

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 4, 6, 12, 19 AND 26 OF DRAFT TREATY N° 2

proposed by the Delegation of Canada

Article 4:

The following paragraph should be added after paragraph (2):

(3) Paragraph (1) does not apply to any regime under which a Contracting Party provides remuneration to performers or producers of phonograms for the private copying of phonograms or the performances embodied therein.

Article 6:

The following wording should be added after paragraph (ii):

(iii) the broadcasting and communication to the public of performances fixed in phonograms contrary to paragraph (ii);

(iv) Contracting Parties may limit either or both of the rights provided in paragraph (iii) to a right of equitable remuneration.

Articles 12 and 19:

In paragraph (3) of Articles 12 and 19, delete the words “subject to the provisions of paragraph (4).”

Delete paragraph (4) of Articles 12 and 19.

Article 26:

The following paragraph should be added after paragraph (3):

(4) Notwithstanding paragraph (1), Contracting Parties may limit the application of Article 5 of this Treaty to performances which occurred after the coming into force of this Treaty in that Contracting Party.

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