

Standing Committee on Copyright and Related Rights

Forty-Fifth Session
Geneva, April 15 to 19, 2024

PROVISIONAL ANNOTATED AGENDA

prepared by the Secretariat

DRAFT APRIL 12, 2024

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 45th session will be held from April 15-19, 2024.

Notional agenda and flexible approach: This annotated agenda sets out the Secretariat’s estimate of the proposed time allocation for the SCCR, considering the principle of respecting the balance of time among the three main substantive topics on the agenda. As summarized by the Chair at SCCR/44, this annotated agenda reflects the time allocation as follows: “(...) *the time for four and one-half days should be divided equally between broadcasting, limitations and exceptions and other matters, including copyright in the digital environment, the resale royalty right, rights of theatre directors, and the public lending right, after the handling of preliminary, administrative agenda items.*”

For information on the previous session, the Summary by the Chair (SCCR/44/SUMMARY BY THE CHAIR) and Statements submitted for SCCR/44 (SCCR/44/INF/STATEMENTS) are published on the SCCR/44 webpage at https://www.wipo.int/meetings/en/details.jsp?meeting_id=78391.

Since 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 at <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.

Day 1 – Monday, April 15, 2024

Opening of Session and Protection of Broadcasting Organizations

10:00 – 10:20

Agenda item 1: Opening of the session: Welcoming remarks by the Deputy Director General and the Chair

Agenda item 2: Adoption of the agenda of the forty-fifth session

Document: *Draft Agenda* (document SCCR/45/1 PROV. 2) is available on the meeting web page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=80924

Agenda item 3: Accreditation of new non-governmental organizations

Document: *Accreditation of Non-Governmental Organizations* (document SCCR/45/2 REV.) is available on the meeting web page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=80924

- 10:20 – 10:30 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 – 11:20 Coffee break¹
- 11:20 – 13:00 Opening of **Agenda item 4**: Protection of broadcasting organizations

Documents: [Draft WIPO Broadcasting Organizations Treaty](#) (document SCCR/45/3);

Prior related documents are available on the meeting page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=80924.

Reminder of Recent Activity: During the 44th session of the SCCR, the *Third Revised Draft Text for the WIPO Broadcasting Organizations Treaty* (document SCCR/44/3), was presented by the Chair, Vice Chairs, and Facilitators, followed by a discussion in an informal setting.

SCCR/45 Session: A presentation will be made by the Chair, Vice-Chair and Facilitators on the *Draft WIPO Broadcasting Organizations Treaty* (document SCCR/45/3), revised based on comments, suggestions, and questions from delegations made at SCCR/44. The Committee will then break into an informal session for discussion of this text and possible next steps.

- 13:00 – 15:00 Lunch break
- 15:00 – 16:00 Continuation of Agenda item 4
- 16:00 – 16:20 Coffee break
- 16:20 – 18:00 Continuation of Agenda item 4

Day 2 – Tuesday, April 16, 2024

Protection of Broadcasting Organizations and Limitations and Exceptions

- 10:00 – 11:00 Continuation of Agenda item 4
- 11:00 – 11:20 Coffee break
- 11:20 – 13:00 Continuation of Agenda item 4
- 13:00 – 15:00 Lunch break
- 15:00 – 16:00 Continuation of Agenda item 4
- 16:00 – 16:20 Coffee break

¹ Coffee will be available at the times marked for coffee breaks. However the Chair may decide not to pause the meeting during some or all of these breaks.

16:20 – 17:00

Conclusion of work on Agenda item 4

17:00 – 18:00

Opening of **Agenda item 5**: Limitations and exceptions for libraries and archives and **Agenda item 6**: Limitations and exceptions for educational and research institutions and for persons with other disabilities

Documents: The United States of America's proposal contained in *Updated Version of the Document "Objectives and Principles for Exceptions and Limitations for Libraries and Archives"* ([previous version was] SCCR/26/8) (document SCCR/44/5); *Draft Proposal by the African Group for the Implementation of the Work Program on Exceptions and Limitations* (document SCCR/44/6) related to the *Work Program for Limitations and Exceptions* adopted in March 2023 (document SCCR/43/8); Draft prepared by the Secretariat at the request of Member States on the implementation plan for the *Work Program on Limitations and Exceptions* (text will published as SCCR/45/10 as soon as comments sent by April 3 from Delegations are incorporated).

