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**International Association for the Protection of Intellectual Property**

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AIPPI attends the 28th session of the Standing Committee on Copyright and Related Rights  
(Article by Thomas Widmer, Member of the Special Committee "Copyright" Q226)

The Standing Committee on Copyright and Related Rights (SCCR), which is composed of all members states of WIPO and/or the Berne Convention as well as observers such as intergovernmental and non-governmental organizations (including the AIPPI), held its 28th session in Geneva between 30 June and 4 July 2014.

The SCCR, which *inter alia* formulates recommendations for consideration by the WIPO General Assembly, is currently engaged in discussing the protection of broadcasting organizations and limitations and exceptions to copyright law, an issue which has been discussed by the SCCR since its 12th session.

The 28th session was notably meant to continue the discussion initiated in the earlier session regarding a document submitted by the USA entitled "Objectives and Principles for Exceptions and Limitations for Educational, Teaching, and Research Institutions".

While there seemed to be a consensus on several of the substantive points submitted by the USA, and in particular the need for each country to find a balance between the public interest and the interest of the right holders in this context, the attendees diverged on the way to achieve them. Indeed, both the USA and the European Union are of the view that this task is to be carried out at the national level, in the frame of the so-called three-step test first established in the Berne Convention, but other member states, including various African countries, India and Indonesia, amongst others, call for the need of a specific international binding instrument in this respect.

These states essentially put forward that, in contrast with the USA and the European Union which are self-sufficient or self-sustaining, they are not and hence need international law providing for certain limitations and exceptions to be implemented in their national laws.

The discussion also focused on the treatment to be granted to museums, and the similarities, respectively differences, existing between museums and libraries, in as much as limitations and exceptions to copyright are concerned, on the practical aspects of the need to digitalize works of art for preservation purposes as well as on the relationship between the concept of legal deposit on the one hand and copyright on the other and.

Other issues such as inter-library loans, copyright over orphan and non-published work material, safe-guard copies as well as the interplay between copyright statutory law and private commercial agreements, such as licence agreements, were also addressed.

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