

Standing Committee on Copyright and Related Rights

Twenty-Second Session
Geneva, June 15 to 24, 2011

Comparative List of Proposals Related to Copyright Limitations and Exceptions
for the Visually Impaired Persons and Other Persons with Print Disabilities

prepared by the Secretariat

INTRODUCTORY NOTE

To facilitate the discussions of the Standing Committee, the Secretariat has prepared a comparative list of the proposals related to copyright limitations and exceptions and the needs of the visually impaired and other persons with print disabilities, submitted by the Member States of WIPO and the European Union as of March 16, 2011.

This comparative list is contained in the Annex. It is based on the following documents:

- Proposal by Brazil, Ecuador and Paraguay, Relating to Limitations and Exceptions: Treaty Proposed by the World Blind Union (WBU) (document SCCR/18/5); hereafter “Proposal of Brazil, Ecuador and Paraguay, also endorsed by Mexico”
- Draft Proposal of the United States of America for a Consensus Instrument (document SCCR/20/10); hereafter “Proposal of the United States of America”
- Draft WIPO Treaty on Exceptions and Limitations for the Disabled, Educational and Research Institutions, Libraries and Archive Centers (Africa Group) (document SCCR/20/11); hereafter “Proposal of the African Group”
- Draft Joint Recommendation concerning the improved access to works protected by copyright for persons with a print disability (European Union) (document SCCR/20/12); hereafter “Proposal of the European Union.”

[Annex follows]

ANNEX**TABLE OF CONTENTS**

| | |
|---|----|
| TITLE | 2 |
| PURPOSE..... | 7 |
| NATURE AND SCOPE OF OBLIGATIONS | 8 |
| RELATIONS TO OTHER AGREEMENTS | 10 |
| DEFINITIONS | 12 |
| LIMITATIONS AND EXCEPTIONS | 17 |
| MORAL RIGHTS..... | 20 |
| CROSS BORDER TRANSFER OF WORKS | 21 |
| REMUNERATION | 24 |
| FORMALITIES | 26 |
| DATABASES..... | 28 |
| TRUSTED INTERMEDIARIES..... | 29 |
| PRIVACY | 30 |
| RELATIONSHIPS WITH CONTRACTS..... | 31 |
| TECHNOLOGY AND AWARENESS..... | 32 |
| EXCEPTIONS TO TECHNOLOGICAL MEASURES OF PROTECTION..... | 33 |
| ORPHAN WORKS | 34 |
| OTHER LIMITATIONS AND EXCEPTIONS | 35 |
| ADMINISTRATIVE AND FINAL CLAUSES..... | 37 |

TITLE

1. The Proposal of Brazil, Ecuador and Paraguay, also endorsed by Mexico, contains the following wording:

WIPO Treaty for Improved Access for Blind, Visually Impaired and other Reading Disabled Persons

2. The Proposal of the United States of America contains the following wording:

Consensus Instrument

3. The Proposal of the African Group contains the following wording:

WIPO Treaty on Exceptions and Limitations for the Disabled, Educational and Research Institutions, Libraries and Archive Centers

4. The Proposal of the European Union contains the following wording:

Joint Recommendation concerning the improved access to works protected by copyright for persons with a print disability

PREAMBLE

5. The Proposal of Brazil, Ecuador and Paraguay, also endorsed by Mexico, contains the following wording:

The Contracting Parties,

Recognizing the importance of accessibility in the process of the equalization of opportunities in all spheres of society,

Aware of the many barriers to access to information and communication experienced by persons who are blind or have limited vision, or have other disabilities regarding access to published works,

Aware that 90 percent of visually impaired persons live in countries of low or moderate incomes,

Desiring to provide full and equal access to information and communication for the visually impaired,

Recognizing the opportunities and challenges for the visually impaired presented by the development of new information and communication technologies, including technological publishing and communication platforms that are transnational in nature,

Recognizing that similar opportunities and challenges are faced by people with some other disabilities,

Recognizing the need to seek, receive and impart information and ideas through any media and regardless of frontiers,

Aware that national copyright legislation is territorial in nature, and where activity is undertaken across jurisdictions, uncertainty regarding the legality of activity undermines the development and use of new technologies and services that can potentially improve the lives of the visually impaired,

Recognizing the need to introduce new international rules and clarify the interpretation of certain existing rules in order to provide adequate solutions to the challenges and opportunities presented by economic, social, cultural and technological developments,

Emphasizing the importance of copyright protection as an incentive for literary and artistic creation, and as a means to ensure that everyone has the opportunity to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits,

Recognizing that the ideal is for publishers to make their works accessible to people with disabilities at publication and that alternatives are needed to address instances when this does not happen,

Recognizing the need to maintain a balance between the rights of authors and the larger public interest, particularly education, research and access to information, as reflected in the Berne Convention,

Have agreed as follows:

6. The Proposal of the United States of America contains the following wording:

The Assembly of the Berne Union, the Assembly of the WIPO Copyright Treaty, and the General Assembly of the World Intellectual Property Organization (WIPO),

Taking into account the provisions of the Berne Convention for the Protection of Literary and Artistic Works and the WIPO Copyright Treaty;

Desiring to develop and maintain the protection of the rights of authors in their literary and artistic works in a manner as effective and uniform as possible;

Recognizing the public interest in maintaining a balance between the interests of authors and users, particularly the needs of those persons with print disabilities or impairment of their vision;

Recognizing the role of the copyright system in facilitating access to information and full engagement by persons who are blind or print disabled in civil, educational, political, economic, social and cultural spheres;

Recognizing the large number of Members who, to that end, have established exceptions and limitations in their national copyright laws for persons with print disabilities, yet the continuing shortage of works in special formats for such persons;

Emphasizing the importance, vitality, and flexibility of the three-step test for limitations and exceptions established in Article 9(2) of the Berne Convention and in Article 10 of the WIPO Copyright Treaty;

Recommend that each Member State adopt and implement the provisions adopted by the Standing Committee on Copyrights and Related Rights (SCCR) at its [__] session as rules for copyright law in relation to the needs of persons with print disabilities;

Provisions follow.

