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STANDING COMMITTEE ON COPYRIGHT AND RELATED RIGHTS

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SUPPLEMENTARY INFORMATION ON THE WIPO STUDIES ON
LIMITATIONS AND EXCEPTIONS

Document prepared by the Secretariat

The Annexes to this document contain supplementary information on the WIPO studies on limitations and exceptions.

[Annexes follow]

ANNEX I

SUPPLEMENTARY INFORMATION ON THE WIPO STUDIES ON
LIMITATIONS AND EXCEPTIONS

by

Chile

Report from Chile on the latest domestic normative developments
with regard to copyright and related rights:
Limitations and exceptions

Background

At the seventeenth session of the Standing Committee on Copyright and Related Rights (SCCR), under the item on limitations and exceptions to copyright and related rights (hereinafter referred to as copyright), it was agreed that “in order to update and complement the studies, governments are invited to submit to the Secretariat any supplementary information regarding their national law before February 1, 2009. The Secretariat will consult with the experts on the necessary updates of their studies”.

This document is designed to make available to the Secretariat of the World Intellectual Property Organization (WIPO) and the WIPO Member States information on the normative domestic measures that the Government of Chile is encouraging with regard to copyright issues, particularly as far as exceptions and limitations are concerned.

The above steps, which are aimed at facilitating work with a view to supplementing studies on exceptions and limitations to these rights, were taken by or for the WIPO Secretariat, in accordance with the SCCR agreements.

Draft bill amending Law No. 17.336 on Intellectual Property: Copyright Exceptions and Limitations in Chile

In April 2007, the Government of Chile sent the National Congress a draft bill aimed at modernizing existing copyright regulations that strike a balance between the legitimate interests of rights holders and society’s interests in ensuring access to cultural goods and services. In this way, and for the first time since enactment, exceptions and limitations are viewed as mechanisms for guaranteeing access to areas of special interest for the public or specific sectors of society, in addition to facilitating anti-piracy measures and ensuring copyright compliance.

This draft bill has aroused a great deal of interest as far as Chilean civil society is concerned: more than 15 organizations and firms have submitted comments on the draft bill, which is currently being vigorously debated in the Chilean Senate. It is felt that this initiative reflects a real need in Chile to align existing legislation with new customs and the country’s actual position in the twenty-first century.

The draft law is broken down into three parts: improvement of civil and criminal sanctions and proceedings; regulation of the responsibility of Internet Service Providers (ISPs), by the setting of limits on responsibility; and a new chapter on exceptions and limitations.

The following paragraphs explain the main aspects of the proposal on exceptions and limitations, pending approval by the Chilean Congress.

Exceptions and limitations

Chile's Intellectual Property Law, in force since 1970, provides for exceptions relating to the publication of lectures and speeches for information purposes; the annotation and copying of lectures delivered in universities, colleges or schools; the use of phonograms in commercial establishments which display or sell musical instruments, televisions or radios, audio or video recording devices, CDs or similar devices (for purposes of demonstration to customers); reproduction or publication of architectural works in newspapers, magazines, school textbooks, films or television; alterations to architectural works by the owner of the real property; reproduction of monuments and works adorning public places; communication or performance of works and phonograms within the family circle, in schools, charitable organizations or the like; and the adaptation of essential computer programs for personal computer use.

The reform that is being debated by the Chilean Congress aims at aligning Chilean standards with new practices in this field by modernizing some existing exceptions and by making provision for new situations which will not require authorization by the copyright holder.

With regard to the proposed exceptions and limitations, the following may be mentioned:

- (i) Exceptions for persons with visual or hearing impairments or other types of disabilities which prevent them from accessing a work normally. These exceptions are primarily aimed at allowing the adaptation of works to formats designed to facilitate access by persons who would not otherwise be able to access them;
- (ii) Exceptions for libraries, archives or museums primarily for purposes of conservation, preservation and dissemination, in simple terms, of works that are not available on the market. Also covered are exceptions which allow the reproduction, at the request of students, researchers or academic staff, of fragments of protected works for personal use, articles for publication in periodicals and reasonable parts of protected works for the use of such libraries, archives or museums;
- (iii) Exceptions for reverse engineering of software allowing interoperability with other systems, as well as for purposes of research and development;
- (iv) Exceptions for educational purposes. Such exceptions are designed to allow the inclusion of parts of works in the official school textbooks which Chilean students use in school;
- (v) Between the existing exceptions in Chilean law and the proposed amendments are

the broadening of quotes to cover separate literary works and the inclusion of libraries, archives and museums as beneficiaries of the exception concerning communication in the private sphere.

