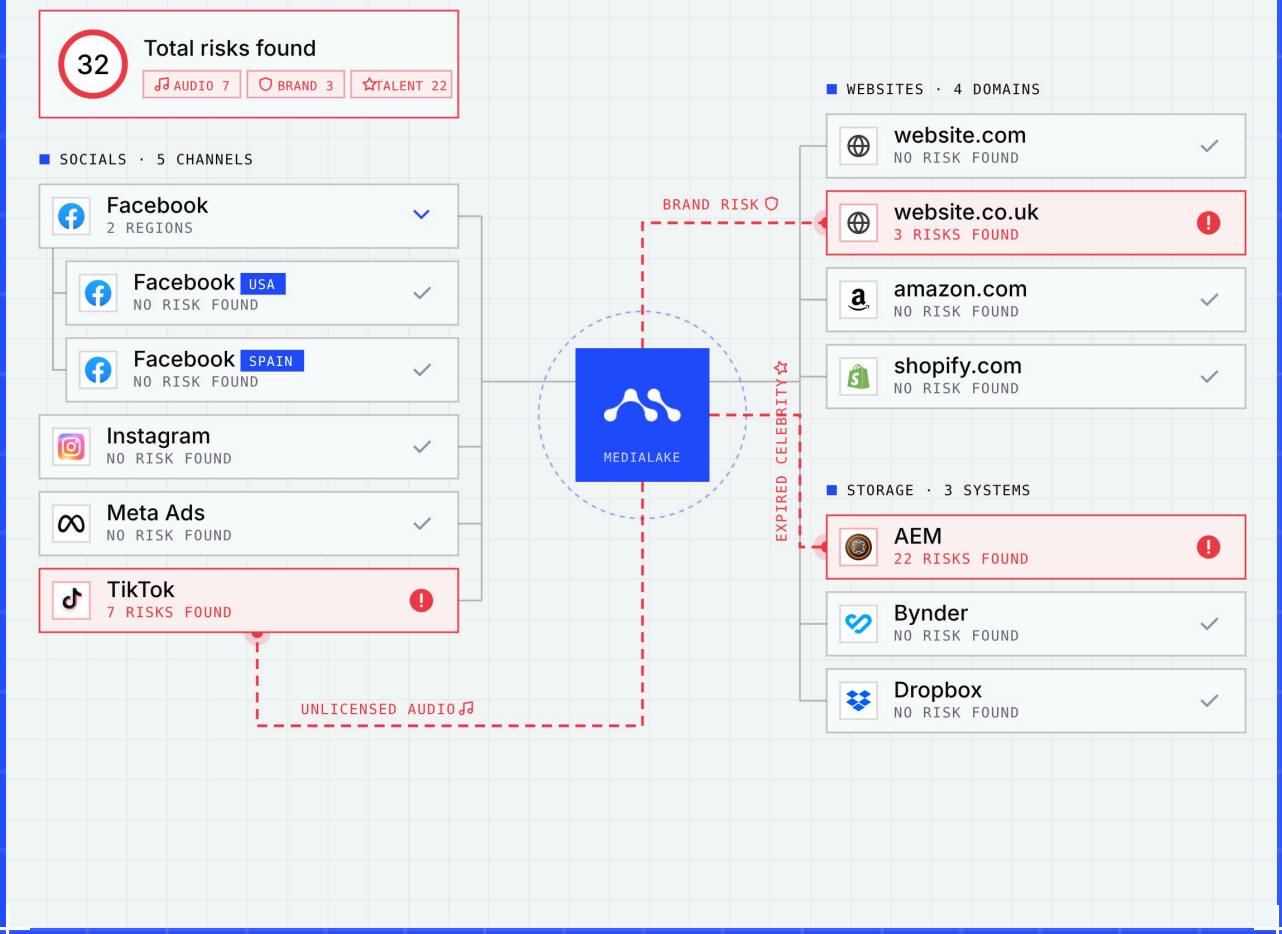
How to Find and Fix Your IP Risk Before Rights Holders Do



SECTION 01

Find it. Fix it. Close it.

> **This is Part II of The Creative Liability Gap series**
>
> Part I established why enterprise brands carry direct liability for IP violations in their marketing content — regardless of who produced it. The short version: the brand is always liable. This paper is the practical guide to finding where that liability lives in your organisation, auditing your current state, and closing the gap permanently.