Prior related documents are available on the meeting page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=80924.

Reminder of Recent Activity: During SCCR/44, Professor Raquel Xalabarder presented the *Study on the Challenges of Research Institutions and Research Purposes in Relation to Copyright* (document SCCR/44/4) and after the discussion, Delegations were invited to send their comments to be integrated in a revised version. The United States of America presented an updated version of a previous proposal (from December 2013) entitled *Updated Version of the Document "Objectives and Principles for Exceptions and Limitations for Libraries and Archives"* (SCCR/26/8) (document SCCR/44/5). A *Draft Proposal by the African Group for the Implementation of the Work Program on Exceptions and Limitations* (document SCCR/44/6) was presented. This draft proposal is related to the *Work Program on Exceptions and Limitations* adopted at the 43rd session of the SCCR.

The Committee asked the Secretariat to: (1) Organize, during the intersessional period, a virtual panel discussion, using a case study approach, on cross-border uses of copyrighted works in the educational and research sectors. (2) Prepare a detailed implementation plan for the *Work Program on Exceptions and Limitations* adopted at SCCR/43, and consult Member States on this text during the intersessional period prior to presentation of the plan at SCCR/45.

SCCR/45 Session: The Chair will invite the Secretariat to report on the virtual panel discussion on the cross-border uses of copyrighted works in the educational and research sectors, held during the intersessional period. Discussions will be held on (1) the detailed implementation plan prepared by the Secretariat for the *Work Program on Exceptions and Limitations* adopted at SCCR/43 (document SCCR/45/10) and (2) the US proposal contained in the document entitled *Updated Version of the Document "Objectives and Principles for Exceptions and Limitations for Libraries and Archives"* (SCCR/26/8) (document SCCR/44/5), introduced in November 2023.

Day 3 – Wednesday, April 17, 2024

Limitations and Exceptions

10:00 – 11:00	Continuation of Agenda items 5 and 6
11:00 – 11:20	Coffee break
11:20 – 13:00	Continuation of Agenda items 5 and 6
13:00 – 15:00	Lunch break
15:00 – 16:00	Continuation of Agenda items 5 and 6
16:00 – 16:20	Coffee break
16:20 – 18:00	Continuation of Agenda items 5 and 6

Day 4 – Thursday, April 18, 2024

Limitations and Exceptions and Other Matters

10:00 – 11:00	Continuation of Agenda items 5 and 6
11:00 – 11:20	Coffee break
11:20 – 12:40	Continuation and conclusion of work on Agenda items 5 and 6
12:40	Opening of Agenda item 7: Other Matters

Copyright in the Digital Environment

12:40 – 13:10	Documents: Work Plan on Copyright and Digital Environment (document SCCR/45/4), submitted by Group of Latin American and Caribbean Countries (GRULAC). This document follows the previous <i>Proposal for Analysis of Copyright Related to the Digital Environment</i> (document SCCR/43/7), introduced during SCCR/43. Prior related documents are available on the meeting page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=80924 .
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Reminder of Recent Activity: At the 44th session of the SCCR, the Secretariat presented a brief, high-level overview of the results of the Information Session that was held on the music streaming market at SCCR/43. GRULAC presented the *Proposal for Analysis of Copyright Related to the Digital Environment* (document SCCR/43/7), which proposes to make Copyright in the Digital Environment a standing agenda item and to undertake further activities on music in the digital

environment. GRULAC also suggested treating a wider range of topics under Copyright in the Digital Environment.

SCCR/45 Session: Presentation and discussion of the [Work Plan on Copyright and Digital Environment](#) (document SCCR/45/4), submitted by GRULAC.

13:10 – 14:30 Lunch break²

Information Session

14:30 – 18:30³ An Information Session on the Opportunities and Challenges Raised by Generative AI as it Relates to Copyright will be held as requested by SCCR Members at SCCR/44.

