

Element 1 (Case Study)

CRITICALLY ANALYSE AND REVIEW BUSINESS STRATEGIES, CHALLENGES AND REVENUE MECHANISMS RELATED TO THE COMMERCIALISATION OF MUSIC AND ENTERTAINMENT CONTENT ON YOUTUBE.

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1. Introduction

YouTube registered as a company in 2005, created by three former employees of the e-commerce company PayPal (Hosch, 2020). Google spotted the potential of the fledgling company early and purchased it in 2006 for \$1.65 billion, a large sum for a company yet to make a profit (Amadeo, 2015). In its first year, it had an estimated fifty million users (Sorkin and Peters, 2006) and since, has grown to two billion monthly users (Leskin, 2020).

YouTube's ethos is 'freedom of expression, freedom of information, freedom of opportunity and freedom to belong' (About YouTube - YouTube, 2020). The sentiment of this ethos has resonated with people from different cultures all over the world. Over the past 15 years, it has amassed a vast library of channels made up of user-generated content from both individuals and businesses. Content creators are attracted to the YouTube platform for its global reach. Many musicians and labels are content creators who utilise YouTube for the promotion and release of their music (Iqbal, 2020). For new and established artists alike, it is well known as a place to interact with potential fans, connect with other musicians, build a community and promote their product/brand.

2. Strategy

YouTube's business strategy is to efficiently utilise site data to attract creators, advertisers and users. The tagging and indexing of content uploaded to the YouTube site are the foundations of their powerful search engine. They now have the second-largest search engine in the world, second only to parent company Google (The 2nd Largest Search Engine on the Internet, 2020). The website design is easy to navigate and allows users to access a wealth of desired content quickly. In exchange for free access, various data points on the user's consumption habits will be collected (Tan, 2020). All of the data collected enables algorithms to recommend other content and advertisements which may be of interest to the user. An algorithm is a powerful tool used to keep consumers consuming, with recommendations accounting for 70% of what they view on YouTube (Rodriguez, 2018). The data collected enables advertisers to target their markets better. Advertising revenue amounted to \$4 billion for the period from January to March 2020 (Stassen, 2020) and is YouTube's primary revenue stream. Enhancing further YouTube's offering to their advertising customers is letting them utilise data from both YouTube activity and the activity collected from Google account holders (Tan, 2020). A distinct competitive advantage shared between the two largest search engines in the world. Whether from a viewer, creator or advertiser perspective, the collection of data is a crucial component of YouTube's profitability.

Although Youtube is known as a free access website, users can also opt to remove advertisements by subscribing to YouTube Premium for a monthly fee of £11.99 (YouTube Premium, n.d.). YouTube Premium subscription provides an additional source of revenue and subsidises YouTube for the forgone opportunity cost in advertising revenue. YouTube Music Premium and YouTube Originals are added free of charge as an additional incentive for Premium subscribers where users can access exclusive ad-free content, download and save videos along with 'Background Play', a feature that

enables the consumer to use different apps while still running YouTube in the background (McCamy, 2019). Although subscription revenue has grown over the past few years, its overall contribution to YouTube remains relatively small (Willens, 2019), indicating that more users opt to use the site for free.

YouTube's main competitive advantage of being owned by Google is that both companies operate in the same industry and can share synergies in technological advances across both platforms (Amadeo, 2015). Data centres are a costly operation, and YouTube has been able to benefit from the innovative ways Google has created and maintained their data centres, an essential component to a fast and efficient service (Amadeo, 2015). They have also been able to share ad clients (Amadeo, 2015) and promote one another's businesses via re-engineered search results (McMillan, Grind and West, 2019). YouTube is far more prominent in search results of Google when compared to competitors' platforms (Schechner, Grind and West, 2020). The size and expertise of Google is a significant advantage for YouTube and their ability to become profitable.

3. Intellectual property

Original content uploaded to YouTube is considered the intellectual property of the creator. Intellectual property is a creation of the mind and once "presented in any physical medium of expression, is protected by copyright laws" (Copyright Infringements Protection on YouTube, n.d.). The original idea does not require formal registration to be protected under the laws and covers the life of the creator, extending for seventy years after their death (Copyright Infringements Protection on YouTube, n.d.). The laws are put in place to provide artists with exclusive control over the use of their art and enable them to earn from it.

