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World Intellectual Property Organization (WIPO)

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Membership

Convention Establishing the World Intellectual Property Organization

WIPO Convention (1967), amended in 1979

States Party on January 1, 1986

State	Date on which State became member of WIPO	Member also of Paris Union (P) and/or Berne Union (B) ¹	
Algeria	April 16, 1975	P	—
Angola(c) ²	April 15, 1985	—	—
Argentina	October 8, 1980	P	B
Australia	August 10, 1972	P	B
Austria	August 11, 1973	P	B
Bahamas	January 4, 1977	P	B
Bangladesh(c) ²	May 11, 1985	—	—
Barbados	October 5, 1979	P	B
Belgium	January 31, 1975	P	B
Benin	March 9, 1975	P	B
Brazil	March 20, 1975	P	B
Bulgaria	May 19, 1970	P	B
Burkina Faso	August 23, 1975	P	B
Burundi	March 30, 1977	P	—
Byelorussian SSR(c) ²	April 26, 1970	—	—
Cameroon	November 3, 1973	P	B
Canada	June 26, 1970	P	B
Central African Republic	August 23, 1978	P	B
Chad	September 26, 1970	P	B
Chile	June 25, 1975	—	B
China	June 3, 1980	P	—
Colombia(c) ²	May 4, 1980	—	—
Congo	December 2, 1975	P	B
Costa Rica	June 10, 1981	—	B
Côte d'Ivoire	May 1, 1974	P	B
Cuba	March 27, 1975	P	—
Cyprus	October 26, 1984	P	B
Czechoslovakia	December 22, 1970	P	B
Democratic People's Republic of Korea	August 17, 1974	P	—
Denmark	April 26, 1970	P	B
Egypt	April 21, 1975	P	B
El Salvador(c) ²	September 18, 1979	—	—
Fiji	March 11, 1972	—	B
Finland	September 8, 1970	P	B
France	October 18, 1974	P	B

State	Date on which State became member of WIPO	Member also of Paris Union (P) and/or Berne Union (B) ¹	
Gabon	June 6, 1975	P	B
Gambia(c) ²	December 10, 1980	—	—
German Democratic Republic	April 26, 1970	P	B
Germany, Federal Republic of	September 19, 1970	P	B
Ghana	June 12, 1976	P	—
Greece	March 4, 1976	P	B
Guatemala(c) ²	April 30, 1983	—	—
Guinea	November 13, 1980	P	B
Haiti	November 2, 1983	P	—
Holy See	April 20, 1975	P	B
Honduras(c) ²	November 15, 1983	—	—
Hungary	April 26, 1970	P	B
India	May 1, 1975	—	B
Indonesia	December 18, 1979	P	—
Iraq	January 21, 1976	P	—
Ireland	April 26, 1970	P	B
Israel	April 26, 1970	P	B
Italy	April 20, 1977	P	B
Jamaica(c) ²	December 25, 1978	—	—
Japan	April 20, 1975	P	B
Jordan	July 12, 1972	P	—
Kenya	October 5, 1971	P	—
Libya	September 28, 1976	P	B
Liechtenstein	May 21, 1972	P	B
Luxembourg	March 19, 1975	P	B
Malawi	June 11, 1970	P	—
Mali	August 14, 1982	P	B
Malta	December 7, 1977	P	B
Mauritania	September 17, 1976	P	B
Mauritius	September 21, 1976	P	—
Mexico	June 14, 1975	P	B
Monaco	March 3, 1975	P	B
Mongolia	February 28, 1979	P	—
Morocco	July 27, 1971	P	B
Netherlands	January 9, 1975	P	B
New Zealand	June 20, 1984	P	B
Nicaragua(c) ²	May 5, 1985	—	—
Niger	May 18, 1975	P	B
Norway	June 8, 1974	P	B
Pakistan	January 6, 1977	—	B
Panama(c) ²	September 17, 1983	—	—
Peru(c) ²	September 4, 1980	—	—
Philippines	July 14, 1980	P	B
Poland	March 23, 1975	P	—
Portugal	April 27, 1975	P	B
Qatar(b) ²	September 3, 1976	—	—
Republic of Korea	March 1, 1979	P	—
Romania	April 26, 1970	P	B

State	Date on which State became member of WIPO	Member also of Paris Union (P) and/or Berne Union (B) ¹	
Rwanda	February 3, 1984	P	B
Saudi Arabia(a) ²	May 22, 1982	—	—
Senegal	April 26, 1970	P	B
Somalia(c) ²	November 18, 1982	—	—
South Africa	March 23, 1975	P	B
Soviet Union	April 26, 1970	P	—
Spain	April 26, 1970	P	B
Sri Lanka	September 20, 1978	P	B
Sudan	February 15, 1974	P	—
Suriname	November 25, 1975	P	B
Sweden	April 26, 1970	P	B
Switzerland	April 26, 1970	P	B
Togo	April 28, 1975	P	B
Tunisia	November 28, 1975	P	B
Turkey	May 12, 1976	P	—
Uganda	October 18, 1973	P	—
Ukrainian SSR(c) ²	April 26, 1970	—	—
United Arab Emirates(b) ²	September 24, 1974	—	—
United Kingdom	April 26, 1970	P	B
United Republic of Tanzania	December 30, 1983	P	—
United States of America	August 25, 1970	P	—
Uruguay	December 21, 1979	P	B
Venezuela	November 23, 1984	—	B
Viet Nam	July 2, 1976	P	—
Yemen(c) ²	March 29, 1979	—	—
Yugoslavia	October 11, 1973	P	B
Zaire	January 28, 1975	P	B
Zambia	May 14, 1977	P	—
Zimbabwe	December 29, 1981	P	B

(Total: 112 States)

¹ "P" means that the State is also a member of the International Union for the Protection of Industrial Property (Paris Union), founded by the Paris Convention for the Protection of Industrial Property, and has ratified or acceded to at least the administrative and final provisions (Articles 13 to 30) of the Stockholm Act (1967) of that Convention.

"B" means that the State is also a member of the International Union for the Protection of Literary and Artistic Works (Berne Union), founded by the Berne Convention for the Protection of Literary and Artistic Works, and has ratified or acceded to at least the administrative and final provisions (Articles 22 to 38) of the Stockholm Act (1967) or the Paris Act (1971) of that Convention.

As to the date on which each State became a member of the Paris Union and/or the Berne Union, see corresponding tables.

² "(a)" means that the State is a member of the World Intellectual Property Organization without being a member of either the Paris Union or the Berne Union and that it chose Class A for the purpose of establishing its contribution (see WIPO Convention, Article 11(4)(a)).

"(b)" means that the State is a member of the World Intellectual Property Organization without being a member of either the Paris Union or the Berne Union and that it chose Class B for the purpose of establishing its contribution (see WIPO Convention, Article 11(4)(a)).

"(c)" means that the State is a member of the World Intellectual Property Organization without being a member of either the Paris Union or the Berne Union and that it chose Class C for the purpose of establishing its contribution (see WIPO Convention, Article 11(4)(a)).

Berne Convention for the Protection of Literary and Artistic Works

Berne Convention (1886),
completed at Paris (1896), revised at Berlin (1908),
completed at Berne (1914), revised at Rome (1928),
at Brussels (1948), at Stockholm (1967)
and at Paris (1971) and amended in 1979

(Berne Union)

States Party on January 1, 1986

State	Class chosen	Date on which State became party to the Convention	Latest Act ¹ of the Convention to which State is party and date on which State became party to that Act
Argentina	VI	June 10, 1967	<i>Brussels: June 10, 1967</i> Paris, Articles 22 to 38: October 8, 1980
Australia	III	April 14, 1928	Paris: March 1, 1978
Austria	VI	October 1, 1920	Paris: August 21, 1982
Bahamas	VII	July 10, 1973	<i>Brussels: July 10, 1973</i> Paris, Articles 22 to 38: January 8, 1977 ¹¹
Barbados	VII	July 30, 1983	Paris: July 30, 1983
Belgium	III	<i>December 5, 1887</i>	<i>Brussels: August 1, 1951</i> <i>Stockholm, Articles 22 to 38: February 12, 1975</i>
Benin	VII	January 3, 1961 ¹²	Paris: March 12, 1975
Brazil	IV	February 9, 1922	Paris: April 20, 1975
Bulgaria	VI	December 5, 1921	Paris: December 4, 1974 ¹¹
Burkina Faso	VII	August 19, 1963 ¹⁵	Paris: January 24, 1976
Cameroon	VI	September 21, 1964 ¹²	Paris, Articles 1 to 21: October 10, 1974 Paris, Articles 22 to 38: November 10, 1973
Canada	III	<i>April 10, 1928</i>	<i>Rome: August 1, 1931</i> <i>Stockholm, Articles 22 to 38: July 7, 1970</i>
Central African Republic	VII	September 3, 1977	Paris: September 3, 1977
Chad	VII	<i>November 25, 1971</i>	<i>Brussels: November 25, 1971²⁴</i> <i>Stockholm, Articles 22 to 38: November 25, 1971</i>
Chile	VI	June 5, 1970	Paris: July 10, 1975
Congo	VII	May 8, 1962 ¹²	Paris: December 5, 1975
Costa Rica	VII	June 10, 1978	Paris: June 10, 1978
Côte d'Ivoire	VI	January 1, 1962	Paris, Articles 1 to 21: October 10, 1974 Paris, Articles 22 to 38: May 4, 1974
Cyprus	VII	February 24, 1964 ¹²	Paris: July 27, 1983 ⁷
Czechoslovakia	IV	February 22, 1921	Paris: April 11, 1980 ¹¹
Denmark	IV	July 1, 1903	Paris: June 30, 1979
Egypt	VII	June 7, 1977	Paris: June 7, 1977 ¹¹
Fiji	VII	<i>December 1, 1971¹²</i>	<i>Brussels: December 1, 1971</i> <i>Stockholm, Articles 22 to 38: March 15, 1972</i>
Finland	IV	<i>April 1, 1928</i>	<i>Brussels: January 28, 1963</i> <i>Stockholm, Articles 22 to 38: September 15, 1970</i>
France	I	December 5, 1887	Paris, Articles 1 to 21: October 10, 1974 Paris, Articles 22 to 38: December 15, 1972

