

# WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION  
GENEVA

## DIPLOMATIC CONFERENCE ON CERTAIN COPYRIGHT AND NEIGHBORING RIGHTS QUESTIONS

Geneva, December 2 to 20, 1996

AMENDMENT TO ARTICLES 13, 20 AND 21 OF DRAFT TREATY N° 2

*proposed by the Delegation of the United States of America*

[Amendments are indicated by underlining, deletions are indicated by ~~striking through~~]

1. *Article 13--Exceptions and Limitations*

Amend paragraph (2) to read as follows:

(2) Contracting Parties shall confine any limitations or exceptions to rights provided for in this Treaty to certain special cases which do not conflict with ~~the~~ a normal exploitation of the performance and do not unreasonably prejudice the legitimate interests of the performer.

2. *Article 20--Exceptions and Limitations*

Amend paragraph (2) to read as follows:

(2) Contracting Parties shall confine any limitations of or exceptions to rights provided for in this Treaty to certain special cases which do not

conflict with the a normal exploitation of the phonogram and do not unreasonably prejudice the legitimate interests of the producer of phonograms.

3. *Article 21--Term of Protection for Phonograms*

Amend paragraph (2) to read as follows:

(2) The term of protection to be granted to producers of phonograms under this Treaty shall last, at least, until the end of a period of 50 years computed from the end of the year in which the phonogram was published ~~and in the case of unpublished phonogram, or failing such publication within fifty years from~~ fixation of the phonogram, fifty years from the end of the year in which the fixation was made.

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