

# ADVERTISEMENTS and COMMERCIALS

Licensing Enquires [medialicensing@cott.org.tt](mailto:medialicensing@cott.org.tt) | [www.cott.org.tt](http://www.cott.org.tt)



## 1 SCOPE OF THE TARIFF

This tariff covers the reproduction of works in COTT's Repertoire for the purpose of incorporating such works in advertisements to be broadcast on various terrestrial and online media platforms.

## 2 DEFINITIONS

**"Advertisement"** shall mean an audio or audio-visual production created in the territory incorporating one or more works from COTT's Repertoire for the purposes of promoting a product or service.

**"Adaptation"** shall mean modification of a pre-existing copyrighted work to create another work.

**"Broadcast"** is the communication of a work, or a sound recording to the public in the territory or any country by wireless transmission, including transmission by radio, television or satellite.

**"Copyright"** is a property right which subsists in literary and artistic works that are original intellectual creations.  
<http://ipo.gov.tt/types-of-ip/copyright/>

**"Cinema Screen"** shall mean a discrete theatre with a viewing screen in which the advertisement is to be shown whether such theatre is a part of a multiplex or otherwise.

**"COTT's Repertoire"** shall mean all musical works, (including associated literary works) and sound recordings in which the rights to reproduce and to synchronise such works are controlled by COTT or by any of the societies in other countries with which COTT is affiliated.

**"Neighbouring rights"** are like copyright. These rights exist in the public performance of a sound recording. Neighbouring rights are collected on behalf of performers and producers of sound recordings.

**"Musical work"** refers to the lyrics and melody, this is the original creation and is considered copyrighted the moment it is created and fixed in a tangible form [e.g., written]. Musical Works are protected by Copyright.

**"Neighbouring rights"** are like copyright. These rights exist in the public performance of a sound recording. Neighbouring rights are collected on behalf of performers and producers of sound recordings.

**"Period"** means the length of time the advertisement is to be broadcast.

**"Sound Recording"** is any aural fixation of the sounds of a performance or of other sounds, regardless of the method by which the sounds are fixed or the medium in which the sounds are embodied but does not include a fixation of sounds and images. Sound Recordings are protected under Neighbouring Rights.

**"Territory"** shall mean Trinidad and Tobago.

## 3 GENERAL TERMS and CONDITIONS

- Licences under this tariff shall be granted by COTT on a non-exclusive basis only.
- Application and payment for a licence must be made in advance of the production of the advertisement.
- This tariff only covers works in COTT's Repertoire. The rights in all other musical works and sound recordings are specifically excluded and, if required, the authorisation from such owners must be obtained by the Licensee themselves.
- This tariff and any licence granted under it shall be subject to COTT's Synchronisation Licensing Agreement.

REGISTERED OFFICE:  
BRANCHES:

139 - 141 Abercromby Street, Port of Spain  
15B Carib Street, San Fernando  
19 Dutch Fort, Lal's Building, Scarborough, Tobago

PHONE: 624 - COTT (2688)  
PHONE: 657 - COTT (2688)  
PHONE: 635 - COTT (2688)



# ADVERTISEMENTS and COMMERCIALS

Licensing Enquires [medialicensing@cott.org.tt](mailto:medialicensing@cott.org.tt) | [www.cott.org.tt](http://www.cott.org.tt)



## 4 ROYALTY RATES FOR THE BROADCAST OF COTT'S REPERTOIRE EMBODIED IN COMMERCIAL ADVERTISEMENTS

### COMMERCIAL BROADCAST ADVERTISING

For each 30 second or part thereof of each advertisement the following rates will be applied according to the number of times the advertisement is to be broadcast.

Number of spots	RADIO		TELEVISION		RADIO AND TELEVISION	
	CR Copyright	NR Neighbouring Rights	CR Copyright	NR Neighbouring Rights	CR Copyright	NR Neighbouring Rights
1-50	700	560	1,348	1,078	1,536	1,229
51-100	1,300	1,040	2,503	2,002	3,052	2,442
101-150	1,800	1,440	3,465	2,772	4,349	3,479
151-200	2,200	1,760	4,235	3,388	5,396	4,317
201-250	2,500	2,000	4,813	3,850	6,185	4,948
251-300	2,700	2,160	5,198	4,158	6,624	5,299
301-400	3,200	2,560	6,160	4,928	7,920	6,336
401-500	3,500	2,800	6,738	5,390	8,679	6,943
501-750	4,500	3,600	8,663	6,930	11,472	9,178
751-1000	5,000	4,000	9,625	7,700	12,469	9,975

REGISTERED OFFICE:  
BRANCHES:

139 - 141 Abercromby Street, Port of Spain  
15B Carib Street, San Fernando  
19 Dutch Fort, Lal's Building, Scarborough, Tobago

PHONE: 624 - COTT (2688)  
PHONE: 657 - COTT (2688)  
PHONE: 635 - COTT (2688)

# ADVERTISEMENTS and COMMERCIALS

Licensing Enquires [medialicensing@cott.org.tt](mailto:medialicensing@cott.org.tt) | [www.cott.org.tt](http://www.cott.org.tt)



Over 1000	\$9.90 per 30 sec of music x number of broadcasts over 1000	\$16.67 per 30 sec of music x number of broadcasts over 1000	\$14.76 per 30 sec of music x number of broadcasts over 1000
-----------	---	--	--

## COMMERCIAL ONLINE/DIGITAL ADVERTISING

For use on website use, email blasts, free social media content, news feed ads, pop ups, ad banners, blogs, podcast etc.,  
.....

