

Standing Committee on Copyright and Related Rights

Forty-third Session
Geneva, March 13 – 17, 2023

ANNOTATED AGENDA

prepared by the Secretariat

SCCR Background: The WIPO Standing Committee on Copyright and Related Rights (SCCR) was established in 1998, pursuant to a decision of the Assemblies of the Member States of WIPO to establish Standing Committees to take over the functions of existing committees of experts. The SCCR was “to consider emerging issues in this field,” so that “WIPO activities aimed at developing the international system for protecting copyright and related rights will be better harmonized, more thoroughly prepared and more transparent.” (SCCR/1/2). The Committee held its first session in 1998. Its 43rd session will be held from March 13-17, 2023.

Notional agenda and flexible approach: This annotated agenda sets out the Secretariat’s estimate of the proposed time allocation for the SCCR, taking into account the principle of respecting the balance of time between the two main substantive topics on the agenda, broadcasting and limitations and exceptions. Recalculations may be needed during the meeting to respect this balance, especially taking into account the Information Session on the Music Streaming Market requested by Member States, which is proposed to take place during the afternoon session on Thursday, March 16.

For information on the previous session, the Summary by the Chair (SCCR/42/SUMMARY BY THE CHAIR) and Statements submitted for SCCR/42 (SCCR/42/INF/3) are published on the SCCR/42 webpage under https://www.wipo.int/meetings/en/details.jsp?meeting_id=69311.

Starting with SCCR/42, in accordance with the decision of the General Assembly, the Secretariat is no longer preparing a report. Instead, the record of the previous meeting can be accessed via the WIPO webcast page as a video on demand under <https://webcast.wipo.int/home>. Machine-generated transcripts of the previous meeting are available for download on each session’s webcast page under the download icon on the right as well as under the following link: <https://www.wipo.int/s2t/SCCR42/sessions.html>.

Day 1 – Monday, March 13, 2023

Opening and Protection of Broadcasting Organizations

10:00 – 10:15	Opening of the session; adoption of the agenda; election of officers; accreditation of NGOs Documents: <i>Draft Agenda</i> (SCCR/43/1 PROV.) and <i>Accreditation of Non-Governmental Organizations</i> (SCCR/43/2) are available on the meeting web page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=75412 .
10:15 – 10:20	Remarks by the Deputy Director General
10:20 – 10:30	Remarks and brief description of the meeting format and working methods by the Chair and Secretariat
10:30 – 11:00	Opening statements from group coordinators
11:00 – 13:00	Opening of broadcasting organizations agenda item Documents: <i>Second Revised Draft Text for the WIPO Broadcasting Organizations Treaty</i> (SCCR/43/3); prior related documents are available

on the meeting page at
https://www.wipo.int/meetings/en/details.jsp?meeting_id=75412.

Reminder of Recent Activity: During the 42nd session of the SCCR, the *Revised Draft Text for the WIPO Broadcasting Organizations Treaty* (SCCR/42/3), addressed by the Chair, Vice Chairs, and Facilitators, was discussed, and the Committee provided comments and engaged in a question-and-answer session with the drafters.

SCCR/43 Session: Members, IGOs, and NGOs will be invited to deliver statements (two minutes for Members, one minute for IGOs and NGOs).¹ Then there will be a presentation by the Chair, Vice-Chairs and Facilitators on the *Second Revised Draft Text for the WIPO Broadcasting Treaty* (document SCCR/43/3), prepared based on comments, suggestions and questions from delegations. The Chair will then invite Members, IGOs and NGOs to comment and to give their inputs on next steps, with the possibility to break into informals at a certain point.

