

Glossary

Access provider	<p>Companies who enable their customers to have access to the internet and electronic communication (emails) via their technological infrastructure. Access providers are also called internet service providers.</p> <p>Well-known access providers are Swisscom and Quickline.</p>
Authors	<p>Natural persons who create a work. They are entitled to exclusive rights and remuneration for certain uses of their work. Copyright can be inherited or transferred. Those who acquire copyright (persons or companies) therefore become rights owners but not authors. Authors are only those people who were involved in the creation of a work as natural persons.</p>
Blank media levy	<p>Remuneration payable on blank data carriers (e.g. CDs, DVDs or tablets). It is due because it is possible to reproduce copyright protected works on them. The remuneration is paid to the rights owners of the copied works.</p>
Blocking	<p>Technical measures which enable access providers to prevent certain online content being available. They are most commonly used to block infringing content (e.g. child pornography).</p>
Cloud services	<p>Provide IT infrastructure (e.g. storage space) to enable customers and third parties to access data that has been saved on a remote server (called "the cloud") from anywhere on the internet.</p> <p>Well-known cloud services are Dropbox and iCloud.</p>
Collective management	<p>CMOs manage the rights of their members. They take on an important intermediary role when management by individual rights owners is not possible or does not make sense. They can authorise the use of works and at the same time, rights owners receive remuneration for their use.</p>
Collective rights management organisations (CMOs)	<p>Institutions that manage copyright and related rights in trust for their members and distribute the revenue collected in this context. There are five CMOs in Switzerland – ProLitteris, SSA, SUISA, SUISSIMAGE and SWISSPERFORM.</p>
Consumers	<p>End users who view a film or listen to a piece of music, for example.</p>

Download	<p>Downloading refers to the receiving and saving of data (e.g. pieces of music) from the internet onto a computer or device (e.g. a smartphone) to enable use at any time.</p> <p>Downloading works for private use is allowed by law. Even the use of illegal offers is not subject to legal prosecution. Consumers are allowed, for example, to download a piece of music for their own private use even though it has been made available online without the permission of the rights holder.</p>
Extended collective licensing	<p>Agreements for the mass use of copyright protected works and performances.</p> <p>If a museum wants to use a large number of film clips for an exhibition film, or digitise a significant quantity of valuable photographs of historical interest, it is often impossible or unaffordable to request permission from all of the rights holders concerned individually. Extended collective licensing gives collective rights management organisations (CMOs) the right to permit such uses collectively.</p>
Hosting provider	<p>Companies that provide their customers with storage space for online presence, such as websites, email communication or databases.</p>
Index privilege	<p>Index privilege allows memory institutions (e.g. libraries and museums) to reproduce excerpts of works and other information in a narrowly defined scope, insofar as this serves the purpose of sharing and making their inventories available to the public.</p>
Individual management	<p>Rights owners who manage their property rights themselves and negotiate on an individual basis with those who want to use their works.</p> <p>Individual management of rights is not always possible and sometimes unwanted because there is great public interest in having free access to works (for example, in education, allowing all works to be used in class). In such cases, the law stipulates collective management of rights.</p>
Intellectual property	<p>Industrial property rights (patent, trademark, design and plant variety rights) as well as copyright and related rights regulate the rights to intangible assets. These rights create a situation of ownership (i.e. property) and are therefore collectively referred to as “intellectual property rights”</p>
Intermediaries	<p>Intermediaries make works available to the public. They include universities, publicly accessible archives, museums and libraries.</p>