The standards concerning copyright exceptions were drafted following international criteria for the exercise of each country's sovereign right to legislate, in harmony with the international principles and commitments undertaken in the field of intellectual property.

For example, the standards were designed in such a way as to cover specific cases pertaining to particular and special uses, which do not affect the normal use of the work or unreasonably prejudice the interests of the right holders; at the same time, this same draft strengthens means for monitoring copyright compliance and for the first time regulates the responsibility of ISPs, setting out provisions limiting responsibility associated with a notification mechanism and reducing infringing content.

For more information on the draft bill, its text and reports on the debates in the Chilean Congress, please use the following link:
http://sil.senado.cl/cgi-bin/index_eleg.pl?5012.

[End of Annex I, Annex II follows]

ANNEX II

SUPPLEMENTARY INFORMATION ON THE WIPO STUDIES ON
LIMITATIONS AND EXCEPTIONS

by

Argentina

In 2007, Argentina adopted Law 26.285 with a view to including, in Law 11.723 on the legal rules for intellectual property, a provision on exemption from the payment of copyright fees for the reproduction and distribution of scientific or literary works used in special systems for the unsighted or persons with other sensory disabilities, provided that such reproduction and distribution are handled by authorized bodies.

Law 26.285

Exemption from the payment of copyright fees for the reproduction or distribution of scientific or literary works used in special systems for the unsighted or persons with other sensory disabilities.

ARTICLE 1 — Insert the following paragraph at the end of Article 36 of Law No. 11.723:

The reproduction and distribution of scientific or literary works used in special systems for the unsighted or persons with other sensory disabilities shall be exempt from the payment of copyright fees, provided that such reproduction and distribution are handled by authorized bodies.

This exemption shall also cover works that are distributed electronically, encrypted or protected by any other system which prevents them being read by unauthorized persons. The authorized bodies shall allocate and administer the access codes to the protected works.

The exemption shall not apply to the reproduction and distribution of works which were originally published in special systems for the visually impaired or persons with other sensory disabilities and which are available commercially.

For the purposes of this article, it shall be considered that:

- “Sensory disabilities” mean severe visual impairment, ampliopia, dyslexia or any other physical or neurological impairment which affects the reading, handling or understanding of conventionally printed texts;
- “Encrypted” means material ciphered in such a way that it cannot be read by persons who do not have an access code. The use of such protection or a similar system is deemed essential for the purpose of this exemption, given that unprotected dissemination could unreasonably prejudice the legitimate interests of the author or impede the normal exploitation of the works;

- “Authorized body” means a State entity or non-profit association with legal status, whose primary mission is to assist the unsighted or persons with other sensory disabilities;
- “Scientific works” mean treaties, texts, popular science books, articles from specialized journals, and any material relating to the various branches of science or technology;
- “Literary works” mean poetry, short stories, novels, philosophy, history, essays, encyclopaedias, dictionaries, texts and all other writings in which form and content combine to express knowledge and ideas of universal or national interest;
- “Unauthorized persons” mean people who are not unsighted or do not have other sensory disabilities;
- “Special systems” mean Braille, digital texts and audio recordings, provided that these are solely intended for the persons referred to in the previous paragraph;
- “Physical medium” means any tangible element that stores voices using a tape or digital recording, or digital texts, for example, cassettes, CDs, DVDs or USB memory sticks.

The following information must be recorded for works which are reproduced and distributed using special systems: the details of the authorized body, the date of original publication and the name of the individual or legal entity holding the copyright. Likewise, there must be a warning that those making unauthorized use of the reproductions are liable to imprisonment, in accordance with Article 172 of the Criminal Code.

[End of Annex II, Annex III follows]

ANNEX III

SUPPLEMENTARY INFORMATION ON THE WIPO STUDIES ON
LIMITATIONS AND EXCEPTIONS

by

Colombia

The Permanent Mission of Colombia to the United Nations Office at Geneva and other international organizations presents its compliments to the honorable World Intellectual Property Organization and wishes to give the Standing Committee on Copyright and Related Rights (SCCR) supplementary information on limitations and exceptions in Colombia.

