

Standing Committee on Copyright and Related Rights

Forty-first Session
Geneva, June 28 – July 1, 2021

ANNOTATED DRAFT AGENDA

prepared by the Secretariat after Consultation with the Group Coordinators and Interested Member States

Notional agenda and flexible approach: In the event that discussions on an agenda item finish earlier than expected in this annotated agenda, if at all possible the next agenda item will begin immediately, and the remaining time can be used to accommodate the following agenda items. To this extent, the allocation of days to particular matters should be considered notional and not binding. For example, if the Limitations and Exceptions topic is completed at 1:30 pm on Day 3, instead of at 2:30 pm as shown in the annotated agenda, then the Other Matters topic would begin at 1:30 pm on Day 3, rather than at noon on Day 4, and if necessary could continue through the end of the period allocated for Other Matters in the annotated agenda, 3:45 pm on Day 4.

Day 1 – Monday, June 28, 2021

Opening and Protection of Broadcasting Organizations

- 12:00 to 12:15 Opening of the session; adoption of the agenda; accreditation of NGOs; adoption of the Report of SCCR/40
- Documents:** *Provisional Agenda* (SCCR/41/1 Prov.) and *Accreditation of Non-governmental Organizations* (SCCR/41/8) are available on the meeting web page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=63929; *Draft Report* (SCCR/40/9) is available on the SCCR/40 page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=56053
- 12:15 to 12:25 Remarks by the Deputy Director General
- 12:25 to 12:40 Remarks and brief description of the meeting format and working methods by the Chair¹
- 12:40 to 14:30 Opening of broadcasting organizations agenda item
- Documents:** *Revised Consolidated Text on Definitions, Object of Protection, Rights to be Granted and Other Issues* (document SCCR/39/7) (available in six languages); prior related documents are available on the meeting page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=63929.
- Reminder of Recent Activity:** During the 39th session of the SCCR, document SCCR/39/4, *Revised Consolidated Text on Definitions, Object of Protection, Rights to be Granted and Other Issues*, was discussed in both informal meetings and plenary. During discussions, the Chair indicated textual amendments that would be incorporated in order to reflect the current state of discussion. Parts of the document contain alternative text and wording between brackets for further discussion. The result of the negotiation held during SCCR/39 was reflected by the Chair in document SCCR/39/7, which was made available immediately after the 39th Session under the same title as previous versions. During the 40th session of the SCCR, the Chair and the Secretariat provided an update

¹ As agreed at a consultation with Group Coordinators and interested Member States on June 1, 2021, all opening statements, including those of Group Coordinators, will be submitted in writing and posted on the SCCR/41 meeting page on the WIPO website.

on the status of the work, with a recap of the key provisions of the *Revised Consolidated Text*.

SCCR/41 Session: Consideration will start with an update from the Chair on ongoing informal work. Then the Chair will invite Members, IGOs and NGOs to make general comments and to give their inputs on possible next steps. Formal discussions will continue at the next SCCR session held under normal conditions.

Day 2 – Tuesday, June 29, 2021

Protection of Broadcasting Organizations and Limitations and Exceptions

12:00 – 13:35 Continuation of broadcasting organizations topic as described on June 28, 2021

13:35 to 14:30 Opening of the agenda items on limitations and exceptions

Documents: *Report on Regional Seminars and International Conference* (SCCR/40/2) (available in six languages); prior related documents are available on the meeting page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=63929.

Reminder of Recent Activity: As requested at SCCR/39, the Secretariat prepared the factual *Report on Regional Seminars and International Conference* (document SCCR/40/2), which was presented by the Secretariat at SCCR/40. The Report contains the results of the three regional seminars and the International Conference for the consideration of the Committee. The Report encompasses the four main areas covered – libraries, archives, museums, and educational and research institutions – and reflects the analysis and proposals from the practitioners, experts and Member States in these four fields from all over the world who gathered throughout the process. The Report also covers the points highlighted and inputs at the end of the Conference on the future way forward.

SCCR/41 Session:

The Chair will invite Members, IGOs and NGOs to make general comments, with a focus on the *Report on Regional Seminars and International Conference* (SCCR/40/2), especially the sections on *The Way Forward* and *Take-Away Considerations* (pages 63-72), and to give their inputs on possible next steps, including the possibility of holding a number of regional consultations before the next session to further develop the understanding of the situation of the cultural and educational and research institutions at the local level, especially in light of the impact of the Covid-19 pandemic on them.

