

Published monthly
Annual subscription:
160 Swiss francs
Each monthly issue:
16 Swiss francs

26th year – No. 12
December 1990

Copyright

Monthly Review of the
World Intellectual Property Organization (WIPO)

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COPYRIGHT AND NEIGHBORING RIGHTS LAWS AND TREATIES
(INSERT)

Editor's Note	
BULGARIA	
Law to Amend the Copyright Law (of March 30, 1990)	Text 1–01
 UNITED KINGDOM	
The Copyright (Material Open to Public Inspection) (Marking of Copies of Plans and Drawings) Order 1990 (No. 1427, of July 16, 1990)	Text 9–01
The Copyright (Status of Former Dependent Territories) Order 1990 (No. 1512, of July 24, 1990)	Text 10–01

Notifications Concerning Treaties

Treaty on the International Registration of Audiovisual Works

Accession

CZECHOSLOVAKIA

The Government of Czechoslovakia deposited, on November 27, 1990, its instrument of accession to the Treaty on the International Registration of Audiovisual Works, adopted at Geneva on April 18, 1989.

The date of entry into force of the said Treaty is the subject of a separate notification (see IRAW Notification No. 7, below).

IRAW Notification No. 6, of November 27, 1990.

Entry Into Force of the Treaty

The Treaty on the International Registration of Audiovisual Works, adopted at Geneva on April 18, 1989, will enter into force on

February 27, 1991

that is, three months after the deposit by five States of their instruments of ratification, acceptance, approval or accession.

In this connection, it is recalled that instruments of ratification or approval of the said Treaty were deposited:

- on June 11, 1990, by Burkina Faso
- on August 6, 1990, by Austria

- on August 14, 1990, by France
- on October 9, 1990, by Mexico

and that an instrument of accession to the said Treaty was deposited, on November 27, 1990, by Czechoslovakia.

Consequently, in accordance with the provisions of Article 12(1) of the Treaty on the International Registration of Audiovisual Works, the said Treaty will enter into force on February 27, 1991, with respect to the five States referred to above.

IRAW Notification No. 7, of November 27, 1990.

Studies

The Unlawful Decoding of Encrypted Television Signals and the Protection of Authors and Producers of Audiovisual Works

André CHAUBEAU*

Correspondence

**Comments on Professor Herman Cohen Jehoram's Article on
"Basic Principles of Copyright Organizations"
Published in the July-August 1990 Issue of this Review**

Letter from Argentina

Present Status of Copyright in Argentina

Hilda RETONDO*

Activities of Other Organizations

International Confederation of Societies of Authors and Composers (CISAC)

37th Congress

(Budapest, October 7 to 13, 1990)

At the invitation of the Hungarian Bureau for the Protection of Authors' Rights (ARTISJUS), the International Confederation of Societies of Authors and Composers (CISAC) held its 37th Congress in Budapest from October 7 to 13, 1990.

WIPO had been invited as an observer and was represented by Mr. Mihály Ficsor, Director, Copyright Law Division, who gave a speech during the opening session, and by Mr. Carlos Fernández Ballesteros, Director, Developing Countries Division (Copyright).

The agenda of the Congress included debates on reports on two subjects: "The Protection of Authors' Rights as a Condition of the Development of Culture" and "The Protection and Safeguard of Authors' Rights."

The Congress also discussed regional reports.

The various reports gave rise to lively discussions at the end of which the Congress adopted five resolutions.

Two resolutions concerned general questions of copyright protection ("Moral Rights of Authors" and "Protection of Authors in Connection with Private Copying"); they are reproduced below. The other three resolutions concerned current legislation and other developments in specific countries.

RESOLUTIONS

Moral Rights of Authors

The International Confederation of Societies of Authors and Composers (CISAC), meeting in General Assembly in Budapest from October 7 to 13, 1990, on the occasion of its 37th Congress,

Considering that the express legislative recognition of the moral rights of authors constitutes for them a fundamental guarantee without which they would not be able to carry out their activities in a satisfactory manner and thus contribute to the development of culture and the opportunities for fulfillment which it brings to everyone,

Recalling that the Berne Convention requires member States to recognize expressly the moral rights of authors,

Deploring that the laws of many States, including some which are members of the Berne Union, either fail to provide for such rights at all or to do so adequately,

Urges the governments of such States to take all steps necessary to secure, both in their national legislations and in all international treaties or agreements affecting authors' rights, the respect due to literary and artistic creativity by the adoption of legislative provisions expressly recognizing the moral rights of authors.

