

Open-Ended Consultations on the Protection of Audiovisual Performances

Geneva, April 13 and 14, 2011

Proposal on Article 12 of the WIPO Treaty on the Protection
of Audiovisual Performances

Proposal by the Delegation of Mexico

1. On January 20, 2011, the Delegation of Mexico communicated the attached text as the proposed text for Article 12 of the Draft Treaty for the Protection of Audiovisual Performances.

[Annex follows]

ANNEX

“Article 12”

Transfer of Rights

Once the performer has given his consent to the inclusion of his performance in an audiovisual work, he shall be considered to have transferred the exclusive rights for authorization, as provided for in this Treaty with respect to that fixation, to the producer of the audiovisual work.

Once the exclusive rights have been transferred to the producer, the performer shall retain the inalienable right to receive equitable payment for each radio broadcast, television broadcast or any other communication to the public or provision carried out by users for direct or indirect profit-making purposes.”

[End of Annex and of document]