

Summary of Compulsory License Systems



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Inquiries

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Overview of the Compulsory License Systems

Purpose of This Document

In principle, it is necessary to obtain permission from the rights owner to exploit another person's works and other subject matter.

However, there are cases where permission cannot be obtained for reasons such as “not knowing who the rights owner is,” “not knowing the whereabouts of the rights owner (even if it is known who the rights owner is),” or “not knowing who the heir of the deceased rights owner is or their whereabouts.” In such cases, instead of obtaining permission from the rights owner, the “Compulsory License System for Cases Where the Rights Owner Is Unknown or Is Presumed Not to Exist” allows for the lawful exploitation of works and other subject matter by receiving a compulsory license^(*1) from the Commissioner for Cultural Affairs and paying compensation^(*2) equivalent to the normal royalty amount.

In addition to this, the 2023 Amendment of the Copyright Act established a “Compulsory License System for Unmanaged Works” to enable the lawful exploitation of works and other subject matter by paying compensation when the intention of the rights owner regarding its exploitation of the works and other subject matter, such as “wishing for the works and other subject matter to be exploited in a certain manner” or “wishing for it not to be exploited in a certain manner,” cannot be confirmed. This system will be in operation as of April 2026.

When a compulsory license has been made under these systems, related information will be widely announced on the Agency for Cultural Affairs' website (Compulsory License Records Database). Rights owners who realize that their works and other subject matter have been exploited as a result of a compulsory license may receive compensation as consideration for this exploitation.

This document presents an overview of the flow of the two compulsory license systems so that they can be exploited properly and smoothly from April 2026 onward. For those wishing to actually apply for a compulsory license in the future, please first gain an overall understanding based on this document, and then check the “Guide to Compulsory License Systems(裁定の手引き) [Japanese Only],” which is scheduled to be revised in March.

Note that applications for compulsory licenses are accepted in Japanese only.

*1 Compulsory License: A decision by the Commissioner for Cultural Affairs to permit the exploitation of works and other subject matter when legal requirements are met.

*2 Compensation: Money equivalent to the amount of the normal royalty payable by the exploiter to the rights owner. In cases where the actual rights owner comes forward, payment will be made from the compensation.

The Compulsory License System After April 2026

Issues with the Compulsory License System for Cases Where the Rights Owner Is Unknown or Is Presumed Not to Exist (Article 67 of the Copyright Act)

The Compulsory License System for Cases Where the Rights Owner Is Unknown or Is Presumed Not to Exist, which has been in operation since 1972, has played a role in the lawful exploitation of works and other subject matter, and the return of consideration to rights owners. In addition, in order to promote the utilization of the system, continuous reviews have been implemented, including the lowering of the application fee and the introduction of the system allowing exploitation during the application process.

On the other hand, recent advances in the Digital Transformation (DX) have made it easier for anyone to create and disseminate their content. The internet has seen an increase in the amount of content created and exploited by amateurs and others among the general public. However, there is a large amount of such content for which the rights owner's information and contact information remains unclear, making it difficult to obtain their permission. As a result, it has been brought to light that "the Compulsory License System for Cases Where the Rights Owner Is Unknown or Is Presumed Not to Exist," which requires exploiters to incur search costs when utilizing it, does not necessarily lead to the smooth exploitation of works and other subject matter.

Establishment of Compulsory License System for Unmanaged Works (Article 67.3 of the Copyright Act)

In order to address the above issues, the Copyright Act has been revised and a new "Compulsory License System for Unmanaged Works" will start its operation from April 2026. This system enables works and other subject matter to be exploited lawfully through simple procedures.

This system is intended for "works and other subject matter that are not managed by a management business operator(*) and for which the intention of the rights owner regarding its exploitation is not indicated" (hereinafter referred to as "unmanaged works that have been made public"). In cases where the intention of the rights owner regarding its exploitation, such as when no response is received despite measures taken to confirm the intention of the rights owner by the prospective exploiter, the exploitation of the works and other subject matter may be permitted by paying compensation upon receiving a compulsory license by the Commissioner for Cultural Affairs.