Three numbers before we begin

PER TRACK

$150K

Statutory damages per infringement under US copyright law — no proof of loss required

SINGLE ACTION

$139M+

Sony Music v. Marriott International, 2024 — one brand, one enforcement campaign

OF YOUR LIVE ASSETS

~50%

Are invisible to your DAM and DRM/Rights Mgmt tools combined — right now, today

Five parts. One framework.

01 · Where the risk hides	Five locations in your workflow where IP exposure accumulates.
02 · The audit checklist	A framework your team can run against your current ops today.
03 · The creative chain	Three diagrams mapping exactly where rights data disappears.
04 · How Medialake fixes it	Resolution of each risk category inside your existing stack.
05 · What to do on Monday	Five time-boxed actions. Named owners. No ambiguity.

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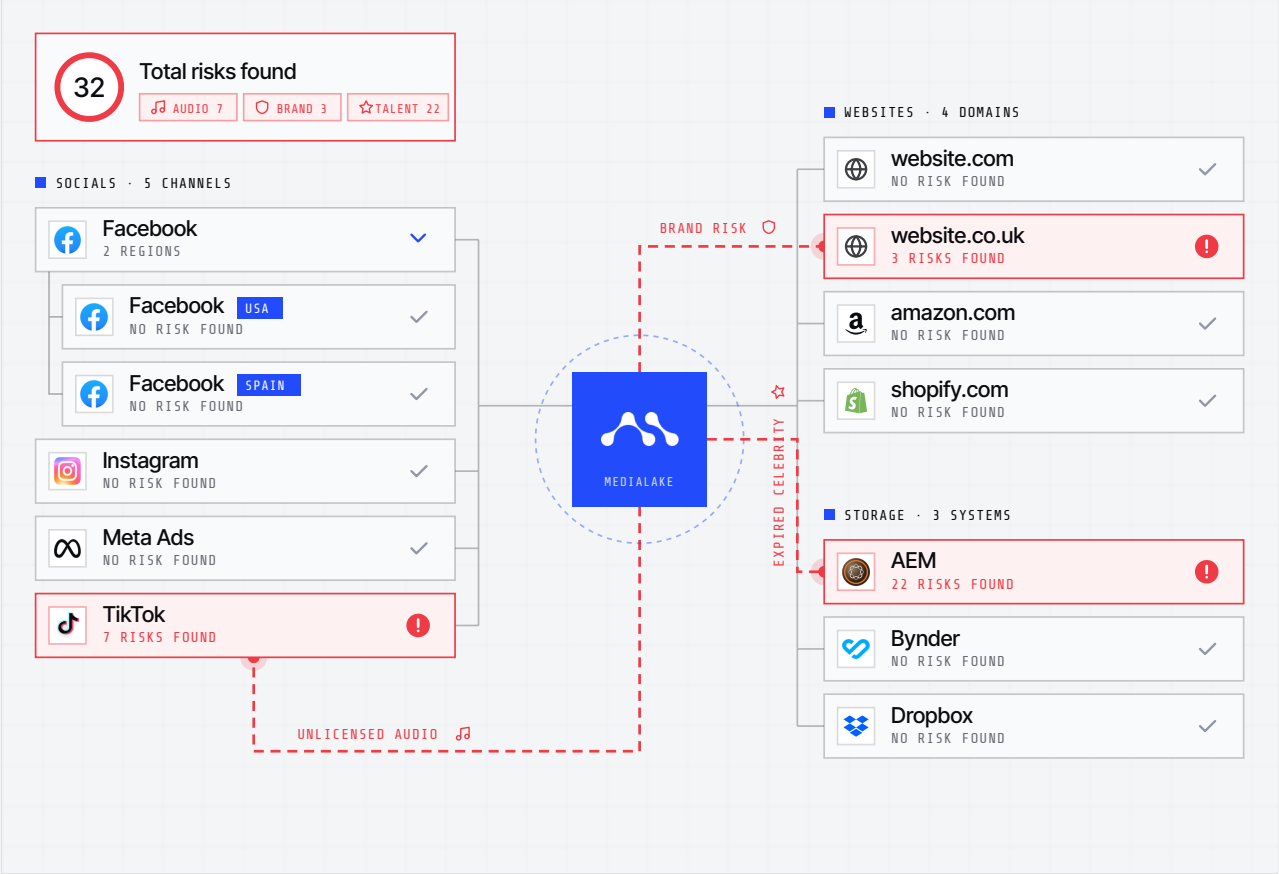
SECTION 02

Five places IP risk is hiding in your workflow right now

Most enterprise marketing teams assume that if a rights violation existed in their content, someone would have caught it. The creative production chain has at least five distinct points where risk accumulates — none of which are visible to the systems most brands rely on.



