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WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

Standing Committee on Copyright and Related Rights

Twenty-sixth Session
Geneva, December 16 to 20, 2013

SIXTH INTERIM REPORT OF THE STAKEHOLDERS' PLATFORM

prepared by the Secretariat

1.   This sixth Interim Report describes the outcome of the seventh meeting of the Stakeholders' Platform organized in Bangkok, Thailand, on November 16, 2012.

2.   During the 17th session of the Standing Committee on Copyright and Related Rights (SCCR) held in November 2008, the Committee acknowledged the special needs of visually impaired persons (VIP) and stressed the importance of dealing, without delay and with appropriate deliberation, with those needs of the blind, visually impaired, and other reading disabled persons, including discussions at the national and international level on possible ways and means of facilitating and enhancing access to protected works, against the background of an analysis of limitations and exceptions. This should also include the establishment of a stakeholders' platform at the World Intellectual Property Organization (WIPO), in order to facilitate arrangements to secure access for disabled persons to protected works.

3.   Based on the above mandate, the WIPO Secretariat has invited various major stakeholders representing the interests of copyright rightholders and VIPs, including persons with print disabilities, to take part in a Platform with the aim of exploring their concrete needs, concerns, and suggested approaches in order to achieve the goal of facilitating access to works in accessible formats for persons who are blind, visually impaired, or print disabled.

4.   The meetings of the Stakeholders' Platform have taken place as follows:
– First meeting: Geneva, January 19, 2009
– Second meeting: London, April 20, 2009
– Third meeting: Alexandria, Egypt, November 3, 2009
– Fourth meeting: Geneva, May 26, 2010
– Fifth meeting: New Delhi, October 23, 2010
– Sixth meeting: Geneva, February 20, 2012

5.   Interim Reports of the above meetings have been presented during the 18th, 19th, 20th, 21st, and 24th sessions of the SCCR (documents SCCR/18/4, SCCR/19/10, SCCR/20/6, SCCR/21/10 and SCCR/24/2, respectively) to provide an update of the work carried out by the Platform. The Committee has welcomed these Reports and, during its 24th session held in July 2012, encouraged the Secretariat to continue the work of the Platform and report on its activities during the next session of the SCCR.

6.   The Committee has requested that the WIPO Secretariat ensure, and make available funding to support, the effective participation of stakeholders from developing and least-developed countries. Following the second meeting of the Platform, the Secretariat has also been requested to make its best efforts to organize a meeting of the platform in a developing country. Funding has been provided and multiple meetings have taken place in developing countries.

7.   This sixth Interim Report reports on the seventh meeting of the Platform and identifies further steps needed to pursue the mandated objectives.

SEVENTH MEETING OF THE STAKEHOLDERS' PLATFORM

8.   The seventh meeting of the Stakeholders' Platform took place in Bangkok on November 16, 2012. The list of participants is included in the Annex to this report. The focus of the meeting was to take stock of the implementation of the action points agreed during the previous meeting held in February 2012, as well as to discuss the progress of the Trusted Intermediary Global Accessible Resources (TIGAR) project, the Enabling Technologies Framework (ETF) project, and the workplan of the Capacity Building Working Group (CBWG).

9.   Participants agreed that the need for the project would continue to exist for the foreseeable future, even with the adoption of a treaty to benefit persons who are blind, visually impaired, and print disabled, and it was important to consider how the Platform should evolve. They discussed the importance of the transition to the next phase of the activities of the Platform, especially given the third year of the TIGAR pilot project. They agreed that plans should be made to operate at a high professional standard, which should help ensure institutional and funding stability. The governance model would have to reflect operations at this new level. It would also be important to develop a communications and marketing strategy. A name that more clearly reflects the functions of the Platform would also be useful.

10.   WIPO will continue its support for the future entity, including by providing human and financial resources, including for the purposes of project management and ICT solution development and operations.

Trusted Intermediary Global Accessible Resources (TIGAR)

11.   The report of the TIGAR project was presented for the consideration of the Platform. The project had been focused on adding participants from developing countries, including Tanzania and Namibia, as well as works in other languages. The release of the first version of the ICT solution was in process. The objectives were to allow users to order works and to obtain rights clearance information. Rights clearance by a "permission clearance coordinator" was taking place on a work-by-work basis while the participants considered the establishment of a collective licensing model that would remove the need for specific title clearance. Functions of the system included catalogue access, search and discovery, and data harvesting. The next version was scheduled for release in February 2013. The next phase of the TIGAR project was supposed to cover business-to-consumer activities including the delivery of works.

12.   The dialogue between the TIGAR Chairpersons and the European Trusted Intermediaries Network (ETIN) were continuing, with conversations taking place every six weeks.

13.   In October 2012, 16 trusted intermediaries and 35 rightsholder organizations were participating in TIGAR. About 380 books had been downloaded by participating trusted intermediaries.

14.   The participants approved the development of a "continuation project" to take the work of TIGAR beyond the initial three-year pilot phase.

