

Background to SUISA Digital's lawsuit against Twitter International

SUISA Digital, a subsidiary of SUISA, is suing the operator of the microblogging service X, Twitter International, for copyright infringement. Here you will find the most important questions and answers on this topic.

Why is SUISA Digital suing Twitter International?

There is evidence of videos being published on Twitter International's microblogging service X that are accompanied by music from SUISA members. For this use, Twitter International must either acquire a license from the rights holders, such as the collecting societies, or remove these posts. Despite repeated requests, the company has not done either.

Was there no other way to get Twitter International to pay copyright royalties or remove the content?

Unfortunately, not. SUISA Digital tried to get in touch with Twitter International for several months. However, there was no response from Twitter International, which is why legal proceedings had to be initiated as a last resort. This is necessary because the copyrights of SUISA members are currently being infringed.

How much compensation does Twitter International have to pay for the use of the works of authors and publishers represented by SUISA Digital?

We have yet to calculate the exact amount. Unfortunately, we currently lack the necessary information. One of the demands of our lawsuit is therefore that Twitter International discloses X's turnover and streaming figures in full and without any gaps. We will use these figures to calculate the actual amount of compensation owed.

What does this lawsuit mean for the users of X? Will the repertoire represented by SUISA Digital be blocked?

There is no reason to block the repertoire we represent if Twitter International adheres to the legal rules. So far, however, our repertoire on X has only been used illegally. We appeal to Twitter International to talk to us about licensing our repertoire in favour of its users and not to allow the situation to escalate any further.

SUISA Digital is a Liechtenstein company owned by a Swiss co-operative, but the lawsuit is being brought before the Munich I District Court. Why?

There are several reasons for this. SUISA Digital represents the copyrights for uses not only in the territories of Switzerland and Liechtenstein, but for uses throughout Europe. A lawsuit in a large German-speaking country is therefore also possible. The markets in Switzerland and Liechtenstein are too small for a lawsuit to have an external impact here. Finally, in a small market such as Liechtenstein, there would also be a risk that Twitter International would withdraw its service from the market. This scenario is extremely unlikely in the case of a lawsuit in Germany.



Does Twitter International have agreements with other collecting societies and is SUISA the only one that does not have an agreement with Twitter International?

We do not know that. However, we know from the media that the American National Music Publishers' Association (NMPA) filed a lawsuit against X Corp, Twitter International's parent company in the US, this summer on behalf of 17 music publishers for the same reason. However, this is irrelevant for SUISA: SUISA's repertoire is used on X, and Twitter International must compensate the authors and music publishers for this use.

SUISA Digital Licensing

The music collective management organisation SUISA Digital Licensing (abbreviated to SUISA Digital) is a subsidiary of SUISA, the cooperative society of authors and publishers of music in Switzerland and Liechtenstein. SUISA Digital represents the online rights to musical works of composers, lyricists, and publishers of 18 copyright societies and several publishers worldwide. SUISA Digital licences internet platforms worldwide and has concluded agreements with over 80 online service providers. These include YouTube, Spotify, Apple Music, and Meta (formerly Facebook).