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Standing Committee on Copyright and Related Rights

Thirty-First Session
Geneva, December 7 to 11, 2015

SUMMARY BY THE CHAIR

AGENDA ITEM 1: OPENING OF THE SESSION

1. The Thirty-First 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: ADOPTION OF THE AGENDA OF THE THIRTY-FIRST SESSION

2. The Committee adopted the draft agenda (document SCCR/31/1 PROV.).

AGENDA ITEM 3: ACCREDITATION OF NEW NON-GOVERNMENTAL ORGANIZATIONS

3. The Committee approved the accreditation as an SCCR observer of the non-governmental organization referred to in the Annex to document SCCR/31/2, namely the African Public Broadcasting Foundation (APBF).

AGENDA ITEM 4: ADOPTION OF THE DRAFT REPORT OF THE THIRTIETH SESSION

4. The Committee approved the draft report of its thirtieth session (document SCCR/30/6) as proposed. Delegations and observers were invited to send any comments on their statements to the Secretariat at copyright.mail@wipo.int by January 15, 2016.

AGENDA ITEM 5: PROTECTION OF BROADCASTING ORGANIZATIONS

5. The documents related to this agenda item were SCCR/27/2 REV., SCCR/27/6, SCCR/30/5 and SCCR/31/3.

6. The Committee welcomed and considered document SCCR/31/3 prepared by the Chair, entitled *Consolidated Text on Definitions, Object ;/of Protection, and Rights to be Granted*.
7. Some delegations requested further clarification on the document and others suggested textual proposals for the text.
8. The discussions contributed to progress with a view to reaching a common understanding on the protection of broadcasting organizations.
9. The Committee decided to continue discussions on this document and on a revised document that will be prepared by the Chair for the next session of the Committee taking into account the proposals and clarifications discussed.
10. Members of the Committee may submit to the Secretariat, by January 20, 2016, those specific textual proposals that were made during this session for document SCCR/31/3, for consideration by the Chair.
11. This item will be maintained on the agenda of the thirty-second session of the SCCR.

AGENDA ITEM 6: LIMITATIONS AND EXCEPTIONS FOR LIBRARIES AND ARCHIVES

12. The documents related to this agenda item were SCCR/26/3, SCCR/26/8, SCCR/29/3, SCCR/30/2 and SCCR/30/3.
13. The Committee heard the presentation by Professor Lucie Guibault and Ms. Elisabeth Logeais on the Study on Copyright Limitations and Exceptions for Museums, contained in document SCCR/30/2. The Committee welcomed the presentation and delegations and observers participated in a question-and-answer session with the experts. Amendments and clarifications should be sent to the Secretariat (copyright.mail@wipo.int) by January 20, 2016.
14. Discussions were based on the chart introduced by the Chair on “exceptions and limitations for libraries and archives”. This chart /was 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.
15. The Chair highlighted some of the elements that were drawn from the views expressed in comments and submissions of Members of the Committee on the topic of preservation during the previous SCCR session.
16. Members of the Committee also exchanged views regarding the topics listed on the Chair’s chart, namely reproduction and safeguard copies, legal deposit and library lending. In addition, concerns that could arise when considering limitations and exceptions related to these topics and possible measures to address such concerns were expressed. Suggestions were also made for alternative approaches.
17. This item will be maintained on the agenda of the thirty-second session of the SCCR.

AGENDA ITEM 7: LIMITATIONS AND EXCEPTIONS FOR EDUCATIONAL AND RESEARCH INSTITUTIONS AND FOR PERSONS WITH OTHER DISABILITIES

18. The documents related to this agenda item were SCCR/26/4 PROV. and SCCR/27/8.
19. The Secretariat informed the Committee about the progress made in response to the request made at SCCR/30 to update 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, as well as to prepare a scoping study on limitations and exceptions for persons other than persons with print disabilities. The update study has been commissioned and is expected to be presented at SCCR/32. The scoping study will be commissioned in early 2016 and is expected to be presented at SCCR/33.
20. The Committee held discussions on the topic of limitations and exceptions for educational, teaching and research institutions and their relationship with the fundamental role of education in society, with reference to the existing documents.
21. Some Members requested the preparation by the Chair of a chart like the limitations and exceptions chart for libraries and archives to be used as a tool to focus discussions on this topic. Some other Members asked for more time to consider this suggestion. Other delegations suggested having an open-ended discussion on document SCCR/26/4 Prov.
22. This item will be maintained on the agenda of the thirty-second session of the SCCR.

AGENDA ITEM 8: OTHER MATTERS

23. The documents related to this agenda item were SCCR/31/4 and SCCR/31/5.
24. The Delegation of Brazil introduced document SCCR/31/4, entitled *Proposal for Analysis of Copyright Related to the Digital Environment*, on behalf of the Group of Latin American and Caribbean Countries (GRULAC). Members of the Committee and observers offered initial comments and reactions to the proposal.
25. The Delegation of Senegal introduced document SCCR/31/5, entitled *Proposal from Senegal and Congo to include the Resale Right (droit de suite) in the Agenda of Future work by the Standing Committee on Copyright and Related Rights of the World Intellectual Property Organization*. Members of the Committee and observers offered initial comments and reactions to the proposal.
26. These topics will be maintained on the agenda of the thirty-second session of the SCCR under the agenda item for other matters.
27. The Chair presented a proposal to hold an extraordinary session of the Committee on protection for broadcasting organizations and to hold regional meetings on the subject of limitations and exceptions for libraries and archives. Some regional groups supported the proposal. One of these groups expressed a preference for the regional meetings to include the subject of limitations and exceptions for educational and research institutions and persons with other disabilities. Other regional groups considered it unnecessary or premature to hold sessions in addition to the ordinary sessions of the Committee. However those groups could consider the proposal again at the next session of the Committee. The Chair announced that in the absence of consensus the proposal would be discussed again at SCCR/32.

SUMMARY OF THE CHAIR

28. The Committee took note of the contents of this Summary by the Chair. The Chair clarified that this summary reflected the Chair's views on the results of the 31th session of the SCCR and that, in consequence, it was not subject to approval by the Committee.

AGENDA ITEM 9: CLOSING OF THE SESSION

29. The next session of the Committee will take place from May 9 to 13, 2016.

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