In addition, private-sector organizations registered by the Commissioner for Cultural Affairs (Registered Checking Organizations) are responsible for receiving applications, confirming requirements, calculating the amount equivalent to the royalty, and other procedures.

This will enable exploiters to lawfully exploit works and other subject matter easily and quickly.

*This refers to a "management business operator" as defined in the "Law on Management Business of Copyright and Neighboring Rights." Management business operators are analogous to collective management organizations (CMOs) in non-Japanese countries.

Comparison of the Two Compulsory License Systems

	Compulsory License System for Cases Where the Rights Owner Is Unknown or Is Presumed Not to Exist	Compulsory License System for Unmanaged Works
Procedures	<ul style="list-style-type: none"> ■ Confirm that the works and other subject matter you wish to exploit have been made public, etc. ■ Confirm that the author's intention to discontinue exploitation is not clear ■ Take measures to obtain information on the rights owner ■ Take measures to contact the rights owner based on the information on the rights owner ■ Submit an application to the Agency for Cultural Affairs 	<ul style="list-style-type: none"> ■ Confirm that the works and other subject matter you wish to exploit have been made public, that it is not managed by a management business operator, and that the intention regarding its exploitation has not been indicated ■ Confirm that the author's intention to discontinue exploitation is not clear ■ Take measures to confirm the intention regarding its exploitation ■ Submit an application to a Registered Checking Organization <p style="text-align: center;">Procedures are simplified compared with the other Compulsory License System</p>
Maximum period of exploitation	<p>No limits</p> <p style="text-align: center;">Long-term exploitation is enabled</p>	<p>Maximum of 3 years (After the period of exploitation has passed, you can apply for the compulsory license system again, if needed)</p>
Revocations	<p>Even in cases where a rights owner comes forward, the compulsory license is not revoked</p> <p style="text-align: center;">In principle, not affected by circumstances arising subsequently</p>	<p>In cases where a rights owner comes forward and makes a request, the compulsory license is revoked and the exploitation based on it is suspended. The subsequent exploitation is subject to deliberation between the exploiter and the rights owner.</p>

Table: Comparison of the Compulsory License System for Cases Where the Rights Owner Is Unknown or Is Presumed Not to Exist & the Compulsory License System for Unmanaged Works (○ indicate cases where the system may be utilized)

	Compulsory License System for Cases Where the Rights Owner Is Unknown or Is Presumed Not to Exist	Compulsory License System for Unmanaged Works
The rights owner is unknown or is presumed not to exist	○	○
The rights owner is known, but their contact information is unknown	○	○
The rights owner and their contact information are known and they have been contacted, but there was no response from the rights owner their intention is unknown	×	○ ^(*)

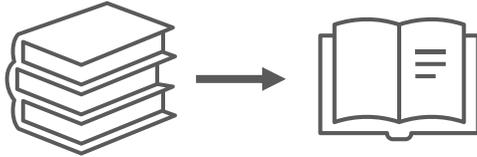
*Under the Compulsory License System for Unmanaged Works, cases where only overseas contact information can be found are not eligible.

As of April 2026, the Copyright Research and Information Center (CRIC) plans to establish a comprehensive consultation service on copyrights, etc., and this will allow for consultation on which compulsory license systems to utilize, etc.

Compulsory License System Utilization Examples

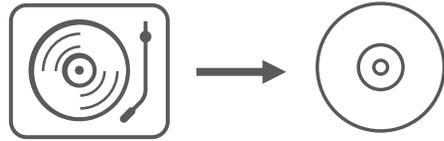
Compulsory License System for Cases Where the Rights Owner Is Unknown or Is Presumed Not to Exist

Book Publishing



- Someone wished to reprint a previously published novel.
- The author of the novel had already passed away, and the rights owner was searched for by contacting the publishing company, but the rights owner was not known.
- After following the necessary procedures to receive a compulsory license and paying compensation, the novel was reproduced and published.

