

# WIPO



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**WORLD INTELLECTUAL PROPERTY ORGANIZATION**  
GENEVA

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## **WIPO GENERAL ASSEMBLY**

### **Thirty-Second (17<sup>th</sup> Ordinary) Session Geneva, September 26 to October 5, 2005**

#### PROTECTION OF AUDIOVISUAL PERFORMANCES

*Document prepared by the Secretariat*

1. A Diplomatic Conference on the Protection of Audiovisual Performances held in December 2000 was unable to reach agreement on all articles of a proposed treaty aimed at strengthening the rights of performers in their audiovisual performances.
2. At its session in September 2004, the WIPO General Assembly decided that the issue of protection of audiovisual performances would remain on the Agenda of the Assembly for its session of September 2005. This document reports on the developments on the issue of protection of audiovisual performances that have taken place since the Assembly session of September 2004.
3. An Information Meeting on the Protection of Audiovisual Performances took place in Geneva at the headquarters of WIPO on November 17, 2004. In the course of the Information Meeting, the “Study on Transfer of the Rights of Performers to Producers of Audiovisual Fixations: Conclusion” (AVP/IM/03/4 Add.), was presented by one of its authors, Mr. André Lucas, Professor of Law, University of Nantes, France (the other author being Ms. Jane C. Ginsburg, Morton L. Janklow Professor of Literary and Artistic Property Law, Columbia University School of Law, New York, United States of America). The delegations welcomed the efforts of the Secretariat in providing useful information on outstanding issues regarding the protection of audiovisual performances. Numerous delegations and representatives of intergovernmental and non-governmental organizations expressed interest in making progress on pending issues regarding the protection of audiovisual performances.

4. Since the Information Meeting took place, the Director General has been conducting informal consultations among Member States and key stakeholders in the private sector, in order to identify ways and means for making progress on outstanding issues. At the time of preparing this document, the consultations are continuing to take place in a positive and constructive spirit. It is, therefore recommended that the issue remain on the agenda of the General Assembly for its session in September 2006.

5 *The WIPO General Assembly is invited to:*

(i) *note the information contained in paragraphs 2 and 3, above;*

(ii) *decide that the issue of Protection of Audiovisual Performances will remain on the Agenda of the WIPO General Assembly in its session in September 2006.*

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