

Articles L. 326-2, L. 328-1 and R. 321-15 of the French Intellectual Property Code provide for the publication on the website of collective management organizations a **procedure for disputes related to the conditions, effects and termination of the authorization to manage rights as well as the management thereof.**

These disputes can be addressed to Collective Management Organizations (CMOs) by:

- their members,
- other organizations for which they manage rights under an agency agreement,
- rightsholders who are not members of CMOs but who have a direct legal relationship with them by operation of law or by assignment, license or other contractual agreement.

The SPPF has set up a procedure to handle these disputes, which is detailed below.

TO WHOM SHOULD YOU SUBMIT YOUR DISPUTE?

In accordance with article R. 321-48 of the Intellectual Property Code, any dispute formulated in application of article L. 328-1 of the said Code must be addressed as a request and in writing to the SPPF:

- Either by e-mail to the following address: contestation@sppf.com
- Or by post to the address of the SPPF's head office: 63, boulevard Haussmann - 75008 PARIS (FRANCE)

WHAT SHOULD CONTENT YOUR DISPUTE?

In order to enable the SPPF to deal effectively with a dispute, the request must contain a precise and detailed statement of its object as well as all the information enabling the SPPF to deal with it. Any dispute formulated to the SPPF, under the conditions of form mentioned above, must specify in particular:

- Your identity (surname and first name for a natural person or your corporate name for a legal entity),
- Your capacity (associate or member of the SPPF, other CMO, etc.),
- The precise and detailed object of your request: for example, in case of a claim, the period(s) of rights concerned, the type of exploitation managed by the SPPF,
- The phonogram(s) and/or the videogram(s) concerned by your request.

HOW DOES SPPF HANDLE YOUR DISPUTE?

The SPPF acknowledges receipt of the dispute **by e-mail or by post** (with acknowledgement of receipt if needed), specifying to the plaintiff the time limit within which a written and reasoned response will be given.

A **registration number** will be allocated to the dispute, which must be kept and recalled in any correspondence that may subsequently take place with the SPPF.

HOW QUICKLY WILL YOUR DISPUTE BE HANDLED?

The SPPF undertakes to respond within a period of **2 months** from the date of the dispute receipt, except for legitimate reasons.

This period of 2 months **may be extended** in the case where the dispute:

- Is incomplete because it does not contain all the necessary documents and/or information, enabling the SPPF to process the request, the applicant is then invited to send them to the SPPF in the same way as the contestation,
- Requires for its processing information and/or documents which are not available to the SPPF, and which must be obtained by soliciting third parties (user, rightsholders, other CMO, etc.).

In these two cases, the acknowledgement of receipt of the dispute will state the missing information and/or documents which must be produced in order to process the dispute and give a proper answer.