PERIOD	CR	NR
1 – 5 days	1,783.13	1,426.50
6 – 10 days	3,566.25	2,853.00
11 or more days	4,755.00	3,804.00

## COMMERCIAL CINEMA ADVERTISING

PERIOD	ROYALTY FOR ONE SCREEN		ROYALTY FOR EACH ADDITIONAL SCREEN	
	CR	NR	CR	NR
3 months or less	1,925	1,540	1,100	880
6 months	3,300	2,640	1,650	1,320
9 months	4,400	3,520	2,750	2,200
12 months	5,500	4,400	3,300	2,640

REGISTERED OFFICE: 139 - 141 Abercromby Street, Port of Spain  
BRANCHES: 15B Carib Street, San Fernando  
19 Dutch Fort, Lal's Building, Scarborough, Tobago

PHONE: 624 - COTT (2688)  
PHONE: 657 - COTT (2688)  
PHONE: 635 - COTT (2688)

# ADVERTISEMENTS and COMMERCIALS

Licensing Enquires [medialicensing@cott.org.tt](mailto:medialicensing@cott.org.tt) | [www.cott.org.tt](http://www.cott.org.tt)



## SYNCHRONISATION RIGHTS

also known as "Sync ", rights, are the rights to include a piece of music in a production where the music is paired/timed with other media. This can include television and radio programming, commercial advertising, music streamed in the background of a website, and any other situation where music is combined with another form of visual media.

The prior consent of the copyright owner(s) is required unless the music is Production Music. If an advertisement has been commissioned by a broadcaster, you should first check with the broadcaster to determine if their "blanket" **Broadcast License** with COTT will cover the advert in question.

When advertisements need to be licensed individually outside of a blanket license, some rights holders may choose to license the production company directly. Other rights holders have mandated COTT to license works on their behalf. If COTT is unable to arrange licenses, we will be able to direct licensees to the relevant copyright owner.

## PRIOR APPROVAL AND APPLICABLE FEES FOR THE SYNCHRONISATION OF COTT'S REPERTOIRE IN ADVERTISEMENTS

### ❖ for **MUSICAL WORK(S)**

Synchronisation licences for the **musical work** are usually administered by the Publisher, or if the song is not published, the Songwriter(s). Therefore, you will need to inform us which composition you intend to use.

If the composition is owned by a member that has granted a synchronisation mandate to COTT, we will contact the member with details of your request and attempt to obtain approval on your behalf and agree acceptable licensing terms with the member. [\[See Information Request Application Form\]](#)

The member will either approve or reject the use of their music in your Advertisement and we will inform you of their decision. If the request has been successful, we will confirm the Licence Fee.

After you have confirmed you still intend to use the work, we will raise an invoice. Once the invoice has been paid, we will issue you with a Synchronisation Licence Agreement to use the work under the approved terms.

Where the lyrics of the composition are to be adapted the minimum fee for such *adaptation* shall be **TT\$ 5,500.00**.

If the work is controlled by a member that has not granted a synchronisation mandate to COTT, we will inform you which member you need to get permission from and give you the contact details for that member.

### ❖ for **SOUND RECORDING(S)**

If you are using the original **sound recording** i.e. ["the master"], you will need a licence from owner(s) of the sound recording. This may be a record company and/or artist who released the recording. Rights connected with sound recordings are often called the Master Rights and they are owned and controlled by the Producer or Master Rights Owner.

The Licensee must obtain the necessary permission in writing from the owner of "the master".

REGISTERED OFFICE:  
BRANCHES:

139 - 141 Abercromby Street, Port of Spain  
15B Carib Street, San Fernando  
19 Dutch Fort, Lal's Building, Scarborough, Tobago

PHONE: 624 - COTT (2688)  
PHONE: 657 - COTT (2688)  
PHONE: 635 - COTT (2688)

## ADVERTISEMENTS and COMMERCIALS

Licensing Enquires [medialicensing@cott.org.tt](mailto:medialicensing@cott.org.tt) | [www.cott.org.tt](http://www.cott.org.tt)

Where the owner of "the master" has authorised COTT to negotiate a fee for the right to *adapt* the recording the minimum fee shall be **TT\$5,500.00**.

## PAYMENT PARTICULARS

For the avoidance of doubt any synchronisation and /or adaptation fees negotiated with COTT or the directly with the owner(s), shall be payable in addition to the Commercial Advertising fees in the table(s) above.

The royalties due under this tariff are payable on account immediately upon receipt of COTT's invoice.

All royalties payable under this Tariff are exclusive of Value Added Tax or other governmental taxes or levies of any kind.

## ROYALTY ADJUSTMENT

COTT reserves the right to adjust the above the rates set out in the table above having regard to factors which include, but shall not be limited to: -

1. percentage change by which the retail prices index published by the central statistical office change when compared with the figure for the previous year.
2. whether music is used as a vocal rendition or merely instrumental
3. whether music is used as background or foreground music
4. whether the intended use relates to how the composition was originally presented to the public