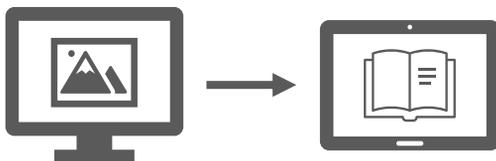
CD Sales



- Someone wished to compile old music recordings onto CDs to sell.
- Permission for exploitation was obtained from the lyricists, composers, and record producers.
- After searching for the rights owner for live performances, an address believed to belong to the rights owner was found and a letter was sent, but it was returned as undeliverable.
- After following the necessary procedures to receive a compulsory license for live performances, compensation was paid, and the audio sources were compiled onto CDs and sold.

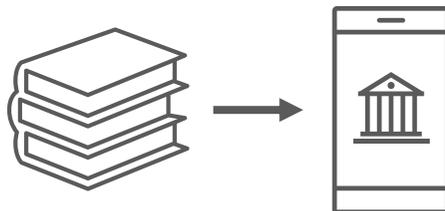
Compulsory License System for Unmanaged Works

e-book Publishing



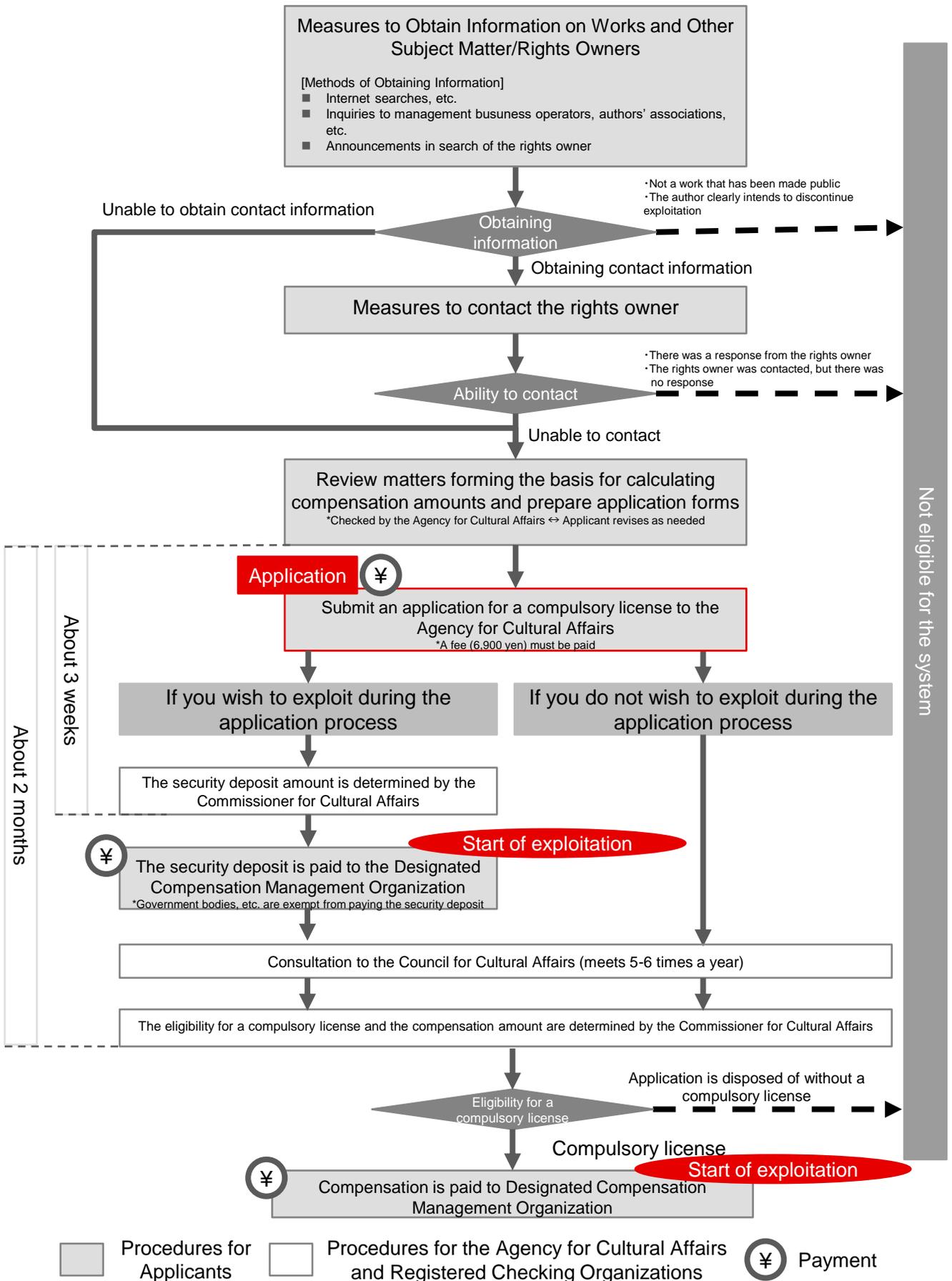
- Someone wished to insert old landscape photos of their hometown found on other people's personal blogs into an e-book to be published.
- The areas around the photos and the profile sections of the blogs authors were checked, but no information regarding its exploitation or contact information for the rights owner could be found.
- After following the necessary procedures to receive a compulsory license, compensation was paid, and the photos were inserted into the e-book.