State	Class chosen	Date on which State became party to the Convention	Latest ¹ Act of the Convention to which State is party and date on which State became party to that Act
Gabon	VII	March 26, 1962	Paris: June 10, 1975
German Democratic Republic	V	December 5, 1887 ¹⁴	Paris: February 18, 1978 ¹¹
Germany, Federal Republic of	I	December 5, 1887 ¹⁴	Paris, Articles 1 to 21: October 10, 1974 ⁵ Paris, Articles 22 to 38: January 22, 1974
Greece	VI	November 9, 1920	Paris: March 8, 1976
Guinea	VII	November 20, 1980	Paris: November 20, 1980
Holy See	VII	September 12, 1935	Paris: April 24, 1975
Hungary	VI	February 14, 1922	Paris, Articles 1 to 21: October 10, 1974 Paris, Articles 22 to 38: December 15, 1972 ¹¹
Iceland	VII	September 7, 1947	<i>Rome: September 7, 1947⁷</i> Paris, Articles 22 to 38: December 28, 1984
India	IV	April 1, 1928	Paris, Articles 1 to 21: May 6, 1984 ^{6,9,10} Paris, Articles 22 to 38: January 10, 1975 ¹¹
Ireland	IV	<i>October 5, 1927</i>	<i>Brussels: July 5, 1959</i> <i>Stockholm, Articles 22 to 38: December 21, 1970</i>
Israel	VI	<i>March 24, 1950</i>	<i>Brussels: August 1, 1951</i> <i>Stockholm, Articles 22 to 38: January 29 or February 26, 1970³</i>
Italy	III	December 5, 1887	Paris: November 14, 1979
Japan	II	July 15, 1899	Paris: April 24, 1975 ⁷
Lebanon	VI	<i>September 30, 1947</i>	<i>Rome: September 30, 1947</i>
Libya	VI	September 28, 1976	Paris: September 28, 1976 ¹¹
Liechtenstein	VII	<i>July 30, 1931</i>	<i>Brussels: August 1, 1951</i> <i>Stockholm, Articles 22 to 38: May 25, 1972</i>
Luxembourg	VII	June 20, 1888	Paris: April 20, 1975
Madagascar	VI	<i>January 1, 1966</i>	<i>Brussels: January 1, 1966</i>
Mali	VII	March 19, 1962 ¹²	Paris: December 5, 1977
Malta	VII	September 21, 1964	<i>Rome: September 21, 1964</i> Paris, Articles 22 to 38: December 12, 1977 ¹¹
Mauritania	VII	February 6, 1973	Paris: September 21, 1976
Mexico	IV	June 11, 1967	Paris: December 17, 1974 ⁶
Monaco	VII	May 30, 1889	Paris: November 23, 1974
Morocco	VI	<i>June 16, 1917</i>	<i>Brussels: May 22, 1952</i> <i>Stockholm, Articles 22 to 38: August 6, 1971</i>
Netherlands	III	November 1, 1912	Paris, Articles 1 to 21: January 30, 1986 ¹⁶ Paris, Articles 22 to 38: January 10, 1975 ¹⁷
<i>New Zealand</i>	V	<i>April 24, 1928</i>	<i>Rome: December 4, 1947</i>
Niger	VII	May 2, 1962 ¹²	Paris: May 21, 1975
Norway	IV	April 13, 1896	<i>Brussels: January 28, 1963⁵</i> Paris, Articles 22 to 38: June 13, 1974
<i>Pakistan</i>	VI	<i>July 5, 1948</i>	<i>Rome: July 5, 1948²</i> <i>Stockholm, Articles 22 to 38: January 29, or February 26, 1970³</i>
Philippines	VI	August 1, 1951	<i>Brussels: August 1, 1951</i> Paris, Articles 22 to 38: July 16, 1980
<i>Poland</i>	VI	<i>January 28, 1920</i>	<i>Rome: November 21, 1935</i>
Portugal	V	March 29, 1911	Paris: January 12, 1979
<i>Romania</i>	VI	<i>January 1, 1927</i>	<i>Rome: August 6, 1936²</i> <i>Stockholm, Articles 22 to 38: January 29 or February 26, 1970^{3,11}</i>

State	Class chosen	Date on which State became party to the Convention	Latest ¹ Act of the Convention to which State is party and date on which State became party to that Act
Rwanda	VII	March 1, 1984	Paris: March 1, 1984
Senegal	VI	August 25, 1962	Paris: August 12, 1975
South Africa	IV	October 3, 1928	Brussels: August 1, 1951
Spain	II	December 5, 1887	Paris, Articles 22 to 38: March 24, 1975 ¹¹ Paris, Articles 1 to 21: October 10, 1974 Paris, Articles 22 to 38: February 19, 1974
Sri Lanka	VII	July 20, 1959 ¹²	Rome: July 20, 1959 Paris, Articles 22 to 38: September 23, 1978
Suriname	VII	February 23, 1977	Paris: February 23, 1977
Sweden	III	August 1, 1904	Paris, Articles 1 to 21: October 10, 1974 Paris, Articles 22 to 38: September 20, 1973
Switzerland	III	December 5, 1887	Brussels: January 2, 1956 Stockholm, Articles 22 to 38: May 4, 1970
Thailand	VII	July 17, 1931	Berlin: July 17, 1931 ⁸ Paris, Articles 22 to 38: December 29, 1980 ¹¹
Togo	VII	April 30, 1975	Paris: April 30, 1975
Tunisia	VI	December 5, 1887	Paris: August 16, 1975 ¹¹
Turkey	VI	January 1, 1952	Brussels: January 1, 1952 ⁷
United Kingdom	I	December 5, 1887	Brussels: December 15, 1957 ^{5,13} Stockholm, Articles 22 to 38: January 29 or February 26, 1970 ³
Uruguay	VII	July 10, 1967	Paris: December 28, 1979
Venezuela	V	December 30, 1982	Paris: December 30, 1982 ¹¹
Yugoslavia	VI	June 17, 1930	Paris: September 2, 1975 ⁷
Zaire	VI	October 8, 1963 ¹²	Paris: January 31, 1975
Zimbabwe	VII	April 18, 1980	Rome: April 18, 1980 Paris, Articles 22 to 38: December 30, 1981

(Total: 76 States)

¹ "Paris" means the Berne Convention for the Protection of Literary and Artistic Works as revised at Paris on July 24, 1971 (Paris Act); "Stockholm" means the said Convention as revised at Stockholm on July 14, 1967 (Stockholm Act); "Brussels" means the said Convention as revised at Brussels on June 26, 1948 (Brussels Act); "Rome" means the said Convention as revised at Rome on June 2, 1928 (Rome Act); "Berlin" means the said Convention as revised at Berlin on November 13, 1908 (Berlin Act).

² This country deposited its instrument of ratification of (or of accession to) the Stockholm Act in its entirety; however, Articles 1 to 21 (substantive clauses) of the said Act have not entered into force.

³ These are the alternative dates of entry into force which the Director General of WIPO communicated to the States concerned.

⁴ In accordance with the provision of Article 29 of the Stockholm Act applicable to the countries outside the Union which accede to the said Act, this country is bound by Articles 1 to 20 of the Brussels Act.

⁵ This country has declared that it admits the application of the Appendix of the Paris Act to works of which it is the country of origin by countries which have made a declaration under Article VI(1)(i) of the Appendix or a notification under Article I of the Appendix. The declarations took effect on October 18, 1973, for Germany (Federal Republic of), on March 8, 1974, for Norway, and on September 27, 1971, for the United Kingdom.

⁶ Pursuant to Article I of the Appendix of the Paris Act, this country availed itself of the faculties provided for in Articles II and III of the said Appendix. The relevant declaration is effective until October 10, 1994.

⁷ Accession or ratification subject to the reservation concerning the right of translation (for Japan, until December 31, 1980).

⁸ Accession subject to reservations concerning works of applied art, conditions and formalities required for protection, the right of translation, the right of reproduction of articles published in newspapers or periodicals, the right of performance, and the application of the Convention to works not yet in the public domain at the date of its coming into force.

⁹ This country declared that its ratification shall not apply to the provisions of Article 14^{bis}, paragraph 2(b) of the Paris Act (presumption of legitimation for some authors who have brought contributions to the making of the cinematographic work).

¹⁰ This country notified the designation of the competent authority provided by Article 15, paragraph 4 of the Paris Act.

¹¹ Accession or ratification with the declaration provided for in Article 33(2) relating to the International Court of Justice.

¹² Date on which the declaration of continued adherence was sent, after the accession of the country to independence.

¹³ The United Kingdom extended the application of the Brussels Act to the territory of Hong Kong with effect from May 5, 1973.

¹⁴ Date on which the accession by the German Empire became effective.

¹⁵ Burkina Faso (previously Upper Volta, name of this country before 1984), which had acceded to the Berne Convention (Brussels Act) as from August 19, 1963, denounced the said Convention as from September 20, 1970. Later on, Burkina Faso acceded again to the Berne Convention (Paris Act); this accession took effect on January 24, 1976.

¹⁶ Ratification for the Kingdom in Europe.

¹⁷ Ratification for the Kingdom in Europe, Aruba and the Netherlands Antilles.

**States Party to Other Treaties in the Field of Copyright
and Neighboring Rights Administered by WIPO
on January 1, 1986**

**International Convention for the Protection of Performers,
Producers of Phonograms and Broadcasting Organizations**

Rome Convention (1961)

State	Date on which State became party to the Convention	State	Date on which State became party to the Convention
Austria *	June 9, 1973	Guatemala	January 14, 1977
Barbados	September 18, 1983	Ireland *	September 19, 1979
Brazil	September 29, 1965	Italy *	April 8, 1975
Chili	September 5, 1974	Luxembourg *	February 25, 1976
Colombia	September 17, 1976	Mexico	May 18, 1964
Congo *	May 18, 1964	Monaco *	December 6, 1985
Costa Rica	September 9, 1971	Niger *	May 18, 1964
Czechoslovakia *	August 14, 1964	Norway *	July 10, 1978
Denmark *	September 23, 1965	Panama	September 2, 1983
Ecuador	May 18, 1964	Paraguay	February 26, 1970
El Salvador	June 29, 1979	Peru	August 7, 1985
Fiji *	April 11, 1972	Philippines	September 25, 1984
Finland *	October 21, 1983	Sweden *	May 18, 1964
Germany, Federal Republic of *	October 21, 1966	United Kingdom *	May 18, 1964
		Uruguay	July 4, 1977

(Total: 29 States)

Note: The secretarial tasks relating to this Convention are performed jointly with the International Labour Office and Unesco.

* The instruments of ratification or accession deposited with the Secretary-General of the United Nations by the following countries contain declarations made under the articles mentioned hereafter (with reference to publication in *Le Droit d'auteur (Copyright)* for the years 1962 to 1964 and in *Copyright* since 1965):

Austria, Article 16(1)(a)(iii) and (iv) and 1(b) [1973, p. 67];

Congo, Articles 5(3) (concerning Article 5(1)(c)) and 16(1)(a)(i) [1964, p. 127];

Czechoslovakia, Article 16(1)(a)(iii) and (iv) [1964, p. 110];

Denmark, Articles 6(2), 16(1)(a)(ii) and (iv) and 17 [1965, p. 214];

Fiji, Articles 5(3) (concerning Article 5(1)(b)), 6(2) and 16(1)(a)(i) [1972, pp. 88 and 178];

Finland, Articles 6(2), 16(1)(a)(i), (ii) and (iv), 16(1)(b) and 17 [1983, p. 287];

Germany (Federal Republic of), Articles 5(3) (concerning Article 5(1)(b)) and 16(1)(a)(iv) [1966, p. 237];

Ireland, Articles 5(3) (concerning Article 5(1)(b)), 6(2) and 16(1)(a)(ii) [1979, p. 218];

Italy, Articles 6(2), 16(1)(a)(ii), (iii) and (iv), 16(1)(b) and 17 [1975, p. 44];

Luxembourg, Articles 5(3) (concerning Article 5(1)(c)), 16(1)(a)(i) and 16(1)(b) [1976, p. 24];

Monaco, Articles 5(3) (concerning Article 5(1)(c)), 16(1)(a)(i) and 16(1)(b) [1985, p. 422];

Niger, Articles 5(3) (concerning Article 5(1)(c)) and 16(1)(a)(i) [1963, p. 155];

Norway, Articles 6(2) and 16(1)(a)(ii), (iii) and (iv) [1978, p. 133];

Sweden, Articles 6(2), 16(1)(a)(ii) and (iv), 16(1)(b) and 17 [1962, p. 138];

United Kingdom, Articles 5(3) (concerning Article 5(1)(b)), 6(2) and 16(1)(a)(ii), (iii) and (iv) [1963, p. 244]; the same declarations were made for Gibraltar and Bermuda [1967, p. 36 and 1970, p. 108].

