Heartbeat of the industry

Why copyright protection is vital for a healthy content industry

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There’s something about copyrights

A new brochure published by RTL Group explains the value of intellectual property rights as the foundation for a creative, innovative and diverse media landscape.

Luxembourg - 16 February 2012

The Universal Declaration of Human Rights, written in 1948, states: “Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.”

Rarely has intellectual property rights legislation been as broadly and publicly debated as now. The ratification process of the Anti-Counterfeiting Trade Agreement (Acta) has raised concerns around the world. People are protesting against the signing of the agreement, some of them with drastic measures such as cyber-attacks aimed at the websites of the FBI or the Federal Department of Justice. In the US, new copyright bills are being criticised by protesters as harmful to free speech, cyber-security and job creation – among them many of major technology and internet companies. Meanwhile the European Commission is working on the Digital Agenda, with the aim of creating a digital single market in Europe.

Despite all argumentation, populism, pressure and even digital attacks, one thing remains absolutely clear: intellectual property rights are the foundation for a creative, innovative and diverse media landscape. They also ensure appropriate reward for those who make the difference in our business – the artists and creators. In its new brochure Copyright is creativity, RTL Group picks up the ongoing discourse.

The increasing penetration of online access and broadband connections has made copying and piracy very easy. Reproduction is no longer confined to the old music cassette or videotape for one’s personal use. Today, music, TV shows and even high-definition feature films can be distributed worldwide, for free, in an instant. In the editorial to the brochure, RTL Group CEO Gerhard Zeiler writes: “Broadcasters reinvest a large proportion of their revenue in content – producing high quality news, drama, sports,
and entertainment programmes – but there is a growing number of companies hoping to benefit from distribution without investing in content.”

An additional challenge is that technology and internet companies are subject to different regulations compared to the TV industry, which is still the most regulated media business in Europe. Zeiler: “Ensuring rights holders are suitably rewarded is a vital step in encouraging programme innovators and creators to unlock their potential.”

The Austrian writer, philosopher and honorary member of the Chaos Computer Club Peter Glaser reflects on copyright, instant gratification and small ads: “The business models behind social networks, especially Facebook, are based on instant gratification. The live stream, continually unfolding on screen, is a mixed bag of everything the participants dump there. But if a shared link leads to an offer that actually costs money, many users retract like a snail’s antenna when touched. For authors, and I am one, this makes survival quite difficult.”

The brochure also lets artists such as U2's Bono have a say: “The only thing protecting the movie and TV industries from the fate that has befallen music and indeed the newspaper business is the size of the files. The immutable laws of bandwidth tell us we’re just a few years away from being able to download an entire season of 24 in 24 seconds. Many will expect to get it for free.”

High quality content is already available on the internet for free. But the demand “simply couldn’t be met if it wasn’t for copyright, as there would be no business model that justified investment in creative activity”, says Tony Cohen, CEO of FremantleMedia, in an article on FremantleMedia’s business model and the importance of copyright protection. In the end, with protection of intellectual property, the money flows back to those who originated the ideas – the artists, the creative minds, the producers – and rewards them for their work. For Florian David Fitz, a German actor of Doctor's Diary fame, copyright is about respect: “Show respect for creativity, reward creatives for their achievements,” he says.

Consequently, FremantleMedia has and determined rights protection strategy, but Tony Cohen recognises that rightholders also have to change the way they do some things: “Piracy at an individual level is often more of a market failure issue than a criminal activity. People want the content but they can’t get it for one reason or another.” For example territorial exclusivity is important – different shows are created to suit different cultures, not least the language differences – and it allows for the sale of ‘windows’ rights to different nations. “But if a show is withheld for months in a certain territory, people who want it there are not going to get it.”

In France and Belgium, Groupe M6 and RTL Belgium have already found a solution for this issue: With the ‘Séries pass’, viewers are able to watch US series only 24 hours after their US broadcast in the original version with French subtitles at a cost of €8 to €10 euros a month. So fans don’t have to wait for the content they want.

Before ending with a glossary explaining all important copyright-related terms, from intellectual property rights to contractual freedom to collective rights management, the brochure gives an insight into various legal cases such as the famous case of A&M Records vs. Napster in 2001. It also features copyright facts and figures and explains how copyright works for both audiovisual and music rights.
Copyright is the heartbeat of the TV industry. “Even more, in fact,” says Gerhard Zeiler. “The effective protection and enforcement of intellectual property rights are the pre-conditions for ever-increasing consumer choice in the digital world, the foundation of our modern culture.” Ultimately, TV viewers will be the big winners, getting whatever they want wherever they want and however they want, while rights holders are rewarded for their creativity.

