

Transfer of Rights in the Beijing Treaty on Audiovisual Performances (BTAP)

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BTAP

ARTICLE 12 AND THE FILM INDUSTRY

IMPLICATIONS

WHAT NEXT?

The first multilateral IP treaty adopted in Asia

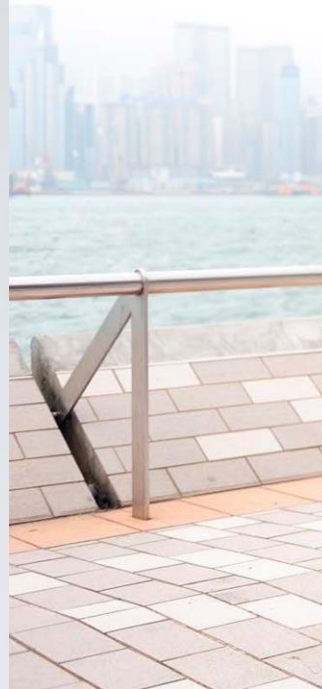
Highest level of participation ever;
156 member states, 6 intergovernmental organizations
and 45 non-governmental organizations

Flexibility for national implementation

BEIJING TREATY ON AUDIOVISUAL PERFORMANCES (BTAP)

The economic contribution of the film and television industries

March 2015



CDIP/12/INF/3
ORIGINAL: ENGLISH
DATE: SEPTEMBER 25, 2013

Committee on Development and Intellectual Property (CDIP)

Twelfth Session
Geneva, November 18 to 21, 2013

SCOPING STUDY ON STRENGTHENING AND DEVELOPMENT OF THE AUDIOVISUAL SECTOR IN BURKINA FASO AND CERTAIN AFRICAN COUNTRIES¹

prepared by WIPO Consultants Messrs Bertrand Moullier and Benoit Muller

Deloitte Access Economics



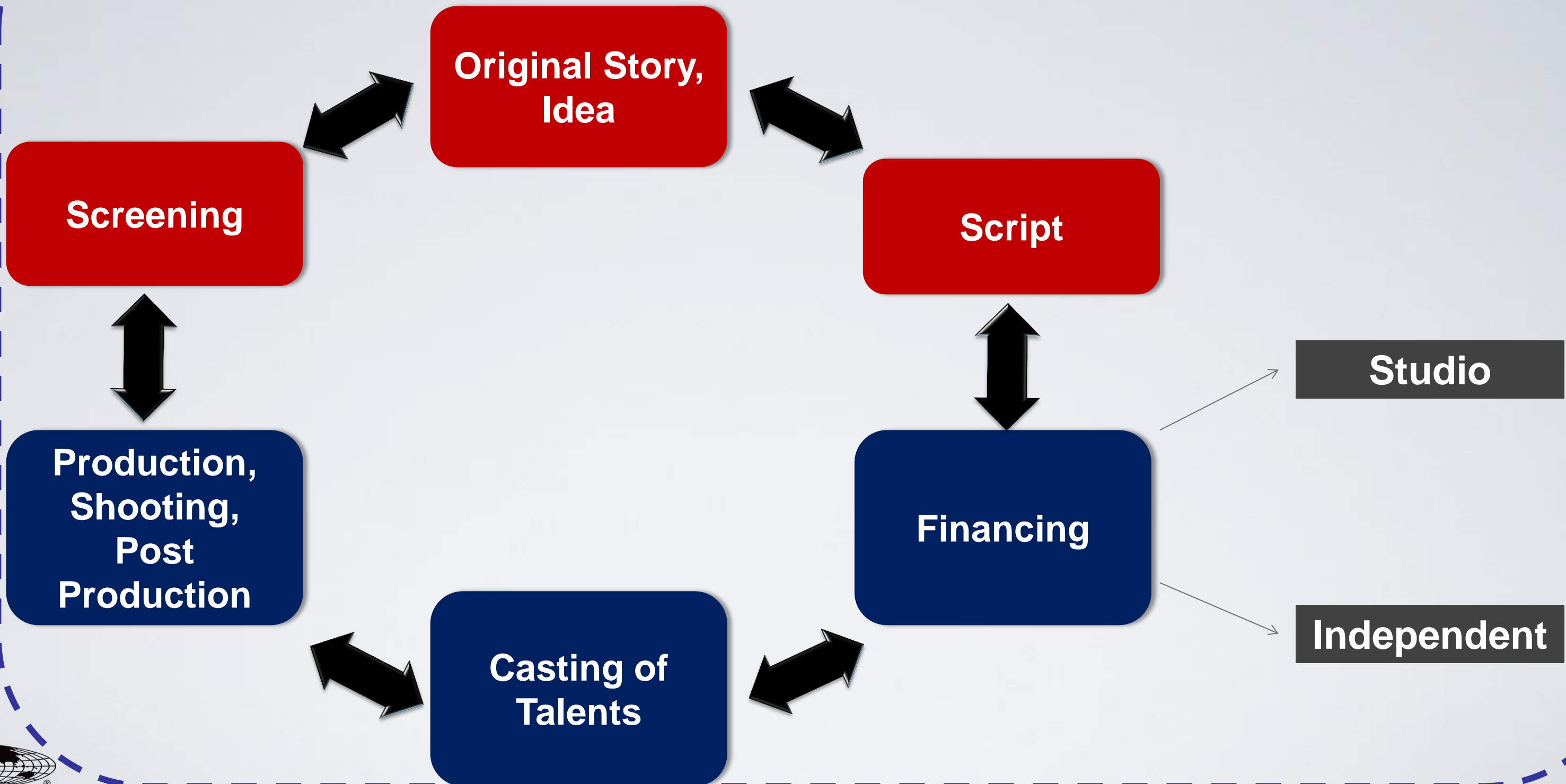
Economic contribution of the film and television industry in Australia

Australian Screen Association | February 2015

ECONOMIC/CULTURAL IMPORTANCE OF COPYRIGHT



PRODUCER



HOW A FILM GETS MADE

Article 12: Transfer of Rights

(1) A Contracting Party may provide in its national law that once a performer has consented to fixation of his or her performance in an audiovisual fixation, the exclusive rights of authorization provided for in Articles 7 to 11 of this Treaty shall be owned or exercised by or transferred to the producer of such audiovisual fixation subject to any contract to the contrary between the performer and the producer of the audiovisual fixation as determined by the national law.

(2) A Contracting Party may require with respect to audiovisual fixations produced under its national law that such consent or contract be in writing and signed by both parties to the contract or by their duly authorized representatives.

(3) Independent of the transfer of exclusive rights described above, national laws or individual, collective or other agreements may provide the performer with the right to receive royalties or equitable remuneration for any use of the performance, as provided for under this Treaty including as regards Articles 10 and 11.

ARTICLE 12 AND THE FILM INDUSTRY



**1. Get BTAP
Ratified**

**2. Have more
countries
accede to WCT
and WPPT**

THANK YOU