13:00 – 15:00

Lunch break²

Side event: *“Empirical Evidence on Copyright: an Open Knowledge Approach”*, CREATE, The UK Copyright and Creative Economy Centre, University of Glasgow

Room: AB Building, Room B

15:00 – 18:00

Continuation of broadcasting organizations topic as described above

Day 2 – Tuesday, March 14, 2023

Protection of Broadcasting Organizations and Limitations and Exceptions

10:00 – 13:00

Continuation of broadcasting organizations topic as described on March 13, 2023

13:00 – 15:00

Lunch break

Side event: *“The Global Library – a Vision or Utopia?”*, The National Library of Sweden, project member EODOPEN (E-Books-On-Demand Network Opening Publications for European Netizens)

Room: AB Building, Room B

15:00 – 17:00

Continuation of the broadcasting organizations topic

17:00 – 18:00

Opening of the agenda items on limitations and exceptions

¹ More extensive statements, whether general or addressed to a specific agenda item, may be provided to the Secretariat at copyright.mail@wipo.int before, during or immediately after the session (until March 30, 2023), for posting on the SCCR/43 web page.

² The WIPO cafeteria will be open each day until 2 pm.

Documents: *Toolkit on Preservation* (SCCR/43/4); *Scoping study on the practices and challenges of research institutions and research purposes in relation to copyright* (still under preparation); *Proposal by the African Group for a Draft Work Program on Exceptions and Limitations* (SCCR/42/4 REV.); prior related documents are available on the meeting page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=75412.

Reminder of Recent Activity: During SCCR/42, the Secretariat provided a recap of the work done pursuant to the *Action Plan for Libraries, Archives, and Museums* and the *Action Plan for Educational and Research Institutions and Persons with Other Disabilities* (document SCCR/36/7), as well as the *Report on Regional Seminars and International Conference* (document SCCR/40/2). The *Proposal by the African Group for a Draft Work Program on Exceptions and Limitations* (document SCCR/42/4 Rev.) was presented, discussed, and modified. The Committee asked the Secretariat to (1) prepare presentations on possible cross-border problems linked to specific uses of copyrighted works in the online cross-border environment, (2) present a scoping study on limitations and exceptions on research, and (3) develop a toolkit on preservation.

SCCR/43 Session: Members, IGOs, and NGOs will be invited to deliver statements (two minutes for Members, one minute for IGOs and NGOs). Presentations will be made on (1) a preservation toolkit (2) an update on the research scoping study, and (3) cross-border issues re: education and research. After each presentation, the Chair will invite Members, IGOs and NGOs to comment, with the ability to interact with the experts and authors who are present for the session. The Chair will invite the African Group to provide an update on the *Proposal by the African Group for a Draft Work Program on Exceptions and Limitations* (SCCR/42/4 REV.). The Chair will then invite Members, IGOs and NGOs to comment and give their inputs on possible next steps.

18:00 Side event: “*What is the role of model laws in norm setting for intellectual property?*”, Knowledge Ecology International (KEI)

Room: AB Building, Room B

Day 3 – Wednesday, March 15, 2023

Limitations and Exceptions

10:00 – 13:00 Continuation of limitations and exceptions topics as described on March 14, 2023

Presentation on the Toolkit on Preservation

Speakers: Prof. Kenneth Crews
Ms. Rina Pantalony
Mr. David Sutton

- 13:00 – 15:00 Lunch break
- Side event: “*WIPO IP Diagnostics for Publishers*”, IP for Business Division (IPBD) and Information and Digital Outreach Division (IDOD), WIPO
- Room: New Building, NB0.107
- 15:00 – 18:00 Continuation of limitations and exceptions topics
- Update on the research scoping study
- Speaker: Prof. Raquel Xalabarder
- 18:00 Side event: “*Unfair remuneration of performers in the digital environment: Towards a WIPO remedy*”, The International Federation of Musicians (FIM), The Association of European Performers’ Organizations (AEPO-ARTIS), The Societies’ Council for the Collective Management of Performers’ Rights (SCAPR), The Federación Ibero-latinoamericana de Artistas, Intérpretes y Ejecutantes (FILAIE)
- Room: AB Building, Room B + Salon Apollon

