

Standing Committee on

**Copyright**

2016



Date: 5th September 2016

## REPORT Standing Committee on Copyright

Chair: Jan Bernd NORDEMANN  
Responsible Reporter: Anne Marie Verschuur

1) Report on the activities of your Standing Committee during the reporting period

Please provide a general overview of the activities of your Standing Committee over the last 12 months, but please include at least:

a) meetings of the Standing Committee during the reporting period

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A meeting took place during the Rio Congress in 2015.

b) any external representation on behalf of AIPPI by any member of your Standing Committee

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The Copyright Committee has continued its dialogue with the presidency of the international copyright association ALAI. Both organizations, AIPPI and ALAI, are interested to identify synergy effects in copyright related work. Sanna Wolk (Sweden) and Jan Bernd Nordemann (Germany) agreed with ALAI's president to exchange important information on each association's copyright work. Jan Bernd Nordemann (Germany) participated as an official representative of AIPPI at the ALAI conference in Bonn (Germany) in 2015 and will attend the conference in Rome (Italy) in September 2016.

c) any contribution by your Standing Committee to any external consultations

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WIPO's sessions of the Standing Committee on Copyright and Related Rights (SCCR)

The Committee followed and participated in international copyright and related rights treaty negotiations. This is in particular true for WIPO activities in this area. Committee members Giorgio Mondini (Italy), Matthias Gottschalk (Switzerland) and Shiri Kasher-Hitin (Israel) followed sessions of WIPO's Standing Committee on copyright and related rights (SCCR) in Geneva, preparing and discussing for example a possible WIPO agreement on broadcaster's rights. Furthermore, limitations and exceptions for libraries and archives and exceptions and limitations for educational and research institutions were debated at SCCR in Geneva. The Committee will present the AIPPI's Resolution on the Study Question "Q246 "Exceptions and Limitations to Copyright Protection for Libraries, Archives and Educational and Research Institutions" to Michelle Woods, who is the director of the Copyright Law Division at WIPO. AIPPI's study work on Q246 was meant to provide input to WIPO. The meeting is scheduled for early September 2016.

EU Consultations

The Committee provided input for two EU Consultations by the European Commission.  
The European Union is discussing a copyright reform within the aim to create a Single Digital Market

(DSM) in Europe. Further specific proposals by the European Commission will be out in fall 2016. Our Committee has closely followed these developments:

- The Committee discussed the EU Public Consultation on “GeoBlocking and Platforms in the Online Economy”.
- Furthermore, the Committee was involved in drafting a submission to the European Commission concerning the EU Public Consultation on “Enforcement of Intellectual Property Rights” together with the SC Enforcement and the SC Counterfeiting”.
- Finally, the Committee also discussed and filed a submission to the European Commission concerning the EU Public Consultation “On Publishers in the Copyright Value Chain and on the Panorama Exception”.

- d) any studies or analyses undertaken or position papers prepared by your Standing Committee, with a brief summary of the outcome(s)

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*not responded*

- e) involvement of your Standing Committee in any other activities of AIPPI, eg Panel Sessions, contribution to Study Guidelines, etc

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The main task of the Copyright Committee remains to discuss and propose copyright related “Qs” in topics for workshops to AIPPI. In this respect, several members of the Committee such Sanna Wolk (Sweden) and Jan Bernd Nordemann (Germany) were involved in drafting the “study guidelines” for the Study Question “Linking and Making Available on the Internet” authored by the responsible Reporter General Team. The Study will be discussed at AIPPI’s Congress in Milano 2016.

Previously, the Committee had already helped to identify the Study Question “Linking and Making Available on the Internet”. Sanna Wolk (Sweden) and Jan Bernd Nordemann (Germany) drafted an explanatory note for the Reporter General Team to explain to AIPPI members why this topic should be discussed by AIPPI in depth.

The Committee also helped to organize Workshops for the AIPPI Milano Congress 2016; for example, the Workshop “High Technology No Frontiers: The European Digital Single Market” was organized by Jan Nordemann (Germany) and will be moderated by Stefan Naumann (France). The Workshop will take place on September 19, 2016. Dale Nelson (USA) will be a speaker on the panel “Speaking freely about Parody” on September 20, 2016.

