to identify the authors and rightholders of the works, so there aren't standardized parameters for all the publishing sector.

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

A. A copyright symbol? **Yes**

B. Standard identifier such as an ISBN or ISSN. **Yes**

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

Year of the last publication

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

Usually the name of the publisher.

### **Websites as Such**

32. 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?.

Although is not a standardized practice, sometime is possible find the authorship of a website below of it.

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

A. A copyright symbol? **Yes**

B. Standard identifier such as an ISBN **No**

C. Year of first publication? Other year(s) (if so, to what do they pertain)? **No**

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

### **General**

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

The use of metadata is the main difference. In digital space, it is more common the use of technical tools to identify rights holders.

In some fields like the music and photography industry used to avoid the name of the author. it is similar in offline than online services.

35. Are you aware of any case law concerning the legal protection of electronic rights management information (article 7 of Directive 2001/29 / article 12 of the WCT) in your country?

We don't know any case law in Colombia about the legal protection of electronic rights management information.