ORDINANCE OF THE MINISTER OF CULTURE[1]
dated April 30, 2004

regarding the register of information on the production of optical media and types of identification codes

(Journal of Laws of June 2, 2004, No. 124, Item 1301)

Pursuant to Article 110^4 Section 3 of the Act on Copyright and Related Rights dated 4 February 1994 (Journal of Laws of 2000, No. 80, Item 904, as amended[2]) the following is hereby decreed:

§ 1.

1. The register of information on the production of optical media shall be maintained in the form of an electronic registration book.
2. Every entry in the registration book shall bear a sequential reference number and be dated.
3. A separate registration book with an individual number shall be established for every entrepreneur that carries on business activity consisting in the production and reproduction of optical media.
4. The registration book shall consist of one section in which the following data are inserted:
   1) the first and the last name, place of residence and address, or the business name and the registered seat and address, persons authorized to represent the entity, the scope and the principal place of business activity;
   2) machines and devices owned and used for the production and reproduction of optical media;
   3) identification codes used in all devices and their elements during the production process;
   4) data referring to:
      a) the aggregate volume of production and its type,
      b) the execution of orders, including the production of stampers, in places located outside the principal place of business,
      c) the disposal of the machines and devices for the production and reproduction of optical media.

§ 2

1. The entries in the register shall be made on the basis of information passed by the entrepreneurs.
2. The entrepreneurs shall pass the information in writing and using the electronic forms.
3. The model forms, set forth in the attached Appendices No. 1 – 5 are hereby determined.
4. The entrepreneur shall keep two copies of each pressed optical disc.

[1] The Minister of Culture shall be in charge of the governmental administration department – Culture and Protection of National Heritage pursuant to § 1 Section 2 of the Ordinance of the Chairman of the Council of Ministers dated March 29, 2002 regarding the detailed scope of activity of the Minister of Culture (Journal of Laws of 2002, No. 32, Item 303).

[2] Amendments to the uniform text of the above-mentioned Act were promulgated in the Journal of Laws of 2001, No. 128, Item 1402, of 2002, No. 126, Item 1068 and No. 197, Item 1662, of 2003, No. 166, Item 1610 and of 2004, No. 91, Item 869 and No. 96, Item 959.

§ 3

The minister responsible for the matters of culture and protection of national heritage is obliged to apply technical and organizational means ensuring the protection of data stored in the register, and in particular to safeguard these data against their disclosure to unauthorized persons, modification, damage or destruction.

§ 4

1. Registration files, which include the documents forming the basis for making an entry in the register, shall be maintained for each entrepreneur that is subject to registration.
2. The registration files must not be made available to third parties.

§ 5

1. The manufacturers shall apply Source Identification Codes (SID) developed by the International Federation of Phonographic Industry (IFPI) in cooperation with Philips International B.V.:
    1) the manufacturers of optical discs shall apply the Mould SID Code;
    2) the manufacturers of production parts shall apply the Mastering SID Code, also known as the LBR SID code.
2. The description of the codes referred to in Section 1 is set forth in Appendix No. 6 to the Ordinance.

§ 6

The Ordinance shall become effective as of the date of its promulgation.

APPENDICES

APPENDIX NO. 1
FORM
Particulars of the Entrepreneur

Full name or business name:
Place of residence and address:
Authorized representatives:
NIP (taxpayer identification number):
REGON (statistical number):
Number in the Register:
Scope of activity:
Principal place of business:

APPENDIX NO. 2
FORM

Data concerning the devices used for the production and reproduction of optical media									
TYPE OF MANU-FACTURE	MOULD CODE	STAMPER CODE	MACHINE /DEVICE	NAME	MANU-FACTURER	TYPE	SERIAL NUMBER	YEAR OF MANUFAC-TURE	YEAR OF INSTAL-LATION

APPENDIX NO. 3
FORM

Aggregate manufacture and type of medium										
PRODUCT NAME	MANUFAC-TURER	AMOUNT	CLIENT	DATE OF MANUFAC-TURE	MEDIUM	TITLE OF THE MEDIUM	CATALOGUE NUMBER	STAMPER CODE	MOULD CODE	STAMPE NUMBE