With regard to the conclusions of the seventeenth series of meetings of the SCCR, at which Member States were urged to send reports on the current status of limitations and exceptions in each of the member countries, the major relevant aspects for Colombia are as follows:

1. Colombia has sought to strike a balance between the limitations and exceptions aligned with the possibilities offered by the Berne Convention, the Rome Convention and the WIPO Treaties of 1996, and the bilateral treaties signed with trading partners, consistent with the “Three-step Rule”.

2. In addition, it has signed a regional Andean agreement enshrined in Article 21 of Andean Decision 351 of 1993, backed by three principles:

- (a) the “Three-step Rule”;
- (b) the possibility to set limitations within an Andean regional framework;
- (c) the possibility for each country to incorporate in its domestic legislation limitations and exceptions over and above those laid down in the Andean framework.

Further to these principles, it can be seen that, in terms of the Andean community, there are limitations designed to facilitate access to culture, education and information, as reflected in Article 22 of Andean Decision 351 of 1993. Likewise, Law 23 of 1982 contains a broad list of limitations and exceptions based on Articles 31 to 44, making it easier to strike a balance between copyrights and the interests of education, culture and access to information, as outlined in the recent WIPO study on “Copyright Limitations and Exceptions for Libraries and Archives”, prepared by Kenneth Crews and presented to the SCCR at the seventeenth series of meetings held from November 3 to 7, 2008.

Those wishing to interpret Colombian legislation should refer to the two foregoing legislative texts.

3. Officially, it should be noted that these limitations cover a great many situations in which the authorization of rights holders is not sought. No requests to expand or strengthen this list have been received.

The foregoing does not cover access to works by the disabled. However, agreements have been signed between the National Institute for the Blind (INCI) and the National

Institute for the Deaf (INSOR), both of which are attached to the National Ministry of Education and work with the disabled, and the publishing sector to facilitate access to works by the disabled.

4. Moreover, it should be noted that a reform of copyright legislation is under study. The preliminary draft bill is to include a limitation to benefit disabled persons designed to allow the reproduction, public communication and adaptation of literary or artistic works or performances protected by related rights such as the distribution of copies obtained under this limitation that are not of a commercial nature, provided that this is done by non-profit bodies authorized by the National Ministry of Education or the body serving this purpose.

Plans also call for the inclusion of a limitation to facilitate further the use of works, performances, phonograms and signals, in libraries, teaching institutions, museums open to the public or archives, allowing public communication thereof without the prior and express authorization of the authors, performers, producers of phonograms and broadcasting bodies, provided that certain conditions are met.

The Permanent Mission of Colombia to the United Nations Office at Geneva and other international organizations takes this opportunity to reiterate to the honorable World Intellectual Property Organization the assurances of its highest consideration.

[End of Annex III, Annex IV follows]

ANNEX IV

SUPPLEMENTARY INFORMATION ON THE WIPO STUDIES ON
LIMITATIONS AND EXCEPTIONS

by

Russian Federation

As of January 1, 2008, Russian Federation Law of July 9, 1993, No. 5351-1 “On Copyright and Related Rights” is no longer in force due to the entry into force of Part IV of the Civil Code of the Russian Federation. Relations concerning the exploitation of copyrighted works are presently governed by the Civil Code of the Russian Federation.

As a copyright exception for blind persons the Civil Code of the Russian Federation permits non-profit reproduction in Braille format or any other special format for blind persons of legally published works, except for works specially created for reproduction in such formats, without consent of the author or any other rightholder and without payment of remuneration, but with obligatory indication of the name of the author whose work is being used and the source of the borrowing (paragraph 1.6 Article 1274 of the Civil Code of the Russian Federation).

Provisions governing relations connected with the access of blind and visually impaired persons to copyrighted works and any other information are contained in other legal acts of the Russian Federation. Thus, according to Article 8 of the Federal Law of December 29, 1994, No.78-FL “On Libraries” (as amended) blind and visually impaired persons have a right for library services and documents on special information carries in special state libraries and other public libraries. Library users who are unable to visit libraries due to elderly age and physical disabilities are eligible to obtain documents from public library funds through distant and mobile forms of service, financed at the expense of corresponding budgets and funds of federal programs.

The libraries are provided with the right to cooperate (in compliance with certain rules) with libraries and other organizations and institutions of foreign countries, including international book exchange cooperation, and to participate in international interlibrary and other programs (paragraph 9 Article 13 of the Federal Law of December 29, 1994, No. 78- FL “On Libraries” (as amended)).