7. The Proposal of the African Group contains the following wording:

The Contracting Parties,

Recalling the principles of non-discrimination, equal opportunity and access, proclaimed in the United Nations Convention on the Rights of Persons with Disabilities;

Acknowledging the right of everyone to education, as recognized in the International Covenant on Economic, Social and Cultural Rights;

Noting that the International Covenant on Civil and Political Rights guarantees the right to freedom of expression, including freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice;

Considering that equal access to education, culture, information and communication is a fundamental right that comes under public policy;

Recognizing the important role played by the authorities in guaranteeing equal opportunity for all in terms of access to education, culture and information;

Mindful of the role played by educational and research institutions, libraries and public archives in popularizing, disseminating, promoting and preserving the cultural and scientific heritage;

Prompted by a desire to contribute to the implementation of the relevant recommendations of the Development Agenda of the World Intellectual Property Organization;

Mindful of the obstacles that are prejudicial to human development and the fulfillment of disabled persons with regard to education, research, access to information and communication;

Acknowledging the need to seek, receive and impart information and ideas through any media and regardless of frontiers,

Aware that national copyright legislation is territorial in nature, and where activity is undertaken across jurisdictions, uncertainty regarding the legality of that activity undermines the development and use of new technologies and services that can potentially improve the lives of persons with disabilities and all those who do not have the means to access education, culture and information;

Mindful of the need to safeguard public interests by introducing imperative exceptions and limitations from which no exemption can be provided by any national or international legal provision;

Recognizing the urgent need to broaden the scope of copyright exceptions and limitations for disabled persons, libraries, archives, education and research;

Recognizing the need to introduce new international rules in order to provide adequate solutions to the needs of vulnerable persons and the challenges and opportunities presented by economic, social, cultural and technological developments;

Recognizing the need to maintain a balance between the rights of authors and the larger public interest, particularly in education, research and access to information;

Underscoring the importance of guaranteeing that developing countries enjoy and continue to enjoy access to flexibilities and exceptions without any legal or technical hindrances;

Acknowledging the urgent need to take up a major challenge in terms of international law, namely the development of a global approach to exceptions and limitations;

Hereby agree on the following:

8. The Proposal of the European Union contains the following wording:

Recognizing the importance of accessibility to the achievement of equal opportunities in all spheres of society,

Considering the need to improve access to works in accessible formats in order to reduce obstacles to equal access to education and culture,

Considering that it is important for Member States to adopt all necessary measures to facilitate access to works by persons suffering from a print disability which constitutes an obstacle to the use of the works themselves and to pay particular attention to accessible formats,

Considering the discussions within the WIPO Standing Committee on Copyright and Related Rights on the issue of exceptions and limitations for the benefit of persons with a print disability and the various proposals tabled by Member States,

Aware of the importance of copyright protection as an incentive for literary, scientific and artistic creation, and as a mean to ensure that everyone has the opportunity to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits,

Considering that, to the extent that the market is unable to provide an appropriate access to works for persons with a print disability, it is recognised that alternative measures are needed to improve such access.

Considering that the balance of the international system of intellectual property as reflected in the Berne Convention and in the WIPO Copyright Treaty (WCT) must facilitate effective and timely access to works for the benefit of persons with a print disability.

The International Union for the Protection of Literary and Artistic Works (Berne Union) Assembly, the WIPO Copyright Treaty (WCT) Assembly and the General Assembly of WIPO adopted the following Joint Recommendation.

The aim of this Joint Recommendation is to increase the number and range of accessible format works available to citizens with a print disability in the world to the extent that there is no appropriate commercial product on offer. The provisions are predicated on the basis that every Member State should introduce in their national copyright law an exception to the right of reproduction, the right of distribution and the right of making the work available to the public, as defined in Article 8 of the WCT. The exception should cover uses that are directly related to the print disability to the extent required by the specific print disability, and that are of a non-commercial nature.

The Joint Recommendation fosters a pragmatic approach, recommending a global system of mutual recognition of Trusted Intermediaries in the world. Where Trusted Intermediaries do not yet exist, Member States are encouraged to help establish at least one such body for their territory.

PURPOSE

9. The Proposal of Brazil, Ecuador and Paraguay, also endorsed by Mexico, contains the following wording:

Article 1. Purpose

The purpose of this Treaty is to provide the necessary minimum flexibilities in copyright laws that are needed to ensure full and equal access to information and communication for persons who are visually impaired or otherwise disabled in terms of reading copyrighted works, focusing in particular on measures that are needed to publish and distribute works in formats that are accessible for persons who are blind, have low vision, or have other disabilities in reading text, in order to support their full and effective participation in society on an equal basis with others, and to ensure the opportunity to develop and utilize their creative, artistic and intellectual potential, not only for their own benefit, but also for the enrichment of society.

10. The Proposal of the African Group contains the following wording:

Article 2. Purpose

This Treaty sets out the minimum elements of flexibility to be included in national copyright legislation, with a view to allowing the following beneficiaries to access protected works:

- Persons suffering from disabilities listed in Article 21;
- Educational and research institutions;
- Libraries;
- Archive centers.

NATURE AND SCOPE OF OBLIGATIONS

11. The Proposal of Brazil, Ecuador and Paraguay, also endorsed by Mexico, contains the following wording:

Article 2. Nature and Scope of Obligations

- (a) Contracting Parties agree to undertake certain measures to enable full and equal access to information and communication for persons who are visually impaired or have other disabilities in accessing copyrighted works;
- (b) Contracting Parties shall give effect to the provisions of this Treaty;
- (c) Contracting Parties shall be free to determine the appropriate method of implementing the provisions of this Treaty within their own legal system and practice. (Language similar to TRIPS Article 1);
- (d) Contracting Parties may, but shall not be obliged to, implement in their law more extensive protections for the visually impaired and reading disabled than are required by this Treaty, provided that such measures do not contravene the provisions of this Treaty. (Language similar to TRIPS Article 1);
- (e) Implementation of the Treaty shall be development-oriented and transparent, taking into account the priorities and the special needs of developing countries, as well as the different levels of development of Contracting Parties. (WIPO Development Agenda); and
- (f) Contracting Parties shall ensure that the implementation allows for timely and effective exercise of authorized actions covered by this Treaty, including expeditious procedures that do not in themselves create barriers to legitimate uses, are fair and equitable, and are not unnecessarily complicated or costly, or entail unreasonable time, time-limits or unwarranted delays. (Language similar to TRIPS Article 41).

