



# **Results of the Orphan Works Survey 2009/2010**

ACE regional meeting

66th FIAF Congress Oslo, 5 May 2010

## **Purpose of the Survey**

To give input to the EUCOM's /DG MARKT impact assessment on orphan works

To update the results of the 2005 survey „The rights issue“

To demonstrate that the orphan works problem concerns Europe's film archives as well

To stress the need for EU-wide and cross-sector-solutions to facilitate the use of orphan works

## Key Findings

Total number of films held in 24 archives  
= ca. 1.064.000

Rights neither researched nor known:  
31% or ca. 325.000 films

Rights researched but not found = Orphan works  
12 % or ca. 129.000 films

(Presumed) Orphan works:  
21% or ca. 225.000 films

## Requests for orphan works per year

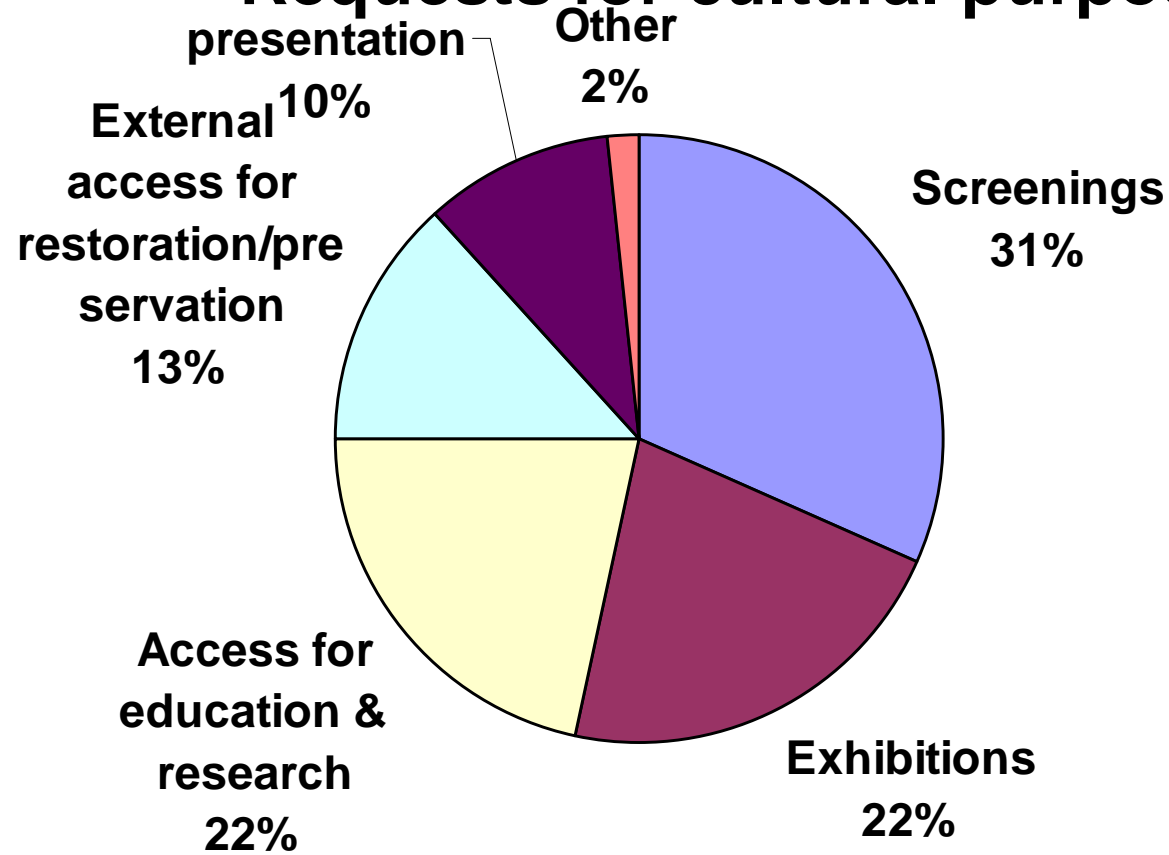
Total n°= 4416 (17 archives responded)

For cultural purposes: 55 % (= 2436)

