



4.18. LT – Lithuania¹¹⁰

4.18.1. Key Findings

Notions	Existence of definitions/rules
Independent production	No
Independent producer	Yes
Legal provisions concerning the transfer or cession of authors'/performers' rights to the producer (e.g. legal presumption, etc.) (Relationship author-producer)	Yes ¹¹¹
Specific rules related to the assignment or retention of IP rights by independent producers (Relationship independent producer-AVMS)	No

- The concept of the independent production of audiovisual works is related to its legal and operational independence with regard to the AVMS providers and television/radio broadcasters.
- A producer of audiovisual works shall be deemed independent when (s)he does not participate as a manager or member of the board of an AVMS provider or a television/radio broadcaster or in any other capacity.
- Additionally, a producer of audiovisual works shall be deemed independent when (s)he does not have an employment relationship with an AVMS provider or a television/radio broadcaster and does not participate in joint activities.
- The national legislation does not include rules on the retention of IP rights by independent producers in their relationship with broadcasters.

¹¹⁰ The summary on Lithuania incorporates feedback received from Nerijus Maliukevičius, market research analyst at the Radio and Television Commission of Lithuania, during the checking round with the national regulatory authorities.

¹¹¹ Article 11(2) of the Lithuanian Law on Copyright and Related Rights states that the contract for the production of an audiovisual work, with the exclusion of musical works, shall be presumed to assign to the producer all exclusive rights for the use of the audiovisual work (reproduction, dissemination, communication to the public, adaptation, etc.) including the rights to subtitle or dub, unless otherwise stipulated in the contract. See the text available at <https://www.wipo.int/wipolex/en/text/586110> (in Lithuanian).



4.18.2. National definition of independent producer/ independent production

Legislation	Details of the measures
Article 2(30) of the Law on the Provision of Information to the Public of the Republic of Lithuania, consolidated version 1 June 2023 (<i>Lietuvos Respublikos visuomenės informavimo įstatymas</i>) ¹¹²	An independent producer of audiovisual works is considered to be the natural or legal person whose activity meets the following criteria: a) (s)he does not participate as a manager or member of the board of an audiovisual media service provider or a television/radio broadcaster or in any other capacity, and b) (s)he does not have an employment relationship with an audiovisual media service provider or a television/radio broadcaster and does not participate in joint activities.

4.18.3. National rules on IPR assignment/retention

Legislation	Details of the measures
	N/A.

¹¹² <https://www.e-tar.lt/portal/lt/legalAct/TAR.065AB8483E1E/asr>