



Canadian Library Association
Association canadienne des bibliothèques

WIPO STANDING COMMITTEE ON COPYRIGHT AND RELATED RIGHTS

23rd Session: Geneva, 21 November 2011 – 02 December 2011

**Limitations and Exceptions for the protection of Broadcast Organizations
Intervention by the Canadian Library Association**

Thank you Mr Chairman for the opportunity to speak on behalf of the Canadian Library Association.

We continue to believe that there is little reason for an international instrument on the protection of broadcasting organizations because piracy of broadcast signals is already dealt with under existing laws and can be enforced.

We note the ongoing confusion over the differentiation between signal and the content. To be clear, our concern is with the content and the layering of rights this draft treaty implies relating to the content of broadcast signals.

This is of concern to librarians because a treaty has the potential to impose a barrier to access to knowledge, particularly content in the public domain and the ability of individuals and artists to utilize broadcast content for non-commercial and legitimate artistic self expression.

Should a treaty proceed, we support the position taken by the distinguished member from India during the informal deliberations on the weekend in support of limitations and exceptions for uses such as education and research. We are pleased to see that limitations and exceptions are addressed in the draft treaty tabled by the delegations from South Africa and Mexico.

Such limitations and exceptions must not be overridden by TPM's preventing lawful uses.

Distinguished delegates should consider the unintended consequences of the complex layering rights implicit in this proposal.

Thank You

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29 November 2011