

Copyright

Review of the
WORLD INTELLECTUAL PROPERTY
ORGANIZATION (WIPO)

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Ratifications of the WIPO Convention

GABON

The Director General of the World Intellectual Property Organization (WIPO) has notified the Governments of the countries invited to the Stockholm Conference that the Government of the Gabonese Republic deposited, on March 6, 1975, its instrument of ratification of the Convention Establishing the World Intellectual Property Organization (WIPO).

The Gabonese Republic has fulfilled the condition set forth in Article 14(2) of the Convention by concurrently ratifying the Stockholm Act (1967) of the Paris Convention in its

entirety and acceding to the Paris Act (1971) of the Berne Convention, as provided for in Article 29^{bis} of that Act.

Pursuant to Article 15(2), the Convention Establishing the World Intellectual Property Organization will enter into force, with respect to the Gabonese Republic, three months after the date of deposit of the instrument of ratification, that is, on June 6, 1975.

WIPO Notification No. 78, of March 10, 1975.

NIGER

The Director General of the World Intellectual Property Organization (WIPO) has notified the Governments of the countries invited to the Stockholm Conference that the Government of the Republic of the Niger deposited, on February 18, 1975, its instrument of ratification of the Convention Establishing the World Intellectual Property Organization (WIPO).

The Republic of the Niger has fulfilled the condition set forth in Article 14(2) of the Convention by having previously

ratified the Stockholm Act (1967) of the Paris Convention and by concurrently acceding to the Paris Act (1971) of the Berne Convention as provided for in Article 29^{bis} of that Act.

Pursuant to Article 15(2), the Convention Establishing the World Intellectual Property Organization will enter into force, with respect to the Republic of the Niger, three months after the date of deposit of the instrument of ratification, that is, on May 18, 1975.

WIPO Notification No. 77, of February 21, 1975.



BERNE UNION

Accessions to the Paris Act (1971) of the Berne Convention

GABON

The Director General of the World Intellectual Property Organization (WIPO) has notified the Governments of member countries of the Berne Union that the Government of the Gabonese Republic deposited, on March 6, 1975, its instrument of accession to the Berne Convention for the Protection of Literary and Artistic Works of September 9, 1886, as revised at Paris on July 24, 1971.

Pursuant to the provisions of Article 28(2)(c) and (3), the Paris Act (1971) of the said Convention will enter into force, with respect to the Gabonese Republic, three months after the date of this notification, that is, on June 10, 1975.

Berne Notification No. 71, of March 10, 1975.

Title II — National Commission on New Technological Uses of Copyrighted Works

Establishment and Purpose of Commission

Section 201. — (a) There is hereby created in the Library of Congress a National Commission on New Technological Uses of Copyrighted Works (hereafter called the Commission).

(b) The purpose of the Commission is to study and compile data on:

- (1) the reproduction and use of copyrighted works of authorship —
 - (A) in conjunction with automatic systems capable of storing, processing, retrieving, and transferring information, and
 - (B) by various forms of machine reproduction, not including reproduction by or at the request of instructors for use in face-to-face teaching activities; and
- (2) the creation of new works by the application or intervention of such automatic systems or machine reproduction.

(c) The Commission shall make recommendations as to such changes in copyright law or procedures that may be necessary to assure for such purposes access to copyrighted works, and to provide recognition of the rights of copyright owners.

Membership of the Commission

Section 202. — (a) The Commission shall be composed of thirteen voting members, appointed as follows:

- (1) Four members, to be appointed by the President, selected from authors and other copyright owners;
- (2) Four members, to be appointed by the President, selected from users of copyright works;
- (3) Four nongovernmental members to be appointed by the President, selected from the public generally, with at least one member selected from among experts in consumer protection affairs;
- (4) The Librarian of Congress.

(b) The President shall appoint a Chairman, and a Vice-Chairman who shall act as Chairman in the absence or disability of the Chairman or in the event of a vacancy in that office, from among the four members selected from the public generally, as provided by clause (3) of subsection (a). The Register of Copyrights shall serve *ex officio* as a nonvoting member of the Commission.

(c) Seven voting members of the Commission shall constitute a quorum.

(d) Any vacancy in the Commission shall not affect its powers and shall be filled in the same manner as the original appointment was made.

Compensation of Members of Commission

Section 203. — (a) Members of the Commission, other than officers or employees of the Federal Government, shall receive compensation at the rate of \$100 per day while engaged in the actual performance of Commission duties, plus

reimbursement for travel, subsistence, and other necessary expenses in connection with such duties.

(b) Any members of the Commission who are officers or employees of the Federal Government shall serve on the Commission without compensation, but such members shall be reimbursed for travel, subsistence, and other necessary expenses in connection with the performance of their duties.

Staff

Section 204. — (a) To assist in its studies, the Commission may appoint a staff which shall be an administrative part of the Library of Congress. The staff shall be headed by an Executive Director, who shall be responsible to the Commission for the Administration of the duties entrusted to the staff.

(b) The Commission may procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, but at rates not to exceed \$100 per day.

Expenses of the Commission

Section 205. — There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title until June 30, 1976.

Reports

Section 206. — (a) Within one year after the first meeting of the Commission it shall submit to the President and the Congress a preliminary report on its activities.

