

## **Standing Committee on Copyright and Related Rights**

### **Thirtieth Session**

**Geneva, June 29 to July 3, 2015**

#### **SUMMARY BY THE CHAIR**

#### **AGENDA ITEM 1: OPENING OF THE SESSION**

1. The Thirtieth Session of the Standing Committee on Copyright and Related Rights (SCCR or Committee) was opened by Mr. Francis Gurry, Director General, who welcomed the participants and opened Agenda Item 2. Ms. Michele Woods (WIPO) acted as Secretary.

#### **AGENDA ITEM 2: ELECTION OF THE CHAIR AND TWO VICE-CHAIRS**

2. The Committee elected Mr. Martin Moscoso Villacorta as Chair and Mr. Santiago Cevallos Mena as Vice-Chair for the period from the opening of SCCR/30 up until the opening of SCCR/34. One position as Vice-Chair remained vacant.

#### **AGENDA ITEM 3: ADOPTION OF THE AGENDA OF THE THIRTIETH SESSION**

3. The Committee adopted the draft agenda (document SCCR/30/1 PROV. CORR.).

#### **AGENDA ITEM 4: ACCREDITATION OF NEW NON-GOVERNMENTAL ORGANIZATIONS**

4. The Committee approved the accreditation as an SCCR observer of the non-governmental organization referred to in the Annex to document SCCR/30/4, namely the Finnish Copyright Society.

## **AGENDA ITEM 5: ADOPTION OF THE DRAFT REPORT OF THE TWENTY-NINTH SESSION**

5. The Committee approved the draft report of its twenty-ninth session (document SCCR/29/5) as proposed. Delegations and observers were invited to send any comments on their statements to the Secretariat at [copyright.mail@wipo.int](mailto:copyright.mail@wipo.int) by July 31, 2015.

## **AGENDA ITEM 6: PROTECTION OF BROADCASTING ORGANIZATIONS**

6. The documents related to this agenda item were SCCR/27/6, SCCR/27/2 REV. and SCCR/30/5.

7. The Committee welcomed the presentation of the Report on Current Market and Technological Trends in the Broadcasting Sector prepared by IHS. It also heard the information session on broadcasting as well as the presentations from and discussions with broadcasting experts invited to address some of the technical issues considered in previous discussions of the Committee.

8. The Committee pursued discussions on the protection of broadcasting and cablecasting organizations in the traditional sense following a signal-based approach and taking into account documents, informal charts and non-papers discussed at the three previous sessions of the SCCR.

9. In relation to the scope and object of protection, with the exception of one delegation that needed further time to consider the possibility of providing protection under any platform, the Committee was of the view that effective legal international protection be granted to broadcasting organizations to prohibit the unauthorized use of broadcast signals in the course of a transmission over any technological platform. Issues related to national regulations applying to the broadcasting sector were also raised.

10. The Committee also further considered definitions related to *broadcasting* and *broadcasting organizations*. These definitions should be drafted taking into account similar definitions in existing treaties. Discussion was also opened on the definition of *signal*.

11. The Committee requested the Chair to prepare for its next session a consolidated text with respect to definitions, object of protection, and rights to be granted. At that session the Committee will also exchange views on and further clarify other issues in order to reach a common understanding.

12. There was no agreement on recommendations to the WIPO General Assembly (WIPO/GA/47).

13. This item will be maintained on the agenda of the thirty-first session of the SCCR.

## **AGENDA ITEM 7: LIMITATIONS AND EXCEPTIONS FOR LIBRARIES AND ARCHIVES**

14. The documents related to this agenda item were SCCR/26/3, SCCR/26/8, SCCR/29/3, SCCR/29/4, SCCR/30/2 and SCCR/30/3.

15. The Committee welcomed the *Study on Copyright Limitations and Exceptions for Libraries and Archives: Updated and Revised*, prepared by Professor Kenneth Crews (document SCCR/30/3).

16. The Committee was informed of the completion of the *Study on Copyright Limitations and Exceptions for Museums*, prepared by Mr. Jean François Canat and Professor Lucie Guibault (document SCCR/30/2), which was made available for this session and will be presented at the next session of the Committee.

17. The Committee discussed and accepted the use of the non-paper introduced by the Chair on “exceptions and limitations for libraries and archives” during the twenty-ninth session of the SCCR. This non-paper consists of a chart which is designed to serve as a useful tool to provide structure to discuss the substance of each topic, drawing on the many resources before the Committee. This will allow the Committee to have an evidence-based discussion respecting differing views and understanding that the goal is not to guide the discussion toward any particular or undesired outcome, but instead to lead to a better understanding of the topics and of their actual relevance to the discussions and the intended outcome.

18. In relation to the topic of preservation, the Committee stressed its importance and views, national laws and practices were exchanged in relation to the objectives, principles, conditions and other factors to consider when adopting an exception for preservation.

19. The Committee decided to continue discussions on the issue of limitations and exceptions for libraries and archives in the framework of the Chair’s non-paper complemented with additional information coming from sources such as user-friendly tools based on the contents of the *Study on Copyright Limitations and Exceptions for Libraries and Archives: Updated and Revised*, prepared by Professor Kenneth Crews, technical presentations by NGOs, searchable databases, regional seminars, among others.

20. A number of delegations suggested that the discussion on this topic would benefit from equal allocation of time among the three substantive topics on the agenda.

21. There was no agreement on recommendations to the WIPO General Assembly (WIPO/GA/47).

22. This item will be maintained on the agenda of the thirty-first session of the SCCR.

#### **AGENDA ITEM 8: LIMITATIONS AND EXCEPTIONS FOR EDUCATIONAL AND RESEARCH INSTITUTIONS AND FOR PERSONS WITH OTHER DISABILITIES**

23. The documents related to this agenda item were SCCR/26/4 PROV. and SCCR/27/8.

24. The Committee stressed the importance of limitations and exceptions for educational, teaching and research institutions due to the fundamental role of education in society. The Committee held discussions on the topic, with due consideration of the existing documents.

25. The Committee asked the Secretariat to proceed with updating the various studies on limitations and exceptions for educational, teaching and research institutions published for the nineteenth session of the SCCR in 2009 and to aim to cover all WIPO Member States. The Secretariat was requested to consolidate all the information from these studies into one single study. Some delegations requested that the studies include information on limitations on remedies for infringements applicable to educational, teaching and research institutions without prejudice to the introduction of other topics related to this agenda item. The Committee also asked the Secretariat to proceed with commissioning a scoping study on limitations and exceptions for persons with other disabilities.

26. A number of delegations suggested that the discussion on this topic would benefit from equal allocation of time among the three substantive topics on the agenda.

27. There was no agreement on recommendations to the WIPO General Assembly (WIPO/GA/47).

28. This item will be maintained on the agenda of the thirty-first session of the SCCR.

#### **AGENDA ITEM 9: OTHER MATTERS**

29. One Member State highlighted the need to ensure adequate compensation to visual artists and suggested that the Committee add the topic of the resale royalty right to its agenda and undertake further discussion on the issue. Many Member States expressed support for adding this item to the agenda of the meeting, while a few Member States expressed some concerns. It was suggested to analyze the issues further at the next meeting.

#### **SUMMARY OF THE CHAIR**

30. The Committee took note of the contents of this Summary by the Chair. The Chair clarified that this summary reflects the Chair's views on the result of the 30th session of the SCCR and that, in consequence, it was not subject to approval by the Committee.

#### **AGENDA ITEM 10: CLOSING OF THE SESSION**

31. The next session of the Committee will take place from December 7 to 11, 2015.

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