**Convention for the Protection of Producers of Phonograms
Against Unauthorized Duplication of Their Phonograms**

Phonograms Convention (Geneva, 1971)

State	Date on which State became party to the Convention	State	Date on which State became party to the Convention
Argentina	June 30, 1973	India	February 12, 1975
Australia	June 22, 1974	Israel	May 1, 1978
Austria	August 21, 1982	Italy *	March 24, 1977
Barbados	July 29, 1983	Japan	October 14, 1978
Brazil	November 28, 1975	Kenya	April 21, 1976
Chile	March 24, 1977	Luxembourg	March 8, 1976
Costa Rica	June 17, 1982	Mexico	December 21, 1973
Czechoslovakia	January 15, 1985	Monaco	December 2, 1974
Denmark	March 24, 1977	New Zealand	August 13, 1976
Ecuador	September 14, 1974	Norway	August 1, 1978
Egypt	April 23, 1978	Panama	June 29, 1974
El Salvador	February 9, 1979	Paraguay	February 13, 1979
Fiji	April 18, 1973	Peru	August 24, 1985
Finland *	April 18, 1973	Spain	August 24, 1974
France	April 18, 1973	Sweden *	April 18, 1973
Germany, Federal Republic of	May 18, 1974	United Kingdom	April 18, 1973
Guatemala	February 1, 1977	United States of America	March 10, 1974
Holy See	July 18, 1977	Uruguay	January 18, 1983
Hungary	May 28, 1975	Venezuela	November 18, 1982
		Zaire	November 29, 1977

(Total: 39 States)

* This country has declared, in accordance with Article 7(4) of the Convention, that it will apply the criterion according to which it affords protection to producers of phonograms solely on the basis of the place of first fixation instead of the criterion of the nationality of the producer (*Copyright*, 1973, pp. 25 and 35, and 1977, p. 45).

**Convention Relating to the Distribution
of Programme-Carrying Signals Transmitted by Satellite**

Satellites Convention (Brussels, 1974)

State	Date on which State became party to the Convention	State	Date on which State became party to the Convention
Austria	August 6, 1982	Morocco	June 30, 1983
Germany, Federal Republic of *	August 25, 1979	Nicaragua	August 25, 1979
Italy *	July 7, 1981	Panama	September 25, 1985
Kenya	August 25, 1979	Peru	August 7, 1985
Mexico	August 25, 1979	United States of America	March 7, 1985
		Yugoslavia	August 25, 1979

(Total: 11 States)

* With a declaration, pursuant to Article 2(2) of the Convention, that the protection accorded under Article 2(1) is restricted in its territory to a period of 25 years after the expiry of the calendar year in which the transmission by satellite has occurred.

**Multilateral Convention
for the Avoidance of Double Taxation of Copyright Royalties
and Additional Protocol***

Madrid Convention (1979)

Signatory States

Cameroon,¹ Czechoslovakia, Holy See,¹ Israel¹ (4).

Ratifications and Accessions

Czechoslovakia(R) ²	September 24, 1981
Egypt(A)	February 11, 1982
India(A)	January 31, 1983
Iraq(A)	July 15, 1981

* The Convention has not yet entered into force.

¹ These States have also signed the Additional Protocol.

² This State has also acceded to the Additional Protocol.

**Vienna Agreement
for the Protection of Type Faces and their International Deposit
and Protocol***

Vienna Agreement (1973)

Signatory States

France,¹ Germany (Federal Republic of), Hungary,¹ Italy, Liechtenstein,¹ Luxembourg,¹ Netherlands,¹ San Marino,¹ Switzerland,¹ United Kingdom, Yugoslavia (11).

Ratifications

France ²	May 17, 1976
Germany, Federal Republic of ³	November 9, 1981

* The Agreement has not yet entered into force.

¹ These States have also signed the Protocol.

² This State has also ratified the Protocol.

³ This State has also acceded to the Protocol.

**Nairobi Treaty
on the Protection of the Olympic Symbol**

Nairobi Treaty (1981)

State	Date on which State became party to the Treaty	State	Date on which State became party to the Treaty
Algeria	August 16, 1984	Guatemala	February 21, 1983
Argentina	January 10, 1986	India	October 19, 1983
Bolivia	August 11, 1985	Italy	October 25, 1985
Brazil	August 10, 1984	Jamaica	March 17, 1984
Bulgaria	May 6, 1984	Kenya	September 25, 1982
Chile	December 14, 1983	Mexico	May 16, 1985
Congo	March 8, 1983	Qatar	July 23, 1983
Cuba	October 21, 1984	Senegal	August 6, 1984
Cyprus	August 11, 1985	Sri Lanka	February 19, 1984
Egypt	October 1, 1982	Syria	April 13, 1984
El Salvador	October 14, 1984	Togo	December 8, 1983
Equatorial Guinea	September 25, 1982	Tunisia	May 21, 1983
Ethiopia	September 25, 1982	Uganda	October 21, 1983
Greece	August 29, 1983	Uruguay	April 16, 1984

(Total: 28 States)

**States Party to Treaties in the Field of Copyright
and Neighboring Rights Not Administered by WIPO
on January 1, 1986¹**

Universal Copyright Convention

Geneva (1952), revised at Paris (1971)

State	Date on which State became party to the Convention		State	Date on which State Became party to the Convention	
	Text of 1952	Text of 1971		Text of 1952	Text of 1971
Algeria ²	August 28, 1973	July 10, 1974	Malawi	October 26, 1965	
Andorra	September 16, 1955		Malta	November 19, 1968	
Argentina	February 13, 1958		Mauritius	March 12, 1968	
Australia	May 1, 1969	February 28, 1978	Mexico ²	May 12, 1957	October 31, 1975
Austria	July 2, 1957	August 14, 1982	Monaco	September 16, 1955	December 13, 1974
Bahamas	December 27, 1976	December 27, 1976	Morocco	May 8, 1972	January 28, 1976
Bangladesh ²	August 5, 1975	August 5, 1975	Netherlands	June 22, 1967	August 30, 1985
Barbados	June 18, 1983	June 18, 1983	New Zealand	September 11, 1964	
Belgium	August 31, 1960		Nicaragua	August 16, 1961	
Belize	December 1, 1982	December 1, 1982	Nigeria	February 14, 1962	
Brazil	January 13, 1960	December 11, 1975	Norway	January 23, 1963	August 7, 1974
Bulgaria	June 7, 1975	June 7, 1975	Pakistan	September 16, 1955	
Cameroon	May 1, 1973	July 10, 1974	Panama	October 17, 1962	September 3, 1980
Canada	August 10, 1962		Paraguay	March 11, 1962	
Chile	September 16, 1955		Peru	October 16, 1963	April 22, 1985
Colombia	June 18, 1976	June 18, 1976	Philippines	November 19, 1955	
Costa Rica	September 16, 1955	March 7, 1980	Poland	March 9, 1977	March 9, 1977
Cuba	June 18, 1957		Portugal	December 25, 1956	July 30, 1981
Czechoslovakia	January 6, 1960	April 17, 1980	Senegal	July 9, 1974	July 10, 1974
Democratic Kampuchea	September 16, 1955		Soviet Union	May 27, 1973	
Denmark	February 9, 1962	July 11, 1979	Spain	September 16, 1955	July 10, 1974
Dominican Republic	May 8, 1983	May 8, 1983	Sri Lanka	January 25, 1984	January 25, 1984
Ecuador	June 5, 1957		Sweden	July 1, 1961	July 10, 1974
El Salvador	March 29, 1979	March 29, 1979	Switzerland	March 30, 1956	
Fiji	October 10, 1970		Tunisia ²	June 19, 1969	June 10, 1975
Finland	April 16, 1963		United Kingdom	September 27, 1957	July 10, 1974
France	January 14, 1956	July 10, 1974	United States of America	September 16, 1955	July 10, 1974
German Democratic Republic	October 5, 1973	December 10, 1980	Venezuela	September 30, 1966	
Germany, Federal Republic of	September 16, 1955	July 10, 1974	Yugoslavia	May 11, 1966	July 10, 1974
Ghana	August 22, 1962		Zambia	June 1, 1965	
Greece	August 24, 1963				
Guatemala	October 28, 1964				
Guinea	November 13, 1981	November 13, 1981			
Haiti	September 16, 1955				
Holy See	October 5, 1955	May 6, 1980			
Hungary	January 23, 1971	July 10, 1974			
Iceland	December 18, 1956				
India	January 21, 1958				
Ireland	January 20, 1959				
Israel	September 16, 1955				
Italy	January 24, 1957	January 25, 1980			
Japan	April 28, 1956	October 21, 1977			
Kenya	September 7, 1966	July 10, 1974			
Laos	September 16, 1955				
Lebanon	October 17, 1959				
Liberia	July 27, 1956				
Liechtenstein	January 22, 1959				
Luxembourg	October 15, 1955				

¹ According to the information received by the International Bureau.

² Pursuant to Article *Vbis* of the Convention as revised in 1971, this country has availed itself of the exceptions provided for in Articles *Vter* and *Vquater* in favor of developing countries.

Editor's Note: The three Protocols annexed to the Convention were ratified, accepted or acceded to separately; they concern: (1) the application of the Convention to the works of stateless persons and refugees, (2) the application of the Convention to the works of certain international organizations, and (3) the effective date of instruments of ratification or acceptance of or accession to the Convention. For detailed information in this respect, and as to notifications made by governments of certain Contracting States concerning the territorial application of the Convention and the Protocols, see *Copyright Bulletin*, quarterly review published by Unesco.

European Agreements

European Agreement concerning Programme Exchanges by means of Television Films

(Paris, December 15, 1958)

State	Date on which State became party to the Agreement
Belgium	April 8, 1962
Cyprus	February 20, 1970
Denmark	November 25, 1961
France	July 1, 1961
Greece	February 9, 1962
Ireland	April 4, 1965
Israel	February 15, 1978
Luxembourg	October 31, 1963
Netherlands	March 5, 1967
Norway	March 15, 1963
Spain	January 4, 1974
Sweden	July 1, 1961
Tunisia	February 22, 1969
Turkey	March 28, 1964
United Kingdom	July 1, 1961

European Agreement for the Prevention of Broadcasts transmitted from Stations outside National Territories

(Strasbourg, January 22, 1965)

State	Date on which State became party to the Agreement
Belgium	October 19, 1967
Cyprus	October 2, 1971
Denmark	October 19, 1967
France	April 6, 1968
Germany, Federal Republic of	February 28, 1970
Greece	August 14, 1979
Ireland	February 23, 1969
Italy	March 19, 1983
Liechtenstein	February 14, 1977
Netherlands	September 27, 1974
Norway	October 17, 1971
Portugal	September 7, 1969
Sweden	October 19, 1967
Switzerland	September 19, 1976
Turkey	February 17, 1975
United Kingdom	December 3, 1967

European Agreement on the Protection of Television Broadcasts

Agreement

(Strasbourg, June 22, 1960)

State	Date on which State became party to the Agreement
Belgium *	March 8, 1968
Cyprus	February 22, 1970
Denmark *	November 27, 1961
France	July 1, 1961
Germany, Federal Republic of *	October 9, 1967
Norway *	August 10, 1968
Spain	October 23, 1971
Sweden **	July 1, 1961
Turkey	January 20, 1976
United Kingdom *	July 1, 1961

Protocol

(Strasbourg, January 22, 1965)

State	Date on which State became party to the Protocol
Belgium	March 8, 1968
Cyprus	February 22, 1970
Denmark	March 24, 1965
France	March 24, 1965
Germany, Federal Republic of	October 9, 1967
Norway	August 10, 1968
Spain	October 23, 1971
Sweden	March 24, 1965
Turkey	January 20, 1976
United Kingdom	March 24, 1965

* The instruments of ratification were accompanied by reservations in accordance with Article 3, paragraph 1, of the Agreement. As to Belgium, see *Copyright*, 1968, p. 147; as to Denmark, see *Le Droit d'auteur*, 1961, p. 360; as to Germany (Federal Republic of), see *Copyright*, 1967, p. 217; as to Norway, see *ibid.*, 1968, p. 191; as to the United Kingdom, see *Le Droit d'auteur*, 1961, p. 152.

** Sweden has availed itself of the reservations contained in subparagraphs (b), (c) and (f) of paragraph 1 of Article 3 of the Agreement.

Additional Protocol

(Strasbourg, March 21, 1983)

The Additional Protocol entered into force on January 1, 1985, with respect to all States party to the European Agreement on the Protection of Television Broadcasts and the Protocol to the said Agreement.