Internet piracy	Online activities which infringe copyright law (e.g. offering works without the permission of the rights owner).
Internet service provider	Providers of services who enable access to or use of the internet, or make using it more simple (for example, by making storage space available or enabling internet searches), or make their own content or the content of others available by means of technological infrastructure. These include content providers, platform operators, hosting providers, access providers, media services as well as search engines.
IP addresses	Addresses in computer networks that are based on internet protocol (IP, which is the basis of the internet). IP addresses are assigned to devices which are connected to the network. They make devices addressable and therefore accessible. They are mostly used to transport data from the sender to the intended recipient. In the same way as addressing an envelope, data packages are assigned to IP addresses which unambiguously identify the recipient.
Lending right	A lending right refers to the remuneration for authors who lend their works (for example, in a library). The Copyright Act contains a provision for the rental but not for the lending of works.
Lichtbildschutz	Term used in Germany and Austria for the protection of photographs without individual character.
Limitations and exceptions to copyright	Exceptions and limitations allow protected works to be used without any explicit authorisation from the rights owner. They serve important tertiary interests, for example the protection of privacy, the concerns of people with disabilities or the needs of schools and companies.
Memory institutions	Collective name for institutions that store and share knowledge. This includes public or publicly accessible libraries, educational institutions, museums, collections and archives.
Orphan works	Works whose rights owners are unknown or untraceable.
Peer to peer networks (P2P)	Communication between equally privileged computers without the intermediate connection of a server. All computers involved can download as well as upload information. A wellknown example of P2P is file sharing, which refers to the exchange of films or pieces of music, for example, with other internet users.

Personal data	All information about a person that says something about them (directly or indirectly). This includes, for example, the name, the address and the year of birth of the particular person.
Photographs without individual character	Photographs that are not unique and therefore do not have the character of a work. This includes product images or everyday family and holiday photos, for example.
Producers	Producers of audio and audiovisual productions, and, in the field of print, publishers.
Related Rights	Rights of performers (e.g. actors and musicians), producers of phonograms and films, as well as broadcasting organisations, i.e. those who contribute to the enjoyment of works. Due to their similarity with copyright, related rights are regulated in the same act.
Server	High performance central computer which is connected with several other computers. The server makes its resources (e.g. data) available to the connected computers.
Stay down	Duty of hosting providers who create a particular risk of copyright infringement. They will now have to ensure that once copyright-infringing content is removed (takedown) from their servers (after having received notice from rights owners) it remains off their servers.
Streaming	In this context, streaming is used of flow of data. Streaming is therefore the technology for the transmission of data (mostly pieces of music or films). With streaming, the data is available directly via a computer or another device (e.g. a smartphone) without having to save the data. This means that a film, for example, does not have to be downloaded and saved before being able to be played. It is transmitted in the same moment that it is viewed. There is a continuous flow of data until the end of the film.
Take down	The duty of hosting providers to remove copyright-infringing content from their servers. A takedown is also provided for under private law in the Hosting Code of Conduct by the trade association Simsa.

Tariffs of the collective rights management organisations	The collective rights management organisations (CMOs) and the associations of the cultural intermediaries jointly determine the level of remuneration for each individual type of use. These tariffs must be subsequently approved by the Federal Arbitration Commission for the Exploitation of Copyrights and Related Rights.
Technology neutral regulation	Open-structured regulation that it is also applicable to new technologies that were not known at the time the law entered into force.
Temporary (ephemeral) copies Text and data mining	Every copy that is not permanently stored. Research instrument for the electronic evaluation of large quantities of text and data which can quickly identify connections between these large quantities of text and data by using various statistic and mathematical processes.
Upload	Uploading is the opposite of downloading. When uploading, data is sent from a computer, for example to a remote station, in order to make it available to other internet users. The remote station receiving the data is often a server. Uploading requires the permission of rights owners and is not covered by the same limitation which allows downloading for private use.
Value gap and value transfer	Creative artists believe that there is a disproportionate relationship between the increasing online use of their works and the remuneration that they receive for those uses. This imbalance is referred to as a value gap, which is why they are demanding a value transfer. This can consist of receiving a greater share of profits from advertising revenues of the platforms or of their profits in general.
Video on demand	A form of television where viewers can download a desired film from an online provider on request or directly view it via streaming.
Works	The Copyright Act defines works as literary and artistic creations of the mind that possess an individual character. The value or purpose of the creation is not taken into account. The Copyright Act therefore protects literary and artistic works, for example novels, music, pictures, graphics, photographs, sculptures, films and works of mime. Designs of everyday objects, for example furniture or packaging, can also be considered as works.