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Copyright

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COPYRIGHT AND NEIGHBORING RIGHTS LAWS AND TREATIES

(INSERT)

Editor's Note

UNITED KINGDOM

Copyright, Designs and Patents Act 1988 (of November 15, 1988) (*Extracts*) Text 4-01

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Notifications Concerning Treaties

WIPO Convention

Accessions

DEMOCRATIC YEMEN

The Government of Democratic Yemen deposited, on September 27, 1989, its instrument of accession to the Convention Establishing the World Intellectual Property Organization (WIPO), signed at Stockholm on July 14, 1967.

Democratic Yemen will belong to Class C for the purpose of establishing its contribution towards the

budget of the WIPO Conference.

The said Convention, as amended on October 2, 1979, will enter into force, with respect to Democratic Yemen, on December 27, 1989.

WIPO Notification No. 148, of September 27, 1989.

THAILAND

The Government of Thailand deposited, on September 25, 1989, its instrument of accession to the Convention Establishing the World Intellectual Property Organization (WIPO), signed at Stockholm on July 14, 1967.

The said Convention, as amended on October 2, 1979, will enter into force, with respect to Thailand, on December 25, 1989.

WIPO Notification No. 147, of September 25, 1989.

Ratification

MADAGASCAR

The Government of Madagascar deposited, on September 22, 1989, its instrument of ratification of the Convention Establishing the World Intellectual Property Organization (WIPO), signed at Stockholm on July 14, 1967.

The said Convention, as amended on October 2, 1979, will enter into force, with respect to Madagascar, on December 22, 1989.

WIPO Notification No. 146, of September 22, 1989.

Berne Convention

Ratification of the Paris Act (1971)

UNITED KINGDOM

The Government of the United Kingdom of Great Britain and Northern Ireland deposited, on September 29, 1989, its instrument of ratification of the Berne Convention for the Protection of Literary and Artistic Works of September 9, 1886, as revised at Paris on July 24, 1971, and amended on October 2, 1979.

The Paris Act (1971), as amended on October 2, 1979, of the said Convention will enter into force, with respect to the United Kingdom of Great Britain and Northern Ireland, on January 2, 1990.

Berne Notification No. 125, of October 2, 1989.

Rome Convention

Accession

JAPAN

The Secretary-General of the United Nations, in a letter dated August 28, 1989, informed the Director General of the World Intellectual Property Organization that the Government of Japan deposited, on July 26, 1989, its instrument of accession to the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention) done at Rome on October 26, 1961.

Upon accession, the Government of Japan made the following declarations:

(Original: English)

(1) Pursuant to Article 5, paragraph 3 of the Convention, the Government of Japan will not apply the criterion of publication concerning the protection of producers of phonograms,

(2) Pursuant to Article 16, paragraph 1(a)(ii) of the Convention, the Government of Japan will apply the provisions of Article 12 of the Convention in respect of uses for broadcasting or for wire diffusion,

(3) Pursuant to Article 16, paragraph 1(a)(iv) of the Convention,

- (i) As regards phonograms the producer of which is a national of a Contracting State which has made a declaration under Article 16, paragraph 1(a)(i) of the Convention stating that it will not apply the provisions of Article 12 of the Convention, the Government of Japan will not grant the protection provided for by the provisions of Article 12 of the Convention,
- (ii) As regards phonograms the producer of which is a national of another Contracting State which applies the provisions of Article 12 of the Convention, the Government of Japan will limit the term of the protection provided for by the provisions of Article 12 of the Convention to the term for which that State grants protection to phonograms first fixed by a Japanese national.

In accordance with Article 25, paragraph 2, the Convention will enter into force, with respect to Japan, on October 26, 1989.

Communication

NORWAY

The Secretary-General of the United Nations, in a letter dated July 28, 1989, referring to the notification of April 26, 1978* concerning the accession by the Government of Norway, with reservations and a declaration, to the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention) done at Rome on October 26, 1961, informed the Director General of the World Intellectual Property Organization that the Government of Norway notified, on June 30, 1989, its decision to substitute a new reservation to one of the above-mentioned reservations concerning the said Convention.

The text of the previous reservation reads as follows:

(Original: English)

(a) Pursuant to Article 16, paragraph 1, item (a)(ii), reservation is made to the effect that Article 12 shall not apply in respect of use other than for the purpose of economic gain.

The text of the new reservation which is to be substituted to the above reservation is the following:

(Original: English)

(a) Pursuant to Article 16, paragraph 1, item (a)(ii), reservation is made to the effect that Article 12 shall not apply in respect of use other than use of phonograms in broadcast transmissions.

* See Copyright, 1978, pp. 133-134.

Studies

Satellite Transmission, Cable Distribution and Copyright

Salah ABADA*

**The Principle of National Treatment and
the Definition of Literary and Artistic Works**

**Some Remarks on the Correlations Between Article 5 of the Berne Convention and
Article II of the Universal Copyright Convention**

Wilhelm NORDEMANN*

Calendar of Meetings

WIPO Meetings

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

1989

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|------------------------------------|--|
| November 1 and 2 (Beijing) | <p>Worldwide Symposium on the International Patent System in the 21st Century (organized jointly with the Chinese Patent Office)</p> <p>The Symposium will be conducted in three half-day sessions, each dealing with one of the following three topics: internationalization of the patent system; computerization of the patent system; patent documentation, search and examination.</p> <p><i>Invitations:</i> States members of WIPO, certain intergovernmental organizations and non-governmental organizations having observer status in WIPO.</p> |
| November 6 to 10 (Geneva) | <p>Committee of Experts on Model Provisions for Legislation in the Field of Copyright (Second Session)</p> <p>The Committee will continue to consider proposed standards in the field of literary and artistic works for the purposes of national legislation on the basis of the Berne Convention for the Protection of Literary and Artistic Works.</p> <p><i>Invitations:</i> States members of the Berne Union or WIPO and, as observers, certain organizations.</p> |
| November 13 to 24 (Geneva) | <p>Committee of Experts on the Harmonization of Certain Provisions in Laws for the Protection of Inventions (Seventh Session)</p> <p>The Committee will continue to examine a draft treaty on the harmonization of certain provisions in laws for the protection of inventions.</p> <p><i>Invitations:</i> States members of the Paris Union and, as observers, States members of WIPO not members of the Paris Union and certain organizations.</p> |
| November 27 to December 1 (Geneva) | <p>Committee of Experts on the Harmonization of Laws for the Protection of Marks (First Session)</p> <p>The Committee will examine draft treaty provisions on the harmonization of laws for the protection of marks and will consider the proposed further contents of the draft treaty.</p> <p><i>Invitations:</i> States members of the Paris Union and, as observers, States members of WIPO not members of the Paris Union and certain organizations.</p> |
| December 1 (Geneva) | <p>Information Meeting for Non-Governmental Organizations on Intellectual Property</p> <p>Participants in this informal meeting will be informed about the recent activities and future plans of WIPO in the fields of industrial property and copyright and their comments on the same will be invited and heard.</p> <p><i>Invitations:</i> International non-governmental organizations having observer status with WIPO.</p> |

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

Non-Governmental Organizations

1990

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|--|---|
| May 8 to 11 (Washington) | Foundation for a Creative America: Bicentennial Celebration of the Enactment of the United States Patent and Copyright Laws |
| May 13 to 17
(Beetsterzwaag, Netherlands) | International Confederation of Societies of Authors and Composers (CISAC): Legal and Legislative Committee |
| October 8 to 14 (Budapest) | International Confederation of Societies of Authors and Composers (CISAC): Congress |