**Member States of the Governing Bodies and Other Organs of WIPO,
of the Berne Union for the Protection of Literary and Artistic Works,
of the Rome Convention and of the Universal Copyright Convention,
and Director General and Deputy Directors General of WIPO
on January 1, 1986**

Governing Bodies and Other Organs of WIPO

General Assembly: Algeria, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Benin, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Central African Republic, Chad, Chile, China, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Egypt, Fiji, Finland, France, Gabon, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Guinea, Haiti, Holy Sec, Hungary, India, Indonesia, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Kenya, Libya, Liechtenstein, Luxembourg, Malawi, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Netherlands, New Zealand, Niger, Norway, Pakistan, Philippines, Poland, Portugal, Republic of Korea, Romania, Rwanda, Senegal, South Africa¹, Soviet Union, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Togo, Tunisia, Turkey, Uganda, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zaire, Zambia, Zimbabwe (94).

Conference: The same States as above, with Angola, Bangladesh, Byelorussian SSR, Colombia, El Salvador, Gambia, Guatemala, Honduras, Jamaica, Nicaragua, Panama, Peru, Qatar, Saudi Arabia, Somalia, Ukrainian SSR, United Arab Emirates, Yemen (112).

Coordination Committee: Algeria, Angola, Argentina, Australia, Austria, Brazil, Bulgaria, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Egypt, France, German Democratic Republic, Germany (Federal Republic of), Hungary, India, Indonesia, Italy, Ivory Coast, Japan, Mexico, Morocco, Netherlands, Nicaragua, Nigeria, Philippines, Poland, Saudi Arabia, Senegal, Soviet Union, Sweden, Switzerland, Tunisia, Turkey, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yugoslavia, Zaire, Zimbabwe (46).

¹According to a decision of the WIPO Coordination Committee, not to be invited "to any meeting of WIPO and its Bodies and Unions" (see *Copyright*, 1977, p. 296).

Budget Committee: Brazil, Cameroon, Canada, Cuba, Czechoslovakia, Egypt, France, Germany (Federal Republic of), India, Japan, Soviet Union, Sri Lanka, Switzerland, United States of America (14).

WIPO Permanent Committee for Development Cooperation Related to Industrial Property: Algeria, Angola, Argentina, Australia, Austria, Bangladesh, Barbados, Benin, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Egypt, El Salvador, Finland, France, Gabon, Gambia, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Guatemala, Guinea, Honduras, Hungary, India, Indonesia, Iraq, Israel, Italy, Ivory Coast, Japan, Jordan, Kenya, Libya, Malawi, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Rwanda, Senegal, Somalia, Soviet Union, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Togo, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia (91).

WIPO Permanent Committee for Development Cooperation Related to Copyright and Neighboring Rights: Algeria, Angola, Australia, Austria, Bangladesh, Barbados, Belgium, Benin, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chad, Chile, Colombia, Congo, Costa Rica, Cyprus, Czechoslovakia, Denmark, Egypt, El Salvador, Fiji, Finland, France, Gambia, German Democratic Republic, Germany (Federal Republic of), Ghana, Guatemala, Guinea, Honduras, Hungary, India, Israel, Italy, Ivory Coast, Japan, Jordan, Kenya, Malawi, Mali, Mauritius, Mexico, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Romania, Saudi Arabia, Senegal, Somalia, Soviet Union, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Togo, Tunisia, Turkey, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Yemen (76).

WIPO Permanent Committee on Patent Information: Algeria, Australia, Austria, Barbados, Belgium, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chad, China, Congo, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Dominican Republic, Egypt, Finland, France, Gabon, German Democratic Republic, Germany (Federal Republic of), Ghana, Hungary, Iran, Ireland, Israel, Italy, Japan, Kenya, Liechtenstein, Luxembourg, Madagascar, Malawi, Mali, Mauritania, Monaco, Netherlands, Norway, Philippines, Poland, Portugal, Republic of Korea, Romania, Rwanda, Senegal, Soviet Union, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Togo, Trinidad and Tobago, Uganda, United Kingdom, United States of America, Viet Nam, Yugoslavia, Zambia, African Intellectual Property Organization, European Patent Organization, Industrial Property Organization for English-Speaking Africa (ESARIPO) (68).

Governing Bodies of the Berne Union

Assembly: Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Benin, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chad, Chile, Congo, Costa Rica, Cyprus, Czechoslovakia, Denmark, Egypt, Fiji, Finland, France, Gabon, German Democratic Republic, Germany (Federal Republic of), Greece, Guinea, Holy See, Hungary, Iceland, India, Ireland, Israel, Italy, Ivory Coast, Japan, Libya, Liechtenstein, Luxembourg,

Mali, Malta, Mauritania, Mexico, Monaco, Morocco, Netherlands, Niger, Norway, Pakistan, Philippines, Portugal, Romania, Rwanda, Senegal, South Africa¹, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Thailand, Togo, Tunisia, United Kingdom, Uruguay, Venezuela, Yugoslavia, Zaire, Zimbabwe (71).

Conference of Representatives: Lebanon, Madagascar, New Zealand, Poland, Turkey (5).

Executive Committee: Canada, Chile, Czechoslovakia, France, German Democratic Republic, Hungary, India, Ivory Coast, Mexico, Morocco, Netherlands, Senegal, Sweden, Switzerland, Tunisia, Turkey, United Kingdom, Venezuela, Zimbabwe (19).

Intergovernmental Committee of the Rome Convention

Austria, Brazil, Congo, Czechoslovakia, Finland, Germany (Federal Republic of), Italy, Mexico, Niger, Norway, Sweden, United Kingdom (12).

Intergovernmental Committee of the Universal Copyright Convention

Algeria, Australia, Austria, Brazil, Colombia, Denmark, Germany (Federal Republic of), Guinea, India, Israel, Italy, Japan, Kenya, Mexico, Netherlands, Soviet Union, Tunisia, United States of America (18).

Director General and Deputy Directors General of WIPO

Director General:	Dr. Arpad Bogsch
Deputy Directors General:	Klaus Pfanner
	Marino Porzio
	Lev Efremovich Kostikov

World Intellectual Property Organization

Course on Copyright

(Nanjing, November 11 to 22, 1985)

NOTE*

A two-week Course on Copyright was organized by WIPO at the invitation of the National Copyright Administration of China and was held in Nanjing from November 11 to 22, 1985.

This was the second course on copyright organized by WIPO in China, the first one being at Beijing in May 1982.

The Course was inaugurated in the presence of about 175 persons, including high officials of the Jiangsu Province (of which Nanjing is the capital) and of Nanjing City.

Opening speeches were made on the occasion by Dr. Arpad Bogsch, Director General, WIPO, Mr. Bian Chunguang, Director, National Publishing Administration (NPA) and National Copyright Administration of China (NCAC) also Vice-Chairman of the Publishers' Association of China and by Mr. Jiang Dian, Deputy Director, Jiangsu Provincial General Publishing House.

About 150 participants attended the Course. They were from NPA and NCAC, as well as from the Jiangsu Provincial General Publishing House, Publishing Houses from Beijing, Shanghai and a number of other provincial headquarters, the Ministry of Broadcasting and Television, the Phonogram Company of China, the People's University of China, the Foreign Languages Publishing House, the New World Press, Cultural Bureaux of various provinces, the China University of Political Science and Law, the Shanghai University, Musicians' Associations of China, the Software Technology Company of China, etc.

The arrangements for the course and the conduct of the discussions were supervised by the Head, Mr. Li Qi, and Deputy Head, Mr. Shen Rengan, of the Copyright Study Group of the NPA.

In all, 16 papers were presented in English or in French by six invited guest speakers and two WIPO officials. The text of each paper had been translated into Chinese and distributed well in advance to the

participants together with the English or French texts.

Each topic was introduced briefly by the speaker and then discussed during the period of two to three hours allocated to the presentation and discussion of each topic. A large number of questions were raised from the floor and answered by the speaker presenting each topic.

The papers and discussions dealt with the following topics as requested by the Chinese authorities:

- (i) A Comparative Analysis of the Berne Convention and the Universal Copyright Convention; Their Major Similarities and Dissimilarities; Their Respective Prospects in Their Future Development;
- (ii) The Basic Principles and the Legislative Bases of Copyright Protection for Roman Legal Tradition and Anglo-Saxon Legal Tradition;
- (iii) The Principles and Legislative Bases of Copyright Protection in the Soviet Union and the Eastern European Socialist Countries; Main Similarities and Differences in Copyright Protection Between Socialist and Market-Economy Countries;
- (iv) The Basic Characteristics of Developing Countries in Copyright Legislation and Copyright Administration; Main Problems and Their Solutions in International Protection Between Developing and Developed Countries;
- (v) The Legal Protection of Governmental Works, Works Made for Hire or Commissioned Works;
- (vi) Copyright Problems Arising From the Use of Computers and the Legal Protection of Computer Programs;
- (vii) Practical Use of Compulsory Licenses in Developing Countries;
- (viii) Legal Protection of Audiovisual Works Including Movies: the Common Problems of the Protection of Videograms and Phonograms;
- (ix) Legal Protection of Broadcasts and Television Programs;
- (x) Protection of Expressions of Folklore;
- (xi) The Rights of Translators and Adapters and Their Legal Protection;
- (xii) International Protection of Copyright: Handling and Analyzing Cases of International Infringement of Copyright;
- (xiii) The Relationship Between Editing-Publishing and Copyright Protection as far as Books and Journals are Concerned;

* This Note has been prepared by the International Bureau of WIPO.

(xiv) The Scope and Legal Protection of Musical, Dramatic and Artistic Works; (xv) Different Systems of Copyright Administration and Registration: Their Advantages and Disadvantages; (xvi) The Impact of the Development of New Technologies on Copyright Protection.

Each topic was the subject of a lively discussion on the basis of questions asked and replied to, that indicated a considerable and knowledgeable interest on various copyright problems.

The guest speakers invited by WIPO were: Mr. G. Boytha, Director General, ARTISJUS, Bu-

dapest (Hungary); Mr. M.A. Emery, Lawyer, Secretary General, Argentine Center, Inter-American Copyright Institute, Buenos Aires (Argentina); Prof. A. Françon, University of Paris (France); Mr. F. Harada, Senior Officer, Copyright Division, NHK, Tokyo (Japan); Mr. S. Ramaiah, Special Secretary (Legislative), Ministry of Law, New Delhi (India); Mr. U. Uchtenhagen, Director General, SUIISA, Zurich (Switzerland).

The lecturers from the International Bureau of WIPO were: Mr. Shahid Alikhan, Director, Developing Countries Division (Copyright) and Mr. Mihály Ficsor, Director, Copyright Law Division.

Notifications

Nairobi Treaty on the Protection of the Olympic Symbol

ARGENTINA

Ratification

The Government of the Argentine Republic deposited, on December 10, 1985, its instrument of ratification of the Nairobi Treaty on the Protection of the Olympic Symbol, adopted at Nairobi on September 26, 1981.

The said Treaty enters into force, with respect to the Argentine Republic on January 10, 1986.

Nairobi Notification No. 32, of December 12, 1985.

