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This index is compiled by reference to the alphabetical main clause headings and clause code numbers. * Indicates that there is no such main clause heading in the book and you will be referred to other relevant main clause headings.

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See also Capacity, Interpretation, Jurisdiction, Parties to Agreement, Severance, Sub-Licence.

Leave *

See Absence, Dismissal, Health, Settlement.

Legal Proceedings

L.027

See also Arbitration, Budget, Costs, Damages, Defamation, Editorial Control, Indemnity, Liability, Loss, Mediation, Quality Control, Risk, Waiver.

Levies *

See Sales Tax, Value Added Tax, Taxes.

Liability

L.131

L.242

See also Acceptance, Arbitration,
Disclaimer, Delivery,
Defamation, Facility Access,
Force Majeure, Indemnity,
Insurance, Jurisdiction,
Legal Proceedings, Location
Access, Loss, Mediation,
Product Liability, Quality
Control, Risk.

Licence Area

See also Assignment, Exclusivity, Hotel, Location Access, Multiple Occupation, Premises, Rights, Territory,

Venue.

Licence Fee L.256

See also Acceptance, Budget, Costs, Expenses, Delivery, Interest, Payment, Rates of Exchange, Rejection, Royalties, Set-Off.

Licence Period L.322

See also Assignment, Assignment Period, Cancellation, Term of the Agreement, Sell-off Period, Termination.

Links L.348

See also Access, Banner Advertisements, Downloading, Website.

Literary Work *

Note Publishing is a subheading under main clause headings. *See* Assignment, Books, Copyright Clearance, Copyright Notice, Defamation, Disclaimer, Exclusivity, Index, Marketing, Material, New Editions, Rights, Royalties, Scripts, Work.

Litigation *

See Disclaimer, Legal Proceedings, Liability, Product Liability, Risk.

Loan Out

L.357

See also Hire Purchase, Rights, Title.

Location Access

L.360

L.376

See also Facility Access, Indemnity, Insurance, Liability, Premises, Venue.

Logo

See also Brand, Copyright
Clearance, Credits, Disclaimer,
Domain Name, Downloading,
Goodwill, Marketing, Material,
Publicity, Rights, Title, Trade
Marks.

Loss L.427

See also Damages, Delivery,
Disclaimer, Error, Force
Majeure, Indemnity, Insurance,
Legal Proceedings, Liability,
Material, Omission, Product
Liability, Risk.

M

Marketing M.001

See also Compliance,
Confidentiality, Copyright
Clearance, Copyright Notice,
Costs, Credits, Distribution
Expenses, Editorial Control,
Expenses, Gross Receipts,
Material, Publicity, Quality
Control, Rights, Title.

Material

M.207

See also Access, Assignment,
Budget, Collecting Societies,
Copyright Clearance,
Costs, Credits, Data, Data
Protection, Delivery, Designs,
Disclaimer, Distribution
Expenses, Domain Name,
Downloading, Exclusivity,
Expenses, Films, Index,
Insurance, Laboratory
Access, Logo, Marketing,
Musical Work, Publicity,
Quality Control, Recordings,
Title, Trade Marks, Website,
Work.

Mediation

M.413

See also Arbitration, Default,
Disputes, Legal Proceedings,
Liability, Suspension,
Termination.

Medical Report

M.426

See also Absence, Death, Health, Holidays, Insurance, Policies, Termination.

Merchandising *

Note DVD, Video and Discs, Film and Television, Internet and Websites, Publishing and Merchandising are subheadings under main clause headings.

Mobile Telephone *

See Assignment, Exclusivity, Material, Monitoring, Premium Rate Phone Lines, Rights.

Monitoring

M.443

Moral Rights

M.452

See also Copyright Clearance, Copyright Notice, Copyright Warnings, Credits, Material, Rights, Waiver. Multimedia *

See Assignment, Exclusivity, Material, Rights, Title.

Multiple Occupation M.534

See also Hotel, Insurance, Licence Area, Premises, Residential Subscriber, Territory, Venue.

Music Cue Sheets

M.536

See also Collecting Societies, Copyright Clearance, Material, Musical Work, Recordings, Sound Recordings, Rights.

