

Standing Committee on Copyright and Related Rights

Twenty-third Session

Geneva, November 21 to 25, 28, 29 and December 2, 2011

FIFTH INTERIM REPORT OF THE STAKEHOLDERS' PLATFORM

Document prepared by the Secretariat

1. This fifth Interim Report describes the outcome of the sixth meeting of the Stakeholders' Platform organized in Geneva on February 10, 2012.
2. During the 17th session of the Standing Committee on Copyright and Related Rights (SCCR) held in November 2008, the Committee acknowledged the special needs of visually impaired persons (VIP) and stressed the importance of dealing, without delay and with appropriate deliberation, with those needs of the blind, visually impaired, and other reading disabled persons, including discussions at the national and international level on possible ways and means of facilitating and enhancing access to protected works, against the background of an analysis of limitations and exceptions. This should also include the establishment of a stakeholders' platform at the World Intellectual Property Organization (WIPO), in order to facilitate arrangements to secure access for disabled persons to protected works.
3. Based on the above mandate, the WIPO Secretariat has invited various major stakeholders representing the interests of copyright rightholders and VIPs, including persons with print disabilities, to take part in a Platform with the aim of exploring their concrete needs, concerns, and suggested approaches in order to achieve the goal of facilitating access to works in alternative formats for people with disabilities.
4. The meetings of the Stakeholders' Platform have taken place as follows:
 - First meeting: in Geneva, on January 19, 2009
 - Second meeting: in London, on April 20, 2009
 - Third meeting: in Alexandria (Egypt), on November 3, 2009
 - Fourth meeting: in Geneva, on May 26, 2010
 - Fifth meeting: in New Delhi, on October 23, 2010
5. Interim Reports of the above meetings have been presented during the 18th, 19th, 20th and 21st sessions of the SCCR (documents SCCR/18/4, SCCR/19/10, SCCR/20/6 and SCCR/21/10, respectively) to provide an update of the work carried out by the Platform. The Committee has welcomed these Reports and, during its 21st session held in November 2010, encouraged the Secretariat to continue the work of the Platform and report on its activities during the next session of the SCCR. No Stakeholders' Platform meetings were organized in 2011.
5. The Committee has requested that the WIPO Secretariat ensure, and make available funding to support, the effective participation of stakeholders from developing and least-developed countries. Following the second meeting of the Platform, the Secretariat has also been requested to make its best efforts to organize a meeting of the platform in a developing country.
6. This fifth Interim Report also identifies further steps needed to pursue the mandated objectives. The Secretariat seeks the approval of the Member States to proceed with the actions proposed, and to submit a further report to the next SCCR session.

SIXTH MEETING OF THE STAKEHOLDERS' PLATFORM

1. The sixth meeting of the Stakeholders' Platform took place in Geneva on February 10, 2012. The list of participants is included in the Annex to this report. The focus of the meeting was to take stock of the implementation of the action points agreed during the previous meeting held in 2010, as well as to discuss the progress of the Trusted Intermediary Global Accessible Resources (TIGAR) and the Enabling Technologies Framework (ETF) projects.
2. Participants highlighted the support provided by WIPO in the development of the above projects and the positive response of the visually impaired persons/persons with print disabilities community and the publishing industry in the countries involved.

3. Participants also expressed their hope that the World Blind Union (WBU) resumed its participation in the Stakeholders' Platform meetings.

Trusted Intermediary Global Accessible Resources (TIGAR)

4. The report of the TIGAR project was presented for the consideration of the Platform. . After intensive consultation with various stakeholders, it had been concluded that the sample TIGAR licensing agreements developed in 2010 were too complex for the first phase of the operation of the TIGAR network. Instead, a simplified Fast Track approach had been implemented in 2011 based on Memorandum of Understanding (MoU) rather than on a licensing agreement. The Fast Track approach was designed to make early progress, build confidence, gain experience and knowledge and generate tangible results alongside preparations for longer term solutions. Nineteen rightholders and eight trusted intermediaries (TIs) had participated in the Fast Track MoU. The first set of books in accessible formats had been transferred successfully using the computing infrastructure provided by WIPO. Additionally, a TIGAR website and a wiki space had been launched facilitating information dissemination of the project. A Technical Requirements Specification Group (RSG) had also been established with members representing various stakeholders to develop the TIGAR computing infrastructure.

