



USA COLLECTIVE LICENSING RRO-VISUAL CMO RELATIONS

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American Society for Collective Rights Licensing

USA Collective Licensing

RRO-Visual CMO Relations

1) Legislative Context

- No authorizing collective licensing statute
- No statutes specifically governing collective societies
- No secondary rights legislation to support collections
- Anti competition laws
 - Voluntary systems are self directed
 - Type
 - Scope
 - Terms
- Federal regulation but only for tax exempts

2) The Emergent Landscape – Parties

A) RRO Voluntary Licensing Text & Embedded Images

- Leading USA RRO representing "Publishers"
- Independent publishers (non-collective)

B) **ASCRL** – Largest USA Artist Managed Collective

- Over 18,000 members
- Dozens of agencies belong to the ASCRL CMO
- Thousands of individuals registered with ASCRL CMO
- Public financial records for ASCRL 501(C)(6)
- ASCRL Published point system based on availability
- Pay **ALL** members & non-members by self-declaration
- No direct licensing — to not compete with agencies and members

C) Private Companies

- Leader in Visual Arts is ARS
- Hundreds of other private arts agencies can potentially participate in the system
- Photo and illustration houses who participate internationally
- Author groups with or without limited author distribution

D) Individual Rights Owners

- Over 150k photographers
- Between 50,000 and 150,00 fine artists and illustrators

3) Issues for RRO and CMO Relationship

- Lack of common interest between RRO and CMO in the “voluntary space”
- RRO publishers lack legal or compulsory requirements for alignment
- RRO/publishers lack financial interest in working w/visual CMO
- Historically, commercial interest of authors groups receiving RRO funds have prioritized important legal and policy initiatives over individual distribution
- Lack of cooperation between CMO and private societies- both have financial interests in direct licensing models not dependent on RRO cooperation.
- Past enrollment of uninvolved agencies and professionals had been insufficient to make an RRO-CMO alliance more attractive
- Lack of Association Support

4) The life of Collective Licensing is Changing – Possible Solutions:

- Given the lack of legislative or mandatory requirements for cooperation, objective is to create a system that is financially attractive for partnership between the RROS and visual CMOs
- Expand Support of Sister Societies in distribution to individual authors
- ASCRL continues to create a powerful alliance of visual authors to achieve critical mass
- Continue to enroll agencies and visual authors without competing with them in direct licensing
- Work to resolve conflicts with author associations

4) Possible Solutions, cont:

- Continue to leverage important contributions of foreign CMOs
- Create a voluntary licensing system for collective licensing of visual material
- Initial focus on education and business licenses where the RRO has experienced success
- Create an attractive and efficient computerized platform for both distribution and licensing
- Encourage authors to participate in the collective licensing program through financial incentives based on availability of work

5) On the Horizon

A) A financially successful individual distribution system for and run by artists and their representatives

- for Visual Artists
- for Photographers

B) Collaboration and symbiosis with RRO and other USA organizations, and foreign Societies

- compatible programs
- Full cooperation

C). USA Collective Licensing and World Peace



THANK YOU