- f) any other relevant activities

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*not responded*

- 2) Key issues/developments relevant to the Terms of Reference of your Standing Committee during the reporting period

Please include a short summary of any significant case law, legislative or regulatory developments, or policy initiatives, including their relevance and/or any implications for the work of your Standing Committee or for AIPPI more generally

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*not responded*

- 3) Any recommendation for AIPPI involvement/action for the next 12 months

This need not be limited to recommendations for your Standing Committee but can be recommendations for AIPPI more broadly. In each case, please explain why such involvement/action is recommended, by whom it should be undertaken and any relevant time frames. For example, please include:

- a) any recommendation for involvement/action in relation to any upcoming or foreshadowed case law, legislative or regulatory developments, or policy initiatives

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*not responded*

- b) any other recommendation(s) for AIPPI involvement/action

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*not responded*

4) Outline of the work programme of your Standing Committee for the next 12 months

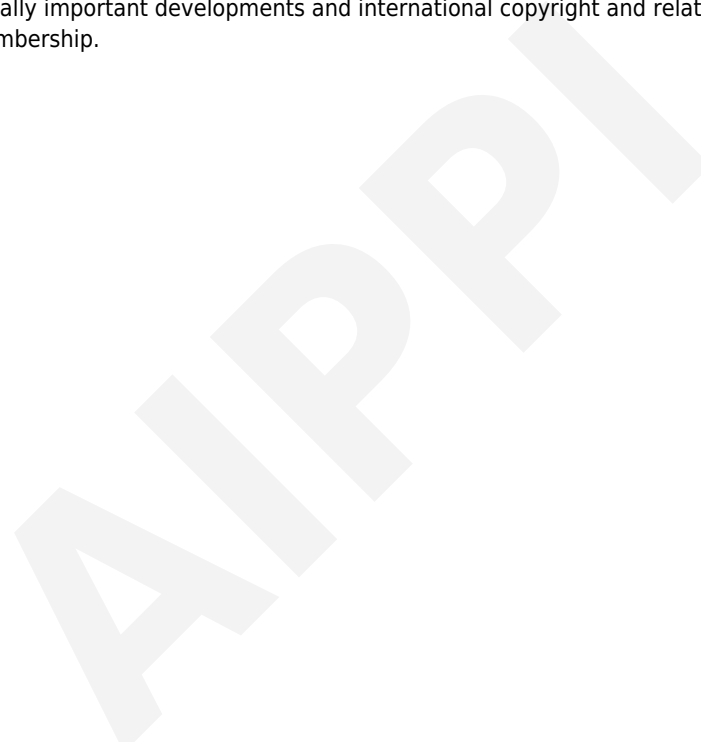
Please set out specific activities and priorities having regard to the matters in 1) - 3) above, including any relevant time frames

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The Committee consists of copyright specialists from more than 15 different countries with different backgrounds and expertise in copyright law. With its divergent membership, the Committee will be able to follow copyright developments at an international and regional level. In the last months, more experienced copyright lawyers from all over the world joined the Committee: Piotr Dynowski (Poland), Diana Ivanova (Belarus), Eliza Mallon (Australia), Katrina Doble (Philippines), Allen Jun Wang (China), Alex F. Fider (Philippines), Shiri Kasher-Hitin (Israel), Stefania Ercolani (Italy).

The Committee will be focussed on studying and reporting on:

- The current status of international copyright and related rights, and
- Internationally important developments and international copyright and related rights in jurisdictions of AIPPI's membership.



## Names and Functions of Committee Members

Chair	Jan Bernd NORDEMANN	Germany
Co Chair(s)	Sanna WOLK	Sweden
Secretary	Matthias GOTTSCHALK	Switzerland
Members	John CARSON	United States
	Remy CHAVANNES	Netherlands
	Alessandro COGO	Italy
	Micheline DON	Netherlands
	Piotr DYNOWSKI	Poland
	Alex F. FIDER	Philippines
	Attilio GORINI	Brazil
	Gill GRASSIE	United Kingdom
	Sophie HOLCOMBE	United Kingdom
	Kei IIDA	Japan
	Eryck IRIARTE	Peru
	Diana IVANOVA	Belarus
	Shiri KASHER-HITIN	Israel
	Andriy KRYLOV	Ukraine
	Eliza MALLON	Australia
	Philip MC CABE	New Zealand
	Sergio MIRALLES MIRAVET	Spain
	Giorgio MONDINI	Italy
	Stefan NAUMANN	France
	Dale NELSON	Unites States
Andrea RUSH	Canada	
Luis SCHMIDT	Mexico	
Kevin TOTTIS	Unites States	
Allen Jun WANG	China	
Stefan WIDMARK	Sweden	
Thomas WIDMER	Switzerland	