Copyright

Review of the

WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)

and the United International Bureaux for the Protection of Intellectual Property (BIRPI)

Published monthly
Annual subscription: Sw.fr. 75.—
Each monthly issue: Sw.fr. 9.—

9th year - No. 3 MARCH 1973

Contents

GENERAL STUDIES	rage
— Photocopying and copyright (Xavier Desjeux)	51
— The right of distribution, with special reference to the hiring and lending of books and records (Dietrich Reimer)	56
INTERNATIONAL ACTIVITIES	
- International Literary and Artistic Association (ALAI). General Assembly (Paris,	
January 26, 1973)	62
CALENDAR	
— WIPO Meetings	63
— UPOV Meetings	64
- Meetings of Other International Organizations concerned with Intellectual	
Property	64

GENERAL STUDIES

Photocopying and copyright

By Xavier DESJEUX *

56	COPYRIGHT — MARCH 1973	
	The right of distribution	
	with special reference to the hiring and lending of books and records	
	By Dietrich REIMER*	



International Literary and Artistic Association (ALAI)

(General Assembly, Paris, January 26, 1973)

The International Literary and Artistic Association (ALAI) held its annual General Assembly in Paris on January 26, 1973, under the chairmanship of the President of the Association, Professor Henri Desbois.

Apart from administrative or internal matters, the General Assembly and the Executive Committee which preceded it had on their agendas a number of topical questions in the fields of copyright and neighboring rights. These included in particular the draft Agreement for the Protection of Type Faces and their International Deposit and problems relating to the transmission of broadcasts by space satellites.

After having heard an account of ALAI activities during 1972, the General Assembly decided to include in its program of work for the current year, in addition to the two points

already mentioned, the consideration of the questions relating to the draft model laws in the fields of copyright and neighboring rights, the problems arising from the photocopying and audio-visual fixation of works protected by copyright, and the rights of translators.

Finally, a decision was taken to start publication of a bulletin which would contain contributions from the various national groups, as well as summaries of any court decisions that might be available.

WIPO was represented at the General Assembly by Mr. M. Stojanović, Counsellor, Copyright Division, and Unesco by Miss M.-C. Dock, Head of the International Copyright Information Centre.

CALENDAR

WIPO Meetings

March 19 to 23, 1973 (Geneva) — Working Group on a Copyright Model Law for African States

Participants: Experts invited in their personal capacity - Note: Meeting convened jointly with Unesco

April 9 to 13, 1973 (Geneva) — Committee of Experts on a Model Law for Developing Countries on Appellations of Origin and Indications of Source

Object: To study a Draft Model Law — Invitations: Developing countries members of the United Nations — Observers: Intergovernmental and international non-governmental organizations concerned

April 25 to 30, 1973 (Geneva) — Patent Cooperation Treaty (PCT) — Standing Subcommittee of the Interim Committee for Technical Cooperation

April 30 to May 4, 1973 (Geneva) — ICIREPAT — Subcommittee on Organic Chemistry (STC)

May 2 to 4, 1973 (Geneva) - WIPO Coordination Committee - Extraordinary Session

May 2 to 4, 1973 (Paris) - Working Group on Photocopying

Participants: Experts invited in their personal capacity - Note: Meeting convened jointly with Unesco

May 7 to 11, 1973 (Geneva) - ICIREPAT - Technical Committee for Shared Systems (TCSS)

May 14 to 18, 1973 (Geneva) — ICIREPAT — Technical Committee for Standardization (TCST)

May 17 to June 12, 1973 (Vienna) - Vienna Diplomatic Conference on Industrial Property, 1973

Object: Adoption of (a) the Trademark Registration Treaty, (b) the Agreement for the Protection of Type Faces and their International Deposit, (c) an instrument establishing an International Classification of the Figurative Elements of Marks — Invitations: States members of WIPO, the Paris or Berne Union — Observers: Other States members of the United Nations or of a Specialized Agency; intergovernmental and international non-governmental organizations concerned

June 12 to 23, 1973 (Stockholm) - International Patent Classification (IPC) - Bureau of the Joint ad hoc Committee

June 25 to 29, 1973 (Geneva) — WIPO Legal-Technical Program for the Acquisition by Developing Countries of Technology Related to Industrial Property — Provisional Committee

Object: To make proposals to the competent organs of WIPO — Invitations: Member States of WIPO or of the Paris or Berne Union — Observers: Other States members of the United Nations or of a Specialized Agency; intergovernmental and international non-governmental organizations concerned

June 26 to 30, 1973 (Stockholm) — International Patent Classification (IPC) — Joint ad hoc Committee

July 2 to 11, 1973 (Nairobi) — Committee of Governmental Experts on Problems in the Field of Copyright and of the Protection of Performers, Producers of Phonograms and Broadcasting Organizations Raised by Transmission Via Space Satellites

Object: Study of the problems — Invitations: States members of the Berne Union or of the Paris Union and other States members of the United Nations or of a Specialized Agency — Observers: Intergovernmental and international non-governmental organizations concerned — Note: Meeting convened jointly with Unesco

July 4 to 6, 1973 (Geneva) — ICIREPAT — Technical Coordination Committee (TCC)

September 3 to 7, 1973 (Geneva) — Madrid Union — Assembly and Committee of Directors of the National Industrial Property Offices

Object: Revision of the Regulations of the Madrid Agreement Concerning the International Registration of Marks — Members: States members of the Madrid Union — Observers: States members of the Paris Union, not members of the Madrid Union; Benelux Trademark