Digital Archives



- Someone wished to create a digital archive of old books at a local museum.
- There were many rights owners for these books. All rights owners were contacted to confirm whether their works could be exploited, and while some of the rights owners gave permission for exploitation, the remaining rights owners did not respond even after two weeks.
- After following the necessary procedures to receive a compulsory license compensation, the books were made available as a digital archive.

Application Procedures under the Compulsory License System for Cases Where the Rights Owner Is Unknown or Is Presumed Not to Exist



Application Procedures under the Compulsory License System for Cases Where the Rights Owner Is Unknown or Is Presumed Not to Exist

Summary of Each Action Item

1 Measures to Obtain Information on Works and Other Subject Matter/Rights Owners

In order to receive a compulsory license, it must be confirmed that the measures specified by the Commissioner for Cultural Affairs to obtain rights owner information have been taken. If the rights owner remains unknown after taking these measures, or if contact with the rights owner cannot be established after taking measures to contact the rights owner based on all available information about the rights owner (including the information obtained through measures previously mentioned), the compulsory license system is available.

Information on works and other subject matter

To utilize the Compulsory License System for Cases Where the Rights Owner Is Unknown or Is Presumed Not to Exist, it must be **works that have been made public (*1)**.

In addition, works for which the author **clearly intends to discontinue publication or other exploitation of the works (*2)** are not eligible for a compulsory license.

Information on rights owner (all measures listed in a. through c. below must be taken)