12. The Proposal of the African Group contains the following wording:

Article 3. Nature and scope of obligations

- (a) Contracting Parties shall agree to undertake appropriate measures to ensure full and equal access to information and communication for the persons and bodies covered in Article 2.
- (b) Contracting Parties shall give effect to the provisions of this Treaty;
- (c) Contracting Parties shall be free to determine the appropriate method of implementing the provisions of this Treaty;
- (d) Contracting Parties shall agree to apply the Treaty transparently, taking into account the priorities and special needs of developing countries as well as the different levels of development of the Contracting Parties.

- (e) Contracting Parties shall ensure that the implementation allows for timely and effective exercise of authorized actions covered by this Treaty, including expeditious procedures that do not in themselves create barriers to legitimate uses, are fair and equitable, and are not unnecessarily complicated or costly, or entail unreasonable time, time-limits or unwarranted delays.

RELATIONS TO OTHER AGREEMENTS

13. The Proposal of Brazil, Ecuador and Paraguay, also endorsed by Mexico, contains the following wording:

Article 3. Relations to Other Agreements

- (a) Contracting Parties agree that the provisions of this Treaty are consistent with obligations set out under those of the following treaties and conventions to which they are a party:
1. the Paris Act of July 24, 1971 of the Berne Convention for the Protection of Literary and Artistic Works (the Berne Convention);
 2. the WIPO Copyright Treaty 1996 (the WCT);
 3. the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations done in Rome, October 26, 1961 (the Rome Convention);
 4. the WIPO Performances and Phonograms Treaty 1996 (the WPPT);
 5. the Agreement on Trade-Related Aspects of Intellectual Property Rights 1994 (the TRIPS Agreement);
 6. the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions; and
 7. the UN Convention on the Rights of Persons with Disabilities, including but not limited to Articles 21 and 30.
- (b) Contracting Parties agree that, to the extent that this Treaty applies to literary and artistic works as defined in the Berne Convention, it is a special agreement within the meaning of Article 20 of that Convention, as regards Contracting Parties that are countries of the union established by that Convention.

14. The Proposal of the African Group contains the following wording:

Article 4: Relations with other international instruments

- (a) Contracting Parties shall agree that the provisions of this Treaty are consistent with obligations set out under those of the following treaties and conventions to which they are a party:
1. the Berne Convention for the Protection of Literary and Artistic Works (the Berne Convention);
 2. the WIPO Copyright Treaty, 1996 (WCT);

3. the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, done at Rome, October 26, 1961 (Rome Convention);
 4. the WIPO Performances and Phonograms Treaty, 1996 (WPPT);
 5. the Agreement on Trade-Related Aspects of Intellectual Property Rights, 1994 (TRIPS Agreement);
 6. the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions; and
 7. the United Nations Convention on the Rights of Persons with Disabilities.
- (b) Contracting Parties agree that, to the extent that this Treaty applies to literary and artistic works as defined in the Berne Convention, it is a special agreement within the meaning of Article 20 of that Convention, as regards Contracting Parties that are member countries of the Union established by that Convention.

DEFINITIONS

15. The Proposal of Brazil, Ecuador and Paraguay, also endorsed by Mexico, contains the following wording:

Article 15. Disabilities Covered

- (a) For the purposes of this Treaty, a 'visually impaired' person is:
1. a person who is blind; or
 2. a person who has a visual impairment which cannot be improved by the use of corrective lenses to give visual function substantially equivalent to that of a person who has no visual impairment and so is unable to access any copyright work to substantially the same degree as a person without a disability.
- (b) Contracting Parties shall extend the provisions of this Treaty to persons with any other disability who, due to that disability, need an accessible format of a type that could be made under Article 4 in order to access a copyright work to substantially the same degree as a person without a disability.

Article 16. Additional Definitions

For the purposes of this Treaty:

'Work' means any work of a type in which copyright could subsist whether or not such protection is provided by national laws or was provided but has expired, and includes literary, dramatic, musical and artistic works, databases and films.

'Owner of copyright' includes any person or body which can control access to a work by the exercise of exclusive rights or through other means, even where copyright does not subsist or no longer subsists.

'Exclusive rights' mean any rights provided in accordance with the other agreements identified in Article 4 or otherwise and includes the rights of reproduction, adaptation, and distribution and communication by wire or wireless means to the public.

'Accessible format' means an alternative manner or form which gives a visually impaired person or reading disabled person access to the work, including to permit a person with a visual impairment to have access as flexibly and comfortably as a person without a visual impairment.

'Accessible formats' shall include, but not be limited to, large print, with different typefaces and sizes all being permitted according to need, Braille, audio recordings, digital copies compatible with screen readers or refreshable Braille and audiovisual works with audio description. It shall also be understood that whether a format is accessible or not will vary depending on the purpose for which the work is to be used and so, for example, an audio recording of a book without indexing may be accessible for a visually impaired person listening for pleasure but not where a visually impaired person needs access for the purposes of study.

'Lawful access' means access provided by or with the permission of the copyright owner or through other legal means.

References to 'copyright' include copyright and any relevant rights related to copyright that are provided by a Contracting Party in compliance with the Rome Convention, the TRIPS Agreement, the WPPT or otherwise, and references to the 'owner of copyright' and 'author' shall be construed accordingly.

'Database' means a collection of independent works, data or other materials arranged in a systematic or methodical way and capable of being individually accessed by electronic or other means.

16. The Proposal of the United States of America contains the following wording:

Article 1. Definitions

"person with print disabilities"

For the purposes of this [consensus instrument], a 'person with print disabilities' is:

1. a person who is blind; or
2. a person who has a visual impairment or a perceptual or reading disability which cannot be improved by the use of corrective lenses to give visual function substantially equivalent to that of a person who has no such impairment or disability and so is unable to read printed works to substantially the same degree as a person without an impairment or disability;
3. a person who has an orthopedic- or neuromuscular-based physical disability that prohibits manipulation and use of standard print materials.

"reasonable price"

For the purposes of this [consensus instrument], in determining if a special format copy of a work is available at a "reasonable price," the special format copy of the work should be available at a similar or lower price than the price of the work available to persons without print disabilities in that market.

"special format version of a work"

For the purposes of this [consensus instrument], a "special format version of a work" means Braille, audio, or digital text which is exclusively for use by persons with print disabilities, such exclusivity being inherent to the format, through technical means, or through exclusive distribution by trusted intermediaries.

"trusted intermediary"

For the purposes of this [consensus instrument], a "trusted intermediary" means a governmental agency or a non-profit entity with legal personality that has as a primary mission to assist persons with print disabilities by providing them with services relating to education, training, adaptive reading, or information access. A trusted intermediary

maintains policies and procedures to establish the eligibility of the persons with print disabilities that it serves.