National Legislation

INDEX

of Laws and Treaties on Copyright and Neighboring Rights
Published in *Copyright* from January 1980 to December 1985

I. National Legislation

State	Title	Date of Publication
AUSTRALIA	Copyright Amendment Act 1980 (No. 154 of 1980). An Act to amend the Copyright Act 1968	April 1981
	Copyright Amendment Act 1984 (No. 43 of 1984). An Act to amend the law relating to copyright	October 1984
	Copyright (International Protection) Regulations (Amendments) (S.R. No. 276, of September 17, 1980)	February 1982
	Copyright (International Protection) Regulations (Amendments) (S.R. No. 74, of April 9, 1981)	February 1982
AUSTRIA	Copyright Amendment Law, 1980 (No. 321, of July 2, 1980). Federal Law Amending the Copyright Act	December 1980
	Copyright Amendment Law, 1982 (No. 295, of February 19, 1982). Federal Law Amending the Copyright Act	September 1982
BANGLADESH	The Copyright (Amendment) Ordinance, 1978 (No. XX of 1978). An Ordinance further to amend the Copyright Ordinance 1962	December 1984
BARBADOS	Copyright Act, 1981-1982 (of January 22, 1982). An Act to reform and modernise copyright law and the law governing similar or related matters	February and March 1983
BENIN	Law on the Protection of Copyright (No. 84-008, of March 15, 1984)	November 1984
BRAZIL	Law Amending the Law No. 5988 of December 14, 1973, on the Rights of Authors and Other Provisions (No. 6800, of June 25, 1980)	July-August 1981
	Law Repealing Article 93 and Paragraph I of Article 120 of Law No. 5988 of December 14, 1973 (No. 7123 of September 12, 1983)	June 1984
	Law Amending the Decree-Law of 1940 (No. 2848) providing a new wording for Articles 184 and 186 of the Penal Code, approved by the Decree-Law of December 7, 1940 (No. 6895, of December 17, 1980)	July-August 1981

State	Title	Date of Publication
BULGARIA	Decree No. 17 on the Copyright in Works of Architecture	January 1985
BURKINA FASO	Ordinance Affording Protection to Copyright (No. 83-16 CNR.PRES, of September 29, 1983), as rectified by Ordinance No. 84-12 CNR.PRES, of February 29, 1984	May 1984
BURUNDI	Decree-Law regulating the rights of authors and intellectual property in Burundi (No. 1/9, of May 4, 1978)	March 1980
CAMEROON	Law No. 82-18 to Regulate Copyright (of November 26, 1982)	December 1983
CENTRAL AFRICAN REPUBLIC	Ordinance No. 85 002 on Copyright (of January 5, 1985)	April 1985
CHINA	Provisional Regulations on Remunerations for Book-Writing (formulated by the National Publishing Administration in April 1980)	April 1983
COLOMBIA	Law on Copyright (No. 23, of January 28, 1982)	October, November, December 1982
	Decree No. 3116 Constituting Partial Implementation of Law No. 23 of 1982 (of December 21, 1984)	June 1985
CONGO	Law on Copyright and Neighboring Rights (No. 24/82, of July 7, 1982)	June and July-August 1983
COSTA RICA	Law on Copyright and Related Rights (No. 6683, of September 24, 1981)	September and October 1983
DENMARK	Copyright Act, 1961 (Act No. 158, of May 31, 1961, as amended by Act No. 174, of March 21, 1973, and Act No. 240, of June 8, 1977)	September 1980
	Act on Rights in Photographic Pictures, 1961 (Act No. 157, of May 31, 1961, as amended by Act No. 175, of March 21, 1973, and Act No. 239, of June 8, 1977)	September 1980
ECUADOR	Law on the Occupational Protection of Performers	October 1980
FINLAND	Act Amending the Act Relating to Copyright in Literary and Artistic Works (No. 897, of December 19, 1980)	May 1982
	Act Amending the Act Relating to Copyright in Literary and Artistic Works (No. 960, of December 17, 1982)	March 1985
	Act Amending the Act Relating to Copyright in Literary and Artistic Works (No. 442, of June 8, 1984)	March 1985

State	Title	Date of Publication
	Act Amending the Copyright Act (No. 578, of July 27, 1984)	March 1985
	Act Amending the Act on Rights in Photographic Pictures (No. 898, of December 19, 1980)	May 1982
	Act Amending the Act on Rights in Photographic Pictures (No. 443, of June 8, 1984)	March 1985
	Act Amending § 6 of the Act on Rights in Photographic Pictures (No. 579, of July 27, 1984)	March 1985
FRANCE	Law on Authors' Rights and on the Rights of Performers, Producers of Phonograms and Videograms and Audiovisual Communication Enterprises (No. 85-660, of July 3, 1985)	October 1985
GERMANY (FEDERAL REPUBLIC OF)	Law Amending Provisions in the Field of Copyright (of June 24, 1985)	November 1985
GHANA	Copyright Law, 1985 (of March 21, 1985)	December 1985
GREECE	Law No. 1064/1980 on the ratification of the Legislative Act of the President of the Republic, dated March 31, 1980, concerning the procedure applicable to the production and sale by third parties of tracings, copies, imitations, etc., of any work forming part of the property of State museums and archaeological sites, and certain other provisions (of July 15, 1980)	November 1981
	Law No. 1075/1980 on the permanence of the employment of musicians of the State orchestras of Athens and Thessalonica, on the calculation of the royalties payable to Greek playwrights, on the transfer of all jurisdiction for cinema to the Ministry of Culture and Science, on the protection of performers and on job creation in State theaters (of September 23, 1980)	November 1981
GUINEA	Law Adopting Provisions on Copyright and Neighboring Rights in the Revolutionary People's Republic of Guinea (No. 043/APN/CP, of August 9, 1980)	June 1981
HUNGARY	Decree of the Minister for Culture amending Decree No. 9, of December 29, 1969, implementing Copyright Act No. III of 1969 (No. 15, of November 20, 1982)	May 1983
	Decree of the Minister for Culture supplementing Decree No. 9, of December 29, 1969, implementing Copyright Act No. III of 1969 (No. 15, of July 12, 1983)	November 1983
ICELAND	Act Amending the Copyright Act No. 73, of May 29, 1972 (No. 78, of May 30, 1984)	May 1985
INDIA	The Copyright (Amendment) Act, 1983 (No. 23, of August 31, 1983). An Act to amend the Copyright Act, 1957	March 1984

State	Title	Date of Publication
	The Copyright (Amendment) Act, 1984 (No. 65, of September 14, 1984). An Act further to amend the Copyright Act, 1957	February 1985
ISRAEL	Copyright Ordinance (Amendment No. 4) Law, 5741-1981 (of May 20, 1981)	October 1981
	Performers' Rights Law, 5744-1984 (of June 13, 1984)	February 1985
ITALY	Decree of the President of the Republic implementing the Berne Convention for the Protection of Literary and Artistic Works as revised by the Paris Act of July 24, 1971 (No. 19, of January 8, 1979)	November 1980
	Law concerning urgent measures against the unlawful copying, reproduction, import, distribution and sale of unauthorized phonographic products (No. 406, of July 29, 1981)	April 1982
JAPAN	Law to Take an Interim Measure for the Protection of the Rights of Authors, etc. with Respect to the Lending of Commercial Phonograms to the Public (No. 76, of December 2, 1983)	July-August 1984
	Law for Partial Amendments to the Copyright Law (No. 46, of May 25, 1984)	July-August 1985
	Law for Partial Amendments to the Copyright Law (No. 62, of June 14, 1985)	September 1985
KENYA	The Copyright (Amendment) Act, 1982 (No. 5 of 1982). An Act of Parliament to amend the Copyright Act	July-August 1982
MADAGASCAR	Ordinance amending certain provisions of Law No. 57-298 of March 11, 1957, on Literary and Artistic Property (No. 82 031, of November 6, 1982)	February 1984
MALI	Ordinance Concerning Literary and Artistic Property (No. 77-46 CMLN, of July 12, 1977)	May 1980
MEXICO	Decree Amending and Supplementing the Federal Law of Copyright (of December 30, 1981)	April 1982
PERU	Law No. 23 535 (amending Title IV of the Penal Code)	April 1983
PHILIPPINES	Presidential Decree further amending Presidential Decree No. 285 as amended by Presidential Decree No. 400 (No. 1203, of September 27, 1977)	January 1981
POLAND	Order of the Council of Ministers concerning the remuneration of composers (No. 136, of July 10, 1975)	November 1980
	Order of the Council of Ministers concerning the Authors' Fund (No. 78, of May 29, 1979)	November 1980

State	Title	Date of Publication
PORTUGAL	Law No. 41/80. Protection Against the Unlawful Reproduction of Phonograms (of August 12, 1980)	September 1981
	Decree-Law No. 393/80 (of September 25, 1980) [repealed]	March 1982
	Decree-Law No. 150/82 (of April 29, 1982) [superseding the above]	September 1982
RWANDA	Law Governing Copyright (No. 27/1983, of November 15, 1983)	October 1984
SOUTH AFRICA	Copyright Act, 1978. An Act to regulate copyright and to provide for matters incidental thereto (No. 98 of 1978), as amended by the respective Copyright Amendment Acts No. 56 of 1980, No. 66 of 1983 and No. 52 of 1984	September 1984
SOVIET UNION	Decree of the Presidium of the Supreme Soviet of the USSR. Amendments and Additions to the Fundamentals of Civil Legislation of the USSR and the Union Republics (of October 30, 1981)	July–August 1983
SRI LANKA	Code of Intellectual Property Act (No. 52 of 1979). An Act to revise, consolidate, amend and embody in the form of a Code the law relating to Copyright, Industrial Designs, Patents, Marks, Trade Names and Unfair Competition and provide for the better registration, control and administration thereof and for matters connected therewith or incidental thereto	June 1980
SWEDEN	Law amending the Law of 1960 (No. 729) on Copyright in Literary and Artistic Works (No. 610, of June 19, 1980)	February 1981
	Law amending the Law of 1960 (No. 729) on Copyright in Literary and Artistic Works (No. 284, of May 19, 1982)	January 1983
	Law amending the Law of 1960 (No. 729) on Copyright in Literary and Artistic Works (No. 1059, of December 9, 1982)	January 1983
	Law amending the Law of 1960 (No. 730) on Rights in Photographic Pictures (No. 611, of June 19, 1980)	February 1981
	Law amending the Law of 1960 (No. 730) on Rights in Photographic Pictures (No. 285, of May 19, 1982)	January 1983
	Law on Mediation in Certain Copyright Disputes (No. 612, of June 19, 1980)	February 1981
THAILAND	Copyright Act, B.E. 2521 (1978)	July–August 1980
	Royal Decree Providing Conditions for the Protection of International Copyright (B.E. 2526 (1983))	June 1984

State	Title	Date of Publication
UNITED KINGDOM	Copyright Act 1956 (Amendment) Act 1982	January 1984
	Copyright (Amendment) Act 1983	January 1984
	The Copyright (International Conventions) Order 1979 (No. 1715, of December 19, 1979)	June 1980
	The Copyright (International Conventions) (Amendment) Order 1980 (No. 1723, of November 11, 1980)	March 1981
	The Copyright (International Conventions) (Amendment) Order 1983 (No. 1708, of November 18, 1983)	July–August 1984
	The Copyright (International Conventions) (Amendment) Order 1984 (No. 549, of April 11, 1984)	July–August 1984
	The Copyright (International Conventions) (Amendment No. 2) Order 1984 (No. 1987, of December 19, 1984)	May 1985
	The Copyright (Hong Kong) (Amendment) Order 1979 (No. 910, of July 26, 1979)	March 1981
	The Copyright (British Indian Ocean Territory) Order 1984 (No. 541, of April 11, 1984)	November 1984
UNITED STATES OF AMERICA	Cable and Broadcasting Act 1984 (Excerpts from Chapter 46) (of July 26, 1984)	November 1985
	Public Law 96–517 (of December 12, 1980). (Copyright Law Amendment Regarding Computer Programs)	September 1981
	Public Law 97–180 (of May 24, 1982). Piracy and Counterfeiting Amendments Act of 1982	July–August 1982
	Record Rental Amendment of 1984 (Public Law 98–450 of October 4, 1984)	March 1985
URUGUAY	Semiconductor Chip Protection Act of 1984 (Title III of Public Law 98–620 of November 8, 1984)	March 1985
	Law Introducing Criminal Provisions for the Protection of the Rights of Producers of Phonograms Against Unauthorized Reproduction (No. 15.289, of June 14, 1982)	June 1984
YUGOSLAVIA	Copyright Law (of March 30, 1978)	April 1980
ZIMBABWE	Copyright (International Conventions) Order, 1982 (S.I. No. 126 of 1982)	June 1982

II. Multilateral Treaties

Title	Date of Publication
Multilateral Convention for the Avoidance of Double Taxation of Copyright Royalties	January 1980
Additional Protocol to the Multilateral Convention for the Avoidance of Double Taxation of Copyright Royalties	January 1980
Model Bilateral Agreement for the Avoidance of Double Taxation of Copyright Royalties	February 1980
Nairobi Treaty on the Protection of the Olympic Symbol, adopted at Nairobi on September 26, 1981	December 1981

III. Bilateral Treaties

State	Title	Date of Publication
AUSTRIA-USSR	Agreement Between the Republic of Austria and the Union of Soviet Socialist Republics on the Reciprocal Protection of Copyrights	October 1983

PHILIPPINES

Presidential Decree

(No. 1988, of October 5, 1985)*

Amending Certain Sections of Presidential Decree No. 49**

Whereas, piracy and counterfeiting of audio and audio-visual products have become rampant, resulting in serious financial prejudice to the film and recording industries, and the loss of substantial tax revenues to the Government;

Whereas, it is imperative for the survival and protection of the film and recording industries that certain provisions of Presidential Decree No. 49, otherwise known as "Decree on the Protection of Intellectual Property," be amended for the purpose of lengthening the period within which a producer of a sound recording must deposit two copies thereof with the National Library, and prescribing stiffer penalties for piracy of sound recordings and motion pictures or other audio-visual works;

Whereas, the current crisis in the movie industry amounts to a grave emergency affecting the economic stability of the nation and the livelihood of hundreds of thousands of families and workers dependent on the industry;

Whereas, the issuance of this Decree will help in the national economic recovery program designed to meet the emergency facing the industry;

Now, therefore, I, Ferdinand E. Marcos, President of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby decree:

Section 1. — Section 50 of Presidential Decree No. 49 is hereby amended to read as follows:

"*Section 50.* — Within six (6) months after its manufacture, two copies of a sound recording shall be deposited, by personal delivery or by mail, with the National Library. Upon such deposit, the Director shall issue to the producer a certificate under the seal of the Library indicating the fact and date of such deposit. This certificate shall constitute a *prima facie* evidence of the facts stated therein."