Measure	Implementation Details	Specific Example
(a) Browse publications and other materials (*3) Implementation of (1) or (2)	(1) Browse lists or other equivalent documents created according to the type of works and other subject matter 	Search for information on rights owner by referring to at least one appropriate reference book, such as a directory or yearbook, at a library, etc.
	(2) Search on websites with the functionality to broadly search website information 	Search for rights owner information using at least one type of internet search service, etc., (e.g., Google) using keywords such as the title of the work, the name of the author, etc., and the content of the works and other subject matter.
(b) Make inquiries to persons who are recognized to have extensive information on rights owners (*3) Implementation of (1) and (2)	(1) Make inquiries to management business operators, etc. 	If there are multiple management business operators in the field of the works and other subject matter to be exploited, in principle, inquiries should be made to all of the operators. [List of Copyright and Neighboring Rights Management Operators(Japanese Only)] https://www.bunka.go.jp/seisaku/chosakuken/seidokaisetsu/kanrijigyoho/toroku_jokyo/index.html
	(2) Make inquiries to organizations composed primarily of persons with expertise in similar works and other subject matter 	Make inquiries to the appropriate organizations from among the following: <ul style="list-style-type: none"> ■ Authors' associations to which authors and other rights owners in the field of the relevant works and other subject matter belong ■ Academic societies composed of researchers, etc., in the field of the relevant works and other subject matter ■ Organizations (universities, companies, etc.) to which the author belonged ■ The corporation, etc., that published the author's works and other subject matter
(c) Seek the provision of information on the rights owner from the Implementation of (1) or (2)	(1) Have your inquiry listed in a daily newspaper  (2) Have your inquiry listed on the Copyright Research and Information Center (CRIC) website continuously for a period of at least 7 days (Listing fee: 8,250 yen) 	[Copyright Research and Information Center (CRIC) website(Japanese Only)] https://www.cric.or.jp/c_search/c_search.html

*1 Works that have been made public: Works made public by the rights owners, etc., or works for which it is factually evident that they have been provided or displayed to the public for a considerable period of time.

*2 Intention to discontinue exploitation: A situation in which it is factually evident that the author has collected issued publications, etc.

*3 Regarding (a) and (b), if you wish to receive a new compulsory license concerning works and other subject matter that have been subject to a past compulsory license, you may also search the database of works and other subject matter that have received compulsory licenses previously (Compulsory License Records Database), which is posted on the Agency for Cultural Affairs website.

Application Procedures under the Compulsory License System for Cases Where the Rights Owner Is Unknown or Is Presumed Not to Exist

Summary of Each Action Item

2 Measures to contact rights owners

Attempt to contact the rights owner based on the available rights owner information, including information obtained in accordance with section 1.

Examples of specific contact methods are as follows:

Contact Information	Measures to Attempt	Examples of Cases Where the System Is Eligible	Examples of Cases Where the System Is Not Eligible
Address	Send a letter (Mail delivery/courier service) 	<ul style="list-style-type: none"> It was returned as undeliverable. The delivery company informed you that the recipient's address does not exist. There was a response, but they stated that they were not the rights owner or a related party. 	<ul style="list-style-type: none"> There was no response.
Phone Number	Make a phone call 	<ul style="list-style-type: none"> The phone number was not in use, and the call was disconnected. The call was connected, but the phone number was unrelated to the rights owner or relevant parties. 	<ul style="list-style-type: none"> Was connected to the voicemail and left a message, but contact was not established.
Email Address	Send an Email 	<ul style="list-style-type: none"> The message was undeliverable due to a transmission error stating "unknown user." There was a response, but they stated that they were not the rights owner or a related party. 	<ul style="list-style-type: none"> Was able to send an Email, but there was no response.



Cases where the rights owner has responded, or where the rights owner has been contacted but has not responded, are **not eligible for** the Compulsory License System for Cases Where the Rights Owner Is Unknown or Is Presumed Not to Exist.

However, you may be eligible for the Compulsory License System for Unmanaged Works in cases where the rights owner has been contacted but no response has been received if there has been no response for 14 days (limited to cases where the works and other subject matter that you are attempting to exploit falls under "unmanaged works that have been made public"), so please also consider utilizing this system.