5. The dialogue between the TIGAR Chairpersons and the European Trusted Intermediaries Network (ETIN) had been initiated with the aim of identifying points of complementarity of both initiatives.

6. A total amount of 384,000 euros had been raised for the project, from which 284,000 euros corresponded to in-kind contributions from the DAISY Consortium, the International Publishers Association (IPA) and WIPO. A total of 50,000 euros had been received in cash and most of this amount had been spent on the various project activities. About 1,000 euros in cash remained in the TIGAR account by the end of 2011.

7. The TIGAR activities to be developed in 2012 would include, among others:

- i) the scale up of the exchange of accessible books by TIs;
- ii) the consolidation of the TIGAR computing infrastructure based on detailed functional requirement specifications developed by the TIGAR RSG, including:
 - a) a shared metadata standard to describe accessible books available in TIGAR,
 - b) an Identity Management System to support the user account creation and management, user authentication, and access control,
 - c) a centralized transitory file repository to contain files in accessible formats uploaded by TIs or publishers for exchange purposes,
 - d) a multilingual web-based accessible user interface; and
 - e) a search and discovery facility facilitating the exchange of books among participating TIs;
- iii) the establishment of a long-term effective licensing model by removing the need for specific title clearance.; and
- iv) the extension of the project to business-to-consumer deliveries and sustainable business models.

8. Participants also highlighted the political and financial challenges for 2012. The suspension of the participation of WBU and some of its national members continued to prevent the project from achieving its full potential. Participants also requested that special consideration was given to the substantial costs involved for charities in exporting files. There was a need to develop a solid financial support mechanism.

Technology

9. The report of the Technology subgroup focused on the Enabling Technologies Framework (ETF) project run by the DAISY Consortium and EDItEUR, under the supervision of WIPO. In 2011, the International Digital Publishing Forum (IDPF), a standard body responsible for the Electronic Publishing (EPUB) specification, had approved a single worldwide standard, the EPUB 3, which incorporated the accessibility requirements pioneered by the DAISY Consortium. That new standard had the potential to become the worldwide distribution standard used by the publishing industry and the community of persons with print disabilities due to its versatile nature. With the arrival of the EPUB3 standard, the ETF project could start providing web-hosted services through cloud computing systems. Other distribution formats, such as the EPUB 3 and Braille for end-user reading, were expected to be produced following the submission made to the National Information Standards Organization in the United States of America (NISO) regarding the “Authoring and Interchange Framework for Adaptive XML Publishing” specification, focused on the XML production process within an organization or company. It was stressed that the main gap for establishing global standards was the lax enforcement among different users. In 2011, the ONIX International Steering Committee had approved a proposal presented by EDItEUR of a new methodology to describe the degree of accessibility of e-publications in the standard ONIX metadata format.

10. The DAISY Consortium was supporting open source software developments for interactive authoring and automated conversion, such as OBI, TOBI and the Pipeline 2, and had completed the design of the DAISY training and technical support area. It was stressed the need to have joint working efforts with the technology industry in order to help spread and disseminate formats for the community of persons with print disabilities.

11. In 2011, EDItEUR had presented the “Accessible Publishing, Best Practice Guidelines for Publishers” at the London International Book Fair (LIBF). EDItEUR and JISC TechDis were jointly working on the development of online training courses for publishers to address the technical aspects of publishing workflows to be completed for the LIBF in 2012. However, it was underlined that the guidelines and learning materials should be translated into various languages in order to spread their knowledge. The buildup of easy to understand guidelines specially focused on developing countries was also stressed. The DAISY Consortium had integrated information on standards developments into all its communication vehicles, including conferences, publications in the monthly newsletter DAISY Planet, and social media feeds. Other working parties and industry bodies, namely the Higher Education Accessible Technology Working Group, the National Information Standards Organization (NISO) E-Book working parties on Accessibility and Metadata, the Department of Culture, Media and Sport (DCMS) of the British Government, the Italian Accessible Books (LIA) project of the Italian Ministry of Culture, and the Accessibility Labeling System for E-Books DAP (Document Accessibility Profile), had been collaborating with the ETF as part of the project deliverables.

