

CONFERENCE ON
**COLLECTIVE MANAGEMENT OF
COPYRIGHT AND RELATED RIGHTS IN
NORTH AMERICA**

**October 17 to 19, 2007
Nashville**



organized by the
World Intellectual Property Organization (WIPO)



in cooperation with the
**Vanderbilt Law School, Nashville, Tennessee,
United States of America,**

and the



**International Confederation of Societies of Authors,
Composers and Publishers (CISAC),**

and with the assistance of the
**American Society of Composers, Authors and
Publishers (ASCAP),
Broadcast Music, Inc. (BMI), and
SESAC Inc.**

WEDNESDAY, OCTOBER 17, 2007

18.30–20.30 **REGISTRATION**

18.30–19.00 **KEYNOTE ADDRESSES**

Speakers

Mr. Michael Keplinger, Deputy Director General, Copyright and Related Rights Sector, World Intellectual Property Organization (WIPO), Geneva, Switzerland

Mr. Eric Baptiste, Director General, International Confederation of Societies of Authors, Composers and Publishers (CISAC), Paris, France

Mr. Edward Rubin, Dean, Vanderbilt University Law School, Nashville, Tennessee, United States of America

Mr. Michael J. Schoenfeld, Vice Chancellor for Public Affairs, Vanderbilt University Law School, Nashville, Tennessee, United States of America

19.00

Reception offered by CISAC

THURSDAY, OCTOBER 18, 2007

8.45–9.00 **OPENING CEREMONY**

Speakers

Mr. Michael Keplinger, Deputy Director General, WIPO

Mr. Eric Baptiste, Director General, CISAC

Mr. Larry Helfer, Professor of Law, Director, International Legal Studies Program, Vanderbilt University Law School, Nashville, Tennessee, United States of America

Mr. Patrick Masouyé, Acting Director, Copyright Collective Management and Related Issues Division, WIPO, Geneva, Switzerland

9.00–10.45 **PANEL DISCUSSION 1. THE APPLICATION OF INTERNATIONAL TREATIES IN RELATION TO COLLECTIVE MANAGEMENT OF RIGHTS**

Issues to discuss: Nature and scope of rights concerned; technological protection measures (TPM) and rights management information; the challenges ahead: systems interoperability and market access. Role of identification numbering systems in the field of copyright content: the right of distribution and mechanical reproduction rights in computer networks. European collective management organizations facing competition measures. Are European competition measures in harmony with international norms? The impact of European competition vis-à-vis foreign authors' societies and major publishers.

Moderator

Mr. Michael Sukin, Lawyer, Sukin Law Group, New York, United States of America

Speakers

Dr. Mihály Ficsor, President, Hungarian Copyright Council, Budapest, Hungary

Professor Hugh Hansen, Fordham University School of Law, New York, United States of America

Mr. Richard Owens, Director, Copyright E-Commerce Technology and Management Division, Copyright and Related Rights Sector, WIPO, Geneva, Switzerland

10.30–10.45

Question and Answer Session

10.45–11.00

Coffee Break

11.00–12.45

PANEL DISCUSSION 2. EMERGING NEW SERVICES: THEIR IMPACT ON COLLECTIVE MANAGEMENT OF COPYRIGHT AND RELATED RIGHTS

Issues to discuss: Consumer electronics and rights management: file-sharing, MP3, Pod casting, station-ripping, streaming and other digital services; music, video and TV programs on mobile telephones, such as the UMTS technology. Internet video services - Mobisodes/Webisodes. What are the future technological trends and their impact on rights management? Which rights are concerned? Who should license and how? Basis and criteria. Monitoring sales of music on-demand via networks. Are current international norms already obsolete? Multimedia products and clearance of rights. The present situation in the United States of America. Are collective management organizations equipped to respond to new emerging services and ensure distribution of royalties?

