

ITALY

(Stefania Ercolani)

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 ERCOLANI**
2. **E-mail address: stefania.ercolani@siae.it; alai@siae.it**
3. **Which ALAI National group do you represent? ITALY**
4. **If your responses relate to more countries, please list them here:**

In Italy, as in many other countries, the majority of users normally visit wellknown international platforms and content providers. The following answers contain specific information on attribution metadata only concerning Italian online platforms or services; however it can be assumed that the supply and treatment of metadata do not differ too widely between international and domestic websites and services.

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?

a. Photo Sharing Platforms

www.Instagram.com

It is popular in Italy, although the site has no Italian version.

www.Flickr.com is geolocalized with an Italian version.

www.Juzaphoto.com

This is an Italian photosharing platform where users, either professionals or individuals, can upload their own photos. The photo caption includes the name/psudonym of the uploader, who is assumed to be the author according to the terms and conditions of the platform.

b. Content providers

www.Arte.it

It is an Italian web site for visual arts, featuring artists, monuments and exhibitions; all reproductions illustrate critical and historical comments published in the site or concern information on current and future exhibitions; articles and reproductions from past exhibitions are accessible in the archive.

www.alinari.it

This is an e-commerce website, where one can buy prints and reproductions of historical or artistic photos and read news about exhibitions in Italy. For all the reproductions in sale short descriptive information is accessible, including, where available, the author's name, the location and the date of the photo.

In addition, most museums have published their own website where they make accessible in streaming mode some of the visual art works in their collections. A few of them have an e-shop where they license photos of the works or sell physical reproductions; some of them offer virtual tours of their collections. An example is www.museiincomuneroma.it/, that covers a number of big and small museums controlled by the municipality of Rome.

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, mouse over (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 prevailing format to circulate/distribute photo content on line is Exif (Exchangeable image file format), a standard for images, sound, and ancillary tags used by digital cameras.

Normally, it does not include information on authorship or work title. Several other formats are also available but, as to my knowledge, the standard metadata in each of them do not include authorship information. Therefore, when digital reproductions of photographic works and visual art works are made available through the Internet, the webmaster and/or the editor of the web site must decide if and how include authorship in the information that is shown to the public.

Each website determines autonomously the way/means authorship is disclosed and which (if any) further information is made accessible to the public.

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?

As said, actual practices vary from one content provider to another.

None of the mentioned information is available in the captions of the photos in **Juzaphoto.com**.

All reproductions in www.arte.it are accompanied by the author's name, the dates and places of birth/death, title of the work and its location/ownership.

Flickr website (accessible in Italy) shows the author's (uploader) name of all pictures; the copyright symbol and date of shooting or uploading. Photos are also indexed per genre and searchable.

Museum website www.museiincomuneroma.it/ matches the reproduction with its title, author and location.

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?

No direct information available. Considering that it is practically (if not legally) in the full discretion of the webmaster/editor to decide if and which data he wants to add to the reproduction, we can assume that normally, once they are inserted, the identifying metadata in the file is not stripped out.

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?

Various options are available and apparently, non-standardized systems are prevailing in the sector of photos and visual arts, as in most of the others. The web site examples indicated in Answer 5 use to show work information in different ways.

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?

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

See answers above.

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 Service: Spotify, Google Play, Apple Music; except for Timmusic (owned by Telecom Italia) domestic music services are of minor importance.

Audiobook: AMAZON/ Audible, I-Tunes, IBS,

Online Radio Broadcasters: RAI, RTL, RDS, Radio DeeJay, Radio 105, Radio Italia

On line Radio Aggregator: SPREAKER (also podcast)

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?

There is no standardized method to disclose authorship in the fields of Music, Audiobook and Radio.

The metadata and the information disclosed in the case of music services and radios normally refer to the performing artist; the disclosure of the authors' names is random. When a search function is available, the author's name can seldom be one of the available search keys (possibly only when it is on the album or record cover).

The attribution of authorship is not common in radio broadcasting and is therefore usually not applied in web broadcaster. Metadata embedded in digital files do refer to the broadcasters and not to authors. If we take into consideration aggregators, that make available radio content that is cured by third parties, we can assume that they do not have any authorship information. Therefore, the information are disclosed to the public only when the original content provider (the webradio hosted by the aggregator) publicises it.

It is common for audiobooks that the name of the author is disclosed to the public, on the cover reproduced in the web site is the standard practice. IBS.it offer search options by title, author, publisher, year. This means that audiobooks' authors are always present in the metadata and accessible directly and by search.

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?

The audio attribution of authorship is not the usual practice for online music services or webradios. It is, however, common for streams of audio content like radio programs (“on-air” or live streams, podcasts or on-demand radio program archives) that the authors’ names are mentioned by the journalist or the DJ presenting the program.

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?

No direct information available. Normally, for these sectors, the identifying metadata in the audio file is not stripped out. This is likely to differ for content illegally uploaded and made available in platforms that receive music files from sources other than the record producers.

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?

There are no standardized means in the audiosector to disclose authorship information. In fact, the music stores rely on metadata contained in the music files licensed by the record producer. In case of local independent producers, the non-exclusive licenses are granted by the aggregator that realizes the electronic files and the matching metadata. In both cases, standard formats describe as mandatory the track title, the performing artist's name and the record producer's and/or aggregator's name. This information is inserted in the metadata under the responsibility of record producers or aggregators that are the contracting parties of the music services for the provision of music files. Individual authors and collective management organizations license their rights to the music services but do not supply the music files where the metadata are incorporated.