3 Review of Items Forming the Basis for Calculating the Compensation Amount and Preparation of Application Form

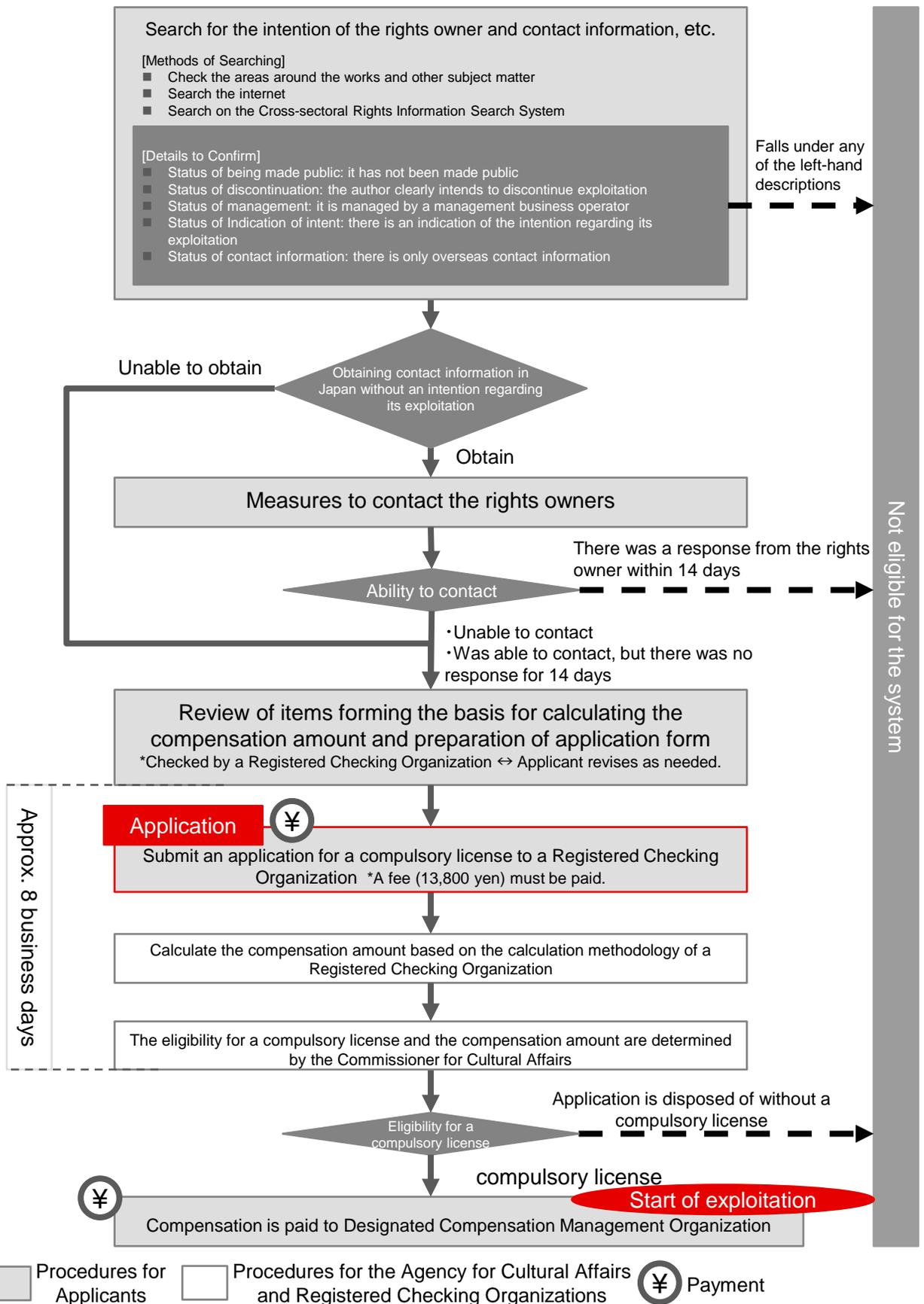
Review the items forming the basis for calculating the compensation amount. The method of reviewing is as follows:

The applicant should calculate the compensation amount and confirm the appropriateness of the amount and calculation method using one of the methods from (a) to (c) below, and then enter the amount and calculation method on the application form. Please refer to the "Guide to Compulsory License Systems (裁定の手引き[Japanese Only])" to be revised in March 2026 for the calculation method in cases where the appropriateness cannot be confirmed by these methods.