Section 2. — Section 56 of Presidential Decree No. 49 is hereby amended to read as follows:

"*Section 56.* — The prohibitions and penalties provided in Section 29 shall apply to infringement of any of the rights granted in this Chapter, *Provided*, however, that the mandatory penalty of imprisonment of not less than three (3) months and one (1) day to not more than one (1) year, plus a fine of not less than fifty thousand Pesos but not more than one hundred thousand Pesos, shall be imposed upon any person who shall:

(1) Transfer or cause to be transferred, directly or indirectly, any sound recording or motion picture, or other audio-visual work that has been recorded on a phonograph record, disc, wire, tape, film or other article on which sounds, motion pictures, or other audio-visual works are recorded, with intent to sell, lease, publicly exhibit or cause to be sold, leased or publicly exhibited, or to use or cause to be used for profit, such article on which sounds, motion pictures, or other audio-visual works are so transferred, without the written consent of the owner or his assignee; or

(2) Sell, lease, distribute, circulate, publicly exhibit, or offer for sale, lease, distribution, or possess for the purpose of sale, lease, distribution, circulation or public exhibition, any such article to which the sounds, motion pictures or audio-visual recordings thereon have been so transferred, without the written consent of the owner or his assignee; or

(3) Offer or make available for a fee, rental or any other form of compensation, directly or indirectly, any equipment, machinery, paraphernalia or any material with the knowledge that such equipment, machinery, paraphernalia or material will be used by another to reproduce, without the consent of the owner, any phonograph record, disc, wire, tape, film or other article on which sounds, motion pictures, or other audio-visual recordings may be transferred.

* This Decree was published in the Official Gazette No. 40, Vol. 81, of October 7, 1985.

** See *Copyright*, 1974, pp. 294 *et seq.*

For purposes of this Act, public exhibition shall cover any exhibition wherein fifteen (15) or more persons are present, for monetary or promotional considerations. Private clubs are likewise herein included."

Section 3. — All laws, decrees, executive orders, rules, regulations, and other enactments, or parts

thereof, inconsistent with the provisions of this Decree, are hereby repealed, amended or modified accordingly.

Section 4. — This Decree shall take effect after fifteen (15) days following its publication in the Official Gazette.

Erratum

GERMANY (FEDERAL REPUBLIC OF)
Law Amending Provisions in the Field of Copyright

The date of the above Law, published in the November 1985 issue of this review, was shown as being May 23, 1985. It should read as: June 24, 1985.

Collective Administration of Authors' Rights

Technical Problems in Collective Administration of Authors' Rights

Ulrich UCHTENHAGEN*

All organizations involved in collective administration of authors' rights — hereinafter referred to as copyright societies — undertake the following tasks:

- (1) identifying the users of protected works within their sphere of competence; requiring them to pay royalties and to provide a program of the works performed, broadcast, recorded on sound carriers or used in any way whatsoever;
- (2) if possible, becoming acquainted with all the authors and publishers of the works used and drawing up comprehensive and practical documentation for the repertoire they administer;
- (3) calculating and paying the fees they have collected to the authors and publishers of the works used, as quickly as possible and at the minimum cost, according to the programs provided and the available documentation.

The technical problems encountered by copyright societies in carrying out their tasks should also be dealt with in the same way.

1. Technical Aspects of Relations with the Users of Protected Works

According to the provisions of all copyright laws, users are obliged to obtain the prior consent of the authors or the copyright societies representing them for protected works they wish to use. However, in every country, only some users fulfill their obligations and the majority are not prepared to respect the law, despite the public nature of the very clear injunctions and the threat of severe penalties.

No copyright society can therefore abandon the exercise of permanent, effective control within its respective territory, in order to verify whether all users are fulfilling their copyright obligations. Such control is very onerous, and its organization and the technical means involved thus become extremely important. The struggle against the piracy of sound carriers and video recordings has made the public better aware of the scope of the task.

1.1 Control of Performances of Protected Works

The majority of copyright societies have opened branches within their respective territories and they control public performances in urban and rural ar-

*Director General of SUIISA (Swiss Society for Authors' Rights in Musical Works), Zurich.

as through a number of agents or inspectors. The latter base their work on the advertisements and other notices concerning public performances that appear in the daily press.

Each copyright society has chosen the solution corresponding to its size and structure — regional branches or inspectors responsible to headquarters, professional or non-professional agents. For example, Switzerland, with 6.5 million inhabitants on a relatively small surface (44,000 sq. km.) has chosen a centralized control, while Austria, with a population of 7.5 million in a country of 84,000 sq. km., has chosen more decentralized control. SUISA (Swiss Society for Authors' Rights in Musical Works) — the Swiss copyright society for non-theatrical musical works — obtains its information on some 80,000 public performances through a very dense network of newspapers; its fellow society in Austria — AKM — only has 3,000 newspaper extracts. Under these circumstances, in Switzerland 10 inspectors are enough to control such activities, while Austria employs 25 professional agents and five non-professional agents for the same work.

The activity of the inspectors and agents is particularly important in view of the growing number of performances using records or sound carriers. Because they arouse less public interest, the press refers less frequently to performances using sound carriers than to those using musicians. Only the inspectors are able to verify on the spot the background music in shops, department stores, waiting rooms, etc.

As we have already stated, such control is very costly. Performances that use records and tapes are very often on a small scale and the cost of control and the payment of copyright are out of all proportion. For this reason, a number of copyright societies have abandoned widespread control and have limited themselves to controlling important economic sectors such as the large cities. The financial reasons for such action are quite obvious, but it should be noted that it does not correspond to the principle of equal treatment for all users. It also happens that such restrictions lead to the neglect of certain repertoires, for example, the music of minorities.

In some areas, it is possible to reduce widespread control, even to eliminate it, though the signature of collective contracts between the copyright society and the associations grouping the majority of users of certain types of work, for example, the associations of cinemas, choirs, churches and public places. This form of collaboration has not only proved itself to be profitable, but has also shown its worth in making the public aware of the problems of copyright.

1.2 Control of the Manufacture of Sound and Sound/Image Carriers

As long as records for sale were manufactured solely in pressing factories, the control of production carried out by copyright societies did not give rise to any substantial problems. The main concern was the number of pressings; it sometimes occurred — and it still does — that by "over-pressing" manufacturers try to avoid paying royalties for part of the sound carriers manufactured. For example, two years ago it was proved that a Spanish manufacturer had not manufactured the 30,000 records he had declared, but 450,000; the "black market" records manufactured were seized in a Dutch free port and they were destroyed in a spectacular display.

Some copyright societies have tried to control the number of records by using technical means. The "vidimazione" practised by the Italian society SIAE (Società Italiana degli Autori ed Editori) has become famous; it obliges the Italian sound carrier industry to fix a special stamp using secret ink on every label: the number of stamps is established by special machines and it is used by SIAE as the basis for fixing the volume of production. Despite these supporting measures, constant control of pressing factories and storage carried out by inspectors from copyright societies has been shown to be the best form of control.

With regard to taped music, the problems are very different. Tapes are recorded not only in factories, but almost everywhere — even on private premises. Here, control is impossible. It can only be carried out in those places where the tapes are sold to the public. Copyright societies which firmly strive to combat piracy — and unfortunately this is not the case for all societies! — have asked their inspectors and agents to control the sale of tapes in music shops, department stores, stalls, petrol stations, etc. This activity also involves heavy costs; but it has been noted that in this way the trade in pirated tapes has been reduced to a negligible economic problem. Following some 50,000 checks carried out among stockists in Switzerland, piracy of sound carriers not only fell to 1–2% of turnover, but SUISA has also become acquainted with the 200–300 shops that work with the pirates and, through periodic visits by its inspectors, it ensures that they are restricted in their unprofitable trade.

New problems have arisen with the emergence of video piracy. Like music tapes, it is nearly always impossible to control the place of manufacture. Sales to the public are also difficult to control because, contrary to music tapes, video tapes are not sold but rented. Under these circumstances, inspectors and other controllers can only adopt the laborious solution of joining video clubs or renting video tapes in the rental stores until they are able to

confirm that recordings have been made legally. These difficulties and the profit margin — much higher than for music tapes — are due to the fact that piracy in the Swiss video trade is around 10%.

From the technical point of view, it is important to have laboratories able to distinguish the copies rapidly and unequivocally.

Furthermore, technical collaboration with the customs authorities would be very useful. Piracy could be stopped at source if it was possible to control the authenticity of every sound or sound/image carrier that crossed the frontier. Why should pirated products not be subject to the same procedure as for drugs? Both are products being sold on the market illegally and the authorities are responsible for preventing their import or export.

1.3 *The Flood of Payment by Users*

Many users pay relatively modest sums and the systems of payment and accounting must take this into account. The method of payment must be simple and inexpensive; Switzerland has chosen payment by postal cheques, other countries prefer bank cheques.

Copyright societies employing vast networks of agents ask them to collect the fees on the spot.

The establishment of an invoice for each payment has been shown to be very useful both for the users and the copyright societies. It relieves users of the need to remember the date when payment is due under the contract; the society always knows exactly what sums have not been paid.

Data processing has proved to be of considerable help in carrying out this work. The clients' addresses and the contracts they have signed are recorded in the clients' computer memory and are linked to the accounts. Should the clients' computer memory be installed in the society's headquarters or in the regional branches? In the past, centralized organization was predominant; SIAE is involved in an interesting decentralization project that is already being carried out through the installation of small computers in the larger branches.

1.4 *A Provision of Programs of Works Performed, Broadcast, Recorded on Sound Carriers or Used in Any Way whatsoever*

Compared with payment, the provision of programs leads to greater difficulties.

To begin with, the user who employs musicians for his performances often does not know the titles of the works to be performed. The musician is not responsible from the point of view of copyright and he is not in communication with the copyright society, so if information from the musician is lacking, it is impossible to draw up a program. It is therefore

in the interests of copyright societies to make direct contact with the musicians and to the maximum extent possible to relieve users of the obligation to furnish the programs.

This is possible to the extent that copyright societies offer the maximum help to musicians in drawing up their programs. The technique of the "prefabricated" program is by far the most appropriate. Each program sent by a musician is recorded in the computer memory of the copyright society. When the musician performs once more, the society sends him a copy of his previous program and asks him

- to leave in the works he has performed again;
- to cross out the works he has not performed again;
- to add the works he has performed that did not appear in the previous program.