Day 4 – Thursday, March 16, 2023

Limitations and Exceptions and Other Matters

- 10:00 – 13:00 Continuation of limitations and exceptions topics as described on March 14, 2023
- Presentation on cross-border issues re: education and research
- Moderator: Ms. Natalia Reiter
Speakers: Ms. Ana Andrijevic
Dr. Natalie Corthesy
Prof. Yogesh K. Dwivedi
Prof. Paul Birevu Muyinda
- The speakers’ biographies are published in document SCCR/43/INF/3.
- Discussion on the *Proposal by the African Group for a Draft Work Program on Exceptions and Limitations*
- 13:00 – 14:30 Lunch break³
- Side event: “*Streaming Forward: Introduction to Leading Audio Streaming Services*”, Digital Media Association (DiMA)
- Room: New Building, Room NB0.107

³ It is proposed to shorten the lunch break by 30 minutes to allow more time for the information session.

Other Matters

- 14:30 Opening of the agenda item on other matters
- 14:30 – 18:00 Information Session on the Music Streaming Market will be held as requested by Member States at SCCR/43, based on a GRULAC initiative. A provisional program is published in document SCCR/43/5.

Day 5 – Friday, March 17, 2023

Other Matters and Closing of Session

- 10:00 – 10:05 Continuation of agenda item on other matters
- 10:05 – 11:15 Copyright in the Digital Environment

Documents: Prior related documents are available on the meeting page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=75412.

Reminder of Recent Activity: At the 42nd session of the SCCR, the authors presented the following studies and discussed them with Member States: *Inside the Global Digital Music Market* (SCCR/41/2) by Ms. Susan Butler; *Study on the Artists in the Digital Music Marketplace: Economic and Legal Considerations* (SCCR/41/3) by Mr. Christian Castle and Professor Claudio Feijoo; *The Latin American Music Market* (SCCR/41/4) by Ms. Leila Cobo; *Etude Portant sur le Marché Numérique de la Musique en Afrique de L'Ouest* (SCCR/41/6) by Mr. El H. Mansour Jacques Sagna; and *Report on the Online Music Market and Main Business Models in Asia: Overview and General Trends* (SCCR/41/7) by Professor Irene Calboli and Mr. George Hwang.

SCCR/43 Session: In light of the Information Session and previous work on this topic, Members, IGOs, and NGOs will be invited by the Chair to give their comments, including their inputs on possible next steps.

- 11:15 – 12:25 Resale Right

Documents: *WIPO Toolkit on Artist's Resale Right* (SCCR/43/INF/2); prior related documents are available on the meeting page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=75412.

Reminder of Recent Activity: During the 42nd session of the SCCR, the Committee took note of statements made by delegations and agreed to continue exchanging views and information.

SCCR/43 Session: The Chair will invite Prof. Sam Ricketson to present Part 1 of the new *WIPO Toolkit on Artist's Resale Right* (SCCR/43/INF/2).

Members, IGOs, and NGOs will be invited by the Chair to give their comments, including their inputs on possible next steps.

12:25 – 12:35

Rights of Theatre Directors

Documents: Prior related documents are available on the meeting page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=75412.

Reminder of Recent Activity: At SCCR/42, consideration was postponed to SCCR/43.

SCCR/43 Session: The Chair will invite the Secretariat to give a brief update. Members, IGOs, and NGOs will be invited by the Chair to give their comments, including their inputs on possible next steps.

12:35 – 12:45

Proposal for Study on the Public Lending Right

Document: *Proposal for a Study Focused on Public Lending Right in the Agenda and Future Work of the Standing Committee on Copyright and Related Rights of the World Intellectual Property Organization (WIPO)* (SCCR/40/3/Rev. 2), available on the meeting page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=75412.

Reminder of Recent Activity: At its 42nd session, the Committee took note of the proposal and statements made by delegations.

SCCR/43 Session: The Chair will invite the proponents to provide a brief update. Members, IGOs, and NGOs will be invited by the Chair to give their comments, including their inputs on possible next steps.

12:45 – 13:00

Other Matters

The Chair will ask if there are any other matters to be considered by the Committee.

13:00 – 15:00

Lunch break

15:00 – 18:00

Closing of the session: presentation of the Chair's Summary; closing statements from Group Coordinators.

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