(b) Within three years after the enactment of this Act the Commission shall submit to the President and the Congress a final report on its study and investigation which shall include its recommendations and such proposals for legislation and administrative action as may be necessary to carry out its recommendations.

(c) In addition to the preliminary report and final report required by this section, the Commission may publish such interim reports as it may determine, including but not limited to consultant's reports, transcripts of testimony, seminar reports, and other Commission findings.

Powers of the Commission

Section 207. — (a) The Commission or, with the authorization of the Commission, any three or more of its members, may, for the purpose of carrying out the provisions of this title, hold hearings, administer oaths, and require, by subpoena or otherwise, the attendance and testimony of witnesses and the production of documentary material.

(b) With the consent of the Commission, any of its members may hold any meetings, seminars, or conferences considered appropriate to provide a forum for discussion of the problems with which it is dealing.

Termination

Section 208. — On the sixtieth day after the date of the submission of its final report, the Commission shall terminate and all offices and employment under it shall expire.

Approved December 31, 1974.

CORRESPONDENCE

Letter from Poland

Boleslaw NAWROCKI *



INTERNATIONAL ACTIVITIES

International Literary and Artistic Association (ALAI)

Working Session

(Paris, February 6 and 7, 1975)

This session, which was held under the chairmanship of the President of ALAI, Professor Henri Desbois, was devoted to a study of the problems raised by the reprography of works protected by copyright.

WIPO, which, like Unesco, had been invited in an observer capacity, was represented by Mr. Mihailo Stojanović, Counselor, Copyright Division.

Reports on the subject were presented by various national groups of ALAI. At the end of the discussions it was recalled

that, if international conventions were to be respected, the fundamental principle in the field of reprography had to remain that of the author's exclusive right. It was considered that this exclusive right should be exercised, even in cases of private use, preferably by means of collective negotiations which would enable the author to obtain fair remuneration without hampering the development of a reasonable use of reprography.

Executive Committee and General Assembly

(Paris, February 8, 1975)

Under the same chairmanship, ALAI held a session of its Executive Committee and of its annual General Assembly.

Delegates of national groups of ALAI from the following countries took part in the sessions: Belgium, France, Germany (Federal Republic of), Greece, Italy, Netherlands, Sweden and the United Kingdom. There were also observers from Unesco and some international non-governmental organizations concerned.

WIPO was represented by its Director General, Dr. Arpad Bogsch, and by Mr. Claude Masouyé, Director, Office of the Director General.

Apart from matters of an administrative or internal nature, discussions covered the current problems of international

copyright, particularly with regard to reprography, and the results of the Brussels Diplomatic Conference (May 1974) which adopted a new convention in the field of transmissions by space satellites.

At the invitation of the group of the Federal Republic of Germany, a working session will be held in Berlin in October 1975 on the manner in which contractual relations in the copyright field are governed by legislation and case law. At the invitation of the Greek group, ALAI will hold its next Congress in Greece in May 1976.

UPOV Meetings in 1975

Council: October 7 to 10 — **Consultative Committee:** March 5 and 6; October 6 and 10 — **Technical Steering Committee:** April 17 and 18; November 6 and 7 — **Committee of Experts on International Cooperation in Examination:** April 14 to 16; November 3 to 5 — **Committee of Experts on the Interpretation and Revision of the Convention:** December 2 to 5.

Note: All these meetings will take place in Geneva at the headquarters of UPOV

Technical Working Parties: (i) for Vegetables: May 28 to 30 (Lund - Sweden); (ii) for Agricultural Crops: June 4 to 6 (Cambridge - United Kingdom); (iii) for Fruit Crops: June 17 to 19 (Bordeaux - France); (iv) for Forest Trees: August 19 and 20 (Hannover - Federal Republic of Germany); (v) for Ornamental Plants: September 9 to 11 (Hornum - Denmark)

Meetings of Other International Organizations concerned with Intellectual Property

April 21 to 25, 1975 (Hamburg) — International Confederation of Societies of Authors and Composers — Congress

May 3 to 10, 1975 (San Francisco) — International Association for the Protection of Industrial Property — Congress

June 2 and 3, 1975 (Paris) — United Nations Educational, Scientific and Cultural Organization (UNESCO) — Intergovernmental Copyright Committee established by the Universal Copyright Convention (as revised at Paris in 1971)

June 12 and 13, 1975 (Stockholm) — Union of European Professional Patent Representatives — Executive Committee

June 15 to 22, 1975 (Madrid) — International Chamber of Commerce — Congress

June 18 to 20, 1975 (Rijswijk) — International Patent Institute — Administrative Board

September 16 to 19, 1975 (Budapest) — International Federation of Musicians — Executive Committee

September 17 to 20, 1975 (London) — Union of European Professional Patent Representatives — General Assembly

October 1 to 3, 1975 (Berlin) — International Literary and Artistic Association — Working Session

November 17 to 26, 1975 (Paris) — United Nations Educational, Scientific and Cultural Organization (UNESCO) — Committee of Governmental Experts on the Double Taxation of Copyright Royalties

May 25 to June 1, 1976 (Tokyo) — International Publishers Association — Congress