Besides, Article 9 of the Federal Law of December 29, 1994, No.77-FL “On an Obligatory Copy of Documents” (as amended) provides that the publishers send two obligatory copies for blind and visually impaired persons to the Russian State Library for the Blind People within two days after first publication. Publishers for the purposes of this article are the persons carrying out the preparation, publication (issue) and communication (transmission, delivery) of the obligatory copy (issuer, mass media direction, phonogram producer, producer of audiovisual works, organization creating television and radio programs, broadcasting organization, scientific and research organization and other persons who carry out the preparation, issue and delivery of the obligatory copy).

The acquisition, registration, keeping the state library account, ensuring the safety and using the obligatory copy for blind and visually impaired persons are the functions of the

Russian State Library for Blind People (Article 18 of the Federal Law of December 29, 1994, No. 77-FL “On an Obligatory Copy of Documents” (as amended)).

It should be further mentioned that in the Russian Federation the state guarantees the disabled persons the right to obtain all the necessary information. Providing issue of literature for disable persons is in competence of Russian Federation. It is an expense of the subjects of the Russian Federation to acquire periodical, scientific, training and methodological, information and other literature for disabled persons, including on tapes and in Braille format for educational institutions and libraries of the subjects of the Russian Federation and municipal education institutions. For municipal libraries it is an expense obligation of the local authorities. It is an expense obligation of the Russian Federation to acquire the abovementioned literature for federal educational institutions and libraries according to Article 14 of the Federal Law of November 24, 1995, No. 181-FL “On Social Protection of Disabled Persons in the Russian Federation”.

[Annex V follows]

ANNEX V

SUPPLEMENTARY INFORMATION ON THE WIPO STUDIES ON
LIMITATIONS AND EXCEPTIONS

by

Greece

MINISTERIAL DECISION: ΥΠΠΟ/ΔΙΟΙΚ/98546

GOVERNMENT GAZETTE: B 2065/24 OCT 2007

TITLE: REPRODUCTION OF COPYRIGHTED WORK FOR THE BENEFIT OF THE
BLIND AND THE DEAF-MUTE AND EXTENSION OF THE ARRANGEMENT TO
OTHER CATEGORIES OF PEOPLE WITH DISABILITIES

THE MINISTER OF CULTURE:

Considering:

1. The provisions of:
 - (a) article 81 of Law 3057/2002 “Amendment and supplementation of Law 2725/1999, settlement of matters of the Ministry of Culture and other provisions” (Government Gazette A 239), which added articles 28A and 28C to Law 2121/1993 “Copyright, related rights and cultural matters” (Government Gazette A 25) and amended article 52 of the same Law, which transposed article 5(3)(b) of Directive 2001/29 into Greek legislation,
 - (b) Law 3184/2003 (Government Gazette A 228/26 Sep 2003), which ratified the Copyright Convention of the World Intellectual Property Organization,
 - (c) Article 90 of the Code of Legislation on Government and Governmental Bodies, ratified by the first article of presidential decree 63/2005 (Government Gazette A 98),
 - (d) Presidential decree 191/2003 “Regulations of the Ministry of Culture” (Government Gazette A 146).
2. Document number 8595/12 Oct 2007 of the Hellenic Copyright Organization.
3. The fact that the provisions hereof do not entail any expenditure to the State Budget, we hereby decide:

ARTICLE 1: PURPOSE AND SCOPE

Pursuant to article 28A of Law 2121/1993 (Government Gazette A 25/4 March 1993), the reproduction of a previously published work by a competent body referred to in article 2 shall be allowed and shall be a legitimate limitation of the property right of the author, provided that the work is reproduced in special forms and solely for the benefit of

beneficiaries referred to in article 3, for uses which are directly related to the disability and are of a non-commercial nature, to the extent required by the specific disability and provided that the terms of application referred to in article 7 are complied with. The specific terms of application of this arrangement and any other necessary detail are determined hereby.

ARTICLE 2: COMPETENT BODIES

1. The bodies being competent to reproduce the work pursuant to article 28A of Law 2121/1993 and hereto shall be any non-profit organization or association or union or other pertinent organization, whose main mission is to provide specialized services related to the education and training or to the facilitation of education and training of the blind and the persons defined in article 3 (hereinafter referred to as “competent body”). Competent bodies include tertiary education establishments.

