

Standing Committee on Copyright and Related Rights

Thirty-Sixth Session
Geneva, May 28 – June 1, 2018

SUMMARY BY THE CHAIR

AGENDA ITEM 1: OPENING OF THE SESSION

1. The Thirty-Sixth Session of the Standing Committee on Copyright and Related Rights (“SCCR” or “Committee”) was opened by Ms. Sylvie Forbin, Deputy Director General. Mr. Francis Gurry, Director General, welcomed the participants. Mr. Daren Tang Heng Shim acted as Chair and Mr. Karol Kościński and Mr. Abdoul Aziz Dieng served as Vice-Chairs. Ms. Michele Woods (WIPO) acted as Secretary.

AGENDA ITEM 2: ADOPTION OF THE AGENDA OF THE THIRTY-SIXTH SESSION

2. The Committee adopted the draft Agenda (document SCCR/36/1 PROV.).

AGENDA ITEM 3: ACCREDITATION OF NEW NON-GOVERNMENTAL ORGANIZATIONS

3. The Committee approved the accreditation as SCCR observers of the non-governmental organizations referred to in the Annex to document SCCR/36/2, namely Authors Alliance, Conector Foundation, and the Intellectual Property Center.

AGENDA ITEM 4: ADOPTION OF THE DRAFT REPORT OF THE THIRTY-FIFTH SESSION

4. The Committee approved the draft report of its thirty-fifth session (document SCCR/35/11 PROV.). Delegations and observers were invited to send any comments on their statements to the Secretariat at copyright.mail@wipo.int by June 15, 2018.

AGENDA ITEM 5: PROTECTION OF BROADCASTING ORGANIZATIONS

5. The documents related to this agenda item were SCCR/27/2 REV., SCCR/27/6, SCCR/30/5, SCCR/31/3, SCCR/32/3, SCCR/33/3, SCCR/33/5, SCCR/34/3, SCCR/34/4, SCCR/35/10, SCCR/35/12, SCCR/36/5, and SCCR/36/6, as well as informal charts and non-papers prepared during previous meetings.

6. The Committee considered document SCCR/35/12 prepared by the Chair, entitled *Revised Consolidated Text on Definitions, Object of Protection, and Rights to be Granted and Other Issues*. In addition, the Committee took note of document SCCR 36/5, entitled *Note on the Draft Treaty to Protect Broadcasting Organizations*, from the Delegation of Argentina.

7. Discussions based on document SCCR/35/12 and document SCCR/36/5 were held in informal sessions of the Committee. These discussions were instrumental in helping to clarify various technical issues and delegations’ positions with a view to achieving a common understanding on definitions, object of protection, rights to be granted and other issues. Following these discussions, the Chair prepared document SCCR/36/6 to reflect his understanding of the state of discussions.

8. An agreement was reached on the following Recommendation to the WIPO General Assembly (WIPO/GA/58): In view of the progress made in recent SCCR sessions, the General Assembly is invited to consider appropriate action towards convening a Diplomatic Conference for the adoption of a treaty on the protection of broadcasting organizations, subject to reaching consensus on fundamental issues, that is, objectives, specific scope and object of protection.

9. This item will be maintained on the agenda of the thirty-seventh session of the SCCR.

AGENDA ITEM 6: LIMITATIONS AND EXCEPTIONS FOR LIBRARIES AND ARCHIVES

10. The documents related to this agenda item were SCCR/26/3, SCCR/26/8, SCCR/29/4, SCCR/30/2, SCCR/30/3, SCCR/33/4, SCCR/34/5, SCCR/35/6, SCCR/35/9, SCCR/36/3 and SCCR/36/7.

11. The Committee welcomed the progress report on the work on limitations and exceptions for museums given by Ms. Sylvie Forbin.

12. The Chair presented the draft action plan relating to agenda item 6 from document SCCR/36/3. The Committee discussed the plan in plenary and informal sessions and made the necessary amendments. The amended document as approved by the Committee is set out in document SCCR/36/7 and will be used by the Committee to continue its work under this agenda item.

13. This item will be maintained on the agenda of the thirty-seventh session of the SCCR.

AGENDA ITEM 7: LIMITATIONS AND EXCEPTIONS FOR EDUCATIONAL AND RESEARCH INSTITUTIONS AND FOR PERSONS WITH OTHER DISABILITIES

14. The documents related to this agenda item were SCCR/26/4 PROV., SCCR/27/8, SCCR/32/4, SCCR/33/4, SCCR/33/6, SCCR 34/6, SCCR 35/3, SCCR/35/5 Rev., SCCR/35/9, SCCR/36/3 and SCCR/36/7.

15. The Chair presented the draft action plan relating to agenda item 7 from document SCCR/36/3. The Committee discussed the plan in plenary and informal sessions and made the necessary amendments. The amended document as approved by the Committee is set out in document SCCR/36/7 and will be used by the Committee to continue its work under this agenda item.

16. This item will be maintained on the agenda of the thirty-seventh session of the SCCR.

AGENDA ITEM 8: OTHER MATTERS

17. The Documents related to this agenda item were SCCR/31/4, SCCR/31/5, SCCR/35/4, SCCR/35/7, SCCR/35/8, SCCR/35/Summary Presentation Rev., and SCCR/36/4.

18. The Chair presented his proposal contained in document SCCR/36/4, entitled *Next Steps on Other Matters*.

19. Regarding the topic of the Resale Royalty Right, the Committee agreed to set up a task force of Members and stakeholders to report back to the Committee regarding the practical elements of the artists' resale royalty right. The task force will provide an interim report at SCCR/37.

20. Regarding the Analysis of Copyright Related to the Digital Environment, the Committee welcomed the proposal of Brazil that a further study be undertaken, focused on digital music services in the initial stages, which could be followed later by complementary studies on audiovisual and literary works. The Committee requested the Secretariat to present the modalities of the study at SCCR/37.

21. The Delegation of the Russian Federation presented the *Proposal on the Part of the Russian Federation with Regard to Strengthening the Protection of Theatre Directors' Rights at*

the International Level contained in document SCCR/35/8, and proposed that the Committee undertake a study on this topic. Delegations offered comments on the proposal and the Secretariat was asked to present the modalities of the study at SCCR/37.

22. These three topics will be maintained under this item of the agenda of the thirty-seventh session of the SCCR.

SUMMARY BY THE CHAIR

23. The Committee took note of the contents of this Summary by the Chair. The Chair clarified that this summary reflected the Chair's views on the results of the thirty-sixth session of the SCCR and that, in consequence, it was not subject to approval by the Committee.

AGENDA ITEM 9: CLOSING OF THE SESSION

24. The next session of the Committee will take place from November 26-30, 2018.

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