Copyright is creativity may be downloaded at RTLGroup.com and can also be ordered via the ‘Order Documents’ form on the website or by writing directly to cordula.eliis@rtlgroup.com

Grupo Antena 3 announces results for 2011
On 23 February, Grupo Antena 3 published its full-year results for 2011.
Spain - 23 February 2012

The company was challenged by a difficult Spanish advertising market, down 7 per cent year-on-year. Grupo Antena 3’s revenue decreased by 0.3 per cent to €805.2 million (2010: €807.7 million). The group’s operating result (EBITDA) decreased from €156.9 million in 2010 to €124.4 million in 2011, while its net profit was down to €93.4 million (2010: €109.1 million). RTL Group has a 21.5 per cent shareholding in Grupo Antena 3.

Despite the economic situation, the TV channel Antena 3 once again outperformed the market. While the TV advertising market was down 10 per cent for the whole year, reaching its lowest level since 2001, Antena 3’s TV advertising revenues were down just 1 per cent. Overall, Antena 3 increased its advertising market share by 2.6 percentage points to 30.5 per cent, while the audience share was up 1.3 percentage points, averaging 17.1 per cent for the full year 2011.
Mediengruppe RTL Deutschland launches a new TV channel

On Sunday 1 April 2012, an up-to-date new TV channel will make its debut: RTL Nitro will show high-end German Free-TV premieres and crime and sitcom classics, as well as riveting movies.

Germany - 23 February 2012

Anke Schäferkordt, CEO of Mediengruppe RTL Deutschland, says: “RTL Nitro perfectly complements Mediengruppe RTL Deutschland’s programme line-up. We are especially pleased to be able to present outstanding Free TV premieres such as the multi-award-winning US sitcom Modern Family, the Showtime series Nurse Jackie and the new Bruckheimer crime series Chase right from the channel’s launch.”

With Modern Family, RTL Nitro is premiering a current favourite with US audiences on German Free TV. The new comedy format has won scores of prizes, most recently five Emmy Awards. The hit dark comedy series Nurse Jackie shows the crass everyday life of Nurse Jackie Peyton (Edie Falco, The Sopranos), who works in the emergency ward of New York’s All Saints’ Hospital. She pops pills, corrects the misdiagnoses of Dr. Cooper (Peter Facinelli, Twilight Saga), commits adultery with the clinic’s pharmacist and has everything else under control as well. In the new action crime series Chase, viewers join a special unit from Texas on the high-speed chase for the most wanted criminals in the US.

Among the other highlights presented on RTL Nitro are the US version of iconic British comedy series The Office, the spectacular historical drama series Rome, the real-time action series 24 and movie highlights including King Kong and The League of Extraordinary Gentlemen. The popular British Band The Overtones have been recruited to promote RTL Nitro. They are behind the channel’s modern launch soundtrack and will provide acoustic and visual accompaniment for its launch. Their hit Gambling Man in a hip “Vintage Pop” style is the channel’s signature tune.

RTL Nitro can be received for free with a digital satellite receiver via Astra 19 Grad on 12188 MHz (horizontal). The video-on-demand site www.RTLNitroNow.de will launch simultaneously with the channel, as will the RTL Nitro homepage at www.RTLNitro.de, which features trailers, comprehensive information about the channel, and its current programme line-up.
Among other things, François Fillon expressed his views on Nicolas Sarkozy’s presidential candidacy, which was made official a few days earlier.

Like Nicolas Sarkozy, the Prime Minister, who has governed alongside France’s head of state for five years, accused Socialist Party candidate François Hollande of “lies.” “Unfortunately it’s true that François Hollande lies,” said François Fillon, when asked about recent statements made by Nicolas Sarkozy, according to whom François Hollande “lies night and day.” “I heard again yesterday that François Hollande said that €70 million in gifts have been given to the wealthiest. No one is able to document this claim. It’s just a lie,” said François Fillon.

According to him, “when one wants to be President of the Republic, one cannot base one’s campaign on lies.” On the other hand he agreed that the “tax shield”, the emblematic measure of Nicolas Sarkozy’s five years in office, had been “an unsuitable decision” with the emergence of the economic and financial crisis.

While the revolt brews in the audiovisual media against the rule of ‘strict equality of speaking time’ for all presidential candidates, which they will have to follow as of 20 March, the biggest French political figures continue to appear one after another on the radio programme that airs at a time during which many radio listeners tune in.

Thus, in the last few weeks, François Fillon has followed close on the heels of François Baroin, Minister for the Economy, Finance and Industry, Bertrand Delanoë, the Socialist Mayor of Paris, and Ségolène Royal, Socialist President of the Poitou-Charentes region, as well as presidential candidate François Bayrou (Democratic Movement), Marine Le Pen (National Front) and François Hollande (Socialist Party).