Moderator

Mr. Patrick Collins, President and Chief Operating Officer, SESAC Inc., Nashville, Tennessee, United States of America

Speakers

Professor Daniel Gervais, Osler Professor of Law and University Research Chair in Intellectual Property, Faculty of Law (Common Law Section), University of Ottawa, Ottawa, Canada

Mr. Eric Baptiste, Director General, CISAC

Mr. Lauri Rechartd, Consultant, International Federation of the Phonographic Industry (IFPI), London, United Kingdom

Mr. Jim Griffin, Lawyer, OneHouse, Washington, D.C., United States of America

Mr. Steve Lubin, Chief Executive Officer, Mediaguide, Berwyn, Pennsylvania, United States of America

12.30–12.45

Question and Answer Session

12.45–14.30

Lunch offered by ASCAP

14.30–16.15

PANEL DISCUSSION 3. LICENSING, DOCUMENTATION AND DISTRIBUTION ISSUES IN THE MANAGEMENT OF COPYRIGHT AND RELATED RIGHTS

Issues to discuss: Conditions and licensing techniques. Fee structures. Collection and distribution of fees. New uses for modern technology. Reciprocal representation agreements between collective management organizations. Licensing and orphan works. Special licensing issues. Interface between technological protection measures (TPM) and private copying. Tracking performances and paying royalties.

Moderator

Mr. Vincent Candilora, Senior Vice President, Director of Licensing, American Society of Composers, Authors and Publishers (ASCAP), Nashville, Tennessee, United States of America

Speakers

Mr. Michael Steinberg, Vice President, Business Affairs, Licensing, Broadcast Music, Inc. (BMI), New York, United States of America

Mr. Hunter Williams, Vice President, Royalty Distribution and Research Services, SESAC Inc., Nashville, Tennessee, United States of America

Mr. Alan Balchin, Executive Director, Data Management, Performing Rights Society (PRS), London, United Kingdom

Mr. John L. Simson, Executive Director, SoundExchange Inc., Washington, D.C., United States of America

Mr. Gary Churgin, Chief Executive Officer, Harry Fox, New York, United States of America

16.00–16.15

Question and Answer Session

16.15–16.30

Coffee Break

16.30–18.00

PANEL DISCUSSION 4. COLLECTIVE MANAGEMENT OF COPYRIGHT AND RELATED RIGHTS – DEVELOPING COUNTRIES AND REGIONAL PERSPECTIVES

Issues to discuss: What are the main problems encountered by societies in developing countries? The management of national and international repertoire. The role of governments and/or judiciary in the establishment and running of collective management organizations. The integration of regional entities in the worldwide network of collective management organizations: the objectives of the Caribbean Copyright Link (CCL). The "Latinet" network and its successful development. The developments of collective management in Canada, Brazil, Chile, Europe and United States of America: insights and comparison.

Moderator

Mr. Scot Morris, Director for International Relations, Australasian Performing Right Association (APRA), Sydney, Australia

Speakers

Ms. Allison Demas, Chief Executive Officer, Copyright Music Organisation of Trinidad and Tobago (COTT), Port of Spain, Trinidad and Tobago

Mr. Santiago Schuster Vergara, Director General, Sociedad Chilena del Derecho de Autor (SCD), Santiago, Chile

Mr. Roberto Mello, President, Associação Brasileira de Música, São Paulo, Brazil

Mr. Mario Bouchard, General Counsel, Copyright Board, Ottawa, Ontario, Canada

17.45–18.00

Question and Answer Session

20.00

Dinner offered by BMI

9.00–10.45

PANEL DISCUSSION 5. COLLECTIVE MANAGEMENT OF MECHANICAL RIGHTS

Issues to discuss: The relationship between compulsory licenses and collective rights management. The proposal to abolish the mechanical license in Section 115 of the US Copyright Act and reactions thereto. What would be the consequences of such abolishment? Compatibility with international norms. Mechanical rights in the context of exploitation of music through digital networks. Experience in other countries.

