

PRESS RELEASE

SUISA Digital suing Snapchat for copyright infringement

Snapchat refuses to pay authors and publishers for music represented by the Liechtenstein music licensing organisation SUISA Digital and used in videos on its Snapchat platform. SUISA Digital, therefore, is filing a lawsuit against the company that operates Snapchat, Snap Inc., for copyright infringement. SUISA Digital Licensing is a subsidiary of Swiss copyright company SUISA.

Zurich/Hamburg, 12 May 2022 – SUISA Digital Licensing (SUISA Digital) has filed a copyright infringement lawsuit in the Hamburg District Court against Snap Inc. The lawsuit alleges that Snapchat used unlicensed music represented by SUISA Digital on the Snapchat platform. Snapchat is one of the most popular online platforms in the world and offers a wide range of music for its users to embed in videos and listen to free of charge. This lawsuit follows SUISA Digital's repeated attempts to licence Snapchat for almost two years. Snap Inc., the owner of Snapchat, is a publicly traded, U.S.-based company.

SUISA Digital is a subsidiary of SUISA, the collective management society that represents authors and publishers of music in Switzerland and Liechtenstein. It represents the online music rights of SUISA and 14 other societies and several international music publishers worldwide. Its repertoire includes over 80,000 songwriters, composers, publishers and approximately 10 million works. SUISA Digital has concluded licence agreements for worldwide uses with more than 80 digital music providers. These are administered by Mint Digital Services (Mint), a joint venture between SUISA and its partner SESAC, a US music rights organisation.

Snap refuses to pay songwriters, composers and publishers

Snap has refused to pay for the music it uses on Snapchat. SUISA Digital's attempts to negotiate with Snap have been unsuccessful. Snap's stance is that it does not use any songs from SUISA Digital's repertoire. This statement is false. A large number of works in SUISA Digital's repertoire is available on the Snapchat platform and is used by users without Snap having acquired a licence from SUISA Digital.

The Lawsuit commenced in the Hamburg District Court

As a result of Snap's refusal to licence and infringing conduct, SUISA Digital has filed a lawsuit against Snap with the Hamburg District Court. Through its lawsuit, SUISA Digital seeks to ensure the authors and publishers it represents are adequately compensated for the ongoing, illegal use of their creative work. That is why, among other things, SUISA Digital demands that Snap fully disclose its figures relating to its uses and to the turnover realized with its music offers on the platform Snapchat. SUISA Digital is represented by the law firm Lausen Rechtsanwälte.

'SUISA Digital is using all of the resources at its disposal to defend the interests of authors and publishers it represents and is taking resolute action against the illegal use of music,' says Fabian Niggemeier, CEO of SUISA Digital. 'This is the only way we can effectively represent the interests of authors and publishers and ensure that they are compensated fairly by Snap.'

'SESAC has been working closely with SUISA for years as part of our joint venture MINT. As a result, SUISA Digital has our full backing in its lawsuit against Snap. Snap has benefited from the creative work of authors and publishers for years. We expect Snap to recognise the value of the work' says Alexander Wolf, President of SESAC International.

Contracts with multiple music streaming services

Like radio and TV stations, online services require a licence if they offer music or other copyrighted content on their platforms. These licences, managed by copyright societies around the world, mean that music authors and publishers are paid when their content is used. SUISA Digital has contracts with over 80 online platforms.

For more information about the main issues we refer you to attached interview with Fabian Niggemeier, CEO of SUISA Digital Licensing. This interview is also published on the SUISAblog: www.suisablog.ch

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About SUISA Digital Licensing

The music licensing organisation SUISA Digital Licensing (SUISA Digital for short) is a subsidiary of SUISA, the cooperative society for authors and publishers of music in Switzerland and Liechtenstein. SUISA Digital, having its registered office in Vaduz, Liechtenstein, represents the online rights to musical works by composers, lyricists and publishers from 15 copyright societies and several publishers worldwide. SUISA Digital licenses internet platforms worldwide and has contracts with over 80 online service providers, amongst others Youtube, Spotify, Apple Music, or Meta (formerly Facebook). www.suisa.ch

About SUISA

SUISA is the cooperative society for composers, lyricists and music publishers in Switzerland and Liechtenstein. Its 40,000 members include music professionals from all disciplines. In Switzerland and Liechtenstein, SUISA represents the musical repertoire of two million authors worldwide. It grants licences to use this repertoire to more than 120,000 customers. In 2017, SUISA and US performance rights organisation SESAC founded the joint venture Mint Digital Services. The company manages invoicing and administration for the transnational music licensing businesses of SESAC, its subsidiary the Harry Fox Agency and SUISA with online providers, and also offers its services to publishers.

With approximately 230 employees in Zurich, Lausanne and Lugano, SUISA generates a turnover of more than CHF 150 million. As a non-profit organisation, it distributes the proceeds from licences to music authors and publishers after deducting the administrative costs. www.suisa.ch