

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION

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STANDING COMMITTEE ON COPYRIGHT AND RELATED RIGHTS

Ninth Session

Geneva, June 23 to 27, 2003

ARTICLE 1 *BIS*

Proposals submitted by the European Community and its member States

Article 1 bis Definitions¹

For the purposes of this Treaty, "broadcasting" means the transmission by wire or over the air, including by cable or satellite, for public reception of sounds or of images and sounds or of the representation thereof; transmission of encrypted signals is "broadcasting" where the means for decrypting are provided to the public by the broadcasting organization or with its consent. The mere retransmission by cable of broadcasts of a broadcasting organization, transmission on computer networks, or the making available of fixations of broadcasts as set out in Article 7, shall not constitute broadcasting. However, the simultaneous and unchanged retransmission on computer networks of its broadcasts by a broadcasting organization is granted the protection provided under this Treaty, as if it were broadcasting.

[End of document]

¹ The European Community and its member States remain open to further discussion on the question whether further definitions should be added to this Article, whether other categories of transmission should be excluded from the definition of broadcasting, as well as on the question whether definitions should be contained in a separate Article or in the provisions concerning the substantive rights.