Jean-Michel Aphatie’s political interview programme airs Monday to Friday at 7:50 on RTL Radio.

French Prime Minister François Fillon is a guest on RTL Radio

French Prime Minister François Fillon answered questions from Jean-Michel Aphatie on the political interview programme RTL Matin.

France - 21 February 2012
Over three weeks, the 104.6 RTL association “Hörer helfen” and Berliner Morgenpost association “Berliner helfen” jointly organised an action campaign for the estimated 10,000 people living precariously on the streets of Berlin without a roof over their heads, during extreme winter conditions. Donations included warm clothing, scarfs, hats, thermal underwear and countless sleeping bags. Food items including coffee, sugar and milk were also donated.

The Berliner Stadtmission and Bahnhofsmission charities acted as intermediaries, and were in charge of distributing the donations to the homeless. Gerlinde Jänicke and Thomas Koschwitz from 104.6 RTL gave a helping hand in allocating the donations and personally met those suffering from the cold at a time when temperatures have occasionally dropped to below -20° Celsius.

Thanks to the campaign jointly organised by 104.6 RTL and the Berliner Morgenpost, many of these will now receive help. The funds raised will go towards financing an emergency shelter, a “Winter Bus”, and medical supplies.

For more information see 104.6rtl.com
According to the results of the 2011-3 wave published by the CIM (Centre d’Information sur les Médias) on 16 February 2012, Bel RTL’s performance reflects the efforts made in September to beef up the programme schedule and strengthen the station’s number one status. With an 18.5 per cent market share of listeners age 12 and up (as opposed to 16.4 per cent for the period of January to June 2011), Bel RTL has matched its performance achieved in 2008 and 2009. French-speaking Belgium’s favourite radio station has also reinforced its ties to its core target, with the increase concentrated essentially among listeners aged 25 to 54.

“The results of this CIM wave set a new record for Bel RTL and Radio Contact,” says Eric Adelbrecht, Director of RTL Belgium’s radio stations. “The exceptional work of all the teams and the implementation of our programme schedule in September with new programmes have allowed Bel RTL to regain the values that have made it such a success since its launch 20 years ago.”

With a 23.8 per cent market share of listeners age 18 to 44 (23.4 per cent during the previous wave), Radio Contact confirms its position as French-speaking Belgium’s number two station, just behind Bel RTL, and the number one music radio station. For the entire population age 12 and up, Radio Contact is still the number two station with a 15.5 per cent share.

This accomplishment is also measured in terms of the number of daily listeners. Bel RTL and Radio Contact together reach more than 1.5 million listeners over the age of 12. With its two radio stations, RTL Belgium’s thus increases its market share from 31.5 per cent during the January to June 2011 period to 34 per cent during the latest wave.

“Once again we consolidate our number one position in Belgium's French-speaking Community,” says RTL Belgium CEO Philippe Delusinne. “After a very promising start to the season at the end of summer, the audience share of our two radio stations, Bel RTL and Radio Contact, actually exceeds the market share held by the RTBF family of radio stations. These results are the fruit of the efforts made by a remarkable team that builds the success of our radio stations every day.”
Awards to start the year off right

In December 2011 and January 2012, numerous RTL Group companies were honoured with awards.

Luxembourg - 22 February 2012

RTL Group’s Annual Report 2010 was awarded a Grand Award in the category ‘Annual Reports – Design’ at the ‘International Mercury Awards Competition’, which honours excellence in professional communications.

At the presentation of the Union of French Sports Journalists (UJSF) Micros d’Or (Golden Microphones) in Switzerland on 12 December 2011, the RTL Radio journalist Brice Dugénie was honoured in the ‘René Espana’ radio category for his coverage of the Libya vs. Mozambique football match during the 2012 African Cup of Nations qualifiers broadcast on 4 September.

At M6, Karine Le Marchand, an indispensible figure at the channel and host of L’Amour est dans le pré (Farmer Wants a Wife), C’est ma vie and On ne choisit pas ses voisins, was awarded the Internet Users’ Prize on 31 January by users of AuFeminin.com, Europe’s leading woman’s portal. The award honours exceptional individuals who help to promote the place of women in society in their field. Cyril Lignac, famous for his role as a coach on the culinary show Top Chef on M6, was named ‘Chef of the Year’ by the editorial team of the men’s magazine GQ.

