

Report Q226 (2014)

Copyright – droit d’auteur – Urheberrecht

Names and Functions of Committee Members

Chair	Jan Bernd Nordemann	(Germany)
Co-Chair	Sanna Wolk	(Sweden)
Secretary	Matthias Gottschalk	(Switzerland)
Members	John Carson	(USA)
	Remy Chavannes	(Netherlands)
	Paolo Galli	(Italy)
	Attilio Gorini	(Brazil)
	Erick Iriarte	(Peru)
	Kei Iida	(Japan)
	Andriy Krylov	(Ukraine)
	Philip McCabe	(New Zealand)
	Dale Nelson	(USA)
	Sergio Miralles Miravet	(Spain)
	Stefan Naumann	(France)
	Andrea Rush	(Canada)
	Thomas Widmer	(Switzerland)
Responsible Reporter	Anne Marie Verschuur	(Netherlands)

1. Annual Report of Special Committee Q226 “Copyright” (2014)

by Jan Bernd Nordemann (Germany)

2. Summary:

- The Committee provided answers to European Commission’s public consultation on the review of the EU copyright rules at the end of February 2014.
- The Committee accompanied the latest developments for copyright and related rights on the WIPO level, in particular WIPO’s 28th session of the Standing Committee on Copyright and Related Rights (SCCR), which discussed the protection of broadcasting organizations and limitations and exceptions for libraries and archives and exceptions and limitations for educational and research institutions.
- The Committee will work to continue to establish an interesting series of copyright-questions for AIPPI in the next years.

3. Introduction

The Committee consists of copyright specialists from ca. 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. With Dale Nelson (USA), the Committee acquired another experienced lawyer in the field of international copyright law. Dale works for a US major entertainment company. The Committee is also happy that Thomas Widmer of Switzerland joined the team; Thomas is a well-known IP lawyer from Geneva.

The Committee is 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.

4. Report on Committees activities

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 "working guidelines" for Q240 "Exhaustion Issues in Copyright Law" authored by the responsible Reporters Thierry Calame, Sarah Matheson, John Osha, Kazuhiko Yoshida, Sara Ulfsdotter and Anne Marie Verschuur. Q240 will be discussed in Toronto 2014.

For the congress 2015 in Rio, the Committee helped to identify the copyright "Q" "Limitations and Exceptions – Libraries/Archives/Education and Research Institutions". Sanna Wolk (Sweden) and Jan Bernd Nordemann (Germany) drafted an explanatory note for the General Reporter Team to explain to AIPPI members why this topic should be discussed by AIPPI in depth. The upcoming resolution on "Limitations and Exceptions – Libraries/Archives/Education and Research Institutions" will also help the Committee's work at WIPO in Geneva (see below).

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 member Thomas Widmer (Switzerland) followed the 28th session 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 (see Thomas' report in AIPPI eNews). Furthermore, limitations and exceptions for libraries and archives and exceptions and limitations for educational and research institutions were debated at SCCR in Geneva.

At the end of February 2014, AIPPI's Copyright Committee provided answers to the European Commission's public consultation on the review of the EU copyright. From the Committee, in particular Stefan Naumann, Sergio Miralles, and Remy Chavannes contributed. From the RGT, Anne Marie Verschuur and Thierry Calame also provided input. The answers to the public consultation are published on AIPPI's website, please see:

<https://www.aippi.org/?sel=publications&sub=onlinePub&cf=workSpecialCommittees>

The Copyright Committee has continued its dialogue with the president of the international copyright association ALAI, Victor Nabhan. 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 Victor to exchange important information on each association's copyright work. Sanna Wolk (Sweden) participated as an official representative of AIPPI at the ALAI conference in Colombia in 2013 and was part of a panel. For the ALAI congress 2014 in Brussels, Belgium, Jan Bernd Nordemann (Germany) has volunteered to participate as official representative of AIPPI's Copyright Committee.

Jan Bernd Nordemann (Germany)
j.nordemann@boehmert.de