In this way, it is not only possible to obtain more correct and comprehensive programs — in particular, because the "evergreens" are not neglected — but also by giving the musician a sort of personal "basic repertoire" it relieves him of 50 to 70% of the time needed for bookkeeping. It also lightens the copyright society's task of distribution.

Since the works contained in the programs affect the distribution, one often sees the inclusion of works of convenience benefiting the musician himself or his friends. Pseudonyms are often used in order to disguise them better. Nevertheless, experience of the musical world allows these intrigues to be detected easily. When the composition of a program seems unusual, it is not difficult to send inspectors to verify whether the works performed correspond to those appearing on the program.

A number of copyright societies have however preferred to replace musicians' programs either totally or partially by recordings on sound carriers carried out by their inspectors or musical experts. Although these "samples" undoubtedly reflect faithfully the musical works performed, experience shows that it is very difficult afterwards to identify correctly each work. As can be seen from the word "sample," by adopting this method the programs used for distribution are limited to a small number of performances, so that the result of the distribution no longer reflects the variety of music performed.

Broadcasting organizations are clearly in a position to provide a complete program of works broadcast — literary, dramatic and musical. When records are used for programs, the titles of the works and the names of the composers are shown on the labels or sleeves of the records. These programs can be so voluminous that they exceed the administrative capacities of the copyright societies. In such cases, there are two solutions:

- to decrease the volume of the program, while at the same time ensuring that the programs given to the copyright society to be dealt with constitute a faithful reflection of the programs as a whole;
- to put the programs on magnetic tape so that they can be dealt with rationally.

For performances by means of sound carriers, it is obviously impossible to provide programs of the works performed; one example is performances using juke boxes. In these fields, the "sample" is the most easy way to reflect the works performed. However, all copyright societies do not use this method, they prefer to use musicians' programs to reflect similar situations.

To resume, it can be seen that copyright societies are to a large extent concerned with the provision of programs of works performed, which is linked to a series of tasks involving heavy costs. They are aware that the quality of services for authors and publishers depends on the quality of the programs, which form the basis of their distribution.

2. Establishment of Documentation

Every copyright society must know which authors it represents. This is not only a legal requirement, but is also the prerequisite for being able to pay authors the fees collected.

In the fields of literature and music, usually this does not only mean the authors in one's own country, but also those of other countries and continents; it means representing all the authors in the global repertoire. This involves serious difficulties. The global repertoire cannot be considered simply as an inventory of works, it should rather be compared to a vast river, sometimes flowing rapidly, sometimes slowly, forming lakes but gradually directing its waters into the ocean of the public domain. Nobody knows how many works are created each year in the world as a whole — the figure is probably several millions — but the statistics of copyright societies show that, for example, radio and television present 30 to 40% of new musical works and 70 to 80% of new literary works. This means that copyright societies cannot establish their documentation just once and then use it, but they must constantly seek documentation so as to be of service to the authors of new works — whether they are best sellers or hits, or ephemeral works — by administering their rights. From the technical point of view, this means that the documentation of copyright societies must be very flexible so that all the necessary additions and amendments can be made.

2.1 Authors and Publishers Represented by Copyright Societies

The list of authors belonging to copyright societies either as members or principals is at the basis of all documentation. In many countries, these societies have been able to group together the majority of authors. But in other countries, many authors do not belong. This is not only due to the fact that authors are satisfied with the way in which these societies administer their rights, but is also because some employers and principals try to appropriate the rights of the authors they employ or mandate.

Lists of authors must also include the pseudonyms used. Their number is very high and is continually increasing. For some time now, groups of musicians who perform and compose together have used the name of the group as a collective pseudonym; if the group then breaks up, it is very difficult to know who are the authors of each work.

Since 1973, the lists of members of all copyright societies in the field of musical, literary and dramatic works, have been grouped together in the CAE list (CAE = Composers, Authors, Editors) of the International Confederation of Societies of Authors and Composers (CISAC). At present, this list contains the names of

- 600,000 authors (sumames)
- 310,000 pseudonyms
- 116,000 publishers

belonging to 96 societies. The list is published quarterly in the form of microfiches and magnetic tapes. The unabridged version is available to all copyright societies for their work; the abridged edition — which does not contain information on authors who use pseudonyms — is also used by broadcasting companies, record manufacturers, and other bodies concerned with musical, literary or dramatic works.

After the Soviet Union had signed the Universal Copyright Convention, it was necessary to find a method of adding the names of Russian authors written in cyrillic letters to the CAE list. The Institute of Slavonic Languages of the University of Zurich perfected a special technique called "multi-linguistic transcription" and as a result of this method, all copyright societies were able to receive the necessary information on Russian authors.

The flexibility already mentioned for documentation can also be justified for the CAE list because in 1984 there were approximately 60,000 amendments and additions.

It is also necessary to mention why the lists of members of copyright societies — and consequently the CAE list — do not only contain the names of authors, but also those of publishers. In the majority of publishing contracts, the authors grant publishers

not only the publishing rights, but also the rights to performance and broadcasting, and the rights to manufacture of sound carriers, which are globally called "neighboring rights." No copyright society could work without these rights, so that each society tries to acquire them at all costs. Publishers themselves are not in a position to exercise these "neighboring rights" and they are therefore quite content to be able to transfer them to copyright societies, but they insist on participating in the receipts derived from administering these rights. In accordance with these interests, nearly all copyright societies have admitted publishers as members, have been granted the "neighboring rights" by them and have given them participation in the receipts.

2.2 Documentation of Works, its Disadvantages and Lacunae

No copyright society is in a position to be acquainted with all the works in its repertoire. Several reasons justify the fact that the documentation of works is fragmentary and will remain so.

First of all, it should be pointed out that only an infinitesimal part of the global repertoire — of which nobody knows the size — is used in each country. Copyright societies are therefore confronted with the problem of collecting much more documentation than is necessary. For all the works with which they are acquainted, they draw up documentation and keep data, without knowing whether one day these works might be performed, broadcast, recorded on sound carriers or used in any way whatsoever. For example, the computer memory of the Swiss society SUISA for non-theatrical musical works contains documentation on approximately 1,300,000 works; of these, 250,000 belong to the "life repertoire" of one year, the remaining documentation is dormant and it is not known whether it might be used one day.

The cost of documentation that will never be used is very high. This is why for a number of years copyright societies have been seeking solutions to enable them to keep documentation expenditure within the strictest possible limits — in other words, to limit it to the "life repertoire." In conclusion, it must be stated that there is no "formula" for guessing the success of a particular type of music, just as publishers are not able to base the choice of works they publish on reliable forecasts.

Over the years, a number of characteristics for regulating the documentation of works have nevertheless emerged. The majority of copyright societies have decided to make an exhaustive list of the repertoire in their respective countries. This corresponds to their responsibility for preserving national artistic creation and for ensuring that no work is

lost. For the exchange of international documentation, the CISAC regulations have been adopted and they specify that documentation should be exchanged in a standard form through "international cards" and be restricted to the following works:

- works whose creation has involved the participation of authors from different copyright societies ("mixed works");
- unusual works, either because of their type or their length;
- works that are successful in the country and which might therefore arouse interest overseas.

For a number of years, we had to be satisfied with this formula. Latterly, CISAC has tried to rationalize documentation of works for the first time by setting up international documentation in the form of the WW list (the "World List of Works"). The WW list contains information on all best-selling works in every country, and each copyright society is free to judge the success of the work for itself. Up to the present, approximately 480,000 works have been included in the WW list. It appears twice a year in the form of microfiches and magnetic tapes.

In order to complete the documentation of works provided by the international cards and the WW list "as a reserve," copyright societies sometimes request their fellow societies to provide information concerning works. These requests are particularly frequent in the administration of rights related to sound carriers and they refer to works appearing on records or tapes.

Publishers demand a lot from copyright societies with regard to the documentation of works, particularly when they cede their total publishing catalog — often comprising 5,000 to 10,000 works — for a particular territory to a sub-publisher and the latter participates in the receipts arising from administration of the sub-published works. This means that often it is necessary to record rapidly thousands of works in the computer memory of works. If relations between the publisher and the sub-publisher deteriorate and the catalog of publications goes to another sub-editor, the change has to be made once more for thousands of works; this is a gigantic task which has incited copyright societies only to conclude sub-publishing contracts for a minimum of three years.

2.3 Documentation of Films: the Offspring that Causes Many Problems

Up to 1974, copyright societies were overwhelmed with documentation for music contained in sound films — called "cue-sheets" — because they had to send these documents for the whole of

the national cinematographic production. Statistics showed that less than 5% of the documentation was used and CISAC therefore decided that copyright societies affiliated to it should be obliged to ask for cue-sheets on a case by case basis from the fellow society in the country producing the film.

Following the experience gained with the system of requests over a decade, it must be noted that unfortunately many copyright societies — in particular, those in countries with extensive cinematographic production — only have incomplete information on their film music repertoire. For example, in 1984, SUISA did not receive any reply for 40% of the 4,200 documentation requests; this is a situation that gives cause for reflection and calls for a solution.

2.4 The Development of Recording Techniques for Copyright Societies' Data

The study of documentation for authors, publishers and works shows that copyright societies have had to develop special techniques to elaborate and use computer memories. In particular, they have had to take into account the following points:

- the memories must be checked daily and must always be up to date;

- the documentation is recorded according to the names of the authors or the titles of the works, which means that the data can be written in all languages;

- two to three authors usually participate in the creation of a work; they often use pseudonyms and it is generally necessary to give their works subtitles; this calls for a large number of data links in the memories;

- a copyright society daily makes 10,000 to 20,000 searches for documentation on authors or works; the response time is therefore of prime importance. Short response times need voluminous indexes for the memories.

Computer installations in copyright societies are thus distinguished by their large computer memories, which are situated in the range of 5 to 10 billion bytes. Such memory dimensions exclude the use of small computers.

Since large memories require heavy investment, attempts have often been made to link copyright societies to large computers installed nearby, for example, in ministries, universities or computing centers. These solutions have proved to be unsatisfactory because the possibility of rapid access to documentation is restricted. These attempts have always led to the conclusion that rational administration of a global repertoire can only be carried out with one's own computer installation capable of high output and with a large computer memory.

For the same reasons, regional associations of copyright societies set up to install international administration units have also come up against these restrictions.

The enormous increase in the cost-performance of computer installations during the last two decades has facilitated the work of copyright societies. Between 1970 and 1985, the cost of disk memories for 1 million bytes has decreased from approximately US\$ 8,900 to US\$ 29. The sale of second-hand computers currently allows copyright societies to set up their own data processing at a reasonable cost. The latest calculations have shown that, for a copyright society, investment in machines amounts to US\$ 350,000, and if depreciation takes place over a period of seven years, this corresponds to annual expenditure of US\$ 50,000. Many countries are able to bear such costs, if the copyright society manages to administer the rights entrusted to it with adequate fees.

In addition to the machines themselves, the data technique of screens and indexes — which is indispensable if the documentation is to be used at any time and rapidly — also calls for demanding software based on data bank structures. Here, the way to international cooperation is wide open. Almost 15 years ago, the copyright societies members of CISAC decided to make all the software available without cost, but subsequently they had to recognize that such transfers could only take place to a very limited extent. On the other hand, well-directed professional training of analysts and programmers in fellow societies allows a great deal of time and money to be saved.

3. Distribution and Breakdown Technique

The so-called "distribution" work is to ascertain and calculate the fees due to each author. The latter should receive the amount due to him from administration of his rights.

Distribution is carried out in the following four stages:

- first of all, the works appearing in the programs of performances, broadcasts, recordings on sound carriers or used in other ways must be related to the documentation of works. This first stage is called the "rendez-vous";

- then the fee for each work used must be fixed. Here questions concerning assessment, the importance and the classification of works can play an important role;

- the fee fixed for each work must then be distributed among the authors and publishers participating in the receipts for the work; in order to do so the so-called "distribution keys" are used;

— finally, all the shares in the breakdown for each author or publisher must be sent to all the members and principals of the copyright society, as well as to fellow societies. Following this breakdown, the transfers or payments of the fees therein should be sent out as quickly as possible.