For each risk type: what it is, where it appears, and the signal that tells you it is present.

RISK · WHERE IT APPEARS	WHAT IT IS, AND THE SIGNAL	SEVERITY
01 · Unlicensed music Social, digital video, paid advertising	Audio not sourced from a paid commercial library or documented sync licence. TikTok Sounds, Instagram Music, and YouTube Audio Library are personal-use licences only — using them on a brand account is infringement. Ask agencies to produce a music clearance certificate per video. If they cannot, the risk is live.	CRITICAL
02 · Expired rights windows All channels — especially always-on social	A fixed-term licence that has lapsed while the asset remains live. Common in talent, music, and stock. Risk is invisible because no system monitors expiry against live channels. Signal: can you list right now every live asset whose rights expire in the next 90 days?	HIGH

RISK · WHERE IT APPEARS	WHAT IT IS, AND THE SIGNAL	SEVERITY
03 · Territorial overrun Global social, programmatic, DOOH	A licence cleared for one territory distributed globally without restrictions applied. Common in talent and music sync deals specifying named markets. Frequently introduced during reversioning. Signal: are territorial boundaries from contracts mapped to your distribution data at asset level?	HIGH
04 · Platform licence mismatch Social — repurposed paid creative	A broadcast or paid-digital licence used on organic social. Broadcast licences routinely exclude social by name. Paid creative adapted and posted organically is one of the most common sources of this violation. Signal: does your social team know which assets are cleared for organic vs paid vs broadcast?	HIGH
05 · Untracked agency assets All channels — always-on and regional	Content produced by agencies, influencers, or regional teams that was never submitted to the DAM or DRM tool. No rights record exists. This is the structural source of the ~50% gap — and the category most likely to contain violations across all four risk types above.	CRITICAL

Key principle

If you cannot answer the signal question for any of these five categories with documented evidence, the risk is present.

SECTION 03

Run this against your current operation today

Complete with your Head of Marketing Operations, Legal, or Brand — ideally with input from your lead agency and DAM administrator. Approximately 30 minutes.

QUESTION	RED – ACT NOW	AMBER – REVIEW	GREEN – IN PLACE
Do you have music clearance documentation for every video asset currently live on your brand's social channels?	No — or you don't know	Some assets documented, not all	Yes — documented for every live asset
Can you identify right now which live assets have rights expiring in the next 90 days?	No system or process exists	Manual spreadsheet, not automated	Automated alert system in place
Are territorial restrictions from talent and music licences mapped to your paid and social distribution?	No — territorial data not tracked	Known for major campaigns only	Mapped and enforced across all channels
Does your social team know which assets are cleared for organic vs paid vs broadcast use?	No distinction made	Guidance exists but inconsistently applied	Clear process — assets tagged by usage type

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Is there a complete inventory of every asset your agencies have produced in the last 24 months?	No — agency content not centrally tracked	Major campaigns tracked, not all output	Full inventory with rights records in DAM
Does your DRM/Rights Mgmt tool receive data from your lead agency, social agency, and regional teams?	No — only from DAM submissions	Partial — one or two sources only	All sources feed rights data automatically
Is a team member explicitly responsible for monitoring live content for rights violations continuously?	No dedicated ownership	Responsibility shared informally	Named owner with automated tooling
When a campaign asset is repurposed for a new market, is the licence re-checked before activation?	No — assumed to carry through	Sometimes — at the team's discretion	Mandatory re-check in the workflow

Scoring guide: More than two red responses: material compliance gap requiring immediate action. More than four amber: structural process failure creating ongoing exposure. Full green: target state.