- Methods for Confirming the Appropriateness
 - Confirm using a compulsory license compensation amount simulation system
 - Confirm based on the applicant's past compulsory license cases
 - Confirm through a management business operator

On the application form, enter the information on the works and other subject matter, the method of exploitation, the results of the measures taken to obtain information on the rights owner, the results of measures taken to contact the rights owner, and items forming the basis for calculating compensation amount.

Application Procedures Under the Compulsory License System for Unmanaged Works



*Applications can also be submitted during the period in which the contact measures are taken upon completing the application form

Application Procedures Under the Compulsory License System for Unmanaged Works

Summary of Each Action Item

1 Search for the intention of the rights owner and contact information, etc.

Using the following methods, search for the intention of the rights owner regarding its exploitation and their contact information, and confirm whether you are eligible for the system.

Methods of Searching

All of the following must be checked, browsed, and searched to the extent reasonably verifiable.

	Specific Example
Check the areas related to the works and other subject matter	<ul style="list-style-type: none"> ■ Books and other paper media <ul style="list-style-type: none"> ● Check the cover, publication information, and other pages ■ Recorded media, such as CDs, DVDs, Blu-ray discs, etc. <ul style="list-style-type: none"> ● Check the packaging and labels ● Check the beginning and end of the video ■ Content on the internet <ul style="list-style-type: none"> ● Check the caption on the website where the content is posted and within the same page ● Check the account owner's profile on content sharing sites and social media sites, etc.
Search the internet and browse websites for rights owners and websites with information on rights owners	<ul style="list-style-type: none"> ■ Browse websites that are presumed to belong to the rights owner ■ Browse websites that are presumed to post information on rights owner under the authority of the rights owner <ul style="list-style-type: none"> ● Browse the websites and databases of management business operators and rights owners' associations ● Browse the websites of publishing companies, record companies, video software production companies, etc.
Browse those displayed as websites to be checked in the search results of the Cross-Sectoral Rights Information Search System	

Details to Confirm

1	Have the works and other subject matter been made public?	<ul style="list-style-type: none"> ■ The works and other subject matter have not been made public.
2	Does the author clearly intend to discontinue exploitation?	<ul style="list-style-type: none"> ■ It is factually evident that the author has collected issued publications, etc.
3	Are the rights being managed?	<ul style="list-style-type: none"> ■ They are being managed by a management business operator.
4	Is there an indication of intention regarding its exploitation? (1) Rules for exploitation are indicated (2) Specific contact information for receiving requests for exploitation is indicated *Accompanying information to out-of-print(out of commerce) materials, etc., or works and other subject matter that have previously received a compulsory license in cases where the rights owner is unknown or is presumed not to exist are not deemed as indications of intention	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Not eligible for the system</p> <ul style="list-style-type: none"> (1) Rules for exploitation are indicated <ul style="list-style-type: none"> ● There are stated rules for exploitation, such as "Unauthorized reproduction or copying of documents is strictly prohibited" or "No application to XX is required for the reproduction or exploitation of published digital images and accompanying text. The same applies for commercial use." (2) Specific contact information for receiving requests for exploitation is indicated <ul style="list-style-type: none"> ● Specific contact information for inquiries regarding exploitation is clearly stated, such as "Please submit your application for exploitation via the application form linked below."
5	Is there contact information?	
		<ul style="list-style-type: none"> ■ There is only overseas contact information(*). *Addresses outside of Japan, phone numbers that do not begin with +81, etc. *The Email address is determined from the domain, the source of the address, etc.

(Reference) How 4 and 5 differ regarding contact information?

The system is not eligible in cases where contact information indicating the intention to accept applications for exploitation is provided, such as "Please contact us at the following contact address for exploitation requests." However, in cases where there is no stated intention but only an Email address, telephone number, address, etc., you must take the measures set forth in section 2 on the next page to determine whether you are eligible for the system.

