

WIPO



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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

STANDING COMMITTEE ON COPYRIGHT AND RELATED RIGHTS

Sixth Session

Geneva, November 26 to 30, 2001

PROTECTION OF THE RIGHTS OF BROADCASTING ORGANIZATIONS

Proposal by Ukraine

WIPO TREATY ON BROADCASTING ORGANIZATIONS

Article 1

Relation to Other Conventions and Treaties

1. Nothing in this Treaty shall limit from existing obligations, that Contracting Parties have to each other under the International Convention for the Protection of Interests of Performers, Producers of Phonograms and Broadcasting Organizations done in Rome, on October 26, 1961 (hereinafter the "Rome Convention").
2. Protection granted under this Treaty shall leave intact and shall in no way affect the protection of copyright in literary and artistic works. Consequently, no provision of this Treaty may be interpreted as prejudicing such protection.
3. This Treaty shall not have any connection with, nor shall it prejudice any rights and obligations under any other treaties.

Article 2

National Treatment

Each Contracting Party shall accord to nationals of other Contracting Parties, as defined in Article , the treatment it accords to its own nationals with regard to the exclusive rights specifically granted in this Treaty.

Article 3

Term of Protection

The term of protection to be granted to broadcasting organizations under this Treaty shall last, at least, until the end of a period of 50 years computed from January 1 of the year following the year of the first broadcast of the broadcasting program.

Article 4

Formalities

The enjoyment and exercise of rights provided for in this Treaty shall not be subject to any formality.

Article 5

Reservations

No reservations to this Treaty shall be permitted.

Article 6
Application in Time

Contracting Parties shall apply the provisions of Article 18 of the Berne Convention, *mutatis mutandis*, to the rights of broadcasting organizations provided for in this Treaty.

Article 7
Provisions on Enforcement of Rights

1. Contracting Parties undertake to adopt, in accordance with their legal systems, the measures necessary to ensure the application of this Treaty.
2. Contracting Parties shall ensure that enforcement procedures are available under their law so as to permit effective action against any act of infringement of rights covered by this Treaty, including expeditious remedies to prevent infringements and remedies which constitute a deterrent to further infringements.

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