Technology

15.   The report of the Technology subgroup focused on the Enabling Technologies Framework (ETF) project run by the DAISY Consortium and EDItEUR, under the supervision of WIPO. The newly formed Steering Committee was focusing on identifying gaps in the inclusive publishing ecosystem and appropriate projects to address those gaps. Projects should focus on moving accessibility planning and implementation to as early a point as possible in the content creation and production process, and one evaluation criterion for proposed projects should be their efficacy in transitioning away from accessibility as a post-production activity, as the goal is to promote the creation of "born accessible" works. A number of projects were discussed including *EPUB-check Preflight with Accessibility*, and *Sample Resource and Widget Collection for EPUB 3 Features*.

16.   A report was provided on Year 3 of the EDItEUR contribution to the project. An annual update of the accessible publishing guidelines had been completed and was available on the WIPO and EDItEUR websites. Translations were being prepared together with a set of translation

guidelines for future translations of the guidelines. A survey on *Towards Accessibility* 2012 had been completed with 121 responses received from publishing companies. 79% were producing e-books. Two training modules had been completed and a new module on Accessible Images was going to be started soon. EDItEUR led a two-hour training session on accessibility at the Frankfurt Book Fair, which was attended by about 45 delegates.

17.   It was decided to call the project the Inclusive Publishing project, in order to more accurately reflect its focus.

Capacity Building

18.   The newly-formed Capacity Building Working Group (CBWG) reported that it was considering the entire ecosystem in possible beneficiary countries, including technology, end user capacity, and support from trusted intermediaries and rightsholders. An initial project plan was presented. The Group was trying to identify six countries and then prepare a plan for what pieces of the ecosystem could be addressed by the project. The selection of the countries should reflect geographic balance. Representatives from Namibia and Tanzania suggesting working through their national libraries, which could act as trusted intermediaries. In both cases current limitations were mostly based on the lack of available resources. The need for local contacts in each beneficiary country was also noted.

19.   It was agreed that capacity building needs to be a priority for the Platform from this point forward. The TIGAR Project was described as a client of the CBWG, and the two groups were asked to work together to select beneficiary countries.

20.   Some Australian Funds-in-Trust are available to support the initial field work of the Group in a few countries.

Future action points

21.   As future action points, stakeholders agreed:

a)   to develop a transition plan to an entity operating at a more professional level, with the appropriate governance structure and ability to raise funds.

b)   TIGAR -- to request the TIGAR Steering Committee to develop both a communications and marketing strategy and a plan for membership expansion to include trusted intermediaries, rightsholders, and reproduction rights organizations.

c)   Inclusive Publishing -- to survey the move toward fully inclusive publishing in order to identify the gaps, develop terms of reference for the Inclusive Publishing project, and identify a rightsholder co-chair to work with the project.

d)   Capacity Building – to undertake a gap analysis to determine what elements of the ecosystem are needed in order to deliver access to published material in developing countries, and to identify up to six beneficiary countries.

22.   The next meeting of the Stakeholders' Platform was planned for the first third of 2013.

23.   The Committee is invited to take note of the information contained in this document.

[Annex follows]

LIST OF PARTICIPANTS
SEVENTH MEETING OF THE STAKEHOLDERS' PLATFORM
Bangkok, Thailand, November 16, 2012

I.   VISUALLY IMPAIRED SECTOR AND RIGHTHOLDERS REPRESENTATIVES

Jens BAMMEL, Secretary General, International Publishers Association (IPA)

Bernhard HEINSER, Assistant Project Manager (TIGAR Project), Trusted Intermediary stream, DAISY Consortium

François HENDRIKZ, Director, South African Library for the Blind, Eastern Cape, South Africa

Trasvin JITTIDECHARAK, PUBAT and IPA Executive Committee

George KERSCHER, Secretary-General, Daisy Consortium, Recording for the Blind and Dyslexic (RFB&D)

Stephen KING, President, Daisy Consortium, Royal National Institute of Blind People (RNIB)

Dipendra MANOCHA, Chair of Developing Countries Alliance, Daisy Consortium

Margaret MCGRORY, Vice President and Executive Director, Canadian National Institute of the Blind (CNIB) Library

Alli A.S. MCHARAZO, Director General, Tanzania Library Services Board

Pedro MILLIET, Senior Developer and Information Architect, Fundação Dorina Nowill para o Cego

Charles MLAMBO, Head, National Library of Namibia

Jim RUSSELL, Assistant Project Manager (TIGAR project), rightsholder stream, RPM Associates

Carlo SCOLLO LAVIZZARI, Legal Counsel, International Association of Scientific, Technical and Medical Publishers (STM) (by telephone)

Olav STOKKMO, Chief Executive and Secretary General, International Federation of Reproduction Rights Organizations (IFRRO)

Alicia WISE, Director of Universal Access at Elsevier

II.   <u>WORLD INTELLECTUAL PROPERTY ORGANIZATION</u>

Francis GURRY, Director General

Swashpawan SINGH, former Ambassador of India, WIPO Director General's Honorary Advisor on the Visually Impaired Persons (VIP) Initiative

Michele WOODS, Director, Copyright Law Division, Culture and Creative Industries Sector

Andrew TU, Overarching Project Manager (TIGAR project) and Senior Advisor, Copyright Infrastructure Division, Culture and Creative Industries Sector.

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