YouTube's ease of access has resulted in piracy because it is effortless and quick to duplicate and proliferate unauthorised copyrighted content at no cost to the uploader (Inter-American Development Bank, 2017). To combat these breaches, YouTube has developed policies to which content creators must abide. The policies state creators must only upload content that they have created or are authorised to use and also enforces rules around age-restricted content and things that may be considered inappropriate (Creator Academy, 2020). To help enforce these standards, YouTube relies on software to determine if the content uploaded is in breach of its policies (YouTube Creator Academy Catalogue, 2020). Also, viewers can report content that they consider being in breach of YouTube's policies or the law. Despite these measures, upholding these standards has proved difficult for YouTube due to the logistics in policing such high levels of volume of content uploaded to the site each day.

The software relied upon for monitoring copyright infringements is known as Content ID, which YouTube has used since 2007 after facing several lawsuits (Sawers, 2018). Google developed this technology at the cost of \$100 million (Sawers, 2018) and more than '9,000 broadcasters, movie studios, and music producers globally' have opted to have their work added to the content database for a fee (Volpicelli, 2019). Content ID is a digital fingerprint created and attached to a piece of digital audio or video. Uploaded content is scanned and compared pieces of fingerprinted audio or

visual data stored in a database. The platform and copyright owner are alerted when a potential copyright infringement has taken place, and the uploader issued with a Content ID claim. (How Content ID works - YouTube Help, 2020). There are three ways in which a copyright holder can take action when Content ID has found a match with their work (How Content ID works - YouTube Help, 2020).

1. Block a whole video from being viewed
2. Monetise the video by running ads against it; sometimes sharing revenue with the uploader.
3. Track the video's viewership statistics (How Content ID works - YouTube Help, 2020).

Content ID is an automated technology that does not always work correctly because copyright infringement is often subjective. Some people have opposed Content ID claims arguing fair dealing. "Fair dealing is the lawful use or reproduction of work without having to seek permission from the copyright owner" (An Introduction To YouTube Copyright, n.d.). Three examples where fair dealing is a lawful defence is if:

1. the use is for research or private study;
2. the purpose is for criticism, review or quotation;
3. it is utilised to report current events (this does not apply to photographs) (An Introduction To YouTube Copyright, n.d.).

In these cases, lawful content will always be in danger of being removed or issued a Content ID claim incorrectly (Volpicelli, 2019). On the rare occasion a copyright infringement case goes to court, 'fair dealing' is a decision that can only be made by a judge on a case by case basis (An Introduction To YouTube Copyright, n.d.). If a judge decides that a piece of content is not 'fair dealing', the uploader/creator is held liable (An Introduction To YouTube Copyright, n.d.). Either way, accurately tracking copyright is vital for creators to be accurately remunerated. A lot of reliance appears to be placed on the Content ID technology, of which there is known flaws with the technology, as copyright can be subjective and difficult to judge. This calls to question wider issues around how well a site such as YouTube is able to compensate the content owners from whom YouTube are able to create their revenue.

In previous cases, when accused of allowing copyright infringements to occur on its platform, YouTube has been able to argue 'safe harbour', claiming to be a passive company merely hosting content and that the uploader is held accountable for any breach of copyright (Ingham, 2015). Safe harbour laws were introduced in the early days of the internet to protect hosting services. However, companies like YouTube, promote and benefit from large amounts of content, especially music, and hide behind safe harbour legislation in order to protect themselves from needing to negotiate appropriate licenses from rights holders (Saez, 2017).

In recent years the EU has designed legislation to encourage hosting companies to take more responsibility for the content held on their sites through the directive now known as Article 17 (Ingham, 2020), due to be implemented by June 2021 (Dredge, 2020). As the United Kingdom left

the European Union on 31 January 2020, it will not be required to implement the Directive (Dredge, 2020).

YouTube creators have dubbed Article 17 the 'Meme Ban' fearing that stricter automated filtering of the site, which could be the only option for the platform, will result in mass takedowns and Content ID claims. A large proportion of YouTube's video content features copyrighted material, and YouTube's main worry is how the new directive will affect the user's freedom to create and in turn, its revenue (Crellin, 2019). If tighter restrictions are put in place by YouTube upload filters, stifling creativity is a real concern and could diminish the potential earnings for creators. For example, videos created using flash mobs dancing to the latest hit song or even the first dance filmed at a wedding may be targets for removal or blocking (Feiner, 2019).

YouTube CEO Susan Wojcicki has said, "It could create serious limitations for what YouTube creators can upload, risking lowering the revenue to traditional media and music companies from YouTube and potentially devastating the many European creators who have built their businesses on YouTube." (Crellin, 2019). There is a risk that stringent restrictions may mean less of an industry around content creators and uploaders and may impact on YouTube's ad revenue (Feiner, 2019).