A trusted intermediary is an institution that has the trust of both persons with print disabilities and copyright rights holders. If the trusted intermediary is a nation-wide network of organizations, then all organizations, institutions, and entities that participate in the network must adhere to these characteristics.

17. The Proposal of the African Group contains the following wording:

Article 1. Definitions

For the purposes of this Treaty:

“Work” means any original or derived production of an artistic, literary, dramatic, musical or scientific type, regardless of the mode, format or form of expression, which could be protected by copyright, even if such protection has expired.

“Owner of copyright” includes any physical person or legal entity, who is the author of the work, who enjoys exclusive rights in the exploitation of his work when protection still applies or when copyright does not subsist or no longer subsists.

“Exclusive rights” mean any rights provided in accordance with the agreements identified in Article 4, and include the rights of reproduction, adaptation, distribution and communication by wire or wireless means to the public.

“Accessible format” means an alternative manner or form which gives a person suffering from a disability listed in Article 18 of this Treaty access to the work, as flexibly and comfortably as a person without a disability.

“Accessible formats” shall include, but not be limited to, large print, with different typefaces and sizes all being permitted according to need, Braille, audio recordings, digital copies compatible with screen readers or refreshable Braille and audiovisual works with audio description.

“Copyright” means all economic and moral rights that an author has in his works.

“Database” means a collection of independent works, data or other materials, which are arranged in a systematic or methodical way, and are individually accessible by electronic or other means.

“Archives” mean non-profit establishments with a public vocation, which serve as depositories for works dealing with all types of knowledge of nations and peoples, including cultural heritage, with a view to the furtherance of knowledge useful for education, teaching, research and the public interest.

“Libraries” mean non-profit establishments with a public vocation, which make available free of charge works dealing with all types of knowledge of nations and peoples, including cultural heritage, with a view to the furtherance of knowledge useful for education, teaching, research and the public interest.

“Bodies” refer to those identified in Article 2 of this Treaty.

Article 21. Disabilities covered by this Treaty

- (a) For the purposes of this Treaty, a disabled person means any person suffering from visual impairment or a physical, mental, sensory or cognitive incapacity.
- (b) Contracting Parties shall extend the provisions of this Treaty to persons with any other disability who, due to that disability, need an accessible format of a type that could be made under Article 4 in order to access a copyright work to substantially the same degree as a person without a disability.

18. The Proposal of the European Union contains the following wording:

Article 1. Definitions

For the purposes of these Provisions:

- (i) "Member State" means a State member of the Berne Convention for the Protection of Literary and Artistic Works and /or a Contracting Party of the WCT and the WIPO.
- (ii) "Person with a print disability" means any person:
 - a) who is blind; or
 - b) who has an impairment of visual function which cannot be improved, by the use of corrective lenses, to a level that would normally be acceptable for reading without a special level or kind of light; or
 - c) who is dyslexic; or
 - d) who is unable, through physical disability, to hold or manipulate a book; or
 - e) who is unable, through physical disability, to focus or move his eyes to the extent that would normally be acceptable for reading; and whose disability results in an inability to read commercially available standard editions of works; and who can be helped to read by reformatting the content (but, does not require the text itself to be re-written in simpler terms to facilitate comprehension);
- (iii) "Work in an accessible format" is the term used to describe a printed work the format of which is modified prior to publication or afterwards so that a person with a print disability can have access to that work at the time of or after publication. Any work which is to be modified into an accessible format must be lawfully acquired and the reformatting must respect the integrity of the original work.
- (iv) "Trusted Intermediary" is an approved institution whose activities must have the consent of both, persons with a print disability and rights holders such as publishers. Trusted Intermediaries facilitate the production of works in accessible formats, and/or their cross border transfer in a controlled manner.

Trusted Intermediaries should fulfill the following conditions:

- they operate on a not-for-profit basis;
- they register the persons with a print disability they serve;
- they provide specialized services relating to training, education, or adaptive reading or information access needs of persons with a print disability;

- they maintain policies and procedures to establish the bona fide nature of persons with print disabilities that they serve;
- they maintain policies and procedures to ensure full and complete compliance with copyright and data protection laws.

If the Trusted Intermediary is a nation-wide network of organizations, all organizations which are members of this network must fulfill all of the above-mentioned conditions.

LIMITATIONS AND EXCEPTIONS

19. The Proposal of Brazil, Ecuador and Paraguay, also endorsed by Mexico, contains the following wording:

Article 4. Limitations and Exceptions to Exclusive Rights Under Copyright

- (a) It shall be permitted without the authorisation of the owner of copyright to make an accessible format of a work, supply that accessible format, or copies of that format, to a visually impaired person by any means, including by non-commercial lending or by electronic communication by wire or wireless means, and undertake any intermediate steps to achieve these objectives, when all of the following conditions are met:
1. the person or organisation wishing to undertake any activity under this provision has lawful access to that work or a copy of that work;
 2. the work is converted to an accessible format, which may include any means needed to navigate information in the accessible format, but does not introduce changes other than those needed to make the work accessible to a visually impaired person;
 3. copies of the work are supplied exclusively to be used by visually impaired persons; and
 4. the activity is undertaken on a non-profit basis.
- (b) A visually impaired person to whom a work is communicated by wire or wireless means as a result of activity under paragraph (a) shall be permitted without the authorisation of the owner of copyright to copy the work exclusively for his or her own personal use. This provision is without prejudice to any other limitations and exceptions that a person is able to enjoy.
- (c) The rights under paragraph (a) shall also be available to for profit-entities and shall be extended to permit commercial rental of copies in an accessible format, if any of the following conditions are met:
1. the activity is undertaken on a for-profit basis, but only to the extent that those uses fall within the normal exceptions and limitations to exclusive rights that are permitted without remuneration to the owners of copyright;
 2. the activity is undertaken by a for-profit entity on a non-profit basis, only to extend access to works to the visually impaired on an equal basis with others; or
 3. the work or copy of the work that is to be made into an accessible format is not reasonably available in an identical or largely equivalent format enabling access for the visually impaired, and the entity providing this accessible format gives notice to the owner of copyright of such use and adequate remuneration to copyright owners is available.
- (d) In determining if a work is reasonably available in (c)(3), the following shall be considered:
1. for developed economies, the work must be accessible and available at a similar or lower price than the price of the work available to persons who are not visually impaired; and

2. for developing countries, the work must be accessible and available at prices that are affordable, taking into account disparities of incomes for persons who are visually impaired.