APPENDIX NO. 4
FORM

Information on the execution of orders including stampers in places located outside the principal place of business								
PRODUCT NAME	MANUFAC-TURER	CLIENT	DATE OF MANUFAC-TURE	MEDIUM	STAMPER CODE	MOULD CODE	STAMPER NUMBER	PLACE OF MANUFACTURE OF THE STAMPER

APPENDIX NO. 5
FORM

Information on the disposal of devices used for the production and reproduction of optical media									
TYPE OF MACHINE /DEVICE	NAME	MANUFAC-TURER	TYPE	SERIAL NUMBER	YEAR OF MANU-FACTURE	YEAR OF INSTAL-LATION	DATE OF SALE	NAME OF THE BUYER	ADDRESS OF THE BUYER

APPENDIX NO. 6
DESCRIPTION OF THE SOURCE IDENTIFICATION CODES

I. Mould SID Code

1. The Mould SID code consists of the letters “IFPI” followed by a four or five digit code. The last two digits of this code are determined by the manufacturer who is obliged to give each mould on the site, including spare moulds, a unique SID code.
2. The Mould SID code is etched on the mirror block of each mould or a component of the mould so that the Mould SID code is moulded on the read-out (or play) surface of each optical disc during the manufacturing process. The Mould SID code cannot be etched on any removable part or applied to the other side of the optical disc.
3. The Mould SID code is positioned at a radius of between 7.5 mm and 22 mm from the centre of the optical disc.
4. The Mould SID code has a character height of between 0.5 mm and 1.0 mm.
5. The Mould SID code is etched to a depth of between 10 to 25 microns and is legible throughout the life of the mould.
6. The Mould SID code is read from left to right when viewed from the read-out (or play) side of the optical disc.
7. The letters “IFPI” are in upper case characters, and may have a linear or a radial outline.

Additional requirements for high density optical discs such a DVD and SACD.

1. The Mould SID code must not be placed in an area that obscures the Mastering SID code or any other user defined characters.
2. The Mould SID code must be imprinted on all layers whether containing valid programme content or not, including blank optical discs and recordable discs.
3. The Mould SID code must not be imprinted in the clamping area.
4. The Mould SID code must be legible when read from left to right looking from the external surface of the optical disc.
5. Overprinting the Mould SID code for decorative purposes is permissible only on high density optical discs.

II. Mastering SID Code.

1. The Mastering SID Code consists of the letters “IFPI” followed by a four or five digit code commencing with the letter „L”. The manufacturer who will be assigned a batch of sequential codes must assign a unique code to each separate signal processor or LBR on the site, depending on which of the mastering devices that he controls were adapted to being marked with the SID code.
2. The Mastering SID Code is always assigned when the stamper is produced and is placed directly on the stamper.
3. The Mastering SID Code is positioned at a radius of between 18.0 mm and 22 mm from the centre of the optical disc.
4. The height of the character of the Mastering SID Code is 0.5 mm.
5. The Mastering SID Code is located in the metallized area of the disc.
6. The Mastering SID Code is legible without the need to magnify it.
7. The Mastering SID Code is read from left to right when viewed from the read-out (or play) side of the disc.
8. The Mastering SID Code is installed in either the firmware of the LBR (i.e. the software that forms an intrinsic part of the machinery and is not readily accessible by the operator of the facility), or embedded in the system controller (i.e. the signal processing system that controls the operation of the LBR) in such a way that the operator of the system is not

able to alter the code.

Additional requirements for high density optical discs such as DVD and SACD

1. The Mastering SID Code must not be obscured by the stack ring.
2. Options for different formats of high density optical discs:
   1) for a single-side one-layer optical disc; if the blank side of the disc is made of waste programme discs it will bear the SID code, even if it is not metallized;

   2) for a single-side double -layer optical disc; the mastering SID code must be recorded for layer 1 and for layer 0. At least one of the mastering SID codes – for layer 1 or for the layer 0 – must be legible;

   3) for the double-side one-layer optical disc; the Mastering SID code must be recorded on both sides of the optical disc. The Mastering SID Code should be legible, however, it is possible to partly cover the code due to the limitations in the printed area.

   Additional requirements:
   A stamper number shall be located on every recorded optical disc assigned individually for the given content.