September 10 to 18, 1973 (Geneva) — Nice Union — Committee of Experts for the International Classification of Goods and Services for the Pnrposes of the Registration of Marks

Object: Amendments and additions to the International Classification — Members: States members of the Nice Union — Observers: States members of the Paris Union, not members of the Nice Union; Benelux Trademark Office

September 17 to 21, 1973 (Geneva) — Committee of Experts on a Model Law on Neighboring Rights

Object: To study a Draft Model Law — Participants: International non-governmental organizations concerned — Note: Meeting convened jointly with the International Labour Organisation and Unesco

September 24 to 28, 1973 (Geneva) - Suh-Working Group for the Mechanization of Trademark Searches

Object: Examination of tests carried ont concerning mechanized trademark searches — Members: Belgium, Canada, France, Germany (Federal Republic of), Netherlands, Spain, United Kingdom, United States of America — Observer: Benelux Trademark Office

October 1 to 12, 1973 (Abidjan) - Committee of Governmental Experts on a Copyright Model Law for African States

Object: To study a Draft Model Law — Invitations: African States — Observers: States members of the Berne Union or party to the Universal Copyright Convention; intergovernmental and international non-governmental organizations concerned — Note: Meeting convened jointly with Unesco

October 8 to 19, 1973 (Geneva) - International Patent Classification (IPC) - Working Group IV of the Joint ad hoc Committee

October 22 to 27, 1973 (Tokyo) — Patent Cooperation Treaty (PCT) — Interim Committees for Administrative Questions, for Technical Assistance and for Technical Cooperation, and Standing Subcommittee of the latter

October 30 to November 2, 1973 (Bangkok) - Asian Industrial Property Seminar

November 5 to 9, 1973 (Geneva) - International Patent Classification (IPC) - Working Group V of the Joint ad hoc Committee

November 14 to 16, 1973 (Geneva) - ICIREPAT - Plenary Committee (PLC)

November 19 to 27, 1973 (Geneva) — Administrative Bodies of WIPO (General Assembly, Conference, Coordination Committee) and of the Paris, Berne, Madrid, Nice and Locarno Unions (Assemblies, Conferences of Representatives, Executive Committees)

Invitations: States members of WIPO, or of the Paris or Berne Union — Observers: Other States members of the United Nations or of a Specialized Agency; intergovernmental and international non-governmental organizations concerned

November 26 and 27, 1973 (Geneva) - Lishon Union - Council

Members: States members of the Lisbon Union - Observers: Other States members of the Paris Union

November 28 to 30, 1973 (Geneva) — Working Group on Scientific Discoveries

Invitations and observers: To be announced later

December 3 to 5, 1973 (Paris) — International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations — Intergovernmental Committee

Note: Meeting convened jointly with the International Labour Organisation and Unesco

December 3 to 7, 1973 (Geneva) — International Patent Classification (IPC) — Working Group II of the Joint ad hoc Committee

December 3 to 7, 1973 (Geneva) - ICIREPAT - Technical Committee for Shared Systems (TCSS)

December 5 to 11, 1973 (Paris) — Executive Committee of the Berne Union — Extraordinary Session

Note: Some meetings with the Intergovernmental Copyright Committee established by the Universal Copyright Convention

December 10 to 14, 1973 (Paris) — ICIREPAT — Technical Committee for Standardization (TCST)

December 17 to 21, 1973 (Geneva) — Working Group for the Mechanization of Trademark Searches

Object: Report and recommendations to a Committee of Experts on mechanized trademark searches — Invitations: Anstralia, Austria, Belgium, Canada, France, Germany (Federal Republic of), Ireland, Japan, Luxembourg, Netherlands, Soviet Union, Spain, Sweden, United Kingdom, United States of America — Observers: Colombia, Benelux Trademark Office

UPOV Meetings

April 2 and 3, 1973 (Geneva) - Working Group on Variety Denominations

April 4 and 5, 1973 (Geneva) - Consultative Committee

June, 1973 (Avignon) - Technical Working Party for Vegetables

July 2 to 6, 1973 (London) - Symposium on Plant Breeders' Rights

October 9 to 12, 1973 (Geneva) - Council

Meetings of Other International Organizations concerned with Intellectual Property

March 19 to 30, 1973 (Brussels) — European Economic Community — "Community Patent" Working Party

March 30, 1973 (Paris) — International Chamber of Commerce — Industrial Property Commission

April 28 to May 1, 1973 (Valencia) - International League against Unfair Competition - Study meetings

May 3 to 5, 1973 (Brussels) — Union of European Patent Agents — General Assembly

May 7 to 11, 1973 (London) — International Federation of Musicians — Congress

May 20 to 26, 1973 (Rio de Janeiro) - International Chamber of Commerce - Congress

May 21 to 25, 1973 (Paris) - Unesco International Copyright Information Centre

May 22 and 23, 1973 (Malmö) — International Plant Breeders Association for the Protection of New Varieties — Congress

June 26 to July 17, 1973 (Washington) — Organization of American States — Committee of Governmental Experts on Industrial Property and Technology Applied to Development

September 10 to 14, 1973 (Stockholm) — International Federation of Actors — Congress

September 10 to October 6, 1973 (Munich) — Munich Diplomatic Conference for the Setting Up of a European System for the Grant of Patents,

September 24 to 28, 1973 (Budapest) — International Association for the Protection of Industrial Property - Symposium

October 28 to November 3, 1973 (Jerusalem) — International Writers Guild — Congress