Article 14. Limitations and Exceptions Applied to Non-Copyrighted Elements of Databases

The provisions of this treaty shall apply *mutatis mutandis* to non-copyrighted elements of databases.

20. The Proposal of the African Group contains the following wording:

Article 5. Limitations and exceptions to copyright for persons with disabilities

- (a) It shall be permitted without the authorization of the owner of copyright to make an accessible format of a work, supply that accessible format, or copies of that format, to disabled persons by any means, including by non-commercial lending or electronic communication by wire or wireless means, without the authorization of the owner of copyright, and undertake any other intermediate steps to achieve these objectives, when all of the following conditions are met:
 1. the person or organization wishing to undertake any activity under this provision has lawful access to that work or a copy of that work;
 2. the work is converted to an accessible format, which may include any means needed to navigate information in the accessible format, but does not introduce changes other than those needed to make the work accessible to disabled persons;
 3. copies of the work are supplied exclusively to be used by disabled persons;
 4. the activity is undertaken on a non-profit basis;
 5. the owner of the right is recognized as such.
- (b) A disabled person to whom a work is communicated by wire or wireless means as a result of activity under paragraph (a) shall be permitted without the authorization of the owner of copyright to copy the work exclusively for his or her own personal use. This provision shall be without prejudice to any other limitations and exceptions that the person in question is able to enjoy.
- (c) The rights under paragraph (a) shall also be available to for profit-entities and shall be extended to permit commercial rental of copies in an accessible format, if any of the following conditions are met:
 1. the activity is undertaken on a for-profit basis, but only to the extent that those uses fall within the normal exceptions and limitations to exclusive rights that are permitted without remuneration to the owners of copyright;
 2. the activity is undertaken by a for-profit entity on a non-profit basis, only to extend access to works to disabled persons; or

3. the work or copy of the work that is to be made into an accessible format is not reasonably available in an identical or largely equivalent format enabling access for disabled persons, and the entity providing this accessible format gives notice to the owner of copyright of such use and adequate remuneration for copyright owners is available.
- (d) In determining whether a work is reasonably available according to (c)(3), the following criteria shall be considered:
1. for developed economies, the work must be accessible and available at a similar or lower price than the price of the work available to persons who are not disabled; and
 2. for developing countries, the work must be accessible and available at prices that are affordable, taking into account disparities in income levels for disabled persons.

Article 10. Limitations and exceptions to neighboring rights

Rights recognized for the performer, the producer of phonograms or videograms and sound or audiovisual broadcasting bodies shall be subject to the same exceptions and limitations to exclusive copyright provided for in Articles 5, 6, 7 and 8.

21. The Proposal of the European Union contains the following wording:

Article 2. Exception for the benefit of persons with a print disability

Member States should provide in their national copyright law for an exception to the right of reproduction, the right of distribution and the right of making the work available to the public, as defined in article 8 of the WCT, for the benefit of persons with a print disability. The exception should cover uses that are directly related to the print disability to the extent required by the specific print disability and that are of a non-commercial nature.

Such exception may only be applied in certain special cases which do not conflict with a normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the rightholder.

Member States may ensure that the rights holders receive an adequate remuneration for the use of their works covered by the exception. This claim may be exercised through a collective management society.

The recommendation is not of application to the extent that there are sufficient and adequate market solutions for persons with a print disability.

MORAL RIGHTS

22. The Proposal of Brazil, Ecuador and Paraguay, also endorsed by Mexico, contains the following wording:

Article 5. Acknowledgment and Moral Rights

- (a) Where a work or copy of a work is supplied to a visually impaired person as a result of any activity under Article 4, mention shall be made of the source, and of the name of the author as it appears on the work or copy of the work that the person or organisation acting under Article 4 has lawful access to.
- (b) Use as permitted by Article 4 shall be without prejudice to the exercise of moral rights.

23. The Proposal of the African Group contains the following wording:

Article 12. Recognition and moral right

- (a) When a work or copy of a work is supplied to the beneficiaries referred to in Article 2 above, mention shall be made of the source, and of the name of the author as it appears on the work or copy of the work to which the person or organization acting under Articles 5, 6, 7 and 8 has lawful access.
- (b) Use as permitted by Articles 5, 6, 7 and 8 shall be without prejudice to the exercise of moral rights.

CROSS BORDER TRANSFER OF WORKS

24. The Proposal of Brazil, Ecuador and Paraguay, also endorsed by Mexico, contains the following wording:

Article 8. Imports and Exports of Works

Provided that all the relevant conditions of Article 4 are complied with in the exporting and importing countries as appropriate, the following shall be permitted without the authorization of the owner of copyright:

1. the export to another country of any version of a work or copies of the work that any person or organisation in one country is entitled to possess or make under Article 4; and
2. the import of that version of a work or copies of the work by a person or organisation able to act under the provisions of Article 4 in the other country.

25. The Proposal of the United States of America contains the following wording:

Article 2. The exportation of special format copies for persons with print disabilities

Members should provide that the following shall be permitted under their individual national laws without the authorization of the owner of copyright:

- A. the exportation to another Member of any physical Braille format copy of a published work made pursuant to an exception, limitation, or other special provision of the Member's copyright law for the benefit of persons with print disabilities;
- B. the exportation to trusted intermediaries in another Member of any other special format copy of a published work made pursuant to an exception, limitation, or other special provision of the Member's copyright law for the benefit of persons with print disabilities.

Members may choose to limit the operation of this principle to published works which, in the applicable special format, cannot be otherwise obtained in the country of importation within a reasonable time and at a reasonable price.

Article 3. The importation of special format copies for persons with print disabilities

Members should provide that the following shall be permitted under their individual national laws without the authorization of the owner of copyright:

- A. the importation from another Member of any physical Braille format copy of a published work made pursuant to an exception, limitation, or other special provision of that other Member's copyright law for the benefit of persons with print disabilities;

- B. the importation from trusted intermediaries in another Member of any other special format copy of a published work made pursuant to an exception, limitation, or other special provision of that other Member's copyright law for the benefit of persons with print disabilities.

Members may choose to limit the operation of this principle to published works which, in the applicable special format, cannot be otherwise obtained in the country of importation within a reasonable time and at a reasonable price.