Musical Work

M.540

See also Access, Collecting
Societies, Copyright
Clearance, Downloading,
Films, Material, Music Cue
Sheets, Recordings, Sound
Recordings, Rights.

N

Nationality *

See Origin, Originality,
Qualification, Territory.

Net Receipts

N.30

See also Accounting Provisions, Budget, Costs, Distribution Expenses, Gross Receipts, Inspection of Records and Accounts, Material, Payment, Royalties, Sell-Off Period, Set-Off.

New Editions

N.106

See also Assignment, Copyright Clearance, Editorial Control, Moral Rights, Rights, Royalties, Title.

Non-Exclusive *

See Exclusivity

Notices

N.132

Novation

N.180

See also Assignment, Third Party Transfer, Title.

0

Obscenity

O.001

See also Compliance,
Defamation, Delivery,
Disclaimer, Editorial Control,
Illegality, Indemnity, Legal
Proceedings, Liability,
Material, Product Liability,
Quality Control.

Omission

0.075

See also Break Clauses, Cancellation, Compliance, Default, Delivery, Error, Force Majeure, Option, Quality Control.

Option

0.093

See also First Refusal.

Order

0.154

See also Acceptance, Delivery, Insurance, Liability, Material, Payment, Risk, Title.

Origin

O.207

See also Product Liability,
Territory.

Originality

See also Copyright Clearance, Moral Rights, Rights, Title.

Outer Space

O.278

0.212

See also Licence Area, Territory.

Out of Print *

See Novation, Remainders, Rights, Sell-Off Period, Termination.

Ownership *

See Access, Copyright
Clearance, Copyright Notice,
Downloading, Indemnity,
Originality, Title.

P

Packaging *

See Copyright Clearance, Material, Marketing, Quality Control, Rights.

Parties to Agreement

P.001

See also Authorisation, Capacity, Novation, Power of Attorney, Preamble, Signature, Third Party Transfer.

Partnership

P.029

See also Agency, Amendment, Company.

Patent

P.052

P.060

See also Inventions, Know-How.

Payment

See also Accounting Provisions, Budget, Costs, Delivery, Distribution Expenses, Gross Receipts, Interest, Licence Fee, Net Receipts, Rates of Exchange, Rejection, Royalties, Set-Off, Title.

Penalty

See also Damages, Interest, Loss.

Pension

P.260 P.265

P.255

Performance Bond

See also Completion Guarantee, Compliance, Disclaimer, Guarantee, Indemnity, Insurance, Liability, Sub-Licence, Waiver.

Performance Related Pay *

See Bonus, Escalator, Royalties.

Performers

P.271

Performances *

See Collecting Societies, Rights.

Permits *

See Visas.

Personal Data *

See Cookies, Data, Data Protection, Defamation, Medical Report, Privacy.

Personal Injury *

See Damages, Health, Indemnity, Insurance, Liability, Loss, Risk.

Phonogram

P.276

Photocopying * See Rights.

Photographs *

See Assignment, Buy-Out,
Copyright Clearance,
Defamation, Exclusivity, Films,
Indemnity, Marketing, Material,
Moral Rights, Obscenity,
Privacy, Publicity, Rights, Title.

Pilot *

Note DVD, Video and Discs,
Film and Television are subheadings under main clause
headings. See Advertising,
Assignment, Commission,
Copyright Clearance,
Copyright Notice, Exclusivity,
Format, Indemnity, Marketing,
Material, Moral Rights, Option,
Rights, Territory, Title.

Pirated Goods

P.277

Podcast P.279

Note Internet and Websites
is a sub-heading under
main clause headings.
See also Assignment, BuyOut, Copyright Clearance,
Defamation, Exclusivity, Films,
Indemnity, Marketing, Material,
Moral Rights, Obscenity,
Rights, Title, Website.

Policies

P.287

See also Compliance.

Power of Attorney

P.295

See also Authorisation, Capacity, Indemnity, Jurisdiction, Legal Proceedings.

Preamble

P.302

See also Parties to Agreement.

Premises

P.316

See also Facility Access, Hotel, Insurance, Liability, Licence Area, Location Access, Multiple Occupation, Territory, Venue.

Premium Rate Phone Lines P.324 See also Competitions.

Price *

See Order, Payment, Rejection.