Day 3 – Wednesday, June 30, 2021

Limitations and Exceptions

12:00 - 14:30 Continuation of limitations and exceptions topics as described on June 29, 2021

Day 4 – Thursday, July 1, 2021

Other Matters and Closing of Session

12:00 to 12:05 Opening of the agenda item on other matters

12:05 to 12:35 Copyright in the digital environment

Documents: *Inside the Global Digital Music Market (SCCR/41/2)*; *Study on the Artists in the Digital Music Marketplace: Economic and Legal Considerations (SCCR/41/3)*; *The Latin American Music Market (SCCR/41/4)*; *Etude Portant sur le Marché Numérique de la Musique en Afrique de L'Ouest (SCCR/41/6)*; and *Report on the Online Music Market and Main Business Models in Asia: Overview and General Trends (SCCR/41/7)* are available on the meeting page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=63929. Prior related documents are available on the meeting page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=63929.

Reminder of Recent Activity: The Secretariat has been working on the basis of the approved revised *Modalities of a Study on Digital Music Services (SCCR/37/4)*. An *Introduction to the Global Digital Music Market* (document SCCR/39/3) was presented at SCCR/39 and a status update was presented by the Secretariat at SCCR/40.

SCCR/41 Session: The Chair will invite the Secretariat to briefly describe the work done on this topic. Video presentations will be made by the authors of each of the five documents prepared for the session, after which the Chair will invite Members, IGOs and NGOs to make general comments, with the ability to pose questions to the study authors who are able to be present for the live session, and to give their inputs on possible next steps.

12:45 to 13:00 Resale right

Documents: Video updates from task force representatives will be uploaded in advance; prior related documents are available on the meeting page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=63929.

Reminder of Recent Activity: At its 36th session, the Committee agreed to set up a task force of Members and stakeholders to report back to the Committee regarding the practical elements of the artists' resale royalty right. At its 37th session, the Secretariat presented document SCCR/37/5, entitled *Task Force on the Artist's Resale Royalty Right*, which was noted by the Committee. At its 38th through 40th sessions, the Secretariat presented updates on the ongoing work of the Task Force, and at the 40th session Task Force representatives also provided video updates.

SCCR/41 Session: After brief pre-recorded video presentations from Task Force representatives, the Chair will invite Members, IGOs and NGOs to make general comments, and to give their inputs on possible next steps.

13:00 to 13:30

Rights of theatre directors

Documents: The *Study on the Rights of Stage Directors of Theatrical Productions* (document SCCR/41/5) is available on the meeting page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=63929; prior related documents are available on the meeting page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=63929.

Reminder of Recent Activity: At its 37th session the SCCR agreed on the *Proposed Modalities of a Study on the Protection of Theatre Directors' Rights* (document SCCR/37/3). Presentations on some aspects of the study prepared by Professor Ysolde Gendreau, national of Canada, and Professor Anton Sergo, national of the Russian Federation, were made during the 38th - 40th sessions of the Committee.

SCCR/41 Session: The Chair will invite the Secretariat to present the work done on this topic. Video presentations will be made by the study authors. The Chair will invite Members, IGOs and NGOs to make general comments, with the ability to pose questions to the study authors who are able to be present for the live session, and to give their inputs on possible next steps.

13:30 to 13:45

Other Matters: Proposal for study on public lending right: live session; any other matters

Document: *Proposal for a Study Focused on Public Lending Right in the Agenda and Future Work of the Standing Committee on Copyright and Related Rights of the World Intellectual Property Organization (WIPO)* (SCCR/40/3/Rev. 2) is available on the meeting page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=63929.

Reminder of Recent Activity: At SCCR/40, Committee Members Sierra Leone, Panama and Malawi presented their proposal for a scoping study on the public lending right.

SCCR/41 Session: The Chair will invite the proponents to provide a brief update, then will give Members, IGOs and NGOs the opportunity to make general comments and to give their inputs on possible next steps.

The Chair will ask if there are any other matters to be considered by the Committee.

13:45 to 14:30

Closing of the session: presentation of the Chair's Summary, closing statements from Group Coordinators.

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