26. The Proposal of the African Group contains the following wording:

Article 15. Imports and exports of works

Contracting Parties shall ensure that imports and exports of works meet the conditions listed in Articles 5, 6, 7 and 8, and shall take the necessary steps for this to be permitted without the authorization of the owner of copyright;

1. the export to another country of any version of a work or copies of the work that any person or organization in one country is entitled to possess or make under Articles 5, 6, 7 and 8; and
2. the import of that version of a work or copies of the work by a person or organization able to act under the provisions of Articles 5, 6, 7 and 8 into another country.

27. The Proposal of the European Union contains the following wording:

Article 4. Cross-border transfer of physical works in accessible formats that are produced under a copyright exception

Member States should recognize that if a work is made accessible under an exception provided for in their national legislation for the benefit of persons with a print disability, a copy of that work in an accessible format can be distributed to a Member State that has an exception for the benefit of persons with a print disability or, subject to a specific export license granted by the rights holder, through a Trusted Intermediary into another Member State.

A copy of the work in an accessible format may not be directly distributed to a person with a print disability resident in the latter Member State but must be distributed through a Trusted Intermediary established for that Member State.

Article 5. Cross-border making available to the public of works in accessible formats that are produced under a copyright exception

Member States should recognize that if a work is made available online under an exception provided for in their national legislation for the benefit of persons with a print disability, the work in an accessible format can be made available online, as defined in article 8 of the WCT, to a Member State that has an exception for the benefit of persons with a print disability or, subject to a specific export license granted by the rights holder, through a Trusted Intermediary into another Member State.

The work in an accessible format can only be made available online through a Trusted Intermediary established for that purpose for the Member State where the person with a print disability resides.

REMUNERATION

28. The Proposal of Brazil, Ecuador and Paraguay, also endorsed by Mexico, contains the following wording:

Article 11. Remuneration for Commercial Exploitation of Works.

- (a) When implementing Article 4(c)(3), Contracting Parties shall ensure that there is a mechanism for determining the level of adequate remuneration to be paid to the owner of copyright in the absence of voluntary agreement. In determining adequate remuneration under Article 4(c)(3), the following principles shall be followed:
- (b) Right owners shall be entitled to remuneration that is reasonable for normal commercial licensing of works, regarding the terms normally associated with the country, population and purposes for which the work is used, subject to the requirements of Article 11(c);
- (c) In developing countries, remuneration should also take into consideration the need to ensure that works are accessible and available at prices that are affordable, taking into account disparities of incomes for persons who are visually impaired;
- (d) It shall be a matter of national law to determine if remuneration under (a) is waived for works in certain formats, such as Braille, or for certain qualified entities; and
- (e) Persons who distribute works across borders will have the option of registration for remuneration payments in a single country, if the mechanism for remuneration in the country meets the requirements of this Treaty, and addresses the legitimate concerns of the copyright owners in terms of transparency, and remuneration is considered reasonable either for a global license for works that are distributed globally, or for a license to use works in specific countries, calibrated for the countries, users and purposes for which works are used.

29. The Proposal of the African Group contains the following wording:

Article 18. Remuneration for commercial exploitation of works

- (a) When implementing Article 5(c)(3), Contracting Parties shall ensure that there is a mechanism for determining the level of adequate remuneration to be paid to the owner of copyright in the absence of voluntary agreement. In determining adequate remuneration under Article 5(c)(3), the following principles shall be observed:
- (b) Right owners shall be entitled to remuneration that is reasonable for normal commercial licensing of works, regarding the terms normally associated with the country, population and purposes for which the work is used, subject to the requirements of paragraph (c) below;
- (c) In developing countries, remuneration should also take into consideration the need to ensure that works are accessible and available at prices that are affordable, taking into account disparities in income levels for the beneficiaries of the exceptions and limitations;

- (d) It shall be a matter of national law to determine if remuneration under (a) is waived for the works covered by the exception;
- (e) Persons who distribute works across borders shall have the option of registration for remuneration payments in a single country, if the mechanisms for remuneration meet the requirements of this Treaty and address the legitimate concerns of the copyright owners in terms of transparency, and remuneration is considered reasonable either for a global license for works that are distributed globally, or for a license to use works in specific countries, calibrated for the countries, users and purposes of such use.

FORMALITIES

30. The Proposal of Brazil, Ecuador and Paraguay, also endorsed by Mexico, contains the following wording:

Article 9. Notice to Right Owners for Commercial Reproduction and Distribution of Works

In cases involving the reproduction and distribution of works for the visually impaired under Article 4(c)(3), reasonable efforts should be made to provide notice to the owner of a work protected by copyright. Such notice shall include the following:

1. the name, postal address and relevant telecommunications contact information for the party exercising their rights to reproduce and distribute works;
2. the nature of the use of the work, including the countries where the work is distributed and the terms under which the works are distributed; and
3. information regarding the right of copyright owners to obtain remuneration for the use of the work, or to challenge the use, on the grounds that the uses are not sufficiently restricted to persons who are visually impaired, or that the work is in fact reasonably available in an identical or largely equivalent form enabling its perception by the visually impaired.

31. The Proposal of the African Group contains the following wording:

Article 16. Notice to right holders for reproduction and distribution of works

Contracting Parties shall ensure that in cases involving the reproduction and distribution of works for the beneficiaries of the limitations and exceptions under Articles 5, 6, 7 and 8, reasonable efforts shall be made to provide notice of this fact to the owner of the right. Such notice shall include the following:

1. the name, postal address and relevant contact information of the party exercising its right to reproduce and distribute works;
2. the nature of the use of the work, including the countries where the work is distributed and the terms under which the works are distributed.

32. The Proposal of the European Union contains the following wording:

Article 6. Notice to rights holders regarding the use of their works

In cases involving the reproduction, distribution and the making available to the public, as defined in Article 8 of the WCT, of works in an accessible format for the benefit of persons with a print disability under Articles 4 and 5, the Trusted Intermediaries should provide notice within a reasonable time to the rights holders or to the collective management societies prior to any use of the work. Such notice shall include the following:

- i) the name, postal address and relevant telecommunications contact information of the party reproducing, distributing and making available to the public works;
- ii) the nature of the use of the works, including the countries where the work is to be distributed and made available to the public and the terms under which the work is to be distributed and made available to the public; and
- iii) information regarding his/her right to challenge the use, on the grounds that the uses are not sufficiently restricted to persons with a print disability, or that the use conflicts with a normal exploitation of the work or prejudices his/her legitimate interests.