Privacy

P.332

See also Commission,
Confidentiality, Data, Data
Protection, Defamation,
Disclaimer, Material.

Probationary Period

P.346

Procurement *

See Tender.

Product

P.352

Note Purchase and Supply of Products is a sub-heading under main clause headings. See Acceptance, Accuracy, Delivery, Disclaimer, Error, Goodwill, Liability, Logo, Material, Order, Product Liability, Quality Control, Rejection, Rights, Territory, Trade Marks, Work.

Product Liability

P.361

See also Compliance, Damages,
Delivery, Disclaimer, Health,
Insurance, Liability, Loss,
Policies, Quality Control,
Rejection.

Production Costs *

See Budget, Costs, Expenses.

Profit Share *

See Distribution Expenses, Escalator, Expenses, Gross Receipts, Income, Net Receipts, Payment, Royalties.

Programmes *

Note DVD, Video and Discs and Film and Television are subheadings under main clause headings. See Assignment, Copyright Clearance, Films, Material, Rights.

Promotional Excerpts *

See Films, Marketing

Fromotional Material *

See Marketing, Publicity, Rights.

Promotions *

See Competitions.

Proofs *

See Scripts, Material, New Editions.

Property *

See Buy-Out, Data, Films, Logo, Material, Podcast, Recordings, Scripts, Sound Recordings, Title, Trade Marks, Website, Work.

Proxies P.388 See also Power of Attorney.

see also I owel of Attorney

Publication *

Note Publishing is a sub-heading under main clause headings.

Publicity

See also Assignment,
Confidentiality, Copyright
Clearance, Copyright Notice,
Credits, Exclusivity, Logo,

Marketing, Trade Marks.

Q

Qualification

Q.001

Quality Control

Q.015

See also Acceptance, Access,
Accuracy, Compliance,
Cookies, Disclaimer, Editorial
Control, Environmental, Fair
Trading, Indemnity, Insurance,
Liability, Marketing, Material,
Product Liability, Rejection.

Quantity *

See Acceptance, Delivery, Order, Rejection.

Quotations *

See Assignment, Copyright Clearance, Copyright Notice, Exclusivity, Moral Rights, Order, Rights, Sub-Licence.

R

Rates of Exchange R.001

See also Accounting Provisions, Licence Fee, Payment.

Rebate *

See Accounting Provisions,
Accuracy, Budget, Costs,
Expenses, Payment,
Royalties, Set-Off.

Recordings R.011

See also Assignment, Copyright Clearance, Copyright Notice, Credits, Editorial Control, Films, Insurance, Material, Moral Rights, Musical Work, Rights, Sound Recordings.

Refund *

P.395

See Accounting Provisions, Accuracy, Cancellation, Costs, Expenses, Payment, Royalties, Set-Off, Termination. Rejection

See also Acceptance,
Compliance, Consultation,
Delivery, Error, Material,
Omission, Order, Payment,
Product Liability, Quality
Control, Termination.

Remainders

R.113

R.130

R.032 |

See also Accounting Provisions, Discount, Error, Loss, Material, Omission, Royalties, Sell-Off Period, Termination.

Residential Subscriber

See also Hotel, Insurance, Location Access, Multiple Occupation, Premises, Rights, Venue.

Restraint of Trade R.132

See also Confidentiality, Exclusivity, Illegality, Invalidity, Option, Rights.

Retention of Title *

See Title.

Returns *

See Acceptance, Cancellation, Delivery, Discount, Error, Material, Omission, Rejection.

Rights

R.197

See also Access, Accounting
Provisions, Assignment,
Assignment Period, BuyOut, Copyright Clearance,
Copyright Notice, Credits,
Designs, Disclaimer, Domain
Name, Escalator, Exclusivity,
Indemnity, Legal Proceedings,
Liability, Licence Period,
Marketing, Material, Moral
Rights, Novation, Obscenity,
Option, Payment, Sell-Off
Period, Set-Off, Software,
Territory, Third Party Transfer,
Title, Trade Marks.

Risk R.514

See also Acceptance, Budget,
Costs, Damages, Delivery,
Force Majeure, Disclaimer,
Error, Guarantee, Health,
Indemnity, Insurance, Liability,
Loss, Material, Medical
Report, Order, Product
Liability, Rights, Title.

