

Draft “FIDE LIVE MOVES BROADCASTING POLICY”

1. Introduction

1.1. This section describes the Live moves broadcasting policy of FIDE (“Policy”).

1.2. This Policy shall govern what actions may be taken against any person (meaning either an individual or a legal entity/organisation) that deliberately or through gross negligence violates the exclusive right to organize live move-by-move broadcasting of FIDE events.

1.3. The FIDE Secretariat and Presidential Board are responsible for administration of this Policy.

2. Right to organize live moves broadcasting

2.1. FIDE shall have the exclusive right to organise the live move-by-move broadcasting of FIDE events (the “Broadcasting right”). FIDE may at its sole discretion assign this right to third parties, including the organisers of FIDE events and/or its appointed commercial agents.

2.2. The exclusivity of the Broadcasting right shall only extend for the duration of the broadcasted game. After the end of the game the notation can be used without any restrictions.

2.3. Use of up to ten (10) consecutive moves in one piece of communication (e.g. on one web-page; in one video piece) shall be regarded as fair use that does not interfere with the Broadcasting right.

3. Violation of the Broadcasting right

3.1. The following actions shall be regarded as violations of the Broadcasting right:

- unauthorized live move-by-move broadcast of FIDE events via any means of communication including, but not limited to Internet, Radio and Television;
- contributing to organization of unauthorized live move-by-move broadcast;
- advertising and/or promoting unauthorized live move-by-move broadcast.

4. Violators

4.1. Violators include any person that performed any of the actions listed in item 3.1 hereinabove including, but not limited to, the following:

- member federations, delegates and counselors;
- affiliated organizations;
- organizers;
- tournament directors;
- arbiters;
- any officials and office holders in any FIDE office or national federation office.

5. Procedure

5.1. A complaint about any violation of the Broadcasting right may be submitted to FIDE Secretariat by the representative of FIDE event’s organiser, FIDE official or holder of the Broadcasting right. The complaint must describe the details of violation, screenshot or other form of the recording, list of persons involved (“Persons”), nature of each Person’s involvement and the contact details of each Person (where possible).

5.2. FIDE Secretariat shall within three working days from the date of receipt of the complaint send the text of the complaint with all the attached files to the Persons (if their contacts are available) and publish the following information on the FIDE website: short description of the Complaint, name of the event, name of the complainant, name of the person against whom the complaint was submitted. The FIDE Secretariat shall also inform the Persons about their right to submit a reply to the complaint within 14 days following the publication of the complaint on FIDE website.

5.3. A list of Persons (“LoP”) involved in an unauthorized broadcast shall be presented at the next FIDE Presidential Board meeting. The list shall contain the following information on each Person: full name; country; short description

of the offence; number of the offence (whether it is first time, second time, etc.); whether the Person complied with the request to cease the non-authorized activity. The list should be accompanied with the copies of the complaints and the replies of the Persons (if any).

5.4. After consideration of the documents the Presidential Board establishes the fact of the violation or its absence. A Person may be excluded from the list if the Presidential Board considers that no violation of the Broadcasting rights by this Person had taken place.

5.5. The Presidential Board may create a special working group to prepare the report on the documents received and present it to the Presidential Board.

6. Measures to be taken vis-à-vis Violators

6.1. The following measures shall automatically apply to Violators added to the LoP following the approval of the LoP by the Presidential Board:

- First-time violation. For the first time violation a fine in the amount of 1 Euro is imposed.
- Second-time violation. For the second-time violation a prohibition on taking part in a chess competition, or in any chess-related activity for 3 months and prohibition to hold official positions at FIDE and its member organisations for 3 months shall be imposed.
- Third-time and further violations. For the third-time violation, as well as for any subsequent violation, a prohibition from taking part in a chess competition, or in any chess-related activity for 1 year and a prohibition to hold official positions at FIDE and its member organizations for 1 year shall be imposed.

In case the above measures are taken against an organisation/legal entity, the prohibition from participation in official tournaments and holding of official positions applies to the heads of such organisation and/or the members of its respective decision-making body.