SECTION 04

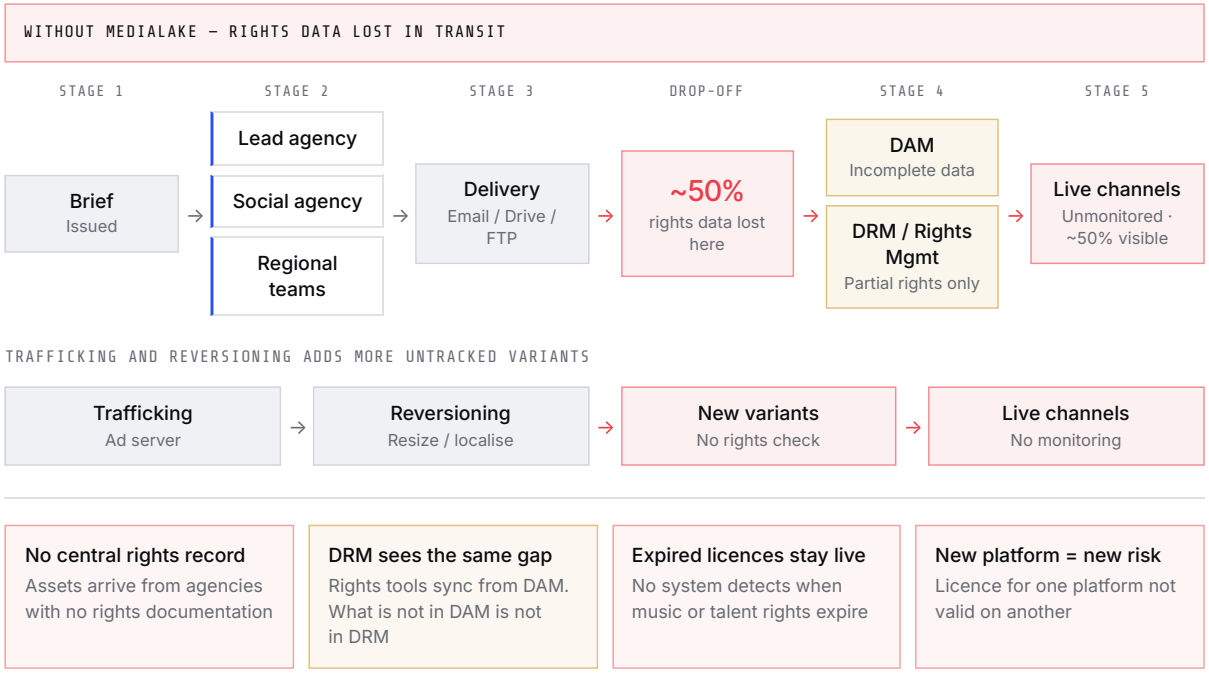
Where each risk category appears in your architecture

The three diagrams below map the creative workflow from brief to live channels. They show where the five risk categories accumulate — and why your current tool stack cannot see them.

Without Medialake: where rights data disappears

Assets move left to right through three agency tracks. The critical drop-off between delivery and the DAM is where all five risk categories become invisible. Your DRM tool syncs from the DAM and inherits exactly the same gap.

WITHOUT MEDIALAKE



No central rights record
Assets arrive from agencies with no rights documentation

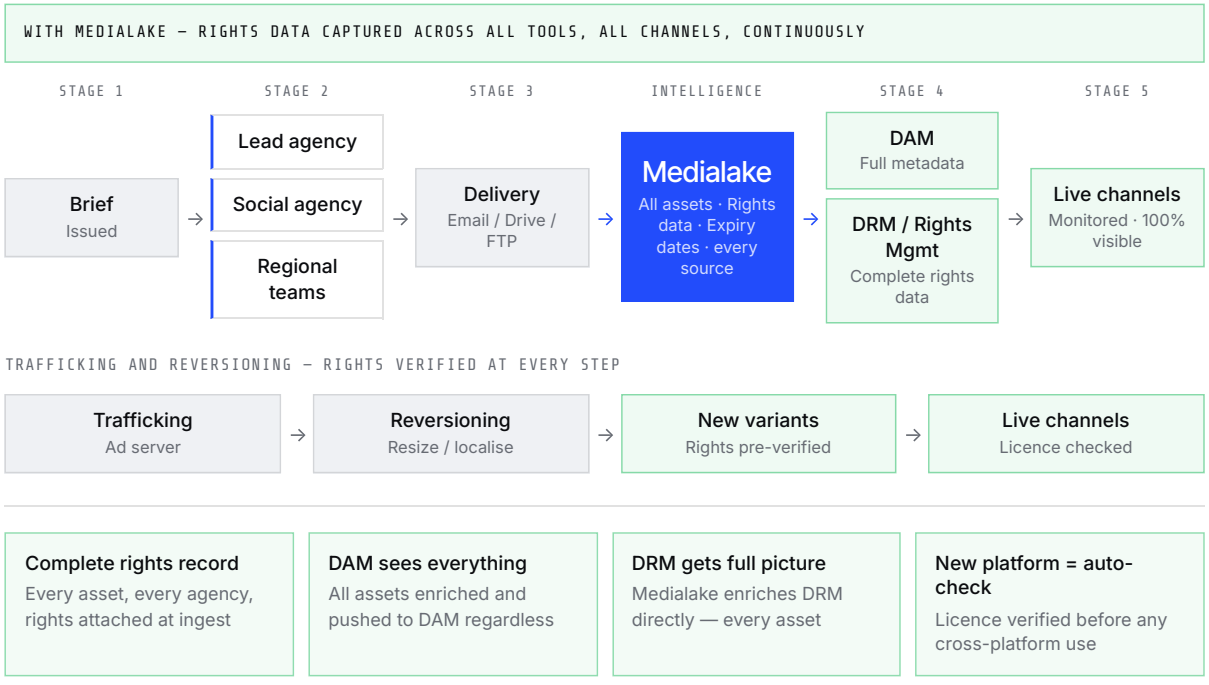
DRM sees the same gap
Rights tools sync from DAM. What is not in DAM is not in DRM