Royalties R.524

See also Accounting Provisions,
Assignment, Budget,
Commission, Costs,
Distribution Expenses, Error,
Escalator, First Refusal,
Gross Receipts, Licence Fee,
Licence Period, Net Receipts,
Option, Payment, Remainders,
Rights, Sell-Off Period, Set-Off,
Territory.

Royalty Statement *

See Accounting Provisions, Budget, Payment, Rates of Exchange, Royalties.

S

Safety *

See Compliance, Environmental, Health, Indemnity, Product Liability, Quality Control.

Sales Tax

S.001

See also Accounting Provisions, Indemnity, Payment, Taxes, Value Added Tax.

Satellite *

Note Film and Television is a sub-heading under main clause headings. See
Advertising, Assignment, Buy-Out, Copyright Clearance,
Copyright Notice, Exclusivity,
Marketing, Material, Rights,
Territory, Title.

Scanning *

See Rights.

Scripts S.014

Note Publishing is a sub-heading under main clause headings. See also Copyright Notice, Credits, Editorial Control, Material, Moral Rights,

Secrecy *

See Confidentiality, Data,
Database, Data Protection,
Privacy.

Security

See also Cookies, Data Protection, Location Access, Privacy, Software.

Sell-Off Period

S.037

S.030

See also Accounting Provisions, Cancellation, Costs, Error, Omission, Rejection, Remainders, Termination.

Sequel *

Note DVD, Video and Discs, Film and Television are subheadings under main clause headings. *See* Adaptation, First Refusal, Option, Rights, Title.

Series *

Note DVD, Video and Discs,
Film and Television are subheadings under main clause
headings. See Assignment,
Budget, Buy-Out, Collecting
Societies, Copyright
Clearance, Editorial Control,
Exclusivity, Films, Indemnity,
Licence Period, Material,
Payment, Rights, Royalties,
Territory.

Set-Off

S.050

See also Accounting Provisions,

Costs, Distribution Expenses, Error, Expenses, Payment, Rates of Exchange, Rejection, Royalties.

Settlement

S.067

See also Cancellation, Indemnity, Legal Proceedings, Liability, Rejection, Termination.

Severance

\$.080

See also Illegality, Invalidity, Jurisdiction, Termination.

Shipment *

See Delivery.

Sick Leave*

See Absence, Death, Health, Medical Report.

Signature S.092

See also Authorisation, Capacity, Director, Jurisdiction, Parties to Agreement.

Software

S.118

See also Audio Files, Rights.

Sound Recordings S.128

See also Collecting Societies,
Copyright Clearance,
Copyright Notice,
Downloading, Electronic,
Films, Material, Moral Rights,
Recordings, Rights, Music
Cue Sheets, Musical Work,
Territory, Title.

Standards *

See Acceptance, Compliance, Policies, Quality Control, Rejection.

Statutory Provisions S.142

See also Amendments, Compliance, Jurisdiction, Legal Proceedings, Liability, Product Liability, Variation.

V.010

Sub-Licence

See also Adaptation. Authorisation, Distribution Expenses, Legal Proceedings, Liability, Quality Control, Rights, Territory, Third Party Transfer, Waiver.

Subsidiary

S.207

S.154

See also Affiliates. Board. Company, Holding Company, Parties to Agreement, Third Party Transfer.

Surplus Stock *

See Remainders.

Suspension

S.210

See also Break Clauses, Death, Force Majeure, Health. Termination.

Syndication *

Note Film and Television and Publishing are sub-headings under main clause headings.

Synopsis *

See Acceptance, Material, Scripts, Work.

T

Taxes

T.001

See also Costs, Expenses, Indemnity, Liability, Sales Tax, Value Added Tax.

Telephones *

See Assignment, Exclusivity, Material, Monitoring, Rights.

Television *

Note Film and Television is a subheading under main clause headings. See Assignment, Budget, Buy-Out, Collecting Societies, Copyright Clearance, Editorial Control, Exclusivity, Films, Indemnity,

Licence Period, Material, Payment, Rights, Royalties, Territory.

Tender T.020

See also Compliance, Corruption, Quality Control, Rights, Termination.

Term of the Agreement T.035 See also Assignment Period. Cancellation, Copyright Clearance, Death, Default.