DATABASES

33. The Proposal of Brazil, Ecuador and Paraguay, also endorsed by Mexico, contains the following wording:

Article 10. Database on Availability of Works

- (a) WIPO shall create a database that is accessible through the Internet and other means that will allow copyright owners to voluntarily identify works for purposes of facilitating the notices obligations in Article 9 of this Treaty, and to provide information regarding the availability of a work in forms enabling its perception by the visually impaired.
- (b) After consultation with publishers and visually impaired persons, WIPO should ensure that the database includes a standard machine readable code to uniquely identify works registered in the database. This code shall be suitable for use in published works in a variety of formats.

34. The Proposal of the African Group contains the following wording:

Article 17. Database on availability of works

- (a) WIPO shall create a database that is accessible through the Internet and other means that will allow copyright owners to identify works voluntarily for purposes of facilitating compliance with the notices obligations in Article 16 of this Treaty, and to provide information regarding the availability of a work in forms enabling its perception by disabled persons.
- (b) After consultation with publishers and stakeholders, WIPO should ensure that the database includes a standard machine readable code to identify uniquely works registered in the database. This code shall be suitable for use for published works in a variety of formats.

35. The Proposal of the European Union contains the following wording:

Article 7. Development of an online International accessible works service

Member States should encourage the establishment of an online international catalogue listing accessible works.

TRUSTED INTERMEDIARIES

36. The Proposal of the European Union contains the following wording:

Article 3. Setting up of Trusted Intermediaries

Member States should encourage the setting up for their territory of at least one Trusted Intermediary. Such bodies should fulfill the conditions set out in Article 1(iv) and qualify for the status of Trusted Intermediary.

PRIVACY

37. The Proposal of Brazil, Ecuador and Paraguay, also endorsed by Mexico, contains the following wording:

Article 13. Respect for Privacy

In implementing this Treaty, Contracting Parties shall protect the privacy of persons who are visually impaired on an equal basis with others. (from Article 22 of the Convention on the Rights of Persons with Disabilities.)

38. The Proposal of the African Group contains the following wording:

Article 20. Respect for privacy

In implementing this Treaty, Contracting Parties shall protect the privacy of the beneficiaries, in particular that of persons who are visually impaired, on an equal basis with all others.

RELATIONSHIPS WITH CONTRACTS

39. The Proposal of Brazil, Ecuador and Paraguay, also endorsed by Mexico, contains the following wording:

Article 7. Relationship With Contracts

Any contractual provisions contrary to the exception provided in Article 4 shall be null and void.

40. The Proposal of the African Group contains the following wording:

Article 14: Relationship with contracts

- (a) Any contractual provisions which provide exemptions from the application of the limitations and exceptions listed in Article 2 shall be null and void.
- (b) This Treaty shall not apply retroactively to contractual relationships entered into prior to the entry into force of the said Treaty.
- (c) The effects of the principle referred to in paragraph (a) shall apply as of the date of entry into force of this Treaty.

TECHNOLOGY AND AWARENESS

41. The Proposal of the European Union contains the following wording:

Article 8. Promotion of an enabling technology framework

Member States should encourage the design and development of an enabling technologies framework so that these technologies become accessible to persons with a print disability at a reasonable cost.

Article 9. Member States awareness

Member States should raise awareness of the challenges and opportunities regarding access to works for persons with a print disability amongst a range of stakeholders including governments, publishers, technology and software producers, the retail sector, libraries and other organizations making accessible formats, and persons with a print disability.

EXCEPTIONS TO TECHNOLOGICAL MEASURES OF PROTECTION

42. The Proposal of Brazil, Ecuador and Paraguay, also endorsed by Mexico, contains the following wording:

Article 6. Circumvention of Technological Measures

Contracting parties shall ensure that beneficiaries of the exception provided by Article 4 have the means to enjoy the exception where technological protection measures have been applied to a work, including when necessary the right to circumvent the technological protection measure so as to render the work accessible.

43. The Proposal of the African Group contains the following wording:

Article 13: Circumvention of technical measures

Contracting parties shall ensure that beneficiaries of the exceptions and limitations listed in Article 2 have the means to enjoy the exception where technical protection measures have been applied to a work, including when necessary the right to circumvent the technical protection measure so as to make the work accessible.

ORPHAN WORKS

44. The Proposal of Brazil, Ecuador and Paraguay, also endorsed by Mexico, contains the following wording:

Article 12. Orphaned Works

- (a) It shall be a matter for national law to determine if certain commercial use of works for which the author or copyright owner cannot be identified or who do not respond to notices require payment of remuneration.
- (b) In cases where right owners cannot be identified or do not respond to notices, liability for uses of works shall not exceed 24 months from the date of use.

45. The Proposal of the African Group contains the following wording:

Article 19: Orphaned works

- (a) It shall be a matter for national law to determine whether certain commercial uses of works for which the author or copyright owner cannot be identified or who do not respond to notices require payment of remuneration.
- (b) In cases where right owners cannot be identified or do not respond to notices, liability for uses of works shall not exceed 24 months from the date of use.

OTHER LIMITATIONS AND EXCEPTIONS

46. The Proposal of the African Group contains the following wording:

Article 6. Reproduction for private use and research

- (a) Contracting Parties shall agree to undertake appropriate measures without the authorization of the right holder to reproduce a work for private use and for research purposes.
- (b) Permissible use shall include the reproduction of all or a substantial part of a work without adequate compensation for the right holder.
- (c) The source and author of the work shall be sufficiently known.

Article 7. Educational and research institutions

- (a) It shall be permitted, without the authorization of the right holder, to make limited copies of published and unpublished works, regardless of their format, for purposes of education and scientific research.
- (b) Copies of the work referred to in paragraph (a) shall be for non-profit use or in the public interest, and shall not unreasonably prejudice the legitimate interests of the right holder.
- (c) This authorization shall cover distance learning.
- (d) It shall be permitted for educational and research institutions to make copies of works acquired legally, without the authorization of the right holder.
- (e) It shall be permitted for educational and research institutions to make copies of orphaned works, where the right holder cannot be identified or located, for the purposes and on the conditions referred to under paragraph (b).
- (f) It shall be possible for the educational and research institutions covered by this Treaty to circumvent measures for the technical protection of works.
- (g) The beneficiaries of this Treaty and persons acting on their behalf shall not bear responsibility if they have acted in good faith, believing or having reasonable grounds to believe that they have acted in accordance with copyright.