4. Remuneration of intellectual property

Although YouTube has become a profitable business by exploiting the intellectual property of their content creators, it is difficult for the majority of uploaders to achieve a return for their content. Firstly, in order to be eligible for monetising content, the creator must enrol in YouTube's Partner Programme (YPP), and the channel must then meet the following criteria in order to monetise content:

1. Achieve more than 4,000 hours of viewing time within the past 12 months;
2. Achieve more than 10,000 channel views; and
3. Achieve at least 1,000 channel subscriptions (Bishop, 2018).

As 84.4% of all videos uploaded to YouTube receive less than a thousand total views, for the vast majority, to achieve the criteria for monetisation is tough (Stassen, 2020). The creator's channel must also reach a threshold of \$100 in earnings before receiving payment, allowing YouTube to retain an undisclosed amount of revenue from creators earning less than the total \$100 payment threshold.

YPP imposed these new measures in 2018 as a result of advertisers' not wanting their products to be associated with questionable video content (Beattie, 2020). The implementation of the new YPP criteria added a layer of surety to advertisers, guaranteeing only the most popular and brand-friendly content to be associated with their adverts. YouTube also believes that the new criteria thresholds will allow them to collect sufficient data on a channel to know if it is legitimate or not (Popper, 2017).

However, YouTube is still able to run ads on all content uploaded to the platform, which means that even if creators do not meet with the YPP criteria, they may still see ads served on their content, but, will not be entitled to receive a share of the revenue (YouTube Partner Programme overview and eligibility - YouTube Help, 2020).

Music is the most profitable content category on YouTube. As per Table 1: Categories of content on YouTube in 2019, the majority of the content uploaded relates to gaming (37%) and people and blogs (24%), compared to music (5%) (Ingham, 2020). Although, in terms of views per video, music is the platform's highest performing category, making up 20% of all views (Ingham, 2020). It also accounts for 83% of videos that surpass one billion views, exceeding the percentage of entertainment at 1.5% and gaming at 0.5% (Stassen, 2020). Videos with such a high viewership are attractive to advertisers and illustrate just how valuable music is as a component of the overall content on YouTube.

Table 1: Categories of content on YouTube in 2019

Category	% Of Total Views	% Of Total Content	Views/Content
Music	22	5	4.5
Entertainment	21	10	2.1
People & Blogs	17	24	0.7
Gaming	8	37	0.2
Film & Animation	7	5	1.5
Other	25	19	1.3
Total	100	100	

(Ingham, 2020)

Musicians and all uploaded content are monetised if it is registered to YPP on the following tiers:

1. YouTube Premium/YouTube Music (\$0.008 per stream);
2. Official artists channels (\$0.00164 per stream); and
3. Videos monetised through content ID (\$0.00087 per stream) (Pastukhov, 2019).

In comparison, Spotify pays a fixed royalty for every single stream (for both paid and free users) at \$0.0032 per stream. Approximately twice that of YouTube's official artists' channel. Apple Music pays \$0.0056 per stream, which is almost four times as much as Youtube's official artists' channel. Both Apple Music and Spotify do not have a payment scheme such as YPP in place, and all streams are monetised instantly and paid to creators on a quarterly or monthly basis. In comparison, YouTube is able to profit from the number of artists that do not meet YPP criteria, still running ads on all content (Csathy, 2020).

Although YouTube payments compare unfavourably with other streaming services, music creators are compelled to promote their art on the platform regardless. Creators inevitably weigh up the minor payoff against the vast global reach and popularity of the site. The major platforms are an oligopoly, and hold a lot of power, setting flat non-negotiable rates to their content uploaders (Inter-American Development Bank, 2017).

5. Conclusion

YouTube is a highly powerful platform with influence globally, benefitting from parent company Google. The collection of data is key to their operations, and they utilise data to become an attractive proposition to users and their biggest revenue stream; advertisements. However, content is the backbone for their advertisements, and in return for content, content creators receive payment once they meet the criteria of the YPP. With the power held by YouTube, they are able to set what content will be paid and at the rates determined by them. However piracy has always been an issue, with the ease of which content can be uploaded to the site and dealing with copyright is something YouTube has contended with from their infancy. It is difficult to judge how efficiently this is currently being done with their software Content ID determining whether copyright infringements have taken place. However there is more pressure on YouTube, from directives such as Article 17 from the EU, to take more responsibility for content uploaded, as creators rely on YouTube to police copyright accurately and to report and compensate copyright holders.

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