> Licence Area, Licence Period. Option, Sell-Off Period. Termination, Territory.

Terms of use of Website *

See Access, Blog, Disclaimer. Downloading, Podcast, Rights. Website.

Termination T.092

See also Absence, Arbitration. Break Clauses, Cancellation, Compliance, Death, Default, Delivery, Discharge, Disputes, Force Majeure, Gardening Leave, Insolvency, Legal Proceedings, Liability, Material, Mediation, Payment, Rejection, Sell-Off Period, Suspension.

Territory

See also Adaptation, Assignment, Copyright Clearance, Exclusivity, Hotel, Licence Area, Licence Period, Multiple Occupation, Option, Premises, Residential Subscriber, Rights, Sub-Licence, Term of the Agreement, Venue.

Third Party Transfer

T.318

See also Assignment. Compliance, Copyright Clearance, Liability, Marketing, Material, Moral Rights.

Novation, Rights, Sub-Licence.

See also Absence, Compliance,

Delivery, Quality Control,

See also Assignment, Brand,

Copyright Clearance, Credits,

Exclusivity, Hire Purchase,

Moral Rights, Originality,

See also Assignment, Brand,

Designs, Domain Name,

Party Transfer.

Trade Marks

Trading Name *

Translations *

U

Union

Value Added Tax

Indemnity, Liability, Material,

Rights, Risk, Territory, Third

Copyright Clearance, Credits,

Editorial Control, Exclusivity,

Goodwill, Logo, Marketing,

Quality Control, Rights, Title.

Capacity, Company, Director,

Domain Name, Logo, Parties

to the Agreement, Signature,

Note Publishing is a sub-heading

See Adaptation, Copyright

Control, Language, Material,

Notice, Credits, Editorial

Moral Rights, Rights.

See also Sales Tax, Taxes.

under main clause headings.

Material, Product Liability,

See Authorisation, Board,

Trade Marks.

Termination, Waiver.

Time of the Essence

Title

T.392

T.402

T.512

Venue

Variation

See also Amendment.

V.019 See also Facility Access, Hotel, Indemnity, Insurance Liability, Licence Area, Location Access, Multiple Occupation,

Verification

Territory.

V.029

See also Due Diligence.

Video *

Note DVD, Video and Discs and Film and Television are subheadings under main clause headings. See Assignment, Budget, Buy-Out, Copyright Clearance, Editorial Control, Exclusivity, Films, Indemnity, Licence Period, Material, Payment, Podcast, Rights, Royalties, Territory.

Visas

V.034

Voluntary Departure

V.037

Voting

V.040

W

U.001

V.001

Waiver

W.001

See also Buy-Out, Copyright Notice, Credit, Moral Rights, Novation, Rights, Title.

War Damage

W.059

See also Force Majeure, Indemnity, Liability, Loss.

W.064 Warranties

See also main clause headings. Access, Accounting Provisions, Assignment, Buy-Out, Compliance, Copyright Clearance, Costs, Disclaimer, Downloading, Exclusivity,

Indemnity, Inspection of Records and Accounts. Legal Proceedings, Liability, Material, Moral Rights. Originality, Payment, Product Liability, Quality Control, Rights, Third Party Transfer.

Wayleave

W.081

Website

W.083

See also Access, Brand, Copyright Clearance, Disclaimer, Domain Name, Downloading, Rights, Third Party Transfer, Title, Trade Marks.

Work

W.087

See also Acceptance, Adaptation, Assignment, Books, Copyright Clearance, Copyright Notice, Credits, Delivery, Exclusivity, Licence Period, Material, Rejection, Rights, Scripts.

X

Xerography

Xylography

X.002

Year

See also Accounting Period. Accounting Provisions, Licence Period, Term of the Agreement.

Z

Zero Rated

Z.001

Other content:

Six background supporting articles:

- 1. Practical key highlights of some of the main types of clauses in a contract and how they may be varied.
- 2. Guide to the mistakes. omissions and errors to avoid in contract, licence and distribution agreements.
- 3. Sub-Licensing and Merchandising.
- 4. Understanding copyright and how it is used in contracts.
- 5. Funding and sponsorship of an Event or Festival.
- 6. Archive assets for the future. Do you know who owns the new material you commission?

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