Application Procedures Under the Compulsory License System for Unmanaged Works

2 Any attempts to contact rights owners

Attempt to contact the rights owner based on the available rights owner information, including information obtained in accordance with section 1.

If there are multiple contact information, attempt to contact at least two of them clearly stating your request for exploitation, and confirm that contact cannot be made or that there has been no response for 14 days.

Examples of specific contact methods are as follows:

Contact Information	Measures to Attempt	Examples of Cases Where the System Is Eligible	Examples of Cases Where the System Is Not Eligible
Address	Send a letter (Mail delivery/courier service) <small>*Send by mail with delivery records retained</small> 	<ul style="list-style-type: none"> ■ It was returned as undeliverable. The delivery company informed you that the recipient's address does not exist. ■ There was a response, but they stated that they were not the rights owner or a related party. ■ There was no response for 14 days(*). <small>*14 days after the receipt of the document</small> 	<ul style="list-style-type: none"> ■ There was a response from the rights owner within 14 days. <ul style="list-style-type: none"> ● If there is a response, even such responses as "We are currently considering your request and ask for more time," it is not eligible.
Phone Number	Make a phone call 	<ul style="list-style-type: none"> ■ The phone number was not in use, and the call was disconnected. ■ The call was connected, but the phone number was unrelated to the rights owner or relevant parties. 	
Email Address	Send an Email 	<ul style="list-style-type: none"> ■ The message was undeliverable due to a transmission error stating "unknown user." ■ There was a response, but they stated that they were not the rights owner or a related party. ■ There was no response for 14 days. 	

3 Review of Items Forming the Basis for Calculating the Compensation Amount and Preparation of Application Form

As a basis for calculating the compensation amount, review the compensation amount and calculation method, referring to the calculation methodology to be subsequently specified by a Registered Checking Organization.

Following this review, enter on the application form, information on the works and other subject matter, the methods of exploitation, the results of searching for the intention of the rights owner regarding its exploitation and contact information, the results of the measures taken to contact the rights owner, and items forming the basis for calculating the compensation amount.

The Registered Checking Organization will calculate the amount to be paid by the exploiter based on the information provided in the application form, and the Commissioner for Cultural Affairs will ultimately determine the eligibility and compensation amount.

Considerations When Utilizing the Compulsory License Systems

Considerations Common to the Two Compulsory License Systems



Scope by Which a compulsory license Enables Exploitation

- If a compulsory license is received, the works and other subject matter may be exploited, but please keep the following considerations in mind.
 - The compulsory license makes the methods of exploitation lawful only to the extent permitted by the Commissioner for Cultural Affairs, as stated in the application form.
 - The scope of a compulsory license is limited to exploitation within Japan.
 - The scope of a compulsory license is limited to copyright and neighboring rights as property rights. Even if a compulsory license is received, acts that infringe moral rights and performer's moral rights are not permitted.



Applications Disposed of Without a compulsory license

If a disposition not to grant a compulsory license is made (e.g., if the applicant and the rights owner are able to contact each other), the applicant may not exploit the works and other subject matter.



Announcements of Application Results

The results of an application will be announced on the Agency for Cultural Affairs website (Compulsory License Records Database). This database provides information such as the titles and the names of authors, etc., enabling rights owners to ascertain when their works and other subject matter have been exploited under compulsory licenses.

Considerations Under the Compulsory License System for Unmanaged Works



Compulsory License Revocations

Rights owners may request the revocation of a compulsory license in cases where measures were taken to consult with the recipient of the compulsory license regarding the exploitation of works and other subject matter.

If a compulsory license is revoked, the exploitation authorized under the compulsory license will be suspended, and the rights owner may receive compensation equivalent to the normal royalty amount (referred to as the “amount equivalent to compensation at the time of the revocation”) for the period during which the works and other subject matter were actually exploited (e.g., from the date the compulsory license was received to the date before the revocation) .

Any exploitation after the revocation will be subject to consultation between the rights owner and the exploiter.