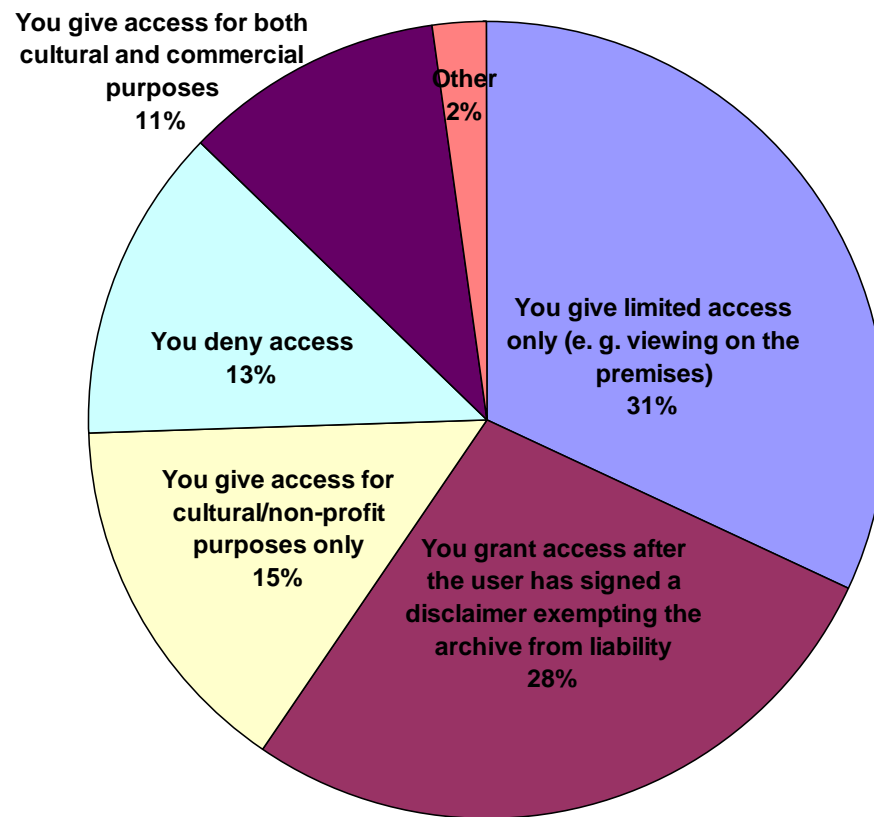
For commercial purposes: 44% (= 1950)

(Unspecified: 1%)

