

Statement of Knowledge Ecology International - Agenda Item 13: Report on the Standing Committee on Copyright and Related Rights (SCCR) WIPO General Assembly

303 words

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KEI opposes any further work on a broadcast treaty, given confusion over objectives of the treaty, and proposals to provide effective perpetual rights to broadcasters for content that they do not create, own or license.

KEI proposes the SCCR publish a report on the ownership, concentration of ownership, and nationality of ownership, of the new streaming services that are rapidly replacing traditional broadcasting in many markets.

The SCCR work on broadcasting is deeply uninformed as to the exploding role of new Internet streaming technologies that feature encryption, require payments from users, and for which the most important are controlled by very large multinational technology companies, such as Google's Youtube TV platform, Netflix, Spotify, and Amazon Prime rather than locally owned broadcast entities. Why would you want to give these companies intellectual property rights in someone else's creative works? Because, that will be the predictable outcome of any new intellectual property right for broadcasting that includes transmissions delivered at the time and choosing of the user.

On limitations and exceptions, norm-setting for archives and preservation is an achievable objective in the near term. This is an area where harmonization is less challenging, global and social issues are important, and conflicts with right owners are not significant.

The report of the SCCR to the WIPO General Assembly omits any reference to the Friends of the Chair process in relation to the broadcasting treaty; we urge the Secretariat to provide transparency on this process.

As regards education and other exceptions, KEI asks the SCCR to review the exceptions in the 1976 Tunis model law for copyright, as well as the modalities that were used for the development of the model law.

KEI supports work at the SCCR on an artist's resale right for physical works of art, but this treaty should not extend copies of works.