2. In case of doubt as to whether a body is entitled to proceed to the actions referred to in article 1 hereof, the Hellenic Copyright Organization (HCO) shall make the final decision. The HCO shall maintain a list of all competent bodies.

ARTICLE 3: BENEFICIARIES

The limitation to the authors' property right of reproduction pursuant to article 28A of Law 2121/1993 shall apply to people with defective or reduced vision which cannot be corrected using corrective lenses to a degree that would be satisfactory for reading and, because of a disability, are unable to read a printed text in a conventional way or perceive the content of a work using their physical senses (hereinafter referred to as “beneficiaries”).

ARTICLE 4: CATEGORIES OF WORKS FOR WHICH REPRODUCTION IS ALLOWED UNDER ARTICLE 28A

Any work of discourse or science, which cannot be perceived in its existing form by the beneficiaries, may be reproduced for their benefit in order to obtain a form that they can perceive. The limitation of this property right shall not apply to the source code of computer programmes.

ARTICLE 5: FORMS OF REPRODUCTION OF A WORK

The works whose reproduction is allowed hereby may take forms such as Braille Moon, Daisy, talking books and any other method solely designed to be used by the beneficiaries and responds to their special needs, to the extent required by the specific disability.

ARTICLE 6: PUBLISHERS' OBLIGATION TO PROVIDE FILES IN ELECTRONIC FORM

1. Publishers shall be obliged to deliver to the competent body in electronic form the files of the works to be reproduced pursuant to this decision and article 28A of Law 2121/1993, on condition that the work is kept in electronic form.

2. Works that may be delivered in electronic file include all educational books of primary and secondary education and mandatory books of tertiary education. For all other works, the publisher shall, if so requested, deliver to a competent body electronic files of works totaling up to 10% of their annual publishing production; such percentage does not include any educational books published, as referred to in the first sentence hereof. In the event that the publisher refuses to comply with this obligation, the percentage shall double.
3. The publisher shall, within thirty (30) days of the evidenced receipt of the request by the competent body, deliver thereto the electronic file of the requested work in forms including, but not limited to:
 - (i) extensible mark-up language;
 - (ii) hypertext mark-up language;
 - (iii) Microsoft Word applications suite;
 - (iv) American Standard Code for Information Interchange (ASCII);
 - (v) Portable Document Format (PDF).

The file may be delivered by post, courier, email, file transfer protocol (ftp) or any other method of electronic file transfer.

4. Competent bodies shall be obliged to purchase one copy of the work to be reproduced, irrespective of the number of copies to be reproduced and subject to the limitations of article 7(6).
5. Competent bodies shall be obliged to notify the publisher of the number of copies of the work reproduced and of the form of such reproduction.
6. The HCO and the Association of Book Publishers shall keep a database with all competent bodies, the titles of works in electronic form held by each body and the special form in which documents have been reproduced. Competent bodies shall update the database on receipt of the files and reproduction.
7. In the event of change in purpose or dissolution, competent bodies shall destroy all electronic files in their possession by virtue hereof and report such destruction to the HCO and the Association of Book Publishers.

ARTICLE 7: TERMS OF APPLICATION

1. The present decision shall apply to legitimately published works and to their reproduction for uses of direct or indirect non-commercial use, directly related to the disability. In the event that the cost of the reproduced copy is incurred by beneficiaries, it will not exceed the reproduction cost.
2. The present shall not apply to works that are already marketed in forms specifically designed for the needs of beneficiaries.
3. The copy of the work reproduced pursuant to this decision shall mention the name of the author and the publisher, as well as the date of first publication, if such information

is included in the work. The physical carrier of such copy shall also mention that the copy has been reproduced pursuant to article 28A of Law 2121/1993 and this decision and that any further reproduction in forms other than those defined in article 5 shall constitute an infringement of the copyright and shall incur the sanctions referred to in articles 65 et seq. of Law 2121/1993.