Protection of Authors in Connection with Private Copying

The International Confederation of Societies of Authors and Composers (CISAC), meeting in General Assembly in Budapest from October 7 to 13, 1990, on the occasion of its 37th Congress,

Recalling that sound and audiovisual reproduction of intellectual works for private use constitutes a new method of exploitation of such works which involves the author's reproduction right in his work,

Considering

—that, pursuant to the Berne Convention and the Universal Copyright Convention, member States cannot leave authors without adequate protection in connection with reproductions of their works embodied in phonograms and videograms for private use without violating their obligations under these Conventions,

—that various States—such as, notably, the Federal Republic of Germany, Austria, Cameroon, Congo, Spain, Finland, France, Hungary, Iceland and Portugal—have already enacted legislation introducing a remuneration for audio and/or video private copying and that others have undertaken to do so,

Noting that digital technology and its current or future applications (for example, digital audiotape—DAT; single recording compact disc—CD-R; erasable compact disc—CD-E; interactive compact disc—CD-I), by increasing the speed, quality and volume of private copying, can only accentuate the seriousness of this breach of authors' rights,

Urges the competent authorities of the various States

—to introduce without delay for the benefit of creators a remuneration in the form of a royalty on blank analogue and digital recording mediums, and possibly recording equipment, in compliance with the principle of national treatment provided for under the Berne Convention and the Universal Copyright Convention;

—to supplement this remuneration, in the case of digital audiotape recording, with the obligation to introduce technical means of reducing the private copying capabilities offered by the recording equipment;

—to subject the introduction of any other new digital reproduction technique to the adoption of appropriate measures to protect authors.

Calendar of Meetings

WIPO Meetings

(Not all WIPO meetings are listed. Dates are subject to possible change.)

1991

- April 15 to 18 (Geneva)**
- WIPO Permanent Committee for Development Cooperation Related to Copyright and Neighboring Rights (Ninth Session)**
- The Committee will review and evaluate the activities undertaken under the WIPO Permanent Program for Development Cooperation Related to Copyright and Neighboring Rights since the Committee's last session (April 1989) and make recommendations on the future orientation of the said Program.
- Invitations:* States members of the Committee and, as observers, States members of the United Nations not members of the Committee and certain organizations.
- June 3 to 28 (The Hague)**
- Diplomatic Conference for the Conclusion of a Treaty Supplementing the Paris Convention as Far as Patents Are Concerned**
- This diplomatic conference will negotiate and adopt a treaty supplementing the Paris Convention as far as patents are concerned (patent law treaty).
- Invitations:* States members of the Paris Union and, as observers, States members of WIPO not members of the Paris Union and certain organizations.
- July 1 to 4 (Geneva)**
- WIPO Permanent Committee for Development Cooperation Related to Industrial Property (Fourteenth Session)**
- The Committee will review and evaluate the activities undertaken under the WIPO Permanent Program for Development Cooperation Related to Industrial Property since the Committee's last session (May/June 1989) and make recommendations on the future orientation of the said Program.
- Invitations:* States members of the Committee and, as observers, States members of the United Nations not members of the Committee and certain organizations.
- September 23 to October 2 (Geneva)**
- Governing Bodies of WIPO and the Unions Administered by WIPO (Twenty-Second Series of Meetings)**
- All the Governing Bodies of WIPO and the Unions administered by WIPO meet in ordinary sessions every two years in odd-numbered years. In the sessions in 1991, the Governing Bodies will, *inter alia*, review and evaluate activities undertaken since July 1990, and consider and adopt the draft program and budget for the 1992-93 biennium.
- Invitations:* States members of WIPO or the Unions and, as observers, other States members of the United Nations and certain organizations.

UPOV Meetings

(Not all UPOV meetings are listed. Dates are subject to possible change.)

1991

- March 4 to 19 (Geneva)**
- Diplomatic Conference for the Revision of the UPOV Convention**
- Invitations:* Member States of UPOV and, without the right to vote, States members of the United Nations not members of UPOV as well as, as observers, certain organizations.

March 18 (Geneva)	Consultative Committee (Forty-Third Session) The Committee will consider in particular the policy of UPOV in its relations with developing countries. <i>Invitations:</i> Member States of UPOV.
October 21 and 22 (Geneva)	Administrative and Legal Committee <i>Invitations:</i> Member States of UPOV and, as observers, certain non-member States and intergovernmental organizations.
October 23 (Geneva)	Consultative Committee (Forty-Fourth Session) The Committee will prepare the twenty-fifth ordinary session of the Council. <i>Invitations:</i> Member States of UPOV.
October 24 and 25 (Geneva)	Council (Twenty-Fifth Ordinary Session) The Council will examine the reports on the activities of UPOV in 1990 and the first part of 1991 and approve the program and budget for the 1992-93 biennium. <i>Invitations:</i> Member States of UPOV and, as observers, certain non-member States and intergovernmental organizations.

Other Meetings in the Field of Copyright and/or Neighboring Rights

Non-Governmental Organizations

1991

January 20 and 21 (Cannes)	International Association of Entertainment Lawyers (IAEL): International Lawyers Meeting
April 19 to 26 (Aegean Sea)	International Literary and Artistic Association (ALAI): Congress
May 12 to 16 (Dunkeld, United Kingdom)	International Confederation of Societies of Authors and Composers (CISAC): Legal and Legislation Committee