Moderator

Mr. Jørgen Blomqvist, Director, Copyright Law Division, Copyright and Related Rights Sector, WIPO, Geneva, Switzerland

Speakers

Mrs. Marybeth Peters, Register of Copyrights, Copyright Office, Library of Congress, Washington, D.C., United States of America

Mrs. Laurie Hughes, Vice President, Business Affairs, Music Rights and Licensing, TouchTunes, New York, United States of America

Mr. Mitch Glazier, Executive Vice President, Government and Industry Relations, Recording Industry Association of America (RIAA), Washington, D.C., United States of America

Mr. Rick Carnes, President, Songwriters Guild of America (SGA), Nashville, Tennessee, United States of America

10.30–10.45

Question and Answer Session

10.45–11.00

Coffee Break

11.00–12.45

PANEL DISCUSSION 6. THE PROTECTION AND ENFORCEMENT OF COPYRIGHT AND RELATED RIGHTS: THE ROLE OF COLLECTIVE MANAGEMENT ORGANIZATIONS AND OF PERFORMERS AND PRODUCERS OF PHONOGRAMS

Issues to discuss: Measures to combat illegal downloading. Are technical means, including digital rights management, relevant and efficient to fight against Internet piracy? The role of each category of rights owners in the enforcement process. Can collective management work effectively with P2P and file sharing systems over computer networks? Transition of P2P services from outlets for piracy to legitimate, legal, profitable ventures. Could blanket license for digital distribution of sound recordings assist the development of authorized online music services? The need to change the attitude of consumers.

Moderator

Mr. Marvin Berenson, General Counsel, Broadcast Music, Inc. (BMI), New York, United States of America

Speakers

Mr. Mitch Glazier, Executive Vice President, RIAA

Mrs. Patricia Polach, Associate General Counsel, American Federation of Musicians of the United States of America and Canada, Washington D.C., United States of America

Mr. François-Xavier Nuttall, Consultant, CISAC, Paris, France
Mr. Paul Spurgeon, Vice President, Legal Services and General Counsel, Society of Composers, Authors and Music Publishers of Canada (SOCAN), Toronto, Canada
Professor Jose Luis Caballero, Pan American University, Mexico City, Mexico

12.30–12.45

Question and Answer Session

12.45 – 14.30

Lunch offered by SESAC

14.30–16.15

PANEL DISCUSSION 7. THE ENTERTAINMENT INDUSTRY IN TODAY'S MARKET ECONOMY AND DIGITAL ENVIRONMENT

Issues to discuss: The agenda of the music industry and content providers. Towards catalogues of music on line. Consequences and impact of the new online music destination, offering ad-supported legal downloads of audio and video content licensed from the catalogues of the world's major and independent record labels. New standards for digital distribution of digital contents (e.g., Digital Data Exchange (DDEX)). The economic impact of collective rights management and the ever increasing value of copyright and related rights. Have the 1996 WIPO treaties (WCT and WPPT) changed practices for royalties collected overseas? The role of governments and collective management organizations in the current digital environment and market. The American copyright education campaign.

Moderator

Dr. Mihály Ficsor, President, Hungarian Copyright Council

Speakers

Mr. Chris Amenita, Senior Vice President, ASCAP, Enterprises Group, Chair of the Digital Data Exchange (DDEX), New York, United States of America

Mr. Lawrence Kenswil, Executive Vice President, Business Strategy, Universal Music Group (UMG), New York, United States of America

Ms. Ann Chaitovitz, Attorney-Advisor, Office of International Relations, United States Patent and Trademark Office (USPTO), Alexandria, United States of America

Mr. Daryl P. Friedman, Vice President, Advocacy and Government Relations, National Academy of Recording Arts and Sciences, Inc., Washington, D.C., United States of America

16.00–16.15

Question and Answer Session

16.15–16.30

CLOSING CEREMONY

Information on registration, travel and hotel:
www.law.vanderbilt.edu/wipoconf/index.aspx