Documents: *Proposal for Information Session on Generative AI and Copyright* (document SCCR/44/8); a provisional program for the information session will be published as document SCCR/45/8; Documents are available on the meeting page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=80924.

Reminder of Recent Activity: At the 44th session of the SCCR, Group B introduced a *Proposal for Information Session on Generative AI and Copyright* (document SCCR/44/8). The Secretariat was invited to organize an information session on the opportunities and challenges raised by generative AI as it relates to copyright, as part of the topic of Copyright in the Digital Environment.

Day 5 – Friday, April 19, 2024

Other Matters and Closing of the Session

Copyright in the Digital Environment (cont.)

10:00 – 11:30 Continuation of the discussion on the [Work Plan for Copyright and Digital Environment](#) (document SCCR/45/4) presented by GRULAC, as well as discussion on the follow-up of the Information Session on the Opportunities and Challenges Raised by Generative AI as it Relates to Copyright.

11:30 – 11:50 Coffee break

Public Lending Right

11:50 – 12:30 **Documents:** *Proposal for a Study Focused on Public Lending Right in the Agenda and Future Work of the Standing Committee on Copyright*

² It is proposed to shorten the lunch break by 40 minutes to allow more time for the information session.

³ Coffee will be available between 15:00 and 15:30 outside the room.

and Related Rights of the World Intellectual Property Organization (WIPO) (document SCCR/40/3/Rev. 2); [Scoping Study on Public Lending Right](#) (document SCCR/45/7); documents are available on the meeting web page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=80924

Reminder of Recent Activity: At SCCR/43, this proposal initial made by Sierra Leone, Malawi, and Panama was adopted by the Committee. At SCCR/44, the Secretariat gave a brief update on the status of the ongoing work.

SCCR/45 Session: The Chair will invite the author Ms. Sabine Richly to present the [Scoping Study on Public Lending Right](#) (document SCCR/45/7), to be followed by a discussion on the topic.

Proposal for a Study on the Rights of Audiovisual Authors and their Remuneration for the Exploitation of their Works

12:30 – 13:00 **Document:** *Proposal for a Study on the Rights of Audiovisual Authors and their Remuneration for the Exploitation of their Works* (document SCCR/44/7) is available on the meeting web page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=80924.

Reminder of Recent Activity: At the 44th session of the SCCR, the Delegation of Cote d'Ivoire introduced the *Proposal for a Study on the Rights of Audiovisual Authors and their Remuneration for the Exploitation of their Works* (document SCCR/44/7).

SCCR/45 Session: The Chair will invite the Committee to consider the proposal.

13:00 – 15:00 Lunch break

Resale Royalty Right

15:00 – 16:00 **Documents:** *WIPO Toolkit on Artist's Resale Right – Part 1* (document SCCR/43/INF/2); [WIPO Toolkit on Artist's Resale Right – Part 2](#) (document SCCR/45/INF/2); documents are available on the meeting web page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=80924.

Reminder of Recent Activity: At the 43rd session of the SCCR, Professor Sam Ricketson presented Part 1 of the *WIPO Toolkit on Artists' Resale Right* (document SCCR/43/INF/2) focusing on the legal framework. At SCCR/44, the Secretariat gave a brief update on the status of the ongoing work.

SCCR/45 Session: The Chair will invite Professor Ricketson to present [Part 2 of the WIPO Toolkit on Artist's Resale Right](#) (document SCCR/45/INF/2), to be followed by a discussion on the topic.

16:00 – 16:20 Coffee break

Rights of Theatre Directors

16:20 – 16:35 **Document:** *Study on the Rights of Stage Directors of Theatrical Productions* (document SCCR/41/5) is available on the meeting web page at https://www.wipo.int/meetings/en/details.jsp?meeting_id=80924.

Reminder of Recent Activity: At SCCR/44, the Secretariat gave a brief update on the status of the ongoing work.

SCCR/45 Session: The Chair will invite the Secretariat to report on the status of the work.

Other Matters

16:35 – 16:50 The Chair will ask if there are any other matters to be considered by the Committee.

16:50 – 18:00 Opening of **Agenda item 8**: Closing of the Session: presentation of the Chair's Summary; closing statements from Group Coordinators.

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