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Standing Committee on Copyright and Related Rights

Thirty-Seventh Session
Geneva, November 26 - 30, 2018

SUMMARY BY THE CHAIR

AGENDA ITEM 1: OPENING OF THE SESSION

1. The Thirty-Seventh Session of the Standing Committee on Copyright and Related Rights ("SCCR" or "Committee") was opened by Ms. Sylvie Forbin, Deputy Director General. 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-SEVENTH SESSION

2. The Committee adopted the draft Agenda (document SCCR/37/1 PROV.) as amended to remove the item on accreditation of new non-governmental organizations (document SCCR/37/1 PROV. REV.).

AGENDA ITEM 3: ADOPTION OF THE DRAFT REPORT OF THE THIRTY-SIXTH SESSION

3. The Committee approved the draft report of its thirty-sixth session (document SCCR/36/8 PROV.). Delegations and observers were invited to send any comments on their statements to the Secretariat at copyright.mail@wipo.int by January 15, 2019.

AGENDA ITEM 4: PROTECTION OF BROADCASTING ORGANIZATIONS

4. 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, SCCR/36/6, SCCR/37/2, SCCR/37/7, and SCCR/37/8 as well as informal charts and non-papers prepared during previous meetings.

5. The Committee considered document SCCR/36/6 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 documents SCCR 37/2, entitled *Proposal from Argentina*, from the Delegation of Argentina and SCCR 37/7, entitled *Proposal of the United States of America on the Scope and Implementation of Rights*, *WIPO Draft Treaty on the Protection of Broadcasting Organizations*, from the Delegation of the United States of America.

6. Discussions based on documents SCCR/36/6, document SCCR/37/2 and document SCCR/37/7 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/37/8 to reflect his understanding of the state of discussions. Document SCCR/37/8 consolidates all proposals into a single part, removing the separate parts A and B from Document SCCR/36/6.

7. This item will be maintained on the agenda of the thirty-eighth session of the SCCR.

AGENDA ITEM 5: LIMITATIONS AND EXCEPTIONS FOR LIBRARIES AND ARCHIVES

8. 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, SCCR/36/7 and SCCR/37/6.

9. A progress report on the work pursuant to the *Action Plan – Libraries, Archives, and Museums* in document SCCR/36/7, *Action Plans on Limitations and Exceptions Through SCCR/39 (2nd Meeting in 2019)*, was given by the Secretariat.
10. The Committee welcomed the presentation on the development of the typology on libraries (part of item 1, *Action Plan – Libraries, Archives, and Museums*) given by Dr. Kenneth Crews and participated in a question-and-answer process with Dr. Crews.
11. The Committee welcomed the presentation on the museum study, document SCCR/37/6, given by Dr. Yaniv Benhamou (item 3, *Action Plan – Libraries, Archives, and Museums*), and participated in a question-and-answer process with Dr. Benhamou.
12. A progress report on the work done pursuant to the *Action Plan – Libraries, Archives, and Museums* will be given at SCCR/38.
13. This item will be maintained on the agenda of the thirty-eighth session of the SCCR.

AGENDA ITEM 6: 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. A progress report on the work pursuant to the *Action Plan – Educational and Research Institutions and Persons with Other Disabilities* in document SCCR/36/7, *Action Plans on Limitations and Exceptions Through SCCR/39 (2nd Meeting in 2019)*, was given by the Secretariat.
16. The presentation given by Dr. Crews under agenda item 5 included some information on the work being carried out on the educational and research institutions typology (item 1, *Action Plan – Educational and Research Institutions and Persons with Other Disabilities*) by Professor Daniel Seng.
17. A progress report on the work done pursuant to the *Action Plan – Educational and Research Institutions and Persons with Other Disabilities* will be given at SCCR/38.
18. This item will be maintained on the agenda of the thirty-eighth session of the SCCR.

AGENDA ITEM 7: OTHER MATTERS

19. 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., SCCR/36/4, SCCR/37/3, SCCR/37/4 and SCCR/37/5.
20. Regarding the topic of Copyright in the Digital Environment, the Committee considered the modalities of the proposed study presented by the Secretariat in document SCCR/37/4, entitled *Modalities of a Study on Digital Music Services*. The Committee agreed that the Secretariat should proceed with the study as described in SCCR/37/4, incorporating the comments and suggestions provided by Member States during the discussion of the agenda item. An update on this topic will be given at SCCR/38.
21. Regarding the topic of Resale Royalty Right, the Secretariat presented document SCCR/37/5, entitled *Task Force on the Artist's Resale Royalty Right*, which was noted by the

Committee. The Task Force will begin its work in December 2018 and an update will be given at SCCR/38.

22. Regarding the topic of Strengthening the Protection of Theatre Directors' Rights, the Committee considered the modalities of the proposed study presented by the Secretariat in document SCCR/37/3, entitled *Modalities of a Study on the Protection of Theatre Directors' Rights*. The Committee agreed that the Secretariat should proceed with the study as described in SCCR/37/3, with an interim report to be provided at SCCR/38 and the final report to be presented at SCCR/39.

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

24. A video about the capacity building work of the Accessible Books Consortium (ABC) was shown to the Committee and a brief update on the work of ABC was given by the Secretariat.

SUMMARY BY THE CHAIR

25. 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-seventh session of the SCCR and that, in consequence, it was not subject to approval by the Committee.

AGENDA ITEM 8: CLOSING OF THE SESSION

26. The next session of the Committee will take place from April 1-5, 2019.

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