Expired licences stay live
No system detects when music or talent rights expire

New platform = new risk
Licence for one platform not valid on another

FIG. 1 · WITHOUT MEDIALAKE: ~50% OF ASSETS CROSS TO LIVE CHANNELS WITHOUT RIGHTS DATA. DAM AND DRM TOOLS BOTH OPERATE ON PARTIAL VISIBILITY ONLY.

WITH MEDIALAKE



Complete rights record
Every asset, every agency, rights attached at ingest

DAM sees everything
All assets enriched and pushed to DAM regardless

DRM gets full picture
Medialake enriches DRM directly — every asset

New platform = auto-check
Licence verified before any cross-platform use

FIG. 3 · WITH MEDIALAKE: EVERY ASSET CAPTURED, DAM AND DRM ENRICHED TO FULL VISIBILITY, CONTINUOUS MONITORING ACROSS ALL LIVE CHANNELS.

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The shared blind spot: what DAM and DRM see vs. what is live

Both tools see only what was formally submitted. The untracked half is where all five risk categories concentrate. Rights enforcement technology monitors all of it continuously.

DAM	DRM / RIGHTS MGMT	NOT TRACKED ANYWHERE
~50%	~50%	~50%
Formally ingested assets	Synced from DAM — same gap	Invisible to all tools
✓ Hero films and approved assets	– Rights records synced from DAM	× Agency social and always-on content
✓ Approved print and OOH	– Expiry dates for ingested assets	× Regional and local adaptations
✓ Some paid digital (when trafficked)	– Contractual terms — known assets only	× Expired-licence assets still running
		× Influencer and UGC republished by brand

FIG. 2 · THE SHARED BLIND SPOT: APPROXIMATELY 50% OF LIVE CONTENT IS UNTRACKED IN ANY SYSTEM.

The shared blind spot

Assets that bypass the DAM bypass DRM too. Enforcement sees everything. Your tools see half.

SECTION 05

How Medialake resolves each risk category

For each of the five risk categories: what your current stack leaves unresolved, and how Medialake closes it — without replacing your DAM, DRM tool, or agency workflows.

RISK CATEGORY	CURRENT STACK LEAVES OPEN	MEDIALAKE CLOSES IT
01 · Unlicensed music	No automated detection. Agencies provide no consistent clearance documentation. Platform libraries assumed to be commercial licences.	Audio fingerprinting identifies music usage across all ingested assets. Clearance certificates captured at ingest. Platform-licensed tracks flagged as non-commercial.
02 · Expired rights	DAM and DRM hold expiry dates only for formally submitted assets. No system monitors live channels. Expired assets remain live indefinitely.	Tracks rights expiry across all assets — including those never submitted to the DAM. Automated alerts fire 90, 30, and 7 days before expiry.
03 · Territorial overrun	Territorial restrictions in contracts not connected to distribution data. Teams have no visibility of licence geography at activation.	Territorial restrictions from contract metadata mapped to asset records. Flags out-of-territory activation before it occurs.

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RISK CATEGORY	CURRENT STACK LEAVES OPEN	MEDIALAKE CLOSES IT
04 · Platform mismatch	Usage type restrictions not communicated at asset level. Social teams republish paid creative without knowing the licence boundary.	Assets tagged at ingest with permitted usage types. Restrictions surfaced to trafficking and social teams at point of activation.
05 · Untracked assets	~50% of agency-produced content never reaches the DAM. DRM tools inherit the same gap. No rights record exists for this content.	Connects to agency delivery systems directly — capturing assets and rights data at source, before they reach or bypass the DAM.

Important

Medialake does not replace your DAM, DRM tool, or agency workflows. It is the intelligence layer that sits above your existing stack — making every tool in it more complete.

SECTION 06

What to do on Monday

Five actions that can be initiated immediately — before any new tooling is in place.

01 DAY 1 · THIS WEEK

Commission a music clearance audit of all video assets currently live on your brand social channels.

Owner: Head of Brand or Marketing Operations. Ask every agency for clearance documentation per live video. Any asset without documentation flagged for immediate review.

02 DAY 2 · THIS WEEK

Pull a list of every live asset whose rights expiry date falls within the next 90 days.

Owner: DAM Administrator or Legal. If this list cannot be generated, that is itself the finding.

03 WEEK 1 · WITHIN 5 DAYS

Brief your lead and social agencies on the five risk categories in this document. Request written confirmation of their clearance process.

Owner: Head of Marketing Operations.

04 WEEK 2 · WITHIN 10 DAYS

Map your tool architecture against Diagram 1. Identify which delivery routes bypass your DAM and DRM tool entirely.

Owner: Marketing Technology or Operations.

05 WEEK 3 · WITHIN 15 DAYS

Request a Medialake State of the World report for your brand.

Owner: CMO or Head of Marketing Operations. A 60-day proof-of-concept that maps your full creative estate.

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SECTION 07

The full picture. In 60 days. On top of your existing systems.

Every diagnostic question in Part 1, every red or amber response in the audit checklist, every gap in the fix table — Medialake answers all of them inside a single structured 60-day proof-of-concept engagement. No DAM migration. No disruption to agency workflows.

DAYS 1–14

Connection and asset discovery

Connects to your DAM, DRM tool, agency delivery systems, paid media platforms, and social channels. Within two weeks, Medialake has a complete inventory of every asset — including the ~50% that exist outside your DAM today.

DAYS 15–35

Rights analysis and risk identification

Audio fingerprinting across all video and social assets identifies unlicensed music. Rights metadata extracted, normalised, and matched against live channels. All five risk categories checked, documented, and quantified.

DAYS 36–55

Compliance scoring and prioritised findings

Every identified risk scored by severity, financial exposure, and urgency. Full compliance dashboard built across DAM, DRM tool, and all connected channels.

DAY 60

State of the World report delivered

A structured report covering: your complete marketing asset universe; end-to-end compliance exposure mapped to the five risk categories; a prioritised action plan; and an executive summary for legal, finance, and board-level review.

What the eight checklist questions look like after 60 days with Medialake

Do you have music clearance documentation for every live video asset?	Answered. Audio fingerprinting identifies every track in use. Clearance certificates captured and linked to each asset at ingest.
Can you identify every live asset whose rights expire in the next 90 days?	Answered. Automated expiry monitoring fires alerts at 90, 30, and 7 days. Dashboard shows all upcoming expirations by channel.
Are territorial restrictions mapped to your distribution?	Answered. Territorial metadata from contracts mapped to asset records and checked against active distribution at activation.
Does your social team know what each asset is cleared for?	Answered. Usage-type tags (paid, organic, broadcast) attached to every asset and surfaced at point of activation.

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Do you have a complete inventory of all agency output for the last 24 months?	Answered. Connects to agency delivery systems directly, capturing all output regardless of DAM submission.
Does your DRM tool receive data from all agency and regional sources?	Answered. Medialake enriches the DRM tool directly from every source. Coverage moves from ~50% to 100%.
Is anyone explicitly responsible for monitoring live content continuously?	Answered. Medialake's continuous monitoring loop replaces manual review. Violations flagged automatically in real time.
Is a licence re-checked when an asset is repurposed for a new market?	Answered. Any cross-platform or cross-territory activation triggers an automatic rights re-check before the asset goes live.

SOC 2 TYPE II · ISO 27001 · WAF / OWASP · NO MODEL TRAINING · SILOED ARCHITECTURE · READ-ONLY AI

Audit your brand

We'll scan your live channels for unlicensed music and show you exactly how at risk your brand is.

Book an audit

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