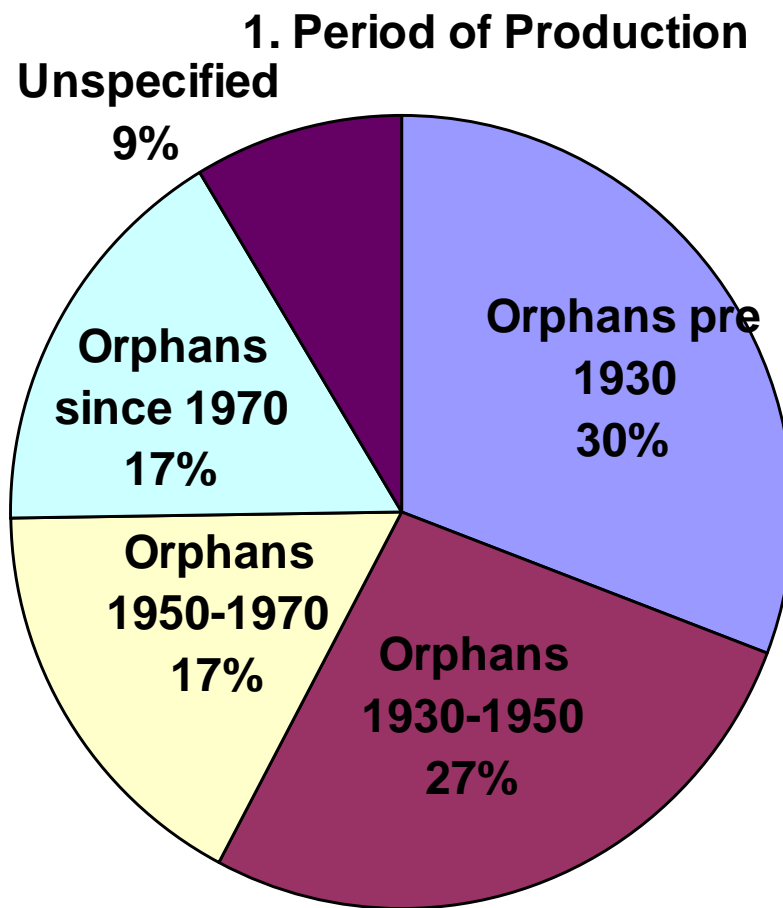
## Requests for cultural purposes



## In case the rights holder is not found after a search:

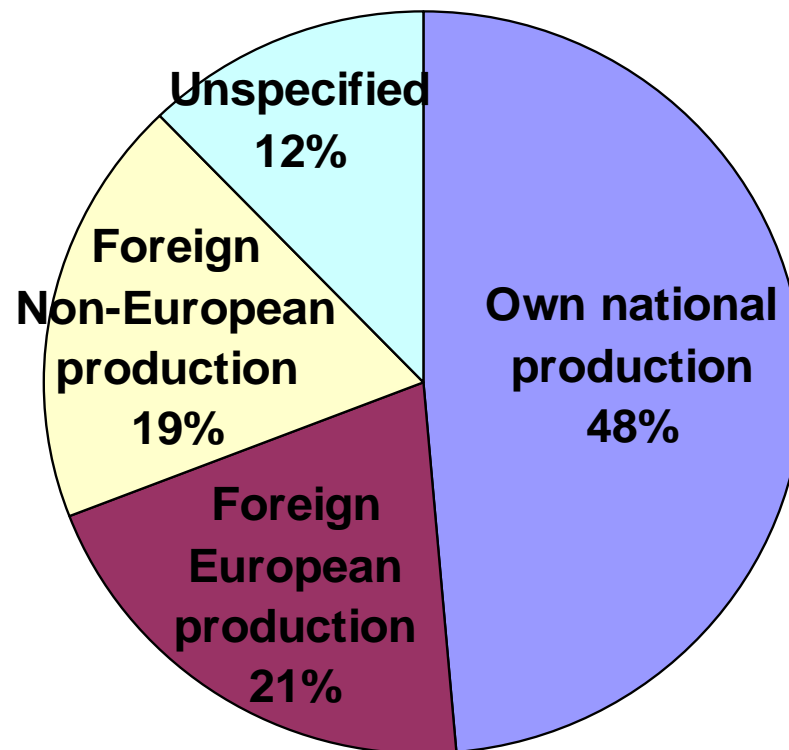


## Classification of (presumed) orphan works (ca. 225.000 films)



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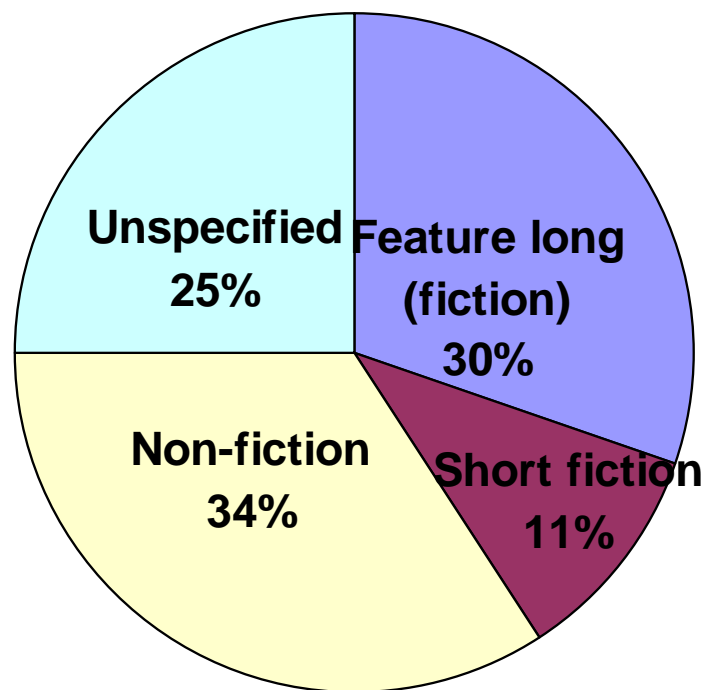
### 2. Country of Production





## Classification of (presumed) orphan works (ca. 225.000 films)

### 3. Genre of work



## Conclusions

The scale and impact of orphan works is huge:

Orphan films are blocked for all kind of uses and prevent archives to fulfil their public mission.

Orphan films contribute to create the „20th century blackhole“

No legal certainty: A low risk approach does not prevent archives from prosecution

Without ressources to clear rights, the situation in European film archives will aggravate.