Capacity Building

12. In order to promote capacity building among developing countries, it was proposed to start pair programs between TIs and rightholders that had already the necessary infrastructure to take part in the TIGAR project, and TIs and rightholders in developing or least-developed countries that could benefit from this project. This was in line with the United Nations Millennium Development goals and would help to generate an adequate organizational infrastructure, technological capacity and appropriate government support. In this connection, it was suggested to expand TIGAR to TIs and rightholders in one country in Asia, one in Africa and one in the Caribbean. A project plan for their participation would be desirable.

Future action points

13. As future action points, stakeholders agreed:

a) to request to the TIGAR Steering Committee to:

- prepare a road map for 2012;
- encourage exchange of books including TIs from developing countries;
- facilitate three TIs with capability building assistance from the Asian, African and Caribbean regions respectively to join the TIGAR project timely;
- prepare on the technical steps to develop a sustainable business models;
- prepare a report on the funding requirements and an indication of potential Government donors;
- devise a road map related to the involvement of other stakeholders and TIs, as well as the corresponding participation architecture for developing and developed countries; and
- prepare a list of current differences and similarities between the TIGAR project and ETIN project.

b) to approach Member States that are depositaries of the largest collection of books required by the community of visually impaired persons/persons with print disabilities and request their support and contribution of contents for TIGAR.

c) to call on the DAISY Consortium to serve as a discussion forum on standards and technical requirements, developed for the community of persons with print disabilities.

d) to consider the 29th IPA Congress to be held in Cape Town, South Africa, from June 12 to 14, 2012, as an appropriate forum for publishers, technology industry, community of persons with disabilities and WIPO Member States, to advance efforts regarding the development of the above Platform's projects.

e) to set up a Steering Group to govern the future work of the ETF project.

14. The next meeting of the Stakeholders' Platform will take place between September and October 2012.

[Annex follows]

SIXTH MEETING OF THE STAKEHOLDERS' PLATFORM
Geneva, February 10, 2012

LIST OF PARTICIPANTS

I. VISUALLY IMPAIRED SECTOR AND RIGHTHOLDERS REPRESENTATIVES

Jens BAMMEL, Secretary General, International Publishers Association (IPA)

Mark BIDE, Executive Director, EDItEUR

François HENDRIKZ, Director, South African Library for the Blind, Eastern Cape, South Africa

George KERSCHER, Secretary-General, Daisy Consortium, Recording for the Blind and Dyslexic (RFB&D)

Stephen KING, President, Daisy Consortium, Royal National Institute of Blind People (RNIB)

Dipendra MANOCHA, chair of Developing Countries Alliance, Daisy Consortium, New Delhi

Olav STOKKMO, Chief Executive and Secretary General, International Federation of Reproduction Rights Organizations (IFRRO)

Margaret MCGRORY (Ms.), Vice President and Executive Director, Canadian National Institute of the Blind (CNIB) Library, Toronto

Pedro MILLIET, Senior Developer and Information Architect, Fundação Dorina Nowill para o Cego, Sao Paulo, Brazil

Carlo SCOLLO LAVIZZARI, Legal Counsel, International Association of Scientific, Technical and Medical Publishers (STM)

Alicia WISE (Ms.), Director of Universal Access at Elsevier

II. WORLD INTELLECTUAL PROPERTY ORGANIZATION

Francis GURRY, Director General

Trevor CLARKE, Assistant Director General, Culture and Creative Industries Sector

Swashpawan SINGH, former Ambassador of India, WIPO Director General's Honorary Advisor on the Visually Impaired Persons (VIP) Initiative

Geidy LUNG (Ms.), Senior Counsellor, Copyright Law Division, Culture and Creative Industries Sector

Andrew TU, Senior Advisor to the Assistant Director General (IT Project Management), Culture and Creative Industries Sector

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