Article 8. Libraries and archives

- (a) It shall be permitted to make limited copies of published and unpublished works, regardless of their format, to meet the needs of libraries and archives, without the authorization of the owner of copyright;
- (b) The copies of the work referred to in paragraph (a) shall be used solely to meet the needs of teaching, scientific research, and preservation of cultural heritage;
- (c) The copies referred to in paragraph (a) shall be made for non-profit uses, in the general interest of the public and for human development, without conflicting with the normal exploitation of the work or unreasonably prejudicing the legitimate interests of the author; this activity may be exercised in situ or remotely;
- (d) It shall be permitted for libraries and archives services to make copies of works acquired legally, without the authorization of the right holder;
- (e) It shall be permitted for libraries and archive services to make copies of orphaned works, where the right holder cannot be identified or located, for the purposes and on the conditions referred to in paragraph (b);
- (f) It shall be permitted for the libraries and archive services covered by this Treaty to circumvent measures for the technical protection of works;

- (g) The beneficiaries of this Treaty and persons acting on their behalf shall not bear responsibility if they have acted in good faith, believing or having reasonable grounds to believe that they have acted in accordance with copyright.

Article 9. Computer programs

Contracting Parties shall agree to provide for exceptions and limitations relating to computer programs to allow interoperability, replacement or support.

Article 11. Quotation

- (a) Contracting Parties shall agree to undertake appropriate measures to allow the use of works protected by copyright that have already been made public for purposes of quotation.
- (b) Quotations shall supply the source and name of the author of the work.

ADMINISTRATIVE AND FINAL CLAUSES

47. The Proposal of Brazil, Ecuador and Paraguay, also endorsed by Mexico, contains the following wording:

Article 17. Conference of Parties

- (a) A Conference of Parties shall be established among the Contracting Parties. The Conference of Parties shall be the plenary and supreme body of this Treaty.
- (b) The Conference of Parties shall meet in ordinary session every five years. It may meet in extraordinary session if it so decides or upon request to that effect from at least one-quarter of the Parties.
- (c) The Conference of Parties shall adopt its own rules of procedure.
- (d) The functions of the Conference of Parties shall be, inter alia:
 - 1. to consider possible measures to enhance the implementation or modify this Treaty, including the development of optional protocols; and
 - 2. to take whatever other measures it may consider necessary to further the objectives of this Treaty.

Article 18. Optional Protocols

Contracting Parties shall have the right to propose optional protocols for this Treaty, to address measures such as:

- 1. harmonized obligations or offers to promote standards, interoperability requirements, or regulatory measures to enhance access to works and communications;
- 2. collaborative funding to support the digitalization and distribution of works; and, or
- 3. other measures that are necessary to achieve greater equality of access to knowledge and communications.

Article 19. Reservations

Any Contracting Parties may declare that it declines to implement Article 4(c)(3) of the Treaty.

Article 20. Monitoring and Implementation

Every three years WIPO shall solicit voluntary contributions from Contracting Parties and other possible donors in order to finance one or more studies of the implementation of this Treaty.

48. The Proposal of the African Group contains the following wording:

Article 22. Conference of the Parties

- (a) A Conference of Parties shall be established among the States Parties to this Treaty. The Conference of Parties shall be the plenary and supreme body of this Treaty.
- (b) The Conference of Parties shall meet in ordinary session once every five years. It may meet in extraordinary session if it so decides or upon request to that effect from at least one-quarter of the Parties.
- (c) The Conference of Parties shall adopt its own rules of procedure.
- (d) The functions of the Conference of Parties shall be, inter alia:
 1. to consider possible measures to enhance the implementation or modify the provisions of this Treaty, including the development of optional protocols; and
 2. to take whatever other measures it may consider necessary to further the objectives of this Treaty.

Article 23. Optional protocols

Contracting Parties shall have the right to propose optional protocols for this Treaty, to address measures such as:

1. harmonized obligations or offers to promote standards, interoperability requirements, or regulatory measures to enhance access to works and communications;
2. joint funding to support the digitalization and distribution of works; or
3. other measures that are necessary to achieve greater equality of access to knowledge and communications.

Article 24. Monitoring and implementation

Every three years WIPO shall solicit voluntary contributions from Contracting Parties and other possible donors in order to finance one or more studies of the implementation of this Treaty.

Final provisions

Article 25. Becoming Party to the Treaty

- (1) Any State member of WIPO may become party to this Treaty by means of:
 - (i) signature followed by the deposit of an instrument of ratification;
 - (ii) deposit of an instrument of accession.

- (2) Instruments of ratification or accession shall be deposited with the Director General of WIPO.

Article 26. Entry into force of the Treaty

- (1) This Treaty shall enter into force three months after 10 instruments of ratification or accession by States have been deposited.
- (2) Any State which does not become party to this Treaty upon entry into force under paragraph (1) shall become bound by this Treaty three months after the date on which such a State has deposited its instrument of ratification or accession.

Article 27. Reservations

Any Contracting Party may declare that it will not apply the provisions of Article 5.c(3) of this Treaty.

Article 28. Denunciation

- (1) Any Contracting State may denounce this Treaty by notification addressed to the Director General of WIPO.
- (2) Denunciation shall take effect six months after receipt of the said notification by the Director General.

Article 29. Signature and languages

- (1) This Treaty shall be signed in a single original in the English, French and Spanish languages, and shall be official in the other official languages of the United Nations (Arabic, Chinese and Russian), all six texts being equally authentic.
- (2) This Treaty shall remain open for signature at Geneva until December 31, xxxx

Article 30. Depositary functions

- (1) The original of this Treaty, when no longer open for signature, shall be deposited with the Director General of WIPO.
- (2) The Director General of WIPO shall transmit a copy, certified by him, of this Treaty to the Governments of all Contracting States.
- (3) The Director General of WIPO shall register this Treaty with the Secretariat of the United Nations.
- (4) The Director General of WIPO shall transmit two copies, certified by him, of any amendment to this Treaty to the Governments of all Contracting States and, on request, to the Government of any other State.

Article 31. Notifications

The Director General of WIPO shall notify the Governments of all WIPO Member States of:

- (i) signatures under Article 29;

- (ii) deposits of instruments of ratification or accession under Article 25;
- (iii) the date of entry into force of this Treaty;
- (iv) any reservations made under Article 27;
- (v) any denunciations received under Article 28.

[End of document and of Annex]