

Rights 2 – Archives 1 : Sports rights challenge the 3Cat Archive



Sport has been a significant part of TV3 broadcasting since it started. At that time, the rights were limited only to the men's football league, However, the panorama of rights changed when the private television chains appeared, after the digital platforms and when, later, sporting clubs and federations were added.



Jordi Monton with the camera at the opening of the Paralympic Games (1992). © CCMA.

The sporting rights have been evolving and increasing together with sport broadcasting, meaning that the media have to constantly adapt to manage them, control them and use them correctly, which has conditioned broadcasting and the documentary management of the archive.

This way, TV3 has gone from simply managing the rights of men's football to managing the rights of any sporting event with Catalan athletes or teams.

These rights affect the programming of the 3Cat platform, either by conditioning the broadcasting of images at a particular time with a specific duration, or by creating programs with a new format in order to be able to broadcast non-live competitions. However, there are differences between the different 3Cat windows - radio, TV, webs, social media, platform - when it comes to sporting broadcasts. While the television and digital media are bound to comply with the rights, the radio, on the other hand, enjoys a certain degree of laxity when it comes to broadcasting sporting events, thanks to the fact that the rights refer mainly to the images which are the entities' property. So, 3Cat decides according to the conditions of the sporting rights, which vary depending on the type of competition, the broadcasting window, the transmission time, the geographical scope and the possible re-usage of these images.



Imma Pedemonte and the cameraman Òscar Sanz interviewing Rafa Nadal in the Godó Trophy Competition (2018). © CCMA.

Management of sporting rights is not a simple matter, due to the high number of entities involved (who have the rights, who produce, who broadcast...), nor a fast one, because of the involvement of different parts of the CCMA, such as Management, Sports Production and Legal Consultancy, who have to safeguard the protection of personal data in all contracts.

And all this ends up affecting the archive and the work of documentarians. The documentarians are faced with two main scenarios. On the one hand, when documenting the material, when we cannot record the conditions of use of the images in the documentary management system due to the volatility of the rights. And on the other hand, when replying to requests from users, because we do not know if the images have assigned rights or not, and therefore, whether they can be re-transmitted or re-used. In both cases, us documentarians have to spend time researching into the rights assigned to a particular content. It is not a straightforward process and, sometimes, it is useless because of the difficulty in tracing them, as is the case of the oldest sporting broadcasts. Although in general we note the usage limitations of the material in the document files, these restrictions do not provide all the information needed to know whether that material can be reused and in which conditions, and in most cases users are advised to contact Sports Production, who is the body that makes the final decision.

Some solutions for improving the documentary management of rights would be to create a system that allows linking the metadata which provides information on the conditions of use with the archive's sporting broadcasts; or having a well-documented database with the licenses, which guarantees the privacy of the private data and which, in the future, allows filling the fields in again with the rights of old competitions.