4. The text cannot be amended or changed without the authorization of the author and the publisher, in relation to each one's rights. Such prohibition does not concern changes relating to layout and pagination, which are dictated by the need to convert the form of the work to serve the needs of beneficiaries. Competent bodies shall respect the copyright of the author in the reproduction of the work and the fulfillment of its purpose.
5. The application of the provisions hereof cannot be eliminated in contracts between the publisher and the author.
6. Copies reproduced on the basis hereof cannot be used for purposes other than those provided for hereby. Any person making use of such a file for purposes other than those provided for in article 1 hereof shall be liable pursuant to articles 65 et seq. of Law 2121/1993.
7. Competent bodies shall be liable to investigate the capacity of beneficiaries pursuant to article 3 hereof.
8. Competent bodies shall incur the principal's liability for any copyright infringements by third parties selected for the reproduction of their copies on the basis hereof.

ARTICLE 8: COURT PROTECTION

Save as otherwise stipulated in Law 2121/1993, any disputes arising from the non-application of the provisions hereof shall be resolved according to the injunction procedure under articles 682 et seq. of the Code of Civil Procedure.

ARTICLE 9: ENTRY INTO FORCE

The present shall enter into force on publication in the Government Gazette.
The present decision shall be published in the Government Gazette.
Athens, 12 October 2007

[Annex VI follows]

SUPPLEMENTARY INFORMATION ON THE WIPO STUDIES ON
LIMITATIONS AND EXCEPTIONS

by

Ecuador

The Permanent Mission of Ecuador to the United Nations Office at Geneva and other international organizations presents its compliments to the World Intellectual Property Organization (WIPO) and, as a contribution to the discussion on exceptions and limitations to copyright for the benefit of the visually impaired, wishes to convey Ecuador's legal perspective on the matter.

1. Current legal situation in Ecuador with regard to exceptions and/or limitations to the exclusive economic right of the author (or holder) to exploit his work

In view of the prevailing normative legal hierarchy in Ecuador, disabled persons form one of the categories which, in accordance with Article 35 of the Constitution of Ecuador, must receive "special and priority attention" from the State.

At present, copyright matters in Ecuador are governed by the "Three-step Rule", which is set out in Article 13 of the Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPS) (Official Registration No. 977-S of June 28, 1996), in spite of the fact that the existence of exceptions and/or limitations to the exclusive economic right of the author (or holder) to exploit his work go back to the Berne Convention for the Protection of Literary and Artistic Works (Official Registration No. 844, of January 2, 1992).

Article 13 of the TRIPS Agreement stipulates: "*Members shall confine limitations or exceptions to exclusive rights to certain special cases which do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the right holder*" ("Three-step Rule").

Ecuador considers that under this "Three-step Rule", the following are necessary to enable a country that is a party to the TRIPS Agreement to incorporate in its domestic legislation new exceptions and/or limitations to the exclusive economic right of the author (or holder) to exploit his work:

(a) The exceptions or limitations must be confined to special cases. No "open-ended" exception or limitation may be included; rather, it must describe the specific case to which the exception or limitation would apply. In other words, the exception must be clearly delimited;

(b) They must not conflict with the normal exploitation of the work. The impact on the normal economic exploitation of the work must be reasonable, not significant, for the author or right holder;

(c) They must not unreasonably prejudice the legitimate interests of the right holder. There must be adequate justification for dispensing with the author's authorization, based on grounds of a social, practical and – above all – humanitarian nature, bearing in mind the

nature of copyright, which is also a human right enshrined in the Universal Declaration of Human Rights (Article 27.2).

It should be emphasized that the “Three-step Rule” is partially recognized by Decision 351 of the Andean Community (Official Registration No. 366, January 25, 1994), Article 21 of which stipulates that “*The limitations and exceptions to which copyright is made subject by the domestic legislation of the Member Countries shall be confined to those cases that do not adversely affect the normal exploitation of the works or unjustifiably prejudice the legitimate interests of the owner or owners of the rights*”.

2. *Current legal possibility of including, in Ecuador’s Intellectual Property Law, exceptions and/or limitations to the exclusive economic rights of the author (or holder) to exploit his work, which benefit the visually impaired*

Without prejudice to the future signing of an international treaty regulating this topic in greater detail and in more depth, it is possible to include in Ecuador’s Intellectual Property Law an exception in addition to those already listed in Article 83, which deals specifically with the case of the use of works by the visually impaired, without at any time infringing the “Three-step Rule” incorporated in the TRIPS Agreement or Decision 351 of the Andean Community.

The Permanent Mission of Ecuador to the United Nations Office at Geneva and other international organizations takes this opportunity to reiterate to the World Intellectual Property Organization (WIPO) the assurances of its highest consideration.

[End of Annex VI and of document]