

Proposal by India

Article 5
Definitions

Alternative A for Article 5 [definitions (a) to (h)]

New *Alternative to (a)*

- (a) "signal" means an electronically generated carrier consisting of a specific program, whether encrypted or not.

- (b) "broadcast" means the transmission of a set of electronically generated signals by wireless and carrying a specific program for reception by the general public. "Broadcast" shall not be understood as including transmission of such a set of signals over computer networks.

- (c) "broadcasting organisation" means the legal entity that takes the initiative for packaging, assembling and scheduling of the program and converting it to signals, with the authorisation of the owner of copyright or related rights, for broadcast for the reception of public.

Alternative to (d)

- (d) "rebroadcast" means the simultaneous transmission for the reception by the public of a broadcast or a cablecast by any other person than the original broadcasting organization; simultaneous transmission of a rebroadcast shall be understood as well to be a rebroadcast.

- (e) "fixation" means the embodiment of a signal on a physical support from which the programs can be perceived, reproduced and communicated through a device.

- (f) "communication to the public" means any broadcast or rebroadcast to the public of the programme in the medium or platform other than through computer network for which the broadcasting organization have obtained authorization from the owner of copyright and related rights.

- (g) "pre – broadcast signal" means the transmission of signals before broadcast.

(h) "rights management information" means information that identifies the broadcasting organization, the owner of any right in the signal, or information about the terms and conditions of use of the signal, and any numbers or codes that represent such information, when any of these items of information is attached to or associated with the broadcast or cablecast or the pre-broadcast signal.

(i) "transmission" means sending signals for reception by public.

Alternative to (j)

(j) "program" means a discreet package of one or more works protected by copyright or related rights, in the form of live or recorded material consisting of images, sounds or both.

(k) "cablecast" means the same as "broadcast" when the transmission is by wire and excluding transmission by satellite or over computer networks.