3.1 The "Rendez-Vous" Technique

Every performance, broadcast, recording on sound carriers or other use of any work must be related to the documentation on the work concerned. The task then consists of bringing together the two major data flows of programs and the documentation of works.

Copyright societies use the following two methods for this purpose:

— the works in the programs are first of all entered in the system — for example, they are perforated — then they are classed by alphabetical order of titles or authors' names, which corresponds to the method of documentation of works. Subsequently, for each work used, the documentation is searched for manually and the link between the two is noted by the introduction of a code number for the work;

— for each work mentioned in a program, a search is made on the screen for documentation with the help of the indexes, and the performances, broadcasts, recordings on sound carriers or other uscs that have been declared are recorded.

The work is made more complicated because of the many titles of works or names of authors which are shown on the programs in an incomplete or incorrect form; the spelling of approximately 5% of the inclusions is incorrect. The "rendez-vous" technique is therefore formulated so that the work can be carried out using only excerpts of the titles or names of authors. Experience has shown that, with a well thought out index, it is sufficient to indicate two to three letters of a title and five letters of a name in order to find the documentation of the work.

The "rendez-vous" is among the most difficult tasks facing copyright societies. To give an example, the Swiss society SUISA makes approximately 1,500,000 searches annually for documentation of works and uses one tenth of its staff for this purpose.

The expenditure involved has led several copyright societies to decrease, for economic reasons, the number of programs dealt with and to replace comprehensive distribution by a so-called "representative" distribution. The "sampling" method is an attempt to find a balance between expenditure and income. Experience shows that this method benefits

the authors and publishers of hits; they obtain their fees at less cost. On the other hand, the authors and publishers of less popular works often receive nothing because their works do not appear in the programs used for the distribution.

The larger users, in particular, broadcasting organizations and record manufacturers, are able to declare the works they have used through data carriers, which are preferable to forms. This development has encouraged a number of copyright societies to try to computerize the "rendez-vous" work through special software. This method, which in technical language is called "title matching," is in its infancy, but it will soon play an important role and as a result many authors and publishers will no longer be the victims of "sampling."

3.2 Questions of Assessment and Importance

Should one minute of broadcast classical music engender the same income as one minute of broadcast pop music? Should works performed by musicians give rise to higher fees than works broadcast on records?

These questions underline the motives that have led a number of copyright societies to assess works of different types or to give them a degree of importance when distributing fees. This can imply either measures of protection for each musical field or solidarity.

Each copyright society is free to impose the assessment it deems appropriate and to estimate the importance of a work in accordance with its views. It must nevertheless give equal treatment to national and foreign works and it cannot assess works and give them importance according to the quality of the work's documentation.

The assessment of a work and the importance it is given often result in higher regard for "serious music" than "recreational music," although in the contemporary music field it is often difficult to distinguish between the two. The differences between these two musical fields are therefore a favorite subject of discussion at international meetings.

3.3 Distribution Keys

Distribution keys are used to calculate the shares due to authors and publishers from the income earned by a work. The authors' and publishers' shares can either be agreed by contract or under the regulations of the copyright society. The fullest use is made of both procedures. In the field of public performances and broadcasts, the regulations are preferred. In continental Europe, the fees for recording on sound carriers are for the most part distributed according to the regulations, in other countries

this is done on the basis of the contractual keys. As regards the distribution among the original publishers and the sub-publishers of the fees due to publishers, the agreements specified in the sub-publishing contracts are always taken into account.

Apart from its purely technical functions, the distribution key is also used as a standard. For instance, in the field of performances, the basic calculation shows that the author's share amounts to two thirds while that of the original publisher is one third. For sub-publishing, the shares of all the publishers usually amount to 50%. In the field of recordings on sound carriers, the norms are not so well defined; this is why in continental Europe the original publisher's share does not exceed 50%.

Regulations also exist on the participation of arrangers and sub-arrangers. Some copyright societies treat the arrangers as independent co-authors who therefore have a right to their own share; other societies treat the arrangers as publishers' assistants and let the publishers take care of their remuneration.

What distribution keys should be applied when authors or publishers from several copyright societies participate in the income from a work? According to the provisions of the reciprocal representation contracts among societies, the distributing society can use its own keys for works in which one of its members or principals participates. In all other cases, it takes as its basis the keys indicated in the international cards or cue-sheets.

3.4 Breakdowns for Authors and Publishers

When the share due to authors and publishers has been fixed, the immense work of calculation and accounting begins and it concludes with the establishment of breakdowns for all the authors and publishers participating in the distribution. This work is so considerable that all societies have commenced data processing in this field. Data processing was introduced into documentation after and parallel with the development of memories; it has gradually eliminated the card indexes and has ultimately been extended to all fields of activity.

Formerly, authors and publishers received annual breakdowns, at present they usually receive them quarterly or bi-annually. The period elapsing between collection of fees and their payment has decreased considerably and is currently between four and five months for quarterly breakdowns.

Over the last 10 years magnetic tapes have been used for breakdowns with fellow societies. In this way, communication of the breakdowns is much quicker.

There are wide differences in the content of breakdowns. Some societies only communicate the

amount of the fees and transfer them; others inform authors of the works which have produced fees; others even go so far as to mention in each breakdown the number of performances, broadcasts, recordings on sound carriers or other uses for each work. This information does not only give authors and publishers a better idea of the success of their works, but it also helps to increase their confidence in the field of activities of the copyright societies.

3.5 Distribution Fund

A person wishing to look closely into the activities of a copyright society must not study the distribution of fees for documented works, but should also consider how the society operates in respect of fees for works without any documentation. No copyright society is able to obtain documentation for all the works performed, broadcast, recorded on sound carriers or used in any other way, involving authors and publishers participating in the work and their shares. For example, SUIA is not able to find documentation for approximately 35% of the fees collected. The best way of transmitting the fee for a non-documented work to the authors and editors to whom it is due is provided by the "Warsaw Decision" of CISAC. According to this Decision, the fees should be transferred to the fellow society to which the author appearing in the program belongs as a member or principal. The fellow society probably has some documentation that will enable it to carry out the distribution.

The "Warsaw Decision" is of prime importance in the exchange of international documentation; its implementation enables the documentation of works to be contained within reasonable limits. Of the 250,000 musical works which annually generate fees in Switzerland, SUIA usually implements the CISAC "Warsaw Decision" for approximately 90,000.

Even after implementation of the "Warsaw Decision," a distribution fund still remains; these are works whose titles do not appear in the documentation and for which it is impossible to identify the author. If the fees are unimportant, no further research is undertaken. Works whose fees exceed US\$ 20 are recorded on inquiry lists which are sent to all fellow societies so that they may undertake a search among their authors and publishers.

Even after all these efforts to find the authors and publishers, 3.8% of the fees collected by the copyright society are not distributed in the end. According to the CISAC rules, the copyright society must then either distribute these sums among all the other authors and publishers in the form of a supplement or must use them for its administrative costs and must consequently reduce these costs.

4. How Much Technology?

The question of how much technology copyright societies should introduce, particularly in the data field, is very controversial and gives rise to considerable discussion. For some societies, saving is a considerable merit and at regular intervals they have to use the money saved for makeshift solutions in their growth crisis. Other societies have planned for five or even 10 years and envisage that their memory and processing capabilities will be sufficient. Other societies hesitate to undertake this step and should be able to continue even without the latest technology.

Experience shows that the technical development of the means used to broadcast and fix sounds and images leads to greater use of musical, literary and

theatrical works, and that this increased "consumption" implies more work for copyright societies. For example, the documentation and distribution work of SUIISA has doubled in 10 years. Under those circumstances, to stand still is to retreat. On the threshold of direct transmission by satellite and in view of the communication possibilities of optical fiber cables, anyone who thinks that he can still keep documentation on small cards in a card index is not following the objective of continuing to serve authors and publishers and he is assuming a large responsibility for not having taken the necessary precautions. Copyright societies do not have the choice, they must follow technological development and respect the wise proverb according to which good government requires anticipation.

(WIPO translation)

Book Reviews

List of Books and Articles

From July 1 to December 31, 1985, the WIPO Library has entered in its catalog a number of works or other publications on copyright and neighboring rights, among which the following are mentioned that are most important or most relevant to recent developments.

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Calendar of Meetings

WIPO Meetings

(Not all WIPO meetings are listed. Dates are subject to possible changes)

1986

- February 3 to 7 (Geneva) — Paris Union: Committee of Experts on Biotechnological Inventions and Industrial Property
- April 8 to 11 (Geneva) — Permanent Committee for Development Cooperation Related to Industrial Property
- April 14 to 18 (Geneva) — Permanent Committee on Patent Information (PCPI): Working Group on General Information
- April 28 to May 2 (Paris?) — Committee of Governmental Experts on Audiovisual Works and Phonograms (convened jointly with Unesco)
- May 5 to 7 (Geneva) — Paris Union: Committee of Experts on Protection Against Counterfeiting
- May 12 to 14 (Geneva) — WIPO International Forum on Collective Administration of Authors' Rights
- May 26 to 30 (Geneva) — Paris Union: Committee of Experts on the Harmonization of Certain Provisions in Laws for the Protection of Inventions
- May 26 to June 6 (Geneva) — Permanent Committee on Patent Information (PCPI): Working Group on Search Information
- June 4 to 6 (Geneva) — Permanent Committee on Patent Information (PCPI): Working Group on Patent Information for Developing Countries
- June 9 to 13 (Geneva) — Permanent Committee on Patent Information (PCPI): Working Groups on Special Questions and on Planning
- September 1 to 5 (Geneva) — Permanent Committee on Patent Information (PCPI) and PCT Committee for Technical Cooperation (PCT/CTC)
- September 8 to 10 (Geneva) — WIPO Patent and Trademark Information Fair
- September 8 to 12 (Geneva) — Governing Bodies (WIPO Coordination Committee, Executive Committees of the Paris and Berne Unions, Assembly of the Berne Union)
- October 13 to 17 (Geneva) — Permanent Committee on Patent Information (PCPI): Working Group on General Information
- November 24 to December 5 (Geneva) — Permanent Committee on Patent Information (PCPI): Working Group on Search Information
- December 8 to 12 (Geneva) — Permanent Committee on Patent Information (PCPI): Working Groups on Special Questions and on Planning

UPOV Meetings

1986

- April 15 and 16 (Geneva) — Administrative and Legal Committee
- April 17 (Geneva) — Consultative Committee
- May 21 to 23 (Hanover) — Technical Working Party on Automation and Computer Programs
- May 26 to 29 (Pontecagnano-Salerno) — Technical Working Party for Vegetables, and Subgroup
- June 3 to 6 (Dublin) — Technical Working Party for Agricultural Crops, and Subgroup
- July 15 to 18 (Wageningen) — Technical Working Party for Ornamental Plants and Forest Trees, and Subgroup
- September 15 to 19 (Wädenswil) — Technical Working Party for Fruit Crops, and Subgroup
- November 18 and 19 (Geneva) — Administrative and Legal Committee
- November 20 and 21 (Geneva) — Technical Committee
- December 1 (Paris) — Consultative Committee
- December 2 and 3 (Paris) — Council

Other Meetings in the Field of Copyright and/or Neighboring Rights

Non-Governmental Organizations

1986

February 1 (Paris) — International Literary and Artistic Association (ALAI) — Executive Committee

April 24 and 25 (Heidelberg) — International Publishers Association (IPA) — Copyright Symposium

May 6 to 8 (Brussels) — International Confederation of Societies of Authors and Composers (CISAC) — Legal and Legislation Committee

September 8 to 12 (Berne) — International Literary and Artistic Association (ALAI) — Congress

October 5 to 11 (Madrid) — International Confederation of Societies of Authors and Composers (CISAC) — Congress