Du hast die Macht, the political initiative for teens jointly organised by the Robert Bosch Foundation and UFA was picked from over 2,000 entries as a ‘Selected Landmark 2012’ in the ‘365 Landmarks in the Land of Ideas’ contest. The contest has been jointly run by the ‘Deutschland – Land der Ideen’ nation-branding initiative and Deutsche Bank each year since 2006 to find 365 outstanding projects and ideas that make a lasting contribution to Germany’s future viability. As a prizewinner, Du hast die Macht is an ambassador for the Land of Ideas in 2012, and represents Germany’s innovative potential. The online project is targeted at teens with the aim of promoting democratic awareness and a willingness to get involved.
Wolfram Kons, RTL Charity Director, was named a ‘Melvin Jones Fellow’. This is the highest honour conferred by the German Lions Clubs, and is usually reserved for members. The presentation took place at RTL Television, with HDL Board spokesman Jörg-Michael Kimmig and Wilhelm Siemen, Chairman of the DM Governors Council presenting the prize. In 2011, the German Lions relief organisation and the RTL-Spendenmarathon telethon raised donations for building a paediatric eye clinic in Brazil. Wolfram Kons himself joined project mentor Jana Ina Zarrella in visiting the site, where the Christoffel Blindenmission is devoting itself to removing cataracts from children’s eyes.

In January 2012, Kons had already received the ‘Order of Courage’ from the Heimat- und Carnevalverein Bürstadt for his efforts on the RTL-Spendenmarathon and the ‘Stiftung RTL – Wir helfen Kindern’ foundation. Sabatina James, the winner of the order in 2011, called Kons “a man with a mission” in her congratulatory speech. This was the only way he could have managed to collect 100 million Euros in donations in recent years. “You can truly be proud of the difference you make,” said James.

In Luxembourg, BCE received an ‘Award of Excellence’ at the 23rd Corporate Media Night, held in Stuttgart, Germany on 3 December 2011, for its Murphy’s Law commercial produced for the La Luxembourgeoise insurance company. The Corporate Media Awards honour Europe’s best in the areas of new media, films and videos.
A magic potion for audience

On 20 February 2012, the film Astérix et Obélix: Mission Cléopâtre was broadcast during prime time on Club RTL, giving the channel the best ratings for a film on Monday evening since 1997: 318,600 viewers tuned in for an audience share of 17.1 per cent.
First major distribution deal
Big RTL, the television joint venture between Reliance Broadcast Network and RTL Group, has announced its first long-term distribution deal: a collaboration with Reliance Digital TV, India’s leading Direct To Home service provider.
India - 17 February 2012

Luxembourg creativity presented
RTL Lëtzebuerg and his advertising sales house IP Luxembourg presented the RTL Media Awards in four distinct categories: “Radio”, “TV/Cinema”, “Internet” and the “Coup de coeur du public”.
Luxembourg - 17 February 2012

Clipfish expands its app offer
Clipfish has added a brand new Android tablet app to a range that already includes apps for I-Phone, I-Pad and I-Pod Touch.
Germany - 20 February 2012

Up to 13.73 million viewers watched Klitschko fight
Boxing and Deutschland sucht den Superstar caused viewers to throng to RTL Television on the evening of 18 February 2012.
Germany - 20 February 2012
Ken Duken is Robin Hood
Teamworx and Venice Pictures film a visionary social drama about a modern-day hero for Pro Sieben.
Germany - 20 February 2012

The Europa League in exclusive free-to-air broadcasts
Groupe M6 has renewed the broadcast rights for the Uefa Europa League for the next three years.
France - 21 February 2012

Snapple becomes first exclusive beverage partner
Drinks brand Snapple has signed an exclusive partnership deal to become the official sponsor for season seven of FremantleMedia North America produced America’s Got Talent.
North America - 21 February 2012

Enquête d’Action propels W9 to number one yet again
On 17 February 2012 in prime time, the magazine Enquête d’Action proved so popular with audiences aged 50 and under that W9 was once again ranked number one among France’s DTT channels.
France - 21 February 2012
Shooting a new sitcom
Shooting began on the new sitcom Sekretärinnen – Überleben von neun bis fünf (Secretaries – Surviving from nine to five) in Cologne and surroundings. The new series stars Ellenie Salvo González, Jochen Horst, Thorsten Feller, Susan Hoecke and Nina Vorbrodt.

Germany - 22 February 2012

Le 19h45 confirms its number-one position
For the second time this month, Le 19h45 hits the symbolic 4.5 million-viewer mark.

France - 22 February 2012

Wer-kennt-wen.de targets pets
Germany's leading social network Wer-kennt-wen.de has launched a new “Meins” (mine) feature giving users the chance to create profiles of their beloved pets.

Germany - 23 February 2012

A good start to the year
In total, 4,416,000 RTL Radio France podcasts were downloaded, allowing the station to achieve its highest score since the creation of the Médiamétrie catch-up radio measuring system in November 2009.

France - 23 February 2012