The music stores rely on such metadata and require mandatorily the title, the artist and the ISRC, that is not intended to enable the identification of the track authors. The authors’ names are only randomly present in the metadata, if they are added when mastering the digital file.

More information on metadata for music can be found at <http://www.ddex.net>.

As mentioned above, the situation is completely different for audiobooks, for which the authorship is a fundamental identifier, since the user wants to know the author to orientate his purchase or his selection (for subscriptions).

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?

The majority of DSP do not require that metadata include ISRC. Even when it is mandatory, ISRC is not disclosed to the public in addition to track title, album title and artist. It is included, however, in data exchange reports that circulate among the different parties involved in the online usage of music.

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

As described, Digital Service Providers are able to identify authors only on the basis of phonographic producers' metadata. Consequently, DSPs do not always have access to this information, since the authors' names metadata are not mandatory. Only after delivering usage report to licensing authors' right societies or to publishers, DSPs are able to archive the authors' names matched with a certain track. However, the consequence of this practice is that the authorship (and possibly the author's assignee) is included in the electronic information data exchange but, since the authors' names are not normally included in the metadata of the digital file, they cannot be disclosed to the public by electronic means.

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?

TV Broadcaster making available their TV content through their websites: RAI, MEDIASET, SKY, LA7

User generated video sharing platforms: YOUTUBE

International audiovisual video services: Netflix, I-Movies, Google VOD

Domestic audiovisual video services: Infinity, SKYonline, ChiliTv, Timvision, Mymovies, OWNAI, VVVVID

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?

Also for online communication, the standardized means of attribution is in the usual manner for audiovisual products, showing authors names in opening and closing credits of the movie or episode. The same is true for TV program of different types (sport, news, infotainment, etc.).

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 copyright symbol is commonly used for movie producers rather than for audiovisual authors.

In this field, the development and implementation of audiovisual identifiers have not achieved satisfying results notwithstanding the efforts of the different parties involved, among which also the International Confederation of Authors' Societies CISAC.

ISAN (International Standard Audiovisual Number) is the equivalent of music ISRC for audiovisual products. ISAN relates to specific descriptive metadata, e.g. original and alternative titles, language, type, duration, director, producer, characters, actors, speakers, duration, type. It is a voluntary numbering system and metadata scheme for the unique and persistent identification of any **audiovisual works** and **versions** thereof including films, shorts, documentaries, television programs, sports events, advertising, etc. Ideally, it could be applicable not only to movies and other audiovisual works but to all TV and video content (except music video where ISRC is normally applied).

Presently, ISAN is not used massively (www.isan.org).

When embedded in digital fingerprints or watermarks, ISAN supports the identification of audiovisual works circulating in the Internet. It can be inserted in the broadcast or internet video stream (eg. using private data fields in TVA or MPEG, such as Content ID and descriptors in DVB-SI etc), or as part of default metadata tags of media encoders and in electronic program guides.

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?

When metadata is included in the digital file, any contracting party is normally obliged not to interfere with it, meaning that it cannot be stripped out or modified. As usual, the situation differs in case of pirate websites.

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?

No direct information available. Normally, for audiovisual products, the identifying metadata inserted by the Producer is not stripped out by licensed services or web sites. This is likely to differ for content illegally uploaded and made available in platforms that receive files from sources other than the audiovisual producers/distributors. As to UGC platforms, the files are normally uploaded without metadata and with scarcely reliable information inserted by the uploader in the written label he submits when uploading the content.

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?

See answer 21.

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

As mentioned, TV and audiovisual websites or services identify the author in the opening and closing credits.

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?

E-Zines: VICE.com, Donna Moderna, ELLE, MarieClaire, Vogue

News: Repubblica.it, Corriere.it Ansa.it; ilpost.it

News Aggregator: Libero.it, Virgilio.it,

E- Books: AMAZON, LaFeltrinelli.it, IBS,

Blog: Beppegrillo.it, Blog.debiase.com, Aranzulla.it, Myblog.it.

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 standard practices vary with reference to the sector.

For E-zines and News, the standard attribution indications for articles and photos are the same present in paper issues. In many cases, the mention © reserved reproduction is present. Author's name is also a search key.

News aggregators often redirect to the source web site and, therefore, attribution practices reflect those of the originating newspaper or TV websites.

Blogs are mainly personal; when articles or comments are not directly written by the blogger, they are normally attributed to authoring third parties.

28. (see 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 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?**

The types of information listed in this question normally appear, cumulatively or alternatively, in this category of web sites.

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?

See preceding answers to this same question.

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?**

31. 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?**

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?

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 .**
- 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 most common practice for websites as such is the copyright symbol placed at the bottom of the homepage with the name of the copyright owner (usually not the author), and the year of the most recent release. Normally, also data related to the company are reported (like, the name of the company who owns the brand or the domain name, VAT number, tax code, etc.); this information is often consisting of a link to the company itself.

General

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

As hinted at in some of the answers above, substantial similarities are limited audiovisual services (TV and movies), to e-books, audiobooks and (to a lesser extent) news. In the case of music, the most common information concerns performing artists and the mandatory information applied to physical carriers are usually neglected.

In the case of UGC or sharing platforms, fo all types of content there is no guarantee that the author's name is mentioned when a protected work is made available to the public.