

December 20, 2013

World Intellectual Property Organization (WIPO)
Standing Committee on Copyright and Related Rights (SCCR)
Twenty-sixth Session
Geneva, December 20, 2013

Proposed Conclusions

Protection of Broadcasting Organizations

1. The Committee considered Articles 5, 6, 7 and 9 of the working document SCCR/24/10 Corr., as well as the proposal submitted by the government of Japan on the protection of signals transmitted over computer networks, document SCCR/26/6. In addition, the Committee took note of the working document from the government of India rephrasing some textual proposals of document SCCR/24/10 Corr., as well as the proposal for discussion from the government of the United States of America.
2. During the discussions held on Article 7, it was understood that broadcasting organizations and cablecasting organizations in the traditional sense will be the beneficiaries of the proposed Treaty, subject to clarification of the inclusion of cablecasting organizations in the definition of broadcasting organizations in national laws.
3. It was understood that broadcasting and cablecasting are included in the scope of application of the proposed Treaty on a signal based approach, subject to clarification of the inclusion of cablecasting organizations in the definition of broadcasting organizations in national laws and of the effect of that inclusion on the scope of application.
4. On Article 6, discussions took place on the inclusion, in the scope of application, of transmissions over the Internet, with the understanding that such transmissions, if they are to be included, would be limited to those transmissions originating from broadcasting organizations and cablecasting organizations in the traditional sense. If such protection is to be included, further discussions will be held on whether the protection would be mandatory or optional.
5. Discussions took place on transmission over the Internet of simultaneous and unchanged transmissions of broadcasts, and it was understood that if transmissions over the Internet originating from beneficiaries of the proposed Treaty are included in the scope of application of the proposed Treaty, then at least such simultaneous and unchanged transmissions should be included.
6. Further discussions will take place in relation to the possible inclusion in the scope of application of transmissions over the Internet, when originating from the beneficiaries of the proposed Treaty, of Internet originated transmissions, on